

Lynne Ridsdale
Chief Executive

Our Ref C/RE
Date 10 March 2026
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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, R Brown, C Cummins, D Duncalfe, U Farooq, E FitzGerald, N Frith, I Gartside, R Gold, D Green, J Grimshaw, S Haroon, J Harris, M Hayes, J Hook, K Hussain, B Ibrahim, J Lancaster, G Marsden, G McGill, C Morris, E Moss, E O'Brien, T Pilkington, A Quinn, D Quinn, T Rafiq, M Rahimov, I Rizvi, M Rubinstein, J Rydeheard, L Ryder, K Simpson, L Smith, M Smith, J Southworth, G Staples-Jones, T Tariq, S Thorpe, D Vernon, S Walmsley, M Walsh and Y Wright

Dear Member/Colleague

Council

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

Date:	Wednesday, 18 March 2026
Place:	Council Chamber - Town Hall
Time:	6.00 pm
Briefing Facilities:	If Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	There will be a council photograph taken immediately after the council meeting on the red carpet.

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

Yours sincerely



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 MINUTES (Pages 5 - 12)

Minutes attached.

4 PUBLIC QUESTION TIME

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.

5 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

Committee/Date	Subject	Recommendation
Audit Committee, 8 December 2025	Anti fraud and corruption strategy	<ul style="list-style-type: none">• Members to approve the Anti-Fraud & Corruption Strategy• Members to approve the Whistleblowing (Confidential Reporting) Policy• Members to approve the Fraud and Corruption Prosecution Policy• Members to approve the Anti Bribery Policy• Members to approve the Anti Money Laundering Policy
Licensing and Safety Committee, 19 February 2026	HMO Licensing Policy and Updated Standards and Amenity documents	That the Committee approves the HMO Licensing Policy and the updated Standards and Amenities Guidance, and delegates authority to the Assistant Director for Public Protection and Resilience to make any necessary amendments arising from consultation, as well as any future amendments required to reflect new or amended legislation
Democratic Arrangement Forum, 23 March 2026	Appointment of Deputy Mayor for the municipal year 2026/27	To appoint Councillor Mike Smith as Deputy Mayor for the municipal year 2026/27
Democratic Arrangement Forum, 23 March 2026	Approval of meetings timetable 2026/27	To approve the meetings timetable for the municipal year 2026/27

Proposed:

Committee/Date	Subject	Recommendation
Cabinet meeting, 11 March 2026	Business Rates and Council Tax Discretionary Policy	1. That Cabinet makes a recommendation to Council to approve the new Business Rates and Council Tax Discretionary policy from 1st April 2026. 2. That Cabinet note that adoption of the policy must be made by Full Council.
Cabinet meeting, 11 March 2026	Write Off Policy 2026	1. That Cabinet approve the new policy and relevant changes to the constitution being forwarded to Full Council for ratification 2. That Cabinet note that adoption and constitution changes must be by Full Council

- a **ANTI FRAUD & CORRUPTION STRATEGY 2025/2027** (Pages 13 - 80)

- b **HMO Licensing Policy and Updated Standards and Amenity documents** (Pages 81 - 118)

- c **Appointment of Deputy Mayor 2026/27**

- d **Meetings Timetable 2026/27** (Pages 119 - 130)

- e **Business Rates and Council Tax Discretionary Policy** (Pages 131 - 150)

- f **Write Off Policy 2026** (Pages 151 - 162)

Minutes of: COUNCIL

Date of Meeting: 25 February 2026

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

**Apologies for
Absence** D Green

Public Attendance: 8 members of the public attended the meeting.

C. 52 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Debra Green

C. 53 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

C. 54 MAYORAL COMMUNICATIONS AND ANNOUNCEMENTS

The Mayor as Bury's first citizen updated Members of the Council on work undertaken since the last meeting.

C. 55 MINUTES

The minutes of the two meetings held on 21 January 2026 and 26 January 2026 were approved as a correct record and signed by the Mayor.

C. 56 PUBLIC QUESTION TIME

Notice had been received of the following questions:

Questioner	Topic	Responding
Andy Hay	Prestwich regeneration budget	Cllr Thorpe
Jonathan Moss	Highways budget	Cllr Thorpe
Andrew White	Budget for planned works for Turton Road	Cllr Thorpe
Samantha White	Damage claims for	Cllr Thorpe

	Turton Road	
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Questions without notice:

Questioner	Topic	Responding
James Ferguson	Budget for children's services	Cllr L Smith

C. 57 RECOMMENDATIONS OF CABINET AND COUNCIL COMMITTEES

(A) Meeting of Cabinet 15 January 2026 - Youth Justice Business Plan

It was moved by Councillor L Smith and seconded by Councillor Southworth, with all members voting for and the Mayor abstaining that, Council approves

Council to approved the plan submitted

(B) Meeting of Employment Panel 3 February 2026 - Pay Policy

It was moved by Councillor Gold and seconded by Councillor Rizvi, with 47 members voting for, one member voting against, and the Mayor abstaining that, Council approves

1. Commend the proposed Pay Policy Statement for 2026-27 for approval by full Council.
2. Agree the Council's proposed pay structure for 2026-27 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. Classification Open Item No. 2
3. Also, to agree ongoing uplifts to retain compliance with the Real Living Wage if required.

(C) Meeting of Employment Panel 3 February 2026 - Chief Officer Recruitment

It was moved by Councillor Gold and seconded by Councillor Rizvi, with all members voting for and the Mayor abstaining that, Council approves

Council approve that a Market Supplement of £5k (total maximum remuneration of £101,251) be applied to the post of Assistant Director - People and Inclusion

(D) Meeting of Cabinet 11 February 2026 - Annual HRA Budget 2026/27 & Rent Setting

It was moved by Councillor Thorpe and seconded by Councillor Cummins, with 46 members voting for; and the Mayor and two members abstaining that, Council approves

- Approve the 2026/27 budget for the Housing Revenue Account
- Agree and approve the proposed HRA Capital Investment Plan for 2026/27.
- Approve the setting of individual social formula rents for 2026/27 based on the current National Social Rent Policy, giving a real rent increase of 4.8% with effect from 1st April 2026 (being September 2025 CPI (Consumer Price Index) 3.8% plus 1%).

- Approve the setting of individual actual affordable rents for 2026/27 based on the current National Social Rent Policy, giving a real rent increase of 4.8% with effect from 1st April 2026.
- Approve shared ownership rents to be increased by RPI (as at February 2026) plus 0.5% in line with provisions set out within shared ownership agreements with effect from 1 st April 2026.
- Approve an increase in Garage rents of 4.8% with effect from 1st April 2026.
- Approve an increase in Sheltered Management and Support Charges of 4.8% from 1 st April 2026.
- Approve an increase in Service and Amenity Charges of 4.8% from 1st April 2026. · Approve an increase in Support and Heating charges of 4.8% from 1st April 2026.
- Approve an increase in Furnished Tenancy charges of 4.8% from 1st April 2026. · Approve continuation of the policy that when a social rent property is re-let to a new or transferring tenant the rent level will be revised to match the formula rent (target rent) for that property.
- Note in accordance with the Rent Standard, that where an affordable rent property is re-let to a new or transferring tenant the rent level be set by reference to 80% of the market rent (including service charges where applicable) for a similar property at the time of letting or the formula rent for the property, whichever is the greater.
- Approve in principle in line with Government's commitment confirmed in January 2026, the re-introduction of Rent Convergence for Bury's HRA stock, which will come into effect from April 2027, with an additional rent charge of £1 per week in 2027-28, and £2 per week from 2028-29 onwards until Rent Convergence is achieved.
- Note that Government has confirmed its commitment to the re-introduction of rent convergence from April 2027, with a proposed additional £1 per week charge from April 2027 and £2 per week from April 2028. Until the changes are finally confirmed the additional income has not been assumed in the revenue plan.
- Note that following the Cabinet decision to wind down and close Six Town Housing (STH), a working group has been set up to oversee this process, led by Management Consultants Campbell-Tickell. This process will take at least 12-18 months, and at this stage it is not possible to state what implications if any there will be for the Council's General Fund and HRA. The options as to what will happen to the remaining assets currently held by STH will be presented to Cabinet at the appropriate time for any decisions to be made.
- To note and approve the revisions made to the HRA 30-Year Business Plan.

On being put the result of the vote was as follows: A Arif, S Arif; Bernstein, Berry, Birchmore, Boles, Booth, Brown, Cummins, Duncalfe, Farooq, FitzGerald, Frith, Gartside, Gold, Grimshaw, Haroon, Harris, Hayes, Hook, Hussain, Ibrahim, Lancaster, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rahimov, Rizvi, Rubinstein, Ryder, Simpson, L. Smith, M. Smith, J. Southworth, Staples-Jones, Tariq, Thorpe, Vernon, Walsh, Walmsley, Y Wright voting for;

The Mayor, G Marsden and J Rydeheard abstaining,

The Mayor declared the recommendations contained in the Housing Revenue Account carried.

(E) Meeting of Cabinet 11 February 2026 – The Council's 2026/27 Revenue Budget and Medium-Term Financial Strategy (MTFS) for 2027/28 through to 2028/29

At the invitation of the Mayor, Councillor Thorpe, Cabinet Member for Finance, made a statement on the Budget.

It was moved by Councillor Thorpe and seconded by Councillor O'Brien that the recommendations contained in the Minutes of the Cabinet meeting held on 11 February 2026 be approved and adopt the budget for 2026/27, and Council, Approves:

- Approve the Medium-Term Financial Strategy to 2028/29 and the assumptions regarding resources and spending requirements.
- Approve the Council Tax base for Bury Council for 2026/27 of 58,709.94 Band D equivalent dwellings, this is the basis on which the Council Tax funding has been calculated (Appendix 1).
- Approve the net revenue budget of £252.135m for 2026/27.
- Approve the Council Tax requirement of £124.224m and the increase in Council Tax in 2026/27 of 2.99% in terms of General Council Tax and a further 2% for the Adult Social Care precept for 2026/27 (Appendix 1).
- Approve the budget assumptions of £29.364m in 2026/27.
- Approve new revenue budget proposal relating to additional Place Directorate income to be achieved across 3 areas: car parking, moving vehicle offences and EV cross pavement fees. Delivery plans will be brought forward for consideration by Cabinet in the new financial year, including the detail of any specific consultation exercises that may be required to be undertaken. The consultation outcomes will be considered by Cabinet before implementation along with any financial implications adopted in the 2027/28 budget proposed by Cabinet to Council.
- Note the remaining budget gap of £21.155m over the medium-term to 2028/29.
- Approve the use of £3.977m of reserves from the budget stabilisation reserve for 2026/27.
- Note the forecast position on reserves over the medium-term to 2028/29.
- Approve the recommendations set out in the Treasury Management Strategy (Appendix 2):
 - To approve the Treasury Management Strategy including the associated Prudential Indicators and Annual Investment Strategy.
 - To approve the Treasury Management Policy Statement.
 - To approve the Minimum Revenue Provision (MRP) Policy Statement.
- Approve the Capital Strategy and the Programme for 2026/27 – 2028/29 (Appendix 3).
 - Cabinet to recommend and council to approve the use of £2m flexible use of capital receipts in 2026/27.
 - Council to confirm the of £3m flexible use of capital receipts in 2025/26 as included in the February 2025 budget report which has been applied in the following areas:
 - As part of the Council's wider savings proposals to close the financial gap a number of service reviews and restructures were undertaken. The costs associated with implementing these reviews including severance costs, will be funded from capital receipts, up to the value of £1m.
 - In order to identify and support the identification and implementation of additional savings in Adult Social Care, a consultancy firm was commissioned to undertake review work with the costs to be funded from capital receipt flexibilities (£382k)
 - Enabling services across the Corporate Core includes costs associated with financial transformation and zero-based budgeting exercises, including identification of additional savings plans as detailed in this report, this will be funded up to £0.418m.
 - Within Children's and Young People department, the Family Safeguarding project and a Family Safeguarding additional team have been working on prevention of costs to deliver long term reductions in revenue requirement. £1.2m
- Approve the Dedicated Schools Grant budget for 2026/27 at £257.345m and approve the allocations between the four funding blocks as set out in Appendix 4 of this report.

- The Schools and Academies 2026/27 funding unit values as recommended by Schools Forum and detailed at Annex 1 to appendix 4.
- Approve the 2026/27 hourly rates for all early year's providers as follows:
 - £5.77 per hour for 3- and 4-year-olds.
 - £8.35 per hour for 2-year-olds.
 - £11.30 per hour for under 2's.
- Note the Equality Impact Assessment for the budget report (Appendix 5).
- Note the Chief Finance Officer (Director of Finance) statement on the robustness of estimates and adequacy of financial reserves in setting the budget (Appendix 6).

(ii) An amendment was moved by Councillor J Harris and seconded by Councillor Gartside that: The suite of budget reports submitted to the Council should be approved, with the following amendments

	2026/27 £m
1% reduction in the proposed 4.99% council tax increase	1.242
Recurrent additional investment in highways maintenance (£160k relating to potholes and £160k relating to gully clearance and street-cleaning)	0.320
Recurrent additional investment in cemetery maintenance	0.030
6 month delay in recruiting to back-office vacant posts based on current turnover levels	-0.500
Increase in strategic workforce saving focusing on accelerating workforce efficiency savings through digital and process review but underwritten by an additional 1% increase in the staffing budget vacancy factor which may require additional measures to be put in place in terms of delaying recruitment to vacant posts should the additional saving not be fully deliverable through additional efficiencies	-1.000
Removal of non-statutory advertising and marketing budgets	-0.062
Additional 1 day voluntary unpaid leave offered to all staff	-0.030
Total cost of proposed amendments	0.000

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

For the Amendment:- S Arif; Brown, Gartside, Harris, Hussain, **voting for**;

A Arif, Bernstein, Berry, Birchmore, Boles, Booth, Cummins, Duncalfe, Farooq, FitzGerald, Frith, Gold, Grimshaw, Haroon, Hayes, Hook, Ibrahim, Lancaster, G Marsden, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rahimov, Rizvi, Rubinstein, J Rydeheard, Ryder, Simpson, L. Smith, M. Smith, J. Southworth, Staples-Jones, Tariq, Thorpe, Vernon, Walsh, Walmsley, Y Wright **voting against**

Abstaining from the Vote:- The Worshipful the Mayor

The Mayor declared the **amendment lost**.

(ii) An amendment was moved by Councillor R Bernstein and seconded by Councillor Vernon that: The suite of budget reports submitted to the Council should be approved, with the following amendments

	2026/27 £m
Investment in a pilot scheme (to be reviewed) to encourage resident participation of wards not directly in the scope of regeneration or town plan initiatives of the Borough. The mechanism for the scheme would be a simple questionnaire seeking views about identified issues/improvement within each ward and inviting proposals from residents and community groups about prioritising improvements in their areas	0.050
Reprofiling in revenue capital financing costs resulting from either unplanned slippage of £1m to 2026/27 capital schemes being funded from prudential borrowing if identified through the monthly monitoring process, or planned slippage into 2027/28 of schemes totalling £1m if insufficient unplanned slippage is identified.	-0.050
Total cost of proposed amendments	0.000

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

For the Amendment:- voting for; A Arif, Bernstein, Boles, Cummins, Farooq, FitzGerald, Frith, Gold, Grimshaw, Haroon, Hayes, Hook, Ibrahim, Lancaster, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rahimov, Rizvi, Rubinstein, Ryder, L. Smith, J. Southworth, Staples-Jones, Tariq, Thorpe, Vernon, Walmsley, voting for

S Arif; Berry, Birchmore, Booth, Brown, Duncalfe, Gartside, Harris, Hussain, G Marsden, J Rydeheard, Simpson, M. Smith, Walsh, Y Wright **voting against**

Abstaining from the Vote:- The Worshipful the Mayor

The Mayor declared the **amendment carried**.

The substantive motion (as set out in i) with the Together for Bury amendment, was put to the vote which was as follows:-

A Arif, Bernstein, Boles, Cummins, Farooq, FitzGerald, Frith, Gold, Grimshaw, Haroon, Hayes, Hook, Ibrahim, Lancaster, McGill, Morris, Moss, O'Brien, Pilkington, A Quinn, D Quinn, Rafiq, Rahimov, Rizvi, Rubinstein, Ryder, L. Smith, J. Southworth, Staples-Jones, Tariq, Thorpe, Vernon, Walmsley, **voting for**

S Arif; Brown, Gartside, Harris, Hussain, G Marsden, J Rydeheard **voting against**

Abstaining from the Vote:- The Worshipful the Mayor, Berry, Birchmore, Booth, Duncalfe, Simpson, M. Smith, Walsh, Y Wright

The Mayor declared the substantive Motion with the amendment carried.

(F) Meeting of the Standards Committee 12 February 2026 – Officer and Member Protocol

It was moved by Councillor Gold and seconded by Councillor O'Brien, with 48 members voting for; and the Mayor abstaining that, Council approves:

To approve the Officer Member Protocol

(G) Meeting of the Audit Committee 17 February 2026 – Terms of Reference

It was moved by Councillor Moss and seconded by Councillor Thorpe, with 48 members voting for; and the Mayor abstaining that, Council approves

To approve the updated Terms of Reference for the Audit Committee and recommend that the Constitution be updated to reflect these.

- a YOUTH JUSTICE BUSINESS PLAN 2025**
- b PAY POLICY**
- c CHIEF OFFICER RECRUITMENT**
- d ANNUAL HRA BUDGET 2026/27 & RENT SETTING**
- e THE COUNCIL'S 2026/27 REVENUE BUDGET AND MEDIUM-TERM FINANCIAL STRATEGY (MTFS) FOR 2027/28 THROUGH TO 2028/29**

C. 58 AMENDMENTS

- a OFFICER & MEMBER PROTOCOL**

- b TERMS OF REFERENCE**

C. 59 DELEGATED DECISION OF COUNCIL COMMITTEES

There were no questions received on the delegated decisions of Council Committees.

C. 60 URGENT ITEM - COUNCIL TAX SUPPORT SCHEME TECHNICAL CORRECTION

It was moved by Councillor Thorpe and seconded by Councillor O'Brien, with all Councillors voting in favour, and the Mayor abstaining, that:

Council approve the technical correction of the income bands within the scheme to their intended level

THE WORSHIPFUL THE MAYOR

(Notes: The meeting started at 7.00pm and ended at 21.38 pm

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Classification: Open	Decision Type: N/a
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Report to:	Audit Committee	Date: 08 December 2025
Subject:	Anti-Fraud & Corruption Strategy 2025/27	
Report of	Section 151 Officer	

Summary

1. This report provides an overview of the Anti-Fraud and Corruption Strategy, the Whistleblowing (Confidential Reporting) Policy, the Fraud & Corruption Prosecution Policy, Anti Bribery Policy and Anti Money Laundering Policy.
2. **Recommendation(s)**
 - Members to approve the Anti-Fraud & Corruption Strategy
 - Members to approve the Whistleblowing (Confidential Reporting) Policy
 - Members to approve the Fraud and Corruption Prosecution Policy
 - Members to approve the Anti Bribery Policy
 - Members to approve the Anti Money Laundering Policy

Report Author and Contact Details:

Name: Judith Smith & Adrian Blackshaw

Position: Senior Auditors

Department: Corporate Core - Finance

E-mail: Judith.smith@bury.gov.uk & a.g.blackshaw@bury.gov.uk

1.0 Background

- 1.1 The Fraud, Audit, Insurance and Risk (FAIR) Team holds the responsibility of reviewing and updating the Anti-Fraud & Corruption Strategy for the Council.
- 1.2 The Anti-Fraud & Corruption Strategy and associated policies, available on the internet, are dated 2023. This report brought to Audit Committee presents the Anti-Fraud & Corruption Strategy for 2025/27 and the revised associated policies and seeks approval of these documents.

2.0 Update

2.1 Anti-Fraud & Corruption Strategy 2025/27

- 2.1.1 The strategy document for 2025/27 reflects the best practice guidance for combatting fraud in Local Government and is based on the following publications:
- Fighting Fraud Corruption Locally Strategy 2020 | CIPFA
 - Code of Practice on Managing the Risk of Fraud and Corruption | CIPFA
 - Review into the risks of fraud and corruption in local government procurement | Local Government Association
- 2.1.2 Bury Council has always recognised the need for the highest standards of probity in dealing with public money and has always been firmly committed to the prevention, detection and investigation of fraud and corruption. The strategy promotes a zero-tolerance commitment to the approach for handling fraud and corruption.
- 2.1.3 Bury Council will adhere to the key principles set out in the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption in Local Government (the Code) and Fighting Fraud and Corruption Locally (FFCL) strategy as these represent best practice and compliance with these measures will enable Bury Council to demonstrate effective stewardship of public funds.
- 2.1.4 The priorities identified within the previous 2023/25 strategy will continue to be embedded and in addition new priorities have been identified for 2025/27. The revised document sets out the approach of how the Council will govern, acknowledge, prevent and pursue fraud and corruption.
- 2.1.5 The range, nature and size of Bury Council activities, means there is an ever-present risk of loss due to fraud and corruption from both internal and external sources. By putting in place effective measures to counter the risk of fraud and corruption, Bury Council can reduce losses which undermine standards of service and reduce the resources available for the good of the Bury community.
- 2.1.6 The aim of the Anti-Fraud & Corruption Strategy is to outline the Councils approach to tackling fraud and corruption. It aims to raise awareness and educate staff, Councillors and residents about the risk of fraud occurring and steps the Council are taking to prevent fraud occurring and to protect the public purse, Bury residents and Bury Council assets. It also aims to ensure that fraud and corruption both within and perpetrated against the Council are kept to an absolute minimum.
- 2.1.7 The strategy is underpinned by other related anti-fraud policies and behaviour policies including the Whistleblowing Policy, Anti-Fraud and Corruption Prosecution Policy, Anti Bribery Policy, Anti Money Laundering Policy and Employee and Member Codes of Conduct.
- 2.1.8 The strategy details definitions of Fraud and Bribery and Corruption and sets out the roles and responsibilities of staff who have a duty to protect Bury Council assets, including information, as well as property.
- 2.1.9 The strategy will be reviewed on a 2 yearly basis and will be brought to the Audit Committee for review and approval.

3.1 Whistleblowing (Confidential Reporting Policy)

- 3.1.1 The policy has been reviewed and updated. The following changes have been made:
- We have clarified who will respond and handle the matter.
 - Updated the escalation procedure if there are grounds for a formal investigation.
 - Updated job titles and contact information where required.
 - Updated the review and approval period for the policy.

4.1 Fraud and Corruption Prosecution Policy

- 4.1.1 The policy has been reviewed and updated. The following changes have been made:
- Added wording to recognise the Council's policies on equalities.
 - Updated job titles where required.
 - Updated the review and approval period for the policy.

5.1 Anti Bribery Policy

- 5.1.1 The policy has been reviewed and updated. The following changes have been made:
- Clarification of ownership of policy has been amended from the Monitoring Officer to Section 151 Officer.
 - Added an introduction to standardise with the other policies included within the Anti-Fraud & Corruption Strategy.
 - Removal of references to schools, external partners and suppliers.
 - Removal of references to proportionality, top level commitment, due diligence and communication/training.

6.1 Anti Money Laundering Policy

- 6.1.1 The policy has been reviewed and updated. The following changes have been made:
- Clarified responsibility of the Deputy Money Laundering Responsible Officer.
 - Updated the review and approval period for the policy.

Links with the Corporate Priorities:

Please summarise how this links to the Let's Do It Strategy.

The Fraud Team undertakes work across the Council, to raise the profile of fraud awareness, and undertake investigations where there is suspicion that fraud may have been perpetrated against the Council. They also undertake preventative work, examining applications for Council services / benefits where it is known the opportunity of fraud does exist. The workplans cross all areas of the organisation. The team works closely with the Internal Audit Team and highlights areas for inclusion in the Internal Audit Plan. The Fraud Team are able to make recommendations for improvements to be made to systems in place to improve the control of and protect the assets and resources of the Council. The control and mitigation of the loss of

funds gives the assurance that public money is used in an appropriate manner to deliver the Corporate Priorities.

Equality Impact and Considerations:

Please provide an explanation of the outcome(s) of an initial or full EIA.

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.

The Fraud Team provide assurance to Committee Members and the public that the organisation is preventing and investigating fraud. They work alongside Internal Audit and also ensure the areas they examine are being operated in line with legislation and in line with agreed policies and procedures which have considered the requirements of the Equality Act 2010.

Environmental Impact and Considerations:

Please provide an explanation of the carbon impact of this decision.

N/a – no decision required

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The Council is a large organisation which has the potential to be targeted by fraudsters who try to divert the assets of the Council for improper gain.	The fraud team undertake both proactive and reactive exercises to prevent fraud and to investigate any alleged incidents of fraud. A zero tolerance to fraud and corruption is in place and where appropriate, internal disciplinary action is taken and / or criminal proceedings take place.

Legal Implications:

To be completed by the Council's Monitoring Officer.

The Council must have a sound system of internal control which facilitates the effective exercise of its functions, including risk management. This is both a legal requirement and a requirement of the Financial Regulations set out in the Council's Constitution. This report provides information on the work of the Council's Internal Audit Service, in ensuring compliance.

The Strategy document refers to numerous related policies which each of which has its own legal basis and frameworks. The legal basis, issues and implications for each will be explained in the reports seeking approval for individual policies. In relation to the policies presented for approval with this report members are advised as follows:

1. Fraud and Corruption Prosecution Policy - any individual prosecution for an offence will be assessed and validated for prosecution by a competent lawyer of the Council applying The Code for Crown Prosecutors.
2. Whistleblowing Policy – the policy furthers and adheres to the Public Interest Disclosure Act 1998 which protects employees from reprisals and adverse disciplinary action by the Council in relation to genuine disclosures of concerns about fraudulent and/or corrupt activities for investigation.

Financial Implications:

There are no direct financial implications arising from this report.

Background papers:

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

- Anti-Fraud & Corruption Strategy
- Whistleblowing (Confidential Reporting Policy)
- Fraud and Corruption Prosecution Policy
- Anti Bribery Policy
- Anti Money Laundering Policy

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

Term	Meaning
FAIR Team	Fraud, Audit, Insurance and Risk Team
CIPFA	Chartered Institute of Public Finance and Accountancy
FFCL	Fighting Fraud and Corruption Locally

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Anti-Fraud & Corruption Strategy 2025/27

December 2025

Document Control

Title	Anti-Fraud & Corruption Strategy 2025/27
Document Type	Strategy
Author	FAIR Team
Owner	Corporate Core - Finance
Subject	Anti-Fraud & Corruption
Date Created	July 2023
Approval Date	
Review Date	December 2025

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1. Introduction

Bury Council is committed to enabling and securing the highest standards of conduct, honesty, propriety and accountability from its staff and from individuals and organisations who conduct business with Bury Council in delivering its services and the management of its resources and assets. This includes making sure that the opportunity for fraud, bribery and corruption is minimised and adopting a 'Zero Tolerance' approach to fraud and corruption. We will take decisive action where these offences are found to have been committed.

The range, nature, and size of Bury Council activities means there is an ever-present risk of loss due to fraud and corruption from both internal and external sources. By putting in place effective measures to counter the risk of fraud and corruption, Bury Council can reduce losses which undermine standards of service and reduce the resources available for the good of the Bury community.

Bury Council will work collaboratively with government, other local authorities and public bodies, including the Greater Manchester Police and national fraud agencies to minimise the impacts of fraud and corruption on the public purse.

Whilst it is difficult to fully quantify, the Annual Fraud Indicator estimates public sector fraud losses at around **£50.2 billion annually**. As such, it is vital that Bury Council has a comprehensive strategy in place to guide our Anti-fraud and Corruption culture, prevention, and response. Through its Elected Members and officers, Bury Council works hard to establish a reputation as a responsible guardian of public funds, but we need to be vigilant to ensure that this reputation is safeguarded.

We will endeavor to do our utmost to foster a culture in which fraud and corruption are kept to a minimum, and any attempt to conduct illegal activity, either internally or externally, against Bury Council will be robustly investigated and where found appropriate action will be taken.

Bury Council will seek to ensure this Anti-Fraud Strategy, which outlines our corporate stance on tackling fraud, corruption and wrongdoing is widely publicised and that all stakeholders have access to the appropriate policy and procedural guidance and training. The policy will be posted on the Council's website, where it can be accessed by both staff and members of the public.

Fraud awareness will be routinely promoted throughout the Council by representatives of the Fraud, Audit, Insurance and Risk Team.

2. Aims

The aim of this strategy is to raise awareness and educate staff, Councillors and residents about the risk of fraud and the intention is to prevent it from occurring and protect the public purse. It also aims to ensure that fraud and corruption, both within and perpetrated against Bury Council are kept to an absolute minimum.

This strategy sets out Bury Council's approach to managing the risk of fraud and corruption and how an anti-fraud and corruption culture is established and promoted. In all instances where fraud cannot be prevented, we will conduct robust investigations and bring fraudsters to account. By adopting this strategy, we are committing to:

- Develop and maintain a culture within Bury in which fraud and corruption are unacceptable.
- Continually assess and monitor our fraud risks and our internal control framework.
- Continually improve the effectiveness of fraud prevention including the use of technology.
- Share information effectively via data matching exercises and analysis to help prevent and detect instances of fraud and error.
- Confirm the responsibilities of Directors and Officers in managing the risk of fraud and corruption; and
- Demonstrate how Bury Council meets best practice principles under the CIPFA guidance Managing the Risk of Fraud and Corruption in Local Government and Fighting Fraud and Corruption Locally (FFCL) Strategy.

This strategy is underpinned by other related policies including the Whistleblowing Policy, Anti-Fraud & Corruption Prosecution Policy, Anti-Bribery Policy, Anti-Money Laundering Policy and Employee and Member Codes of Conduct.

The effectiveness of this strategy will be subject to regular review, by the Head of Fraud, Audit, Insurance and Risk (FAIR), Section 151 Officer, Monitoring Officer, and the Audit Committee. The strategy will be presented for approval to the Audit Committee.

3. Scope

This strategy and associated Policies apply to all Bury Council activities and covers all employees, Elected Members and Advisors. It also extends to Consultants, temporary agency staff, external persons working for Bury Council such as contractors, delivery partner staff, and also suppliers, funded bodies and any other external agencies in their business dealings with Bury Council.

4. What is Fraud?

4.1. Fraud

Fraud can be broadly described as acting dishonestly with the intention of making a gain for themselves or another, or inflicting a loss (or a risk of loss) on another, including:

- Dishonestly making a false representation
- Dishonestly failing to disclose to another person, information which they are under a legal duty to disclose
- Committing fraud by abuse of position, including any offence as defined in the Fraud Act 2006

The Fraud Act 2006 can be found here [Fraud Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/35).

4.2. Bribery and Corruption

The Bribery Act 2010 defines bribery as “the inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages whether monetary or otherwise”.

Corruption is the abuse of entrusted power for private gain. It affects everyone who depends on the integrity of people in a position of authority.

- Section 7 of the Act created the offence of failure by an organisation to prevent a bribe being paid for or on its behalf. It is possible to provide a defence by implementing adequate procedures to prevent bribery occurring within the organisation. If these cannot be demonstrated and an offence of bribery is committed within the organisation senior officers of the Council can be held accountable.
- A separate anti-bribery policy is also available on the Council’s website.

5. Roles & Responsibilities

The primary defence against fraud and corruption is the establishment of sound practices and systems that incorporate effective controls, which are subject to regular scrutiny and oversight.

Our staff also play a key role in the prevention and detection of attempts of fraud, corruption, or bribery. We expect and encourage them to be alert to the possibility of acts of fraud, corruption, or bribery and to raise any such concerns at the earliest opportunity.

Staff have a duty to protect Bury Council assets, including information, as well as property. When an employee suspects that there has been fraud or corruption committed against the Council, they must report the matter to the Fraud, Audit, Insurance and Risk Team.

Some individuals or groups of individuals have specific responsibilities, as follows:

- Collectively, the Chief Executive, the Executive Leadership Team, and members of the Senior Managers Forum have responsibility for ensuring that Bury Council has effective measures in place to identify, detect, and deal with matters of a fraudulent nature. The Chief Executive's Management Team has a responsibility to support and promote an anti-fraud culture.
- The Section 151 Officer and The Head of FAIR have the responsibility to ensure that proper arrangements are in place to administer the Council's financial affairs and for the promotion and delivery of the anti-fraud strategy and coordination of key activities.
- Directors of functional areas and Managers contribute to the delivery of the strategy and have a responsibility for ensuring they are aware of the risks of fraud and irregularity, for obtaining assurance that these risks are being appropriately managed in their area and for raising risks or issues with Senior Management and Internal Audit.
- All staff are required to comply with Bury Councils policies and procedures, to be aware of the possibility of fraud, corruption and theft, to report any genuine concerns to management and to the Head of FAIR, and to ensure that internal controls, within their area of responsibility, for the prevention and detection of fraud, are rigorously observed and applied.
- Whistleblowing arrangements are in place to allow suppliers, contractors, and other stakeholders to report any concerns/suspicions to Internal Audit. These arrangements will provide protection for the complainant, as required, under the Public Interest Disclosure Act 1998 and Bury Council's Whistleblowing Policy. The Whistleblowing Policy is a separate document and is available on the Council's website.
- Bury Council's Mayor and Elected Member roles and responsibilities in relation to the prevention of fraud and corruption are discharged through the Audit Committee and the Council's Executive Management Team.

6. Managing the Risk of Fraud and Corruption

Our strategy incorporates the best practice guidance for combatting fraud in Local Government and is based on the following publications:

- Fighting Fraud Corruption Locally Strategy 2020 | CIPFA
- Code of Practice on Managing the Risk of Fraud and Corruption | CIPFA
- Review into the risks of fraud and corruption in local government procurement | Local Government Association

Bury Council will adhere to the key principles set out in the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption in Local Government (the Code) and Fighting Fraud and Corruption Locally (FFCL) strategy as these represent best practice and compliance with these measures will enable Bury Council to demonstrate effective stewardship of public funds.

The FFCL highlights the following pillars of activity that local authorities should focus its efforts on, to tackle the thread of Fraud.



GOVERN

Having robust arrangements and executive support to ensure anti-fraud, bribery and corruption measures are embedded throughout the organisation.

This strategy seeks to make sure that those who are charged with governance provide the necessary Executive support required to ensure that there are robust arrangements to embed counter fraud, bribery, and corruption measures throughout Bury Council.

Bury Council Priorities for 2025-27

- Continue to monitor the effectiveness of the Counter Fraud Strategy.
- Review and update of the following policies: Whistleblowing, Anti Money Laundering, Anti Bribery and Fraud & Corruption Prosecution Policy.
- Ensuring that the Anti-Fraud eLearning module remains part of the mandatory training requirement for staff.
- Investigate the potential for additional savings through an Invest to Save business case.
- To identify high risk areas within the Council and undertake Fraud Risk Assessments.
- Continue to monitor the effectiveness of the Risk Management Strategy.

ACKNOWLEDGE

Assessing and understanding fraud risks

Committing to the right support and tackling fraud and corruption

Demonstrating that it has a robust anti-fraud response

Communicating the risks to those charged with Governance

Bury Council acknowledges that no organisation is free from the risk of fraud, corruption and wrongdoing.

Bury Council Priorities for 2025-27

- Develop an annual fraud plan and work program, including a mix of proactive, preventative work and reactive fraud investigation work.
- The Fraud, Audit, Insurance and Risk team will continue to develop and promote a strong anti-fraud culture. We will work in conjunction with other Directorates and services to raise staff and public awareness.
- We will collaborate with local government partners in sharing understanding of emerging fraud risks and policies and plans.
- Regularly review emerging fraud risks, our mitigations and exposure.

PREVENT

Making the best use of technology

Enhancing fraud controls and processes

Developing a more effective anti-fraud culture

Communicating its' activity and successes

Preventative measures help to make offences more difficult to carry out. Prevention establishes physical, logical, and procedural barriers to discourage fraud and corruption, by implementing proportionate and cost-effective countermeasures to prevent or reduce the identified fraud risk. This includes:

- Delivery of the Internal Audit Plan, which is informed by the organisations risk registers, which include fraud risks.
- The effectiveness of the system of internal control in preventing and detecting fraud, bribery and corruption is reported upon in Bury Council's Annual Governance Statement.
- All Bury Council's core financial systems and processes should be fully documented, and the documentation kept up to date.
- Effective segregation of duties; a prerequisite of a sound system of control over financial transactions is the separation of duties. This principle is an essential preventative control over fraudulent and corruption practices.
- Recruitment and selection of employees is a key preventative measure in the fight against fraud and corruption, and it is important to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential employees, in terms of propriety and integrity.
- Potential conflicts of interest are flagged via the Declaration of Interest protocols at meetings where decisions are taken.
- Fraud awareness training is provided via eLearning. Managers are responsible for raising awareness of fraud risks in local induction and on-the-job training.

Bury Council Priorities for 2025-27

- Management at all levels within the organisation have a responsibility for the prevention of fraud and corruption. Internal Audit will work with Managers to ensure that a robust control framework is in place within Bury Council. Audit recommendations will be monitored via the Governance and Assurance Board.
- We will adopt a collaborative approach working with colleagues in local government and other partner organisations to help prevent fraud. We will participate in the National Fraud Initiative (NFI) mandatory Data Matching exercise on a two-year basis to help identify fraud and error and subscribe to other local data analysis initiatives.
- Continue to develop corporate counter fraud training including e-learning and targeted training which is aligned to risks. Managers are responsible for raising awareness of fraud risks in local induction and on-the-job training.
- Promote an anti-fraud culture of good governance and personal and ethical conduct through our organisational behavioral policies. Ensuring we have effective reporting arrangements and staff are encouraged to raise genuine concerns through the appropriate reporting channels.
- Delivery of work outlined in the Annual Fraud Plan.
- Communicating successful outcomes across the organisation to act as a deterrent. Proactively share fraud alerts and scams with staff and details of emerging fraud risks.

PURSUE

Prioritising fraud recovery and use of civil sanctions Developing capability and capacity to punish offenders Collaborating across geographical and sectoral boundaries

Learning lessons and closing the gaps

To develop a robust enforcement response to pursue fraudsters and deter others.

It is important in maintaining an anti-fraud culture within the organisation that all offences are dealt with in a consistent manner and that minor unethical practices are not overlooked (such as petty theft or small-scale expenses fraud) or dealt with in a unduly lenient manner.

Bury Council Priorities for 2025-27

- Where there is evidence of fraud or corruption, the matter will be investigated and appropriate sanctions considered including potential prosecution. Additionally, disciplinary investigations may also be instigated. These investigations will follow the HR guidance for Disciplinary, Capability and Grievance procedures.
- Where fraud and corruption is proved and a financial loss has been suffered, Bury Council will seek to recover the full value of any loss from the perpetrators. This may involve civil proceedings being instigated through the courts.
- We will make use of legislation, for example the Proceeds of Crime Act 2002, to ensure that funds are recovered where possible by the organisation.
- Bury Council will publicise successful actions it has taken against fraudsters through Press Releases and on Council Intranet and Web pages.
- Providing feedback to departments where fraud and error has occurred and where improvements are required to strengthen the control framework and reduce the risk of reoccurrence.

7. Monitoring and Review

This strategy is owned and approved by Bury Council's Audit Committee and will be reviewed every 2 years.

The effectiveness of the strategy will be reviewed by the Head of Fraud, Audit, Insurance and Risk and Bury Council's Audit Committee. The review will encompass a review of Anti-fraud arrangements against the key principles set out in the CIPFA Code of Practice on Managing the Risk of Fraud and Corruption in Local Government (the Code) and FFCL strategy as these represent best practice and compliance with these measures will enable Bury Council to demonstrate effective stewardship of public funds.

Progress of fraud related activity will be reported to Audit Committee on a bi-annual basis with an annual report presented on the outcome of fraud referrals.

8. Other Relevant Policies

The following policies should be read in conjunction with this Anti-Fraud & Corruption Strategy:

- Whistleblowing Policy
- Anti-Fraud & Corruption Prosecution Policy
- Anti-Money Laundering Policy
- Anti- bribery and corruption Policy
- Annual Fraud Plan
- Code of Conduct for Members
- Code of Conduct for Officers
- Risk Management Strategy

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Whistleblowing
(Confidential Reporting)
Policy

December 2025

Document Control

Title	Whistleblowing (Confidential Reporting) Policy
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1. Introduction

The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, it is expected that employees who have concerns about any aspects of the Council's work should come forward and voice those concerns. It is recognised that some cases will have to proceed on a confidential basis.

This Whistleblowing (Confidential Reporting) Policy intends to encourage and enable employees to raise any concerns within the Council – see Section 4 (page 6).

This policy applies to all employees. For the purpose of this policy only, the term “employees” also includes contractors and suppliers working for or on behalf of the Council, on Council premises or elsewhere.

If you are not a Council employee, you can still contact the Council to report any concerns or disclosures over wrongdoing, and these will be treated in the same way. Unlike disclosures made by employees, protection under the Public Interest Disclosure Act 1998 does not extend to disclosures made by members of the public. You can contact us by:

- Our online form - <https://www.bury.gov.uk/my-neighbourhood/fraud>
- Phone – 0161 253 7437
- Email - fraud@bury.gov.uk

Child safeguarding concerns, for example that a child may have suffered harm, neglect or abuse, can be reported to Children’s Safeguarding on 0161 253 5678 or email childwellbeing@bury.gov.uk; or in an emergency contact the Police direct on 101 or 999 in an emergency.

Adult safeguarding concerns can be reported to the Adult Safeguarding on 0161 253 5151 or email adultcareservices@bury.gov.uk; or in an emergency contact the Police direct (101 for non-urgent and 999 for urgent matters).

If you are a school employee, please refer to Appendix 1 of this document, which details arrangements for whistleblowing for School Employees.

The whistleblowing policy is not to be used where other more appropriate reporting procedures are available, either within the Council, or within a school, for example, in relation to any grievance relating to employment matters or to make a general complaint about a service / school.

~~This document may be made available in alternative language upon request~~

2. Aims and scope

This policy aims to:

- encourage employees to feel confident in raising any concerns and to question and act upon concerns about unacceptable behaviour or practice within the Authority
- provide avenues for employees to raise those concerns and receive feedback on any action taken
- ensure that employees receive a response to their concerns and that employees are aware of how to pursue them if they are not satisfied, and
- reassure employees that they will be protected from possible reprisals or victimisation if employees have a reasonable belief that they have made any disclosure in the public interest.

There are existing procedures to lodge a grievance relating to employment matters [Disciplinary, capability and grievance procedures](#). The Whistleblowing (Confidential Reporting) Policy is intended to cover all concerns that fall outside the scope of other policies/procedures. It may cover concerns such as:

- Conduct which is an offence or a breach of the law
- Disclosures related to miscarriages of justice
- Damage to the environment
- Unauthorised or inappropriate use of public funds
- Fraud, corruption and bribery
- Health and safety risks, including risks to the public as well as other employees
- Abuse/harassment of a service recipient or council employee
- Vulnerable adult or child safeguarding concerns, for example harm, neglect or abuse
- Modern Slavery, and
- Unethical conduct

Any concerns that employees have about any aspect of service provision or the conduct of officers or Members of the Council or others acting on behalf of the Council can also be reported under the Whistleblowing (Confidential Reporting) Policy within Section 4 (page 6). This may be about something that:

- is against the Council's Constitution and policies, or
- falls below established standards of practice, or
- amounts to improper conduct.

3. Our assurances to you

3.1. Your Safety

3.1.1. The Council are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of action against you as a result. Not only is the Council committed to this, but you also

have legal protection under the Public Interest Disclosure Act 1998. Providing you are acting in good faith, it does not matter if you are mistaken. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue. If you make an allegation, frivolously or for personal gain, disciplinary action may be taken against you.

3.2. Your Confidence

3.2.1. We will not tolerate the harassment or victimisation of anyone raising a genuine concern. Disciplinary action may be taken against those who victimise a person reporting a concern.

3.2.2. We hope that you will feel able to raise concerns openly as this will make it much easier to resolve any issues. We also know that others may well try to deduce the source of any complaint. However, we recognise that you may nonetheless want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not normally disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court or you are at risk of harm) we will discuss with you whether and how we can proceed. Despite your request for confidentiality, there may be circumstances therefore where the Council must disclose your identity. For example, if safeguarding concerns are identified.

3.3. Anonymous complaints

3.3.1. If you do not tell us who you are, we will still consider anonymous reports, however it will be much more difficult for us to look into the matter, to protect your position or to give you feedback.

4. How to raise a concern

As a first step, employees should normally raise concerns with their immediate manager or their supervisor. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if employees believe that management is involved, or if they need advice and guidance on how to pursue matters, they should approach:

- Head of Fraud, Audit, Insurance & Risk — 0161 253 5085
- Executive Director of Finance — 0161 253 7858
- Director of Law and Democratic Services — 0161 253 5592
- Director of People and Inclusion — 0161 253 5880
- Chief Executive — 0161 253 5002

Alternately, you can report concerns by the following methods ~~contact the Whistleblowing Hotline:~~

- Online form - <https://www.bury.gov.uk/my-neighbourhood/fraud>
- By phone – 0161 253 6446
- By email - whistleblowing@bury.gov.uk
- In writing – by marking your correspondence as private and confidential and addressing to the appropriate Officer to: Town Hall, Knowsley Street, Bury, BL9 0SW

Concerns to the Council may be raised online, verbally or in writing/email. Employees who wish to put their complaints in writing/email should do so using the following format:

- the background, reasons and history of the concerns
- who is involved e.g. names of Officer(s), Company/Contractor name(s), name of Councillor(s) etc
- any relevant dates or times
- any witnesses
- any evidence (which can be included within the letter or attached to an email)
- if anyone else has been informed, along with their name and any other relevant information
- any additional information you wish to provide e.g. vehicle registration numbers, descriptions etc
- Information about yourself (you do not have to provide this information if you wish to remain anonymous, but a telephone number will be helpful so that we can obtain any further details that we may need, to help with the investigation):
 - Your name
 - Preferred contact number (so that we can obtain further information from you if needed)
 - Preferred time of contact (if you have provided us with a telephone number)
 - Email address

The earlier employees express their concerns, the easier it is to take action. It is important to provide **all** information and evidence from the outset in order for officers to undertake a thorough and timely investigation. You should not try to investigate your concerns before / after reporting them as a whistleblowing concern.

Although employees are not expected to prove the truth of allegations, they will need to demonstrate to the person contacted that there are reasonable grounds for their concerns.

If employees are unwilling to refer the matter of concern to one of the internal sources above, then Section 6 (page 9) contains details of how concerns can be reported elsewhere.

Employees may invite their trade union or professional association representative or workplace colleague to be present during any meetings or interviews in connection with the concerns they have raised.

5. How the Council will respond and handle the matter

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation.

A team of officers will usually be established to investigate make enquiries around the allegations. The team will include as a minimum, to maintain independence, a member of the Internal Audit team Fraud, Audit, Insurance and Risk Team and, to ensure someone with knowledge of the service / legislation around the service, an appropriate representative from the service against which the allegation has been made. If the initial enquiries show that there are grounds for a formal investigation, the case will be escalated to the Director of People and Inclusion. Any formal investigation will be undertaken accordance with the Council's disciplinary procedures. An HR contact for the duration of the investigation will also be nominated to assist and support the team where required.

In the event that allegations are made against a member of the FAIR Team, the Director of People and Inclusion Head of HR and the Monitoring Officer will appoint an investigation team.

The Investigation Team will follow the guidance for conducting effective investigations which is available to Bury Council employees via the intranet (Disciplinary, capability and grievance procedures).

At the conclusion of the enquiry stage, a report will be written where appropriate, (see template at Appendix 2). The report will be shared with the Director of People and Inclusion, and the Executive Director of the department responsible for implementing recommendations. The report will also be shared with the Council's Monitoring Officer, Executive Director of Finance, and Chief Executive. The report will also be submitted to Audit Committee and Cabinet Members for their information.

While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as appropriate. As a minimum, we will let you know when the enquiries have been completed.

Within ten working days of a concern being received, the Head of Fraud, Audit, Insurance & Risk or another designated officer will write to the complainant in those instances where the complainant has provided contact details:

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response
- indicating whether any initial enquiries have been made
- supplying information on staff support mechanisms, and
- indicating whether further investigations will take place and, if not, why not.

The amount of contact between the investigating officers considering the issues and the relevant employee making the whistleblowing disclosure will depend on the nature of the circumstances. If necessary, further information will be sought from the relevant employee.

Meetings can be arranged at a mutually convenient location, and away from the workplace if required.

6. How matters of concern can be taken further

This policy is intended to provide employees with an avenue to raise concerns within the Authority. However, if employees are reluctant to raise their concern through internal channels, or if they feel that matters of concern previously reported have not been dealt with satisfactorily, then the following are possible contacts if they wish to take matters further:

- Local Councillors – details of how to contact and surgery hours are on the Council's website www.bury.gov.uk
- Mazars - the Council's external auditors. They are completely independent from the Council and can be contacted on 0161 238 9200 or by writing to them at 1 St. Peter's Square, Manchester, M2 3DE
- Relevant professional bodies or other government organisations
- Solicitors
- Greater Manchester Police – telephone number 101
- Protect – this is a whistleblowing charity, which provides free and strictly confidential advice and legal help to anyone concerned about a malpractice which threatens the public interest. They operate a helpline on 020 3117 2520 or can be e-mailed at whistle@protect-advice.org.uk. More information is on their website at www.protect-advice.org.uk.

If employees take matters outside the Authority, it will be necessary to ensure that they do not disclose confidential or legally privileged information. As such, it is advisable that employees take appropriate advice before proceeding.

7. How we will protect your data

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by Public Authorities. As such the Council often receives requests for information under the Freedom of Information Act.

The Council has a legal obligation to provide the information unless it falls under one of the exemptions of the Act.

The Freedom of Information Act contains exemptions which may be applicable to permit the withholding of information identifying the whistleblower, including:

- Section 40 Personal Data
- Section 41 Information which, if disclosed, would give rise to an actionable breach of confidence.

Many people making a disclosure to the Council will wish to protect their identity and the Council will always seek to protect the identity of individuals during the course of progressing an investigation. If the Council receives a request for information identifying a whistleblower, the Council will contact the whistleblower to seek their views beforehand and will, wherever possible, seek to comply with those views.

The principle of maintaining confidentiality should also be applied to the identity of any individual who may be the subject of a disclosure.

The Council will ensure that our handling of concerns meets the requirement of the General Data Protection Regulations and Data Protection Act 2018 and the Freedom of Information Act 2000.

8. How we will monitor complaints

Internal Audit will maintain a central record of all whistleblowing referrals made under this policy and monitor the outcome of these cases. All records will be held securely and confidentially.

As such, details of any allegation should be reported to Internal Audit by the receiving manager on receipt. Internal Audit will log and allocate each case a reference number whether or not Internal Audit are involved in the investigation work. The outcome of the investigation should be notified to Internal Audit by the Investigating Officer.

The records held by Internal Audit will be used to analyse the impact and effectiveness of the arrangements in place in statistical terms. The detailed case records form part of the process of reporting back to Members on the effectiveness and outcomes of the Policy and form the record of actions taken in the case of any matters raised under the Public Interest Disclosure Act. The information will be referred to for monitoring purposes and periodic assurance reports provided to the Audit Committee by the Head of Fraud, Audit, Insurance and Risk as part of this process.

The Chief Executive has overall responsibility for the maintenance and operation of this policy and monitoring the effectiveness of the Council's Whistleblowing Policy (Confidential Reporting) and Process. The **Audit Standards** Committee has an overview of this policy.

9. Training and awareness

Chief Officers and Heads of Service are responsible for ensuring that their employees are aware of the whistleblowing policy and process and that any training needs are addressed which may arise from the application of the policy. Raising awareness of the Council's Whistleblowing Policy should form part of the induction training for all employees and should be addressed as refresher training for all employees.

Employees have a responsibility to ensure that they are aware of and understand the Council's policy in relation to Whistleblowing.

10. Review

Bury Council will continue to review its rules and procedures and will make sure that the Whistleblowing (Confidential Reporting) Policy is **regularly** reviewed **every two years** to ensure it stays current, appropriate and effective.

Appendix 1

Guidance for employees of Schools

Schools maintained by the Council. Such as Community Schools, Special Schools, Voluntary Controlled or maintained nursery school and pupil referral units.

If you are an employee of a School maintained by the Council, such as a community school, special school, voluntary controlled or maintained nursery school and pupil referral units, where the Council is the legal employer, you should report your concerns in accordance with the schools' own whistleblowing policy. However, if you are reporting a fraud, this must be reported to the Council. This can be done either by using the details of Bury Council whistleblowing policy or by using the form at <https://www.bury.gov.uk/my-neighbourhood/fraud>

If you are an employee of a school (as previously detailed), and you have a concern that you feel you cannot raise / discuss with the management of the school, or have good reason to believe your complaint or disclosure will not be properly handled, then you may report your concern directly to Bury Council or prescribed regulator using the Council's whistleblowing reporting procedures as detailed in this policy.

Safeguarding concerns - if the concern raised relates to a child protection issue, these should be reported to the Local Authority Designated Officer (LADO) and in line with the specific guidelines outlined in the school's safeguarding policy.

The whistleblowing policy is not to be used where other more appropriate reporting procedures are available within school, for example, in relation to any grievance relating to employment matters or to make a general complaint in relation to the school.

Employees who wish to raise concerns over practices in other schools should report these directly to the Council.

The Council expects these schools to respond to a disclosure or allegation in the same way as the Council would respond. The Headteacher or Chair of Governors would be expected to seek advice as necessary from the Council.

Internal Audit can offer advice and support to schools on the approach to be taken to investigate whistleblowing allegations to ensure concerns are properly addressed.

The action taken by schools in response to allegations made will depend on the nature and seriousness of the concern. Where appropriate, the matters raised may be:

- investigated by school management, or Council's Internal Audit Service;
- referred to the Police;
- referred to the External Auditor;
- subject of an independent enquiry.

For monitoring purposes, the Headteacher or Chair of Governors must report at the earliest opportunity the details of all whistleblowing allegations or suspicions of fraud, theft or corruption made within school. These must be reported to the Council's whistleblowing email account (whistleblowing@bury.gov.uk) Head of Fraud, Audit,

~~Insurance and Risk.~~ Internal Audit will monitor the outcome of all cases, including action taken to reduce the risk of reoccurrence.

Foundation and Voluntary Aided Schools.

This policy does not extend to staff employed in these schools as in these schools the governing body is the employer and not the Council. It is therefore the governing body who must decide how employees and workers may make a qualifying disclosure under PIDA or raise an allegation of wrongdoing.

The Council's ability to legally investigate disclosures of serious wrongdoing in foundation and voluntary aided schools is reduced unless the allegations relate to safeguarding matters, Special Educational Needs and/or financial mismanagement concerns. The Council should be notified of details of all concerns reported in relation to these matters.

As such each school should have their own whistleblowing policy and arrangements for reporting, logging and investigating concerns.

Academy Schools, Sixth Form Colleges and Free Schools

These institutions should adopt their own whistleblowing policy and procedures as the Council has no legal power to investigate, except for those concerns relating to safeguarding issues and Special Educational Needs.

If the Council receives any disclosures relating to these institutions, we will acknowledge these and seek to advise whistleblowers on an appropriate course of action on matters raised. If the disclosure relates to serious wrongdoing in respect of safeguarding issues involving Children or vulnerable adults the Council has a legal obligation to investigate and will do so irrespective of the status of the school.

In relation to schools that fall outside the scope of the Council's whistleblowing policy, Bury Council does have a process whereby any individual who has concerns of wrongdoing can contact the Council at the same time as making a whistleblowing allegation to the school. Bury Council may not be able to deal with the complaint as a whistleblowing under its own policy as this will have to be done by the school but logging this with Bury Council will enable us to monitor the progress and where possible deal with the concerns having regard to any legal obligations or duty of care in relation to the school

The Council will work with the Regional School Commissioner and Department for Education to review any matter referred to them in relation to Schools in Bury.

~~Employees who have major concerns about other schools or about other Council services can report these matters to Bury Council as a member of the public.~~



Whistleblowing Report

Subject

Report Status	Draft / Final
Report reference	TBC by Investigating Officer from FAIR Team
Report Date	
Investigating Officers	

Protect – Restricted

A decorative horizontal bar at the bottom of the page, consisting of a grey segment on the left and a yellow segment on the right.

Report title:

Report Distribution List:

<u>Name</u>	<u>Role Title</u>	<u>Organisation</u>
	Executive Director of Service where allegations had been made against / responsible for implementing recommendations	Bury Council
	Director of People and Inclusion	Bury Council
	Executive Director of Finance (S151 Officer)	Bury Council
	Director of Law and Democratic Services (Monitoring Officer)	Bury Council
	Chief Executive	Bury Council
	Audit Committee Member	Bury Council
	Cabinet Members	Bury Council

Introduction

Outline details of allegations received.

Scope of Investigation

Detail here the work undertaken to investigate the allegations received.

Findings

Summarise here what you found during the investigation

Conclusion

Conclude your work here, including reference as to whether the allegations have been founded or not



**Whistleblowing Investigation: Subject
Findings and Management Action Plan**

	Allegation	Work Undertaken / Findings	Conclusion	Recommendation / Further Work Required	Response from Executive Director of Service which should capture the action to be taken and by when.



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Fraud and Corruption - Prosecution Policy

December 2025

Document Control

Title	Fraud & Corruption Prosecution Policy
Document Type	Policy
Author	FAIR Team
Owner	Corporate Core – Finance
Subject	Counter Fraud & Corruption
Date Created	July 2023
Approval Date	
Review Date	December 2025

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1. Scope and Purpose

The fraud and corruption prosecution policy forms part of the Council's overall counter fraud and corruption arrangements. The policy covers all acts, and/or attempted acts, of fraud or corruption committed by officers or members of the Council, or committed by members of the public, or other organisations or their employees, against the Council.

The policy sets out the circumstances in which the Council will take legal action against the perpetrators of fraud or corruption. It also sets out the circumstances when it is appropriate to consider alternative courses of action such as offering a caution.

In addition to prosecution, where employees are alleged to have committed fraud, an internal investigation may also be undertaken following the Council's Disciplinary, Capability and Grievance Procedures which are detailed on the Council's intranet.

This policy should be read in conjunction with the Council's constitution, financial regulations, the anti-fraud & corruption strategy, the whistleblowing policy and the Council's disciplinary policy and procedures.

The policy contains specific guidelines for determining the most appropriate course of action when fraud has been identified. Offences other than fraud and corruption (for example those relevant to the enforcement of regulations) are dealt with by the appropriate service departments under other policies and relying on specific legal powers.

2. Principles

The Council is committed to deterring fraud and corruption. As part of its overall strategy to do this, the Council will seek to take appropriate action against anyone suspected to have attempted and/or committed a fraudulent or corrupt act against it. The Council considers that those guilty of serious fraud or corruption must take responsibility for their actions before the courts.

The policy is designed to ensure that the Council acts fairly and consistently when determining what action to take against the perpetrators of fraud or corruption.

Where evidence is identified that staff and members may have committed fraud or corruption they may be prosecuted in addition to such other action(s) that the Council may decide to take, including disciplinary proceedings and referral to the relevant officer or professional body. Any decision not to prosecute a member of staff for fraud and corruption does not preclude remedial action being taken by the

relevant director(s) in accordance with the Council's disciplinary procedures or other policies.

This Policy is also designed to be consistent with council policies on equalities. The Council will be sensitive to the circumstances of each case and the nature of the crime

when considering whether to prosecute or not. This document may be made available in alternative language upon request

The consistent application of the policy will provide a means for ensuring that those who have perpetrated fraud and corruption are appropriately penalised. It will also act as a meaningful deterrent to those who are contemplating committing fraud or corruption. The Council recognises the deterrent value of good publicity and therefore information regarding successful prosecutions and sanctions will be made public.

Any decision taken by the authorised officers to prosecute an individual or to offer a formal sanction will be recorded in writing. The reason for the decision being taken will also be recorded. For cases which recommend prosecution of an employee, the authorised officers who will make the decision to prosecute are the Monitoring Officer in conjunction with the S151 Officer and the Director of People and Inclusion ~~Head of Human Resources~~. ~~For all other cases, the authorised officers making the decision to prosecute are the Head of Fraud, Audit, Insurance and Risk in conjunction with Head of Legal Services.~~ For all other cases, the authorised officer making the decision to prosecute is the Head of Fraud, Audit, Insurance and Risk in conjunction with Legal Services.

Irrespective of the action taken to prosecute the perpetrators of fraud and corruption, the Council will take whatever steps necessary to recover any losses incurred, including taking action in the civil courts.

3. Prosecution

In the accordance with The Code for Crown Prosecutors¹ this policy is intended to ensure the successful prosecution of offenders in court. However, not every contravention of the law should be considered for prosecution. The Council will weigh the seriousness of the offence (taking into account the harm done or the potential for harm arising from the offence) with other relevant factors, including the financial circumstances of the defendant, mitigating circumstances and other public interest criteria. All cases will be looked at individually and be considered on their own merit.

To consider a case for prosecution the Council must be satisfied that The Code for Crown Prosecutors two tests have been passed. Firstly, there must be sufficient evidence of guilt to secure a conviction. This is called the evidential test. Secondly, it must be in the public interest to proceed – the public interest test.

3.1. Evidential Test

1 <https://www.cps.gov.uk/publication/code-crown-prosecutors>

To pass the evidential test, authorised officers must be satisfied that there is a realistic prospect of conviction based on the available evidence (that is, there must be sufficient admissible, substantial and reliable evidence to secure a conviction):

3.2. Public Interest Test

To pass the public interest test, the authorised officer will balance, carefully and fairly, the public interest criteria against the seriousness of the offence. The public interest criteria include:

- the likely sentence (if convicted)
- any previous convictions and the conduct of the defendant
- whether there are grounds for believing the offence is likely to be repeated
- the prevalence of the offence in the area
- whether the offence was committed as a result of a genuine mistake or misunderstanding
- any undue delay between the offence taking place and/or being detected and the date of the trial
- the likely effect that a prosecution will have on the defendant
- whether the defendant has put right the loss or harm caused.

It will generally be in the public interest to prosecute if one or more of the following factors applies, subject to any mitigating circumstances:

- the actual or potential loss to the Council was substantial
- the fraud has continued over a long period of time
- the fraud was calculated and deliberate
- the person has previously committed fraud against the Council (even if prosecution did not result) and/or there has been a history of fraudulent activity
- the person was in a position of trust (for example, a member of staff)
- there has been an abuse of position or privilege
- the person has declined the offer of a caution or financial penalty the case has involved the use of false identities and/or false or forged documents

Investigating officers and prosecutors will review the appropriateness of pre-charge engagement where prosecution is considered. This is likely to occur where such engagement may lead the defendant to volunteer additional information that may identify new lines of inquiry. Pre-charge engagement may be instigated by the investigating officer, the council prosecutor, the defendant's representative or a defendant themselves (if unrepresented).

4. Mitigating Factors

The following mitigating factors will be taken into account when determining whether to prosecute:

4.1. Voluntary Disclosure

A voluntary disclosure occurs when an offender voluntarily reveals fraud about which the Council is otherwise unaware. If this happens, then the fraud will be investigated but the offender will not be prosecuted unless in exceptional circumstances.

However, any person colluding in the crime will still be prosecuted. A disclosure is not voluntary if the:

- admission is not a complete disclosure of the fraud
- admission of the fraud is made only because discovery of the fraud is likely, (for example, the offender knows the Council is already undertaking an investigation in this area and/or other counter fraud activity)
- offender only admits the facts when challenged or questioned
- offender supplies the correct facts when making a claim to Legal Aid

4.2. Ill Health or Disability

The suspects mental and physical health will be taken into account before any decision is made to prosecute. Evidence from a GP or other doctor will be requested. It is also necessary to prove that the person understood the rules governing the type of fraud committed and was aware that their action is wrong. This may not be possible where, for instance, the offender has serious learning difficulties. However, simple ignorance of the law will not prevent prosecution.

4.3. Social Factors

A wide range of social factors may make a prosecution undesirable. The test is whether the court will consider the prosecution undesirable and go on to reflect that in the sentence.

4.4. Exceptional Circumstances

In certain exceptional circumstances the Council may decide not to prosecute an offender. Such circumstances include:

- the inability to complete the investigation within a reasonable period of time
- the prosecution would not be in the interests of the Council
- circumstances beyond the control of the Council make a prosecution unattainable

5. Alternatives to Prosecution

If some cases are considered strong enough for prosecution but there are mitigating circumstances which cast a doubt as to whether a prosecution is appropriate, then the Council may consider the offer of a sanction instead. The four sanctions available are:

- a caution, or
- a financial penalty, or
- a civil penalty

5.1. Simple Cautions

A simple caution is a warning given in certain circumstances as an alternative to prosecution, to a person who has committed an offence. All cautions are recorded internally and kept for a period of six years. Where a person offends again in the future, any previous cautions will influence the decision on whether to prosecute or not.

For less serious offences a simple caution will normally be considered where all of the following apply:

- there is sufficient evidence to justify instituting criminal proceedings
- the person has admitted the offence
- there is no significant public interest in prosecution
- it was a first offence
- a financial penalty is not considered to be appropriate.

Only in very exceptional circumstances will a further caution be offered for a second or subsequent offence of the same nature.

Cautions will be administered by the Head of Fraud, Audit, Insurance & Risk, or a Senior Corporate Fraud Officer on behalf of the Council. If a caution is offered but not accepted, the Council will usually consider the case for prosecution. In such cases the court will be informed that the defendant was offered a caution but declined to accept it.

5.2. Financial Penalties – Council Tax and Council Tax Reduction Scheme

The Council Tax Reduction Schemes (Detection of Fraud and Enforcement – England) Regulations 2013, permit a financial penalty to be offered to claimants as an alternative to prosecution. The penalty is set at 50% of the amount of the excess reduction, subject to a minimum of £100 and a maximum of £1000. Once a penalty is accepted, the claimant has 14 days to change their mind.

Subject to the criteria set out in the guidelines below, a financial penalty will normally be offered by the Council in the following circumstances:

- the Council believes that there is sufficient evidence to prosecute
- it was a first offence, or a previous offence was dealt with by way of a caution, and
- in the opinion of the Council, the circumstances of the case mean it is not overwhelmingly suitable for prosecution, and
- the claimant has the means to repay both the overpayment and the penalty, and
- there is a strong likelihood that both the excess reduction and the penalty will be repaid

5.3. Civil Penalties for failure to supply information – Council Tax

Schedule 3 of the Local Government Finance Act 1992 allows Bury Council to impose a penalty of £70 where a person fails to comply with certain requirements as to the supply of information.

A penalty can be imposed on any person who:

- has been requested by the Council to supply information to identify the liable person for Council Tax and has failed to supply this information, or
- has knowingly supplied information, with regard to identifying the liable person, which is inaccurate in a material particular, or
- has failed, without reasonable excuse, to notify the Council that the dwelling will not be, or was no longer an exempt dwelling, or
- has failed, without reasonable excuse, to notify the Council that the chargeable amount is not subject to a discount or is subject to a discount of a lesser amount.

It is important to note that the suspect does not need to have admitted the offence for a financial penalty to be offered. Financial penalties will be administered by the Head of Fraud, Audit, Insurance & Risk, or a Senior Corporate Fraud Officer. If a financial penalty is not accepted or is withdrawn, the Council will usually consider the case for prosecution. In such cases, the court will be informed that the defendant was offered a penalty but declined to accept it.

6. Proceeds of Crime Act 2002 (POCA)

In addition to the actions set out in this policy, the Council reserves the right to refer all suitable cases for financial investigation with a view to applying to the courts for restraint and/or confiscation of identified assets. A restraint order will prevent a person from dealing with specific assets. A confiscation order enables the Council to recover its losses from assets which are found to be the proceeds of crime.

7. Review

Bury Council will continue to review its rules and procedures and will make sure that the Fraud and Corruption - Prosecution Policy is regularly reviewed to ensure it stays current, appropriate and effective.

Anti Bribery Policy

December 2025

Document Control

Title	Anti-Bribery Policy
Document Type	Policy
Author	FAIR Team
Owner	Corporate Core – Finance
Subject	Anti-Bribery
Date Created	December 2025
Approval Date	
Review Date	December 2027

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1. Introduction

Bury Council is committed to the highest standards of openness, probity and accountability and has put in place appropriate and proportionate anti-bribery safeguards and reporting arrangements.

The aim of this policy is to set out the procedures which must be followed where bribery is suspected within the Council.

2. Definition of Bribery

What is bribery?

Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage.

Bribery could be through:

- The giving, promising to give or offering payment, gift or hospitality in the hope of gaining a business advantage.
- Accepting a payment from a third party when you know or suspect that it is offered with the expectation of business advantage.

Anyone receiving, or providing, gifts and hospitality, or having a business or personal interest beyond their main role within the Council, needs to consider whether their actions leave themselves and/or the Council vulnerable to allegations of bribery. Procurement, recruitment, key decision-making, and contract management are all areas of vulnerability.

3. Council's Statement

Bribery is a criminal offence. The Council does not pay or accept bribes or offer or accept improper inducements. The Council is committed to the prevention and detection of bribery and aims to maintain arrangements to ensure compliance.

The Council is committed to:

- Setting and maintaining a clear anti-bribery policy
- Making all members and employees aware of this policy
- Ensuring there are appropriate mechanisms for Members and employees to report any potential conflicts of interest and encouraging vigilance
- Ensuring there are suitable channels for Members, employees and the general public to report concerns.
- Taking appropriate action when a concern comes to light.

4. Bribery Act 2010

The Act sets out the offences that relate to the behaviour of an individual.

- Bribery of another person (section 1)

- Accepting a bribe (section 2)
- Bribing a foreign official (section 6)

The Act also sets out the corporate responsibility by the offence of failing to prevent bribery (section 7). The organisation will have a defence to this corporate offence if it can demonstrate that it had adequate procedures in place to prevent bribery.

What are the penalties?

For an individual who commits an offence under this act the maximum penalties are:

- Conviction in a magistrates' court – imprisonment term of 12 months and a fine of £5,000.
- Conviction in a crown court – imprisonment term of 10 years and an unlimited fine

If the Council was found to have committed the offence under section 7 there is an unlimited fine.

Employees who are found to have breached this policy may also be subject to disciplinary action.

5. Who in the Council is covered by this policy?

This policy covers all personnel. This includes all levels and grades of employees, employed on a permanent or temporary basis, working in all areas of the Council's business. It also includes contractors, volunteers and consultants. For ease of reference when this policy refers to "employees" it relates to all of the above. The policy is also relevant to Members.

~~The Council will share this policy with schools to ensure that they are aware of the policy and are able to introduce their own policy which should be complied with.~~

~~The Council will also seek to promote this policy with partners and suppliers and will expect them to bring it to the attention of their staff when they are working for the Council and for large partner organisations and suppliers to have similar policies in place.~~

6. Responsibilities

Employee responsibilities:

All employees are required to:

- act with honesty and integrity at all times
- avoid activity that breaches this policy
- read and understand this policy
- raise concerns if they believe/suspect a conflict with this policy has occurred, or is likely to occur in the future

Corporate responsibilities:

There is a corporate responsibility to ensure that the policy and procedures in place are appropriate.

The lead officer is the Director of Finance (Section 151 Officer) with Internal Audit and Fraud Team providing the day-to-day monitoring and training. The Executive Leadership Team is committed to upholding the highest standards of probity and integrity. The policy is presented to Audit Committee for approval and is presented to the Council for inclusion within the Constitution.

Proportionality

The policy and procedures have been developed based on the nature of the risk that the Council faces. In order to determine this the level and nature of the risk has been assessed.

Top level commitment

The lead officer is the Director of Law and Democratic Services (The Monitoring Officer). The Corporate Management Team is committed to upholding the highest standards of probity and integrity. The policy is presented to Audit Committee and formally approved by Council for inclusion within the Constitution.

Due diligence

The Council applies due diligence procedures taking a proportionate and risk based approach.

Communication/training

This policy is published to all employees, and on the Council's website, thereby demonstrating the top level commitment.

7. Raising a Concern

Employees and Members have a responsibility to raise any concern that bribery may be taking place within the organisation.

Employees and Members can raise their concerns by following the guidance in the Whistleblowing policy. Any subsequent investigations will be undertaken in line with the process detailed in the Whistleblowing policy.

8. Monitoring / Review

The number and nature of incidents reported will be recorded and reported annually to Audit Committee, including a nil return. Detailed reports of any investigations undertaken will also be provided to Audit Committee along with any lessons learned.

The policy will be subject to review every two years.

Reporting mechanism

~~The Director of Law and Democratic Services has overall responsibility for this policy and will report annually to Audit Committee.~~

~~Any investigated incidents will be reported to the Audit Committee.~~

This policy should be read in conjunction with:

- Financial Regulations
- Contract Procedure Rules
- Members code of conduct
- Employee code of conduct
- Whistleblowing policy

Anti Money Laundering Policy

December 2025

Document Control

Title	Bury Council Anti Money Laundering Policy
Document Type	Policy
Author	FAIR Team
Owner	Corporate Core - Finance
Subject	Anti Money Laundering
Date Created	December 2025
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8.0 Policy Review	6

1. Introduction

Bury Council (~~"The Council"~~) is committed to the highest standards of openness, probity and accountability and has put in place appropriate and proportionate anti-money laundering safeguards and reporting arrangements.

The aim of this policy is to set out the procedures which must be followed where money laundering is suspected within the Council.

2. Definition of Money Laundering

Money laundering is the illegal process of making large amounts of money, generated by criminal activity, appear to have come from a legitimate source.

The Proceeds of Crime Act (POCA) 2002 makes it an offence to:

- conceal, disguise, convert, transfer or remove criminal property from the UK and/or
- enter into or become concerned in an arrangement which you know or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person and/or
- acquire, use or have possession of criminal property

These primary offences carry a maximum penalty of 14 years' imprisonment and/or an unlimited fine.

3. Scope of the Policy

This policy applies to all Council employees, whether permanent or temporary, and Members of the Council. Its aim is to enable Council employees and Members to respond to a concern which may arise within the course of their Council duties. Any concern, relating to a matter outside the Council, should be referred directly to the Police.

4. Council obligations

Whilst Local Authorities are not directly covered by the requirements of the Money Laundering Regulations, there is the risk of reputational and/or financial loss. Guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) suggests that public service organisations should comply with the underlying spirit of the legislation and regulations and as such the Council is committed to ensuring compliance as follows:

- To appoint a money laundering reporting officer (MLRO) to whom any suspicions of money laundering activity can be reported.
- Implement a procedure to enable the reporting of suspicions of money laundering.
- Maintain client identification procedures in certain circumstances.
- Maintain record keeping procedures.

5. The Money Laundering Reporting Officer (MLRO)

This is the Head of Fraud Audit, Insurance and Risk who has the ability to act upon reported cases. The deputy MLRO role is undertaken by both Senior Auditors within the Internal Audit team of the Fraud, Audit, Insurance and Risk Team.

6. Reporting Procedure for Suspicions of Money Laundering

Where money laundering activity is suspected of taking/has taken place, this must be disclosed as soon as practicable to the MLRO using the disclosure report, attached at Appendix 1 to this policy.

The disclosure report must include as much detail as possible including:

- Full details of the people involved
- Full details of the nature of all parties involved ~~their/your involvement.~~
- The types of money laundering activity involved
- The dates of such activities
- Whether the transactions have happened, are ongoing or are imminent
- Where they took place
- How they were undertaken
- The (likely) amount of money/assets involved
- The reasons for the suspicions.
- Any other available information to enable the MLRO to make a sound judgment as to whether there are reasonable grounds for knowledge or suspicion of money laundering and to enable a report to the National Crime Agency (NCA), where appropriate, to be prepared.

Copies of any relevant supporting documentation must also be provided to the MLRO.

Once the matter has been reported to the MLRO all subsequent directions from the MLRO must be followed, no further enquiries into the matter should be made as any necessary investigation will be undertaken by the NCA.

All Council employees will be required to co-operate with the MLRO and any other bodies, as directed, during any subsequent money laundering investigation.

At no time and under no circumstances should suspicions be voiced to the person(s) suspected of money laundering, or reference made on any client file without the specific consent of the MLRO. Alerting an individual to the fact that a referral has been made or making reference to this on a client file, which the client may subsequently exercise their right to see, could result in the Council employee committing an offence known as "tipping off", for which they could be prosecuted.

The MLRO will keep the appropriate records in a confidential manner.

7. Consideration of the disclosure by the Money Laundering Reporting Officer

Upon receipt of a suspicion of a money laundering transaction the Money Laundering Reporting Officer (MLRO) or nominated representative will update the money laundering incident log and undertake appropriate investigations to determine whether a report to the NCA is required.

Once the MLRO has evaluated the allegation and any other relevant information, they will make a timely determination as to whether:

- there is actual or suspected money laundering taking place; **or**
- there are reasonable grounds to know or suspect that is the case; **and**
- whether they need to seek consent (in liaison with the Section 151 Officer from the NCA for a particular transaction to proceed).

Where the MLRO concludes that there are no reasonable grounds to suspect money laundering then they will update the money laundering incident log and give consent for any ongoing or imminent transaction(s) to proceed.

All suspicions referred to the MLRO, and reports made by them to the NCA will be retained by the MLRO in a confidential file kept for that purpose, for a minimum of five years.

If a money laundering allegation involves a member of staff who is subsequently prosecuted, then Human Resources will be informed so it can be considered under the disciplinary procedure.

8. Policy Review

This policy will be reviewed **every two years** ~~annually~~ **Review Date – September 2023**

Have you discussed your suspicions with anyone else? Yes / No

If yes, please provide details of who the discussions took place with and explain why such discussion was necessary:

Have you consulted any supervisory body for guidance? Yes / No
If yes, please specify below:

Do you feel there is a reasonable justification for not disclosing the matter to the NCA?

Yes / No

If yes, please specify below:

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Classification	Item No. 6
Open / Closed	

Meeting:	Licensing and Safety Committee
Meeting date:	Licensing and Safety Committee – 19th February 2026 Full Council 18 th March 2026
Title of report:	HMO Licensing Policy and Updated Standards and Amenity documents
Report by:	Danielle Ryan – Unit Manager PRS Enforcement Team
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary

This report seeks approval from the Licensing and Safety Committee to adopt the proposed HMO Licensing Policy and the updated Standards and Amenities Guidance for Houses in Multiple Occupation (HMOs) across the borough. The introduction of a formal licensing policy is necessary due to the increasing volume of HMO licence applications and the Council's commitment to strengthening regulatory oversight of HMOs.

The updated guidance provides clearer, more detailed technical standards to support licence applicants, ensuring that HMOs meet statutory requirements relating to space, amenity provision, safety, and management. It also reflects recent legislative changes, including enhanced penalty powers under the Housing and Planning Act 2016 and revisions introduced through the Renters Rights Act 2025.

The policy sets out how the Council administers and enforces HMO licensing, ensuring consistency, transparency and robust decision-making. Adoption of the documents will support improved regulation of HMOs, assist developers and landlords in meeting mandatory conditions, and enable the Council to maintain safe, compliant accommodation for residents. Following approval, delegated authority is requested to allow the Assistant Director for Public Protection and

Resilience to make further amendments arising from consultation and any future legislative changes.

This matter was considered by Licensing and Safety Committee on 19th February 2026 and members approved the HMO Licensing Policy and the updated Standards and Amenities Guidance. Delegated authority be granted to the Assistant Director for Public Protection and Resilience to make any necessary amendments arising from the consultation, as well as any future amendments required to reflect new or amended legislation.

Options & Recommended Options

That the Committee approves the HMO Licensing Policy and the updated Standards and Amenities Guidance, and delegates authority to the Assistant Director for Public Protection and Resilience to make any necessary amendments arising from consultation, as well as any future amendments required to reflect new or amended legislation.

Key considerations

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

This paper is within the public domain.

Community impact / Contribution to the Bury 2030 Strategy

The Policy and standards document is consistent with values of the Lets Do It strategy, including, improving living conditions and therefore reducing deprivation and associated ill-health, whilst enabling a consistent and clear approach with expectations of landlords which will in turn support economic growth.

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.

In undertaking this review, the Council has also considered whether the proposed policy or updated guidance may have any indirect or disproportionate impacts on individuals with protected characteristics. The licensing process applies equally to all landlords and properties and is designed to ensure minimum safety and management standards across the sector. Importantly, the policy strengthens safeguards for occupants by promoting safer living conditions, which can positively benefit groups who may be more vulnerable to poor housing standards, such as younger tenants, low-income households, or certain minority groups. However, no differential adverse impacts have been identified, and the policy is considered to be applied in a fair, transparent and proportionate manner consistent with the Public Sector Equality Duty.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
As we do not have a specific HMO licensing policy, we are leaving ourselves open to legal challenge if our decisions lack a clear policy basis	The introduction of policy, strengthens the decision making process and holds the Council accountable to due process. It also provides transparency in our approach to HMO licencing.
Unmanaged HMO growth	The policy sets out the legislative framework surrounding HMOs and combined with our enforcement and civil penalty policies, allows the Council to exercise enforcement powers where operators of HMOs fail to secure a licence (if one is required) The updated guidance document provides useful information to assist compliance with regulations for developers, and promotes safe and quality housing. Although the housing Act 2004 cannot limit the growth of the HMO sector, through the guidance document, we can ensure properties are safe, decent and compliant.
Decline in housing standards and conditions in HMOs without updating standards	Regular reviews of the guidance document to reflect legislative change, ensuring standards are maintained and improving.

Consultation:

There is no statutory requirement to consult on the policy. However, following approval of the updated Standards and Amenity Guidance, a public consultation of six weeks will be undertaken with landlords, developers and other stakeholders. This report seeks delegated authority for the Assistant Director – Public Protection and Resilience to approve any necessary amendments following the consultation period. As there have been no significant changes, it is not anticipated that revisions will be necessary.

Legal Implications:

The Council has a statutory duty to implement mandatory HMO licensing. The Council is entitled to charge a fee for an HMO licence, pursuant to section 63(3) of the Housing Act 2004.

Failure to consider and respond to new legislation could cause subsequent enforcement action to be outdated and flawed and compromise the Council's ability to tackle poor housing standards. Failure to publish a policy could leave the Council open to legal challenge.

Financial Implications:

Report Author and Contact Details:

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3 Knowsley Place
Duke Street
Bury
Telephone No: 0161 253 5561
Email: d.ryan@bury.gov.uk

Background papers:

HMO Licensing Policy
HMO Guidance for Landlords

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

Term	Meaning
HMO	Houses in Multiple Occupation

1.0 Background

- 1.1 Public Protection has produced a licensing policy (Appendix 1), and updated standards and amenities guidance for Houses in Multiple Occupation (HMOs) across the borough which has been retitled 'HMO Guidance for Landlords.' (Appendix 2).
- 1.2 The need for the introduction of a policy has arisen due to the volume of applications received for HMO licensing. At present we have over 150 large, licensed HMOs and also as a response to the Council motion to introduce a borough wide HMO policy.
- 1.3 As HMOs are covered by a number of regulatory frameworks, it is not possible to have a borough wide, blanket HMO policy. Therefore, work has been undertaken jointly across Public Protection and Development Control to ensure the Council is in a robust position regarding the development and licensing of HMOs across the borough.
- 1.4 The HMO licensing policy is a formal statutory policy framework explaining how Bury Council administers and enforces HMO licensing under the Housing Act 2004. It is written to assist and support for Council officers, managers and committees in their decision making. It provides and outlines the structure for licensing, compliance, planning checks, conditions, renewals, revocations, and enforcement for HMOs across the borough.
- 1.5 The regulation of Houses in Multiple Occupation (HMOs) through licensing under the Housing Act 2004 is inherently limited because planning powers sit outside the remit of Private Rented Sector (PRS) Enforcement teams. HMO licensing focuses on property standards, safety, and management arrangements, but it does not control land use decisions, density of HMOs, or the wider community impacts associated with their proliferation. Planning controls, such as the requirement for planning permission when changing a property from a family dwelling (Use Class C3) to an HMO (Use Class C4), operate independently and are governed by the Town and Country Planning system. Article 4 Directions (not yet in place in Bury) can remove permitted development rights and require full planning permission for new HMOs, giving planning authorities, not PRS enforcement, the power to limit concentrations of HMOs and protect neighbourhood character. Because these planning decisions fall within the statutory responsibilities of the Local Planning Authority, PRS Enforcement officers cannot influence the approval or refusal of HMO developments, nor address issues such as overconcentration, parking pressures, or the cumulative impact of HMOs. These matters sit firmly within planning policy rather than housing enforcement. As a result, HMO regulation through licensing alone cannot manage the spatial distribution or growth of HMOs, meaning effective oversight depends on close coordination between planning and PRS enforcement use decisions, density of HMOs, or the wider

community impacts associated with their proliferation. Planning controls, such as the requirement for planning permission when changing a property from a family dwelling (Use Class C3) to an HMO (Use Class C4), operate independently and are governed by the Town and Country Planning system. Article 4 Directions concentration, parking pressures, or the cumulative impact of HMOs-use decisions, density of HMOs, or the wider community impacts associated with their proliferation. Planning controls, such as the requirement for planning permission when changing a property from a family dwelling (Use Class C3) to an HMO (Use Class C4), operate independently and are governed by the Town and Country Planning system. Article 4 Directions -concentration, parking pressures, or the cumulative impact of HMOs

2.0 ISSUES

- 2.1 There are two licensing regimes under the Housing Act 2004 that relate to HMOs. One is a mandatory and statutory requirement for larger size HMOs, and the other a discretionary power available to Local Authorities to introduce licensing schemes for smaller HMOs.
- 2.2 Currently, Bury only operates mandatory licensing, meaning in broad terms, those larger HMOs, which are occupied by 5 or more persons, forming 2 or more households, sharing an amenity such as kitchen or bathroom require a licence to operate.
- 2.3 The HMO licensing process, as detailed in the newly prepared policy (Appendix 1) outlines the licensing process, and the necessary checks which are undertaken before a license is issued. For a license application to be successful the Local Authority must be satisfied that: the property is suitable for the number of occupants, satisfactory management arrangements are in place, and the license holder and manager of the HMO is a fit and proper person. Once the Local Authority is satisfied on these grounds, it is duty bound to issue a licence.
- 2.4 Conditions are attached to each HMO license, and these a specific requirements relating to the amenities including space, management and condition of the property. The conditions attached to licences are mandatory conditions under schedule 4 of the Housing Act 2004.
- 2.5 To ensure that developers of HMOs are able to meet the mandatory conditions, and be successful in the application for a HMO license, guidance regarding standards and amenities in available on the Council's website. As part of our work around HMOs, in conjunction with colleagues in planning, this guidance document has been updated to reflect the growth in HMOs that has been witnessed, and the new updated guidance is titled 'HMO Guidance for Landlords.', and the new updated guidance is titled 'HMO Guidance for Landlords, February 2026.'

- 2.6 The updated guidance document reflects updates licensing requirements, penalties to reflect the Housing and Planning Act 2016 powers and new Renters Rights Act 2025 revisions – increasing maximum civil penalties up to £40,000. It also expands and provides further detail around technical standards expected in HMOs across the borough.

3.0 CONCLUSIONS

- 3.1 The proposed HMO Licensing Policy and the updated Standards and Amenities Guidance provide a strengthened and transparent framework for regulating Houses in Multiple Occupation across the borough. Together, these documents enhance clarity for landlords, support consistent decision-making, and ensure that HMOs meet statutory requirements relating to safety, suitability, and management. By formalising the Council's approach, the policy mitigates legal risk, improves regulatory oversight, and helps maintain safe, high-quality accommodation for residents.

4.0 APPENDICES

Appendix 1 HMO Licensing policy

Appendix 2 HMO Guidance for landlords

Appendix 3 HMO Standard condition

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Houses in Multiple Occupation (HMO) Licensing policy

2026

Public Protection

Introduction:

The Housing Act 2004 defines a house in multiple occupation (HMO) as a dwelling which is;

- Occupied by three or more people
- Forming two or more separate households
- Sharing one or more basic amenity, such as a toilet and bathroom or kitchen.

Under Part 2 of the Act, there are two types of licensing schemes for HMOs. Mandatory and additional.

Under the mandatory licensing scheme, all properties that are occupied by 5 or more persons, forming 2 or more households sharing an amenity require a licence.

Additional licensing applies only to smaller HMOs, those occupied by only 3 or 4 persons, forming 2 or more households. Similar to selective licensing, the local authority may designate ward(s) where smaller HMOs are subject to additional licensing. The LA can also include 's.257' HMOs within additional licensing schemes.

A S257 HMO is a building which has been converted, or part converted, into self-contained flats that did not comply with the appropriate building standards and still does not comply with those standards, and less than two-thirds of the self-contained flats are owner occupied.

The Council has discretionary powers under the Act to designate areas across the borough for selective and additional licensing and may consider these powers where appropriate.

Selective licensing is the process where by the local authority designate specific ward(s) as areas for selective licensing, meaning as such all private rented properties (excluding HMOs) require a licence from the local authority.

This policy sets out the approach the Council will adopt when administering and implementing the licensing provisions under the Act.

Further information regarding HMO licensing can be found on the Council's website:

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

For any further enquiries please contact HMOs@bury.gov.uk

Or alternatively contact;

PRS Enforcement Team

Public Protection

2nd Floor

3 Knowsley Place

Duke Street

Bury

MANDATORY LICENSING SCHEME

The Act places a duty on Local Authorities to ;

Implement a licensing scheme:

Applications for new licences, renewals and verification are available and received online via the Council's website;

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Subject to any changes in legislation, a valid application for an HMO licence will comprise:

- A fully completed, signed and dated application form.
- All required documents which are fully completed, signed and dated.
- A Gas safety certificate where there is a gas supply (issued within the last 12 months).
- Electrical installation safety certificate (issued within the last 5 years).
- Emergency lighting inspection and test certificate.
- Fire alarm test certificate where a fire alarm system is installed (issued within the last 12 months).
- Evidence of working smoke and carbon monoxide detectors.
- Floor plan or sketch of the property detailing the size in square metres, the layout and position of each room. Rooms must meet statutory minimum sizes: <https://www.legislation.gov.uk/ukxi/2018/616/made> and Bury Councils HMO standards.
- Copy of an Assured Shorthold Tenancy agreement or licence.
- DBS certificate (for anyone with a responsibility) dated within the last 3 months.

Applications will only be considered if the application is fully completed along with all the required documents.

Determine any application in a reasonable time frame:

Application length will vary based on each property's individual circumstances. The Council will endeavour to process applications in a timely manner, avoiding any

unnecessary delays. During times of high demand for service, the Council will advise applicants of possible delays in processing applications.

and

Secure applications where licences

are required:

The Council will continue to actively seek compliance with mandatory licensing requirements through both communication and engagement with tenants, landlords, managing agents and organisations representing them; and proactive investigations and enforcement action where appropriate, which may include financial penalties up to £30,000 or an unlimited fine should the matter proceed to criminal prosecution. Where the Council takes action, it will be in line with the Private Sector Housing's Enforcement Policy and the Council's Civil financial penalty policy.

Exemptions

There are a number of exemptions prescribed that are exempt from mandatory licensing. Categories of exemptions are listed below, however, this is not a definitive list and you should refer to the legislation itself for details of the specific requirements for each category which are often complex.

- Buildings controlled or managed by public sector bodies
- Buildings controlled or managed by a co-operative society
- Buildings regulated otherwise than under this Act
- Buildings occupied by students where the person managing/in control is specified in national regulations
- Buildings occupied by religious communities
- Buildings occupied by owners and their households
- Buildings occupied by two persons who form two households

If you are in any doubt as to whether an exemption applies you are strongly recommended to contact the Council for clarification and/or take your own legal advice.

Licensing process

Following receipt and consideration of the application, the Council can either grant or refuse a licence. All properties will be subject to inspection throughout the licensing process to check compliance with licence conditions, management responsibilities and minimum standards. Where inspections have been pre-arranged, applicants will be required to provide access to all rooms in the HMO.

In determining whether to grant or refuse a licence, the Council must satisfy itself of the following:

- That the proposed licence holder of the HMO is a **fit and proper** person and the most appropriate person to hold the licence; and
- That the manager of the HMO is a fit and proper person;
- That there are **satisfactory management arrangements** in place or that such arrangements can be put in place by the imposition of conditions in the licence.
- That the house is reasonably **suitable for occupation** by not more than the maximum number of households or persons or that it can be made so suitable by the imposition of conditions

Fit and proper

In deciding whether a person is a 'fit and proper' person to hold a licence or to be a property manager, the Council is required to have regard, amongst other things, to any evidence that a person has an unspent conviction for an offence involving;

- Fraud or other dishonesty
- Violence or drugs
- Any offence listed in schedule 3 to the sexual offences act 2003 (offences attracting notification requirements)
- Practised unlawful discrimination
- Contravened provisions in relation to housing or landlord and tenant law
- Failed to act in accordance with any Code of Practice approved by an appropriate national Authority

The Council may also verify the information provided with other departments across the Council such as council tax, planning and building control in relation to the application.

The Council may refuse to grant a licence where it is not satisfied that the licence holder and or property manager is not a fit and proper person.

Management arrangements in place

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day-to-day operation management issues that arise, as well as being able to deal with longer term management issues. Where a licence holder resides over 75 miles from the borough of Bury, written confirmation of consent must be provided from a competent manager residing in the borough, who will take on the relevant management duties.

Suitable for occupation

The Council must be satisfied that the property is reasonably suitable for occupation by a specified maximum number of persons or households.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended) must be taken into consideration. These regulations require that the following matters must be taken into account when assessing suitability for occupation:

- The provision of an adequate means of space heating in each unit of living accommodation;
- The provision of adequate and sufficient toilet facilities, plus facilities for personal washing and bathing;
- The provision of adequate and sufficient kitchen facilities
- The provision of appropriate fire precautions and fire safety equipment

In addition the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 specify minimum requirements for sleeping accommodation.

Minimum statutory room sizes:

- 6.51 m² for one person over 10 years of age
- 10.22 m² for two persons over 10 years
- 4.64 m² for one child under the age of 10 years

A room smaller than the specified size must not be used as sleeping accommodation. The purpose of this is to reduce overcrowding in smaller HMOs.

There may be some cases where it is acceptable to provide additional space in a communal area where a room falls short of the minimum room sizes. Officers will exercise their discretion and when considering whether or not this offers a suitable solution, the existing size and layout of communal area will be taken into consideration.

Conditions

All licences are subject to mandatory conditions. The licence holder must comply with these conditions with immediate effect or within a specified period which is usually within 3 months of the conditions coming into effect.

The mandatory conditions require the licence holder to:-

- Provide the Council with a valid gas safety certificate on demand.
- Keep electrical appliances and furniture supplied by the licence holder in a safe condition.
- Ensure that fire alarms and smoke detectors are installed and maintained in proper working order.
- Provide tenants with a written statement of the terms on which they occupy the property.

The Council can impose its own local conditions on HMOs operating in Bury which may include those which are specific to a property, and which would regulate its occupation, use and management.

The standards determined by the Council are contained in the document "Bury Council HMO for Landlords, available on the Council's website ****insert link****

Planning permission

Enquiries will be made with the Council's planning department to ensure that the relevant planning permission is in place or in the process of being applied for. Any properties found to be in breach of planning requirements will be referred to the Council's planning enforcement team. For more information regarding planning requirements please contact the Planning and Development Team or visit <https://www.bury.gov.uk/planning-building-control>

Temporary exemptions (TEN)

In certain circumstances a landlord may decide on an alternative course of action for a property which, if put in place, would mean the property would not require a licence.

If the person having control of, or the person managing the house notifies the Council of that intention, the Council may, if it sees fit, serve a Temporary Exemption Notice (TEN) on that person in respect of the property. If a TEN is served the property will be exempt from the licensing requirement during the period that the TEN is in force.

The Council can only serve a TEN for a maximum period of three months, although under exceptional circumstances it may serve a second TEN for a maximum of a further three months. It cannot serve a further TEN on expiry of the second TEN.

Service of a TEN is at the discretion of the Council and the Council will need to be satisfied that there are valid reasons for doing so.

Examples may include, but not limited to:

- the owner requiring possession of the property for their own residence,
- the owner is subject to bankruptcy proceedings
- the property is being sold, converted or otherwise redeveloped.
- Licence holder dies

In any scenario where a TEN is being sought, the Council will require the person having control to furnish them with firm evidence of action being taken to secure that the property will not need a licence within a reasonable time period. For example, evidence that the property is actively on the market for sale, evidence of a planning application for redevelopment etc. In the absence of adequate evidence a TEN is unlikely to be served.

Where the Council decides not to serve a TEN, the person concerned may appeal to the First Tier Tribunal (Property Chamber) within 28 days of receiving a notification of the Council's decision not to serve a TEN

Refusal to grant licence

The Council may refuse to grant a licence. Reasons to refuse a licence include:

- the house cannot be made reasonably suitable for occupation,
- a Banning Order is in force against the applicant,
- the proposed licence holder or manager is not a fit and proper person
- Fee not paid

Where a licence application is refused, the Council may be required to take on the management of the property by making an Interim Management Order (IMO). A full options appraisal will be carried out before any decision to refuse to grant a licence is made and the making of a Final Management Order (FMO) should be regarded as a last resort.

IMO Interim management order

An Interim Management Order (IMO) transfers the management of a property to the Council for a period of up to 12 months.

An IMO will be made where a property falls within the definition of a licensable HMO but is not licenced and there is no reasonable prospect of it being licenced.

An IMO may also be issued to protect the health, safety or welfare of occupants of the property, or of neighbours or people having an interest in neighbouring properties.

An IMO permits the Council to:-

- Take possession of the property against the immediate landlord.
- Do anything in relation to the property which could have been done by the landlord.
- Collect rents and deduct from this income any relevant expenditure incurred in managing the property and sums due in compensation to a third party.
- Create new tenancies with the consent of the landlord.

The Council may vary an IMO where appropriate and may revoke one where a licence is subsequently issued for the property, or if the property ceases to be an HMO.

FMO Final management order

If an IMO expires and there has been no improvement, then the Council may issue a Final Management Order (FMO) that can last up to 5 years and may be renewed.

An FMO allows the Council to secure long-term management of the HMO.

The Council will periodically review the FMO, and the management scheme contained in it and will consider whether keeping it in force is the best course of action. Following a review, the FMO may be varied, revoked or a licence issued for the property.

A relevant person may appeal to the First-Tier Tribunal (Property Chamber) within 28 days of the Order being issued.

Revocation and variation of licences

The Council has the power to revoke a licence:

- with the agreement of the licence holder,
- where it considers that the licence holder or any other person has committed a serious breach of a condition of the licence or repeated breaches of such a condition,
- where the Council no longer considers that the licence holder is a fit and proper person to be the licence holder,
- where the authority no longer considers that the management of the house is being carried out by persons who are in each case fit and proper persons to be involved in its management.

Variation

The Council may vary a licence:

- with the agreement of the licence holder
- where there has been a change in circumstances, including discovery of new information.
- on the local authority's own initiative

An application to vary a licence can be made online:

need online form

Reasons to vary a licence may include:

- increase or decrease the number of permitted occupants,
- New, or amended legislative requirements,
- to add conditions relating to amenities, or to
- remove any conditions that are no longer applicable.

Where there has been a change in circumstances and the issue is about the maximum number of households or occupiers or the standards of amenities, the local authority must apply the standards to the circumstances as they were at the time when the licence was granted. However, if the prescribed standards have been

changed in regulations since the original licence was issued, the new standards apply.

Duration of licences

Where HMO licences are granted, they will normally be for the maximum five years allowed in accordance with the Housing Act 2004. However, where evidence exists that gives cause for concern about any person responsible for operating the HMO and/or the property conditions, it may be more appropriate to issue a licence for a shorter term.

Circumstances may include, but not limited to:

- Failure to apply for an HMO licence
- Failing to obtain relevant consents or approvals appropriate to the property use (such as non-compliance with planning requirements or building regulations)
- Failure to comply with HMO management regulations
- The property is for sale or the management is in the process of being changed

Any proposal to grant a licence for a shorter term will be subject to the statutory consultation process and any representations received about the proposed licence will be considered before a final decision is made.

After a shorter-term licence has been granted, the Council expects the licence holder to address the concerns that resulted in the granting of a shorter-term licence.

If the licence holder can demonstrate within the shorter-term period that the concerns have been addressed, they may apply to vary their licence.

However, if upon licence renewal there are on-going concerns (or non-compliance with licence conditions) then a further shorter-term licence may be issued. The Council may also consider it appropriate to take other enforcement action and this could include refusing to grant a new licence.

Appeals

You may appeal if we decide to:

- refuse a licence
- grant a licence with conditions
- revoke a licence
- vary a licence
- refuse to vary a licence
- Issue a FMO

Appeals should be made to the Residential Property Tribunal:

1st Floor
Piccadilly Exchange
2 Piccadilly Plaza
Manchester
M1 4AH
United Kingdom

Email: rpnorthern@justice.gov.uk

Telephone: 0161 237 9491

Fax: 01264 785 128

Appeals must be made within 28 days beginning with the date specified in the notice.

Power of the tribunal

On appeal, the tribunal may;

- confirm, reverse or vary the decision of the Council.
- direct the Council to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

The Tribunal will also hear appeals regarding any enforcement notices that the Council may serve.

HMO Declaration

To remove any uncertainty as to whether a property is an HMO or not the Council can declare it as an HMO by serving an HMO Declaration on the owner or person managing or controlling the property. Such uncertainties may, for example, arise where the number of occupants in a property may fluctuate, thus falling in and out of the three tests for establishing if a property is an HMO under S254 of the Act. These are: the Standard Test, the Self-Contained Flat Test and the Converted Building Test.

A typical situation in which an HMO Declaration might be served is where the use of a property by the occupants is not as their only or main residence but where they occupy the property on a longer-term basis than is usual. Typically, this would apply to certain types of hotels or hostels.

The owner or person managing the property may appeal against the HMO Declaration to the First-Tier Tribunal (Property Chamber) within 28 days. The Tribunal must either confirm the declaration or revoke it.

The Council may revoke an HMO Declaration either by its own volition or upon an application from the property owner or manager. The Council must be satisfied that the property is no longer used significantly by persons as their only or main residence.

Enforcement

The Council has the power to take enforcement action where HMOs are found to be operating without a licence or where operators of HMOs are of failing to comply with management regulations.

As an alternative to prosecution, the Council can issue civil penalty notices up to £30,00 (per offence). For further information of the Councils approach to enforcement, please refer to the Private Sector Housing Enforcement Policy:

<https://www.bury.gov.uk/asset-library/bury-private-sector-housing-enforcement-policy.pdf>

and the Civil (Financial) Penalty Policy:

<https://www.bury.gov.uk/asset-library/bury-private-sector-housing-civil-penalty-policy.pdf>

Fees

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

Current fees and charges in relation to HMO licensing can be found on the Council's website. Please refer to the website as fees and charges are subject to annual increases.

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Please be aware there is no reduction for issuing a shorter – term licence. This is because the fees are based on the costs involved in processing and determining the application and for the continued administration of the licence scheme and related enforcement costs.

Caution in respect of mortgage applications etc prior to licence approval

In the Council's experience, some mortgage lenders may not approve a mortgage application or other financial product in relation to a property that should be licenced but is not so licenced. Landlords and managing agents are advised to exercise caution and are recommended to ensure a final licence is in place for the property prior to taking out any financial product in respect of the property.

Where this is not possible, they are strongly advised to contact the lender and ascertain directly from them their policy in relation to property licensing.

The Council will not be able to fast-track licence applications to facilitate applications for mortgages or other financial products linked to any property.



Houses in Multiple Occupation Guidance for landlords

Applicable to all licensable and non-licensable HMOs across Bury

The Housing Act 2004 defines an HMO, however this definition is detailed and complex, but generally an HMO will be a property occupied by more than one household and more than two people, and may include bedsits, shared houses and some self-contained flats.

This guidance document is applicable to **ALL** HMOs across Bury.

HMO's where some or all amenities are shared occupied by 5 or more occupants require a HMO license.

However, all HMOs whether the landlord needs a license or not are subject to The Management of Houses in Multiple Occupation (England) Regulations 2006

These regulations exist to ensure that HMO owners and managers control a range of health and safety risks that are greater in HMOs and include;

- Fire safety - to ensure that equipment is maintained and that there is a safe route of escape
- Repair, maintenance and cleanliness of communal areas including gardens
- Repair and maintenance of fixtures, fittings and appliances in communal areas such as stairs, handrails, ventilation and heating appliances
- Provision of services including water, drainage, electricity and gas
- Provision and management of waste disposal facilities

Consequently, there is a responsibility placed on both the landlord and tenant to undertake the following;

Landlord responsibilities

- Give tenants your contact details and tell them how they can report any problems
- Provide adequate, uninterrupted water supply and drainage
- Maintain common parts, fixtures, fittings and appliances
- Supply and maintain gas (if any) and electricity
- Obtain a gas safety certificate each year
- Obtain an electrical safety condition report (EICR) every 5 years
- Provide suitable rubbish disposal

Tenant responsibilities

- Report any repairs that need to be carried out to your landlord
- Do not use any dangerous electrical appliances
- Comply with the conditions of your tenancy agreement
- Do not deliberately damage anything that the landlord must keep in repair
- Comply with arrangements for fire safety and refuse disposal
- Allow the landlord reasonable access so they can carry out their duties

Badly managed HMOs put residents at risk, encourage anti-social behaviour and can impact on entire neighbourhoods. If an owner or landlord is breaching management regulations it can result in fines up to £30,000 (this will increase to £40,000 from 1st May 2026) per offence or an unlimited fine if prosecuted through the Court system. In addition to the Management Regulations landlords have a responsibility to ensure their properties meet satisfactory housing conditions under the **Housing Health and Safety Rating System (HHSRS)**.

Licensable HMOs

For HMOs which are occupied by five or more persons forming two or more households licensing is mandatory and a license must be obtained from Bury Council.

In addition to the conditions required under the Management Regulations, other conditions will be specified relating to the facilities in the HMO, its condition and the management of the building, including how the licence holder deals with the behaviour of occupiers. The licence will contain the following information;

- the address of the licensed property
- the name and address of the licence holder
- the name and address of the person having responsibility for the management of the licensed property
- specify the maximum number of occupants and households who may occupy the HMO
- the period for which the licence is granted

The licence will usually be granted for a maximum of five years, however in certain circumstances the license may be granted for a shorter period.

Licenses can be applied for by the landlord/s or a managing agent provided the landlord has been notified of the application.

A person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. We may issue a civil financial penalty up to £30,000 (increases to £40,000 from 1st May 2026) where HMO operates without a license, or the Court may issue an unlimited fine if the matter is taken before them.

In certain cases, rent from housing benefit or paid by tenants themselves can be reclaimed if a landlord is found to be operating a licensable HMO without a licence.

It is, therefore, in your interest to apply for a license promptly if the building requires one.

HMO licenses can be applied for online via the Council's website. Here you will also find information on the relevant fee for your license:

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Advice and guidance

You can contact the PRS Enforcement Team via email – hmos@bury.gov.uk to discuss an application or speak to an officer for further advice and guidance.

This is recommended for all new applications as an officer can arrange to visit the property with the fire officer if necessary in order to provide assistance in ensuring the property meets the following requirements;

- There is sufficient and adequately sized amenities (i.e. Kitchens, bathrooms, toilets and communal lounge area) for the number of people specified on the license.
- Is free of Category 1 Hazards under the HHSRS in terms of the property condition.
- Has a satisfactory electrical condition report (EICR) – every 5 years.
- Has adequate fire safety measures in place to provide a protected means of escape (i.e. design of the route, fire doors and fire resistant building fabric, emergency lighting and fire detection).

More detailed guidance and information can be found at

The Housing Act 2004:

<http://www.legislation.gov.uk/ukpga/2004/34/contents>

The Management of Houses in Multiple Occupation Regulations 2006:

<http://www.legislation.gov.uk/uksi/2006/372/contents/made>

LACORS fire safety Guidance

http://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf

HHSRS Guidance for Landlords & Property Related Professionals

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf

The Amenity Standards for Houses of Multiple Occupation

http://www.cieh.org/uploadedFiles/Core/Policy/Publications_and_information_services/Policy_publications/Publications/Amenity_Standards_for_HMOs_1994.pdf

Before a licence can be granted we will also need to be satisfied;

- that the proposed licence holder and any manager of the property is a "fit and proper" person
- that the proposed licence holder is the most appropriate person to hold the licence
- that the person involved in the management of the HMO is competent and
- that the financial structures for the management are suitable
- that proper management standards are being applied at the property, including maintenance of the common parts fixtures, living accommodation and furniture safety

In deciding whether a person is a 'fit and proper' person to hold a licence or to be a property manager, the Council is required to have regard, amongst other things, to any evidence that a person has an unspent conviction for an offence involving;

- fraud or other dishonesty, or
- violence or drugs, or
- any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements) or
- practised unlawful discrimination or
- contravened provisions in relation to housing or landlord and tenant law or
- failed to act in accordance with any Code of Practice approved by an appropriate national Authority

Once a license has been granted our officers will undertake inspections when deemed necessary in order to ensure the property is being managed satisfactorily.

Do I need an HMO LICENSE?

Is my property an HMO and do I need a license?	
Is my property an HMO?	Housing Act 2004 Section & Schedule Numbers
It will be an HMO if it is one of the following:	
A shared house lived in by people who belong to more than one family* and who share one or more facilities**.	S254 (2) The standard test
A house in bedsits lived in by people who belong to more than one family* and who share one or more facilities**.	S254 (4) The converted building test
An individual flat lived in by people who belong to more than one family * and who share one or more facilities**.	S254 (3) The self contained flat test
A building of self contained flats that do not meet the 1991 Building Regulation Standards.	S257
Exemptions:	
If it is occupied by only two people	Sch 14, 7
If it is occupied by the owner (and their family) and one or two lodgers.	Sch 14, 6(c)
If it is occupied by a religious community	Sch 14, 5
If the occupiers have their main residence elsewhere***	S259
If no one in the property is required to pay rent	S254 92)(e)
If the owner or manager is a public body	Sch14, 2
If the owner or manager is an educational institution	Sch 14, 4
A building of self contained flats if two thirds or more of the flats are owner occupied	S257(2)(b) and s254(d)
If the property is part of a guest house or hostel (unless a HMO Declaration is made).	(s255(1))
How do I know If I need a license?	
An HMO must have a license if the following apply:	
1. It is an HMO (see definition of HMO above) and 2. It is occupied by five or more people	Regulations made under s55
Exemptions:	
• If the whole property is in self-contained flats	S258

<p>*Family – husband, wife, co-habitee, child, step-child, foster child, grandchild, parent, step parent, foster parent, grandparent, brother, half brother, sister, half sister, aunt, uncle, niece, nephew cousin.</p> <p>**Facilities – basic amenities: WC, wash hand basin, shower, bath, cooking facilities</p> <p>*** Accommodation used by full time students while they are studying is taken to be their main residence.</p>	
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Space Standards

Where all or some of the facilities are shared

All rooms should have a floor to ceiling height of at least 2.0m. Attic rooms shall have a floor to ceiling height of 2.0m over at least 50% of the room.

Any part of the room under 1.5m (5'0") shall not be taken into consideration when working out the floor area.

Ideally, children should not reside in HMOs, however where they are present, children under the age of 10 are counted as ½ a person. Any child over the age of ten is counted as 1 person.

Children over the age of 10 are not permitted to sleep in a room with a person of the opposite sex.

Table 1:

Where the room is for the sole use of the occupier	Number of persons	
	1	2 (cohabiting)
Bedroom only <i>(additional separate living space must be provided – refer to table 3)</i>	6.5m ²	10.2m ²
Kitchen	4m ²	5m ²
Combined spaces: Refer to table 2 for shared requirements		
Bedroom & living room	10m ²	14m ²
Bedroom and kitchen <i>(additional separate living space must be provided – refer to table 3)</i>	11m ²	15m ²
Bedroom, living room & kitchen (bedsit)	13m ²	20.5m ²

Table 2: Applicable where there is no requirement to provide additional living space

	Number of occupiers						
	3	4	5	6	7-10	11-15	16+
Shared rooms							
Kitchen only	5m ²	6m ²	7m ²	8m ²	10.2m ²	13.5m ²	16.5m ²
Separate living or dining room	8.5m ²	11m ²	11.2m ²	12.5m ²	16.7m ²	21m ²	24m ²
Combined Kitchen – dining	10m ²	11.5m ²	11.6m ²	13.1m ²	19.5m ²	24m ²	29m ²

Table 3: Where additional living space is required, you must meet the minimum standards below.

	Number of occupiers						
	3	4	5	6	7-10	11-15	16+
Shared rooms <i>where bedrooms 6.5- 10m single occupier & 10.2-14m double occupancy</i>							
Combined kitchen, living and dining	13.5m ²	17m ²	18.2m ²	20m ²	26.9m ²	34.5m ²	40.5m ²
Separate living room	8.5m ²	11m ²	11.2m ²	12.5m ²	16.7m ²	21m ²	24m ²
Kitchen	5m ²	6m ²	7m ²	8m ²	10.2m ²	13.5m ²	16.5m ²

There may be some cases where it is acceptable to provide additional space in a communal area where a room falls short of the minimum room sizes. (The minimum size you would be expected to 'make up' would be the shortfall.) Officers will exercise their discretion and when considering whether or not this offers a suitable solution. The existing size and layout of communal area will be taken into consideration, alongside ease of access and use of the additional space. You must not assume this will be satisfactory and this must be discussed with the officer processing your license.

Amenity standards**Bathroom facilities and personal hygiene**

Where there are four or less occupiers sharing bathing and toilet facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which maybe situated in the bathroom)

Where there are five or more occupiers sharing bathing and toilet facilities there must be one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and

at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers

The table below provides some examples of scenarios where a property that would meet the minimum requirement for the specified number of occupiers;

Number of Occupiers	Number of bathrooms without a toilet	Number of bathrooms with a toilet and wash hand basin	Number of additional separate toilets with wash hand basins.
1-4	1	-	1
1-4	-	1	-
5	1	-	1
5	-	1	1
6 to 10	2	-	2
6 to 10	1	1	1
6 to 10	-	2	1
11 to 15	3	-	3
11 to 15	2	1	2
11 to 15	1	2	1
11 to 15	-	3	1

Where there are exclusive use of facilities for personal hygiene, there must be a bath or shower, a WC and a wash-hand basin (WHB).

No unit of accommodation shall be more than one floor distant from a WC.

Personal washing facilitiesMinimum sizes and requirements for a bathroom suite.

Appliance	Size	Additional information
Wash hand basin	560mm x 430mm	Appropriate splash-back
Wash hand basins in ensembles	380mm x 240mm depth of 130mm	Appropriate splash-back
Bath	1.67m in length	Appropriate splash-back of minimum height 450mm
Shower cubicle	800mm x 800mm	Purpose made cubicle

All facilities for hygiene should be located within proper rooms or compartments. External water closets will not be acceptable in regards to the amenity ratio requirements.

All bath/shower rooms and any separate WC compartments should have a suitable layout and be of a sufficient size to include adequate drying and changing space. Wall finishes and flooring should be readily cleansable, the flooring well-fitted and non-absorbent, and a suitable lock provided to the door of each bath or shower room and WC. There should be no glazing to the door.

All such rooms must be adequately heated, ventilated and have suitable and adequate means of artificial lighting.

All facilities provided for personal hygiene must be of a suitable size, design and must be readily cleansable.

All baths, showers and WHB's should be properly connected to a soil drainage system and should be provided with adequate and constantly available hot and cold water supplied via suitable fittings.

It is the responsibility of the management to ensure that a satisfactory level of cleanliness is maintained in all communal WCs and bath/shower rooms.

KITCHEN FACILITIES

Kitchens must be of a suitable size with a safe, cleansable and efficient layout. All facilities and equipment must be fit for purpose.

Requirements when facilities are shared usage.

Appliance/equipment	Minimum requirements
Sinks	<ul style="list-style-type: none"> • one per five occupiers (a dishwasher will be acceptable as a second sink) • appropriate splash back • provide constant hot and cold water • suitable draining area
Cookers	<ul style="list-style-type: none"> • four ring hob • oven and a grill per five occupiers (a 27 litre microwave with oven and grill will be acceptable as a second cooker)
Worktop	<ul style="list-style-type: none"> • smooth impervious work surface • minimum size of 500mm x 1000mm per five occupants
Floor covering	<ul style="list-style-type: none"> • impervious, easy clean, non-slip finish
Storage	<ul style="list-style-type: none"> • 0.3m³ dry goods storage cupboard other than a sink base unit per occupier either in each occupants room or in a (shared kitchen (held in lockable units))
Refrigerators	<ul style="list-style-type: none"> • two worktop height refrigerators with freezer compartment (or one worktop height fridge and one worktop height freezer) per five occupants
Ventilation	<ul style="list-style-type: none"> • mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. Alternatively an accessible window of suitable size.

Requirements when facilities are exclusive use

Appliance / Equipment	Minimum requirements		
Sinks	<ul style="list-style-type: none"> • provide constant hot and cold water • draining area • tiled splash back 		
Cookers	<ul style="list-style-type: none"> • four ring hob • oven and separate grill 	or	<ul style="list-style-type: none"> • two ring hob • oven and grill combined • microwave
Worktop	<ul style="list-style-type: none"> • smooth impervious work surface of minimum area of 1000mm x 500mm 		
Storage	<ul style="list-style-type: none"> • 0.6m³ dry goods storage cupboard other than a sink base unit 		
Refrigerators	<ul style="list-style-type: none"> • a worktop height refrigerator with a freezer compartment 		
Separation	<ul style="list-style-type: none"> • Kitchens to be separated from the rest of the accommodation by a floor to ceiling partition 		

You must provide adequate facilities for storage and disposal of refuse and outline your tenant's responsibilities.

All kitchens must have adequate ventilation and artificial lighting.

One double electric power socket suitably positioned at least 150mm above the work surface is required, plus one per each additional major appliance (i.e. fridge and a washing machine).

If kitchens do not have a suitable dining area you must provide this facility within one floor distance of the kitchen.

In no circumstances shall kitchen facilities be installed within a staircase enclosure.

SPACE HEATING AND INSULATION

[A satisfactory heating system and thermal insulation must be provided to avoid excess cold.](#)

The heating system must be:

- A fixed installation which is controllable, programmable and accessible by all tenants.
- Safe.
- Properly and professionally installed.
- Capable of heating all habitable parts of the building and/or individual rooms.

Acceptable primary heating systems include:

- Gas, oil or solid fuel fired programmable central heating with thermostatically controlled radiator valves and where appropriate room thermostats.
- Thermostatically controlled and programmable fixed electric panels.

- Fixed slim line programmable electric storage heaters.

Liquid Petroleum Gas (LPG) and paraffin heaters are not acceptable under any circumstances

FIRE PRECAUTIONS

NOTE: A fire risk assessment is a requirement of the licensing process and The Regulatory Reform (Fire Safety) Order 2005. This will inform the level of detection required and other fire safety measures that are required for each particular building. It is best undertaken at the beginning of the development to determine type and cover level required.

Greater Manchester Fire and Rescue Service are the enforcing authority for the Regulatory Reform (Fire Safety) Order 2005 and as such are the certifying body to ensure that a fire risk assessment provided by the responsible person is suitable.

They do not complete fire risk assessments on behalf of the responsible person.

The fire safety standards in this note are taken from the Housing – Fire Safety Guidance published by LACORS. The requirements for fire safety are assessed on an individual basis as HMOs differ in many ways.

[Provide a means of escape so that:-](#)

- The staircase enclosure forms a protected route, from the topmost floor to ground level.
- All walls, screens and partitions forming the staircase enclosure to provide 30 minutes fire resistance.
- Doors within the escape route shall be of the same standard (FD30S/ E30Sa) unless the door is to a bathroom or WC that contains no fire risk.
- Bathrooms with gas boilers are to be fitted with doors that provide 30 minutes fire resistance.
- Fire resistance between floors shall be a minimum of 30 minutes.
- Fire resistance between individual occupancies shall be a minimum of 30 minutes.
- Fire resistance between the basement and ground floor shall be 60 minutes unless automatic fire detection units are provided in each compartment of the basement, in which case 30 minutes separation will suffice.
- All stairways, passageways and corridors forming the escape route shall not be used as storage space unless this is in the form of a locked cupboard provided with 30 minutes fire resistance.
- If the loft hatch is in the route of escape it shall provide 30 minutes fire resistance.
- Meters within the route of escape shall be boxed in and provided with 30 minutes fire resistance.
- Any gaps around services or pipe work throughout the premises shall be sealed by using intumescent collars, fire batt or another approved method to achieve suitable compartmentation dependent upon the size of the opening.
- If the property has associated commercial use, 60 minutes fire resistance shall be provided between the shop/business and the residential area.
- Inner rooms (those in which access is gained through another room) are not recommended as bedrooms and are only acceptable if the bedroom is provided with a suitable escape

window/s, automatic fire detection is provided in the access room and the access room is not of a higher fire risk than the internal room. Inner rooms are not acceptable.

- Glazing within the route of escape shall provide 30 minutes fire resistance and suitably marked (previously usually 6mm Georgian wired). Where timber frames are used, the glass is to be secured with hardwood beading with intumescent strips inserted between the glass and the beading on both sides.

Provide fire doors so that:-

- Half hour fire doors and frames are in accordance with BS 476: Part 22 or BS EN 1634 - 1 and to be of an FD30S/ E30Sa standard.
- All fire doors to be fitted with intumescent strips, smoke seals and an automatic self-closing device as appropriate in accordance with the standard.
- Intumescent strips and seals are not to be painted over.
- Any minor damage to the door must be made good, using suitable materials so as to ensure that the integrity of the door is not affected.
- If the integrity of the door is affected the door should be renewed with one that is undamaged.

All doors in the House should be capable of being opened from the inside without the use of a key or a security number/card.

Emergency lighting

Where necessary, emergency escape lighting must be designed to comply with BS 5266 and maintained in accordance with BS 5266-8: 2004 (BS EN 50172 :2004).

It will automatically illuminate upon the failure of the power supply to the conventional artificial lighting, when it must:

- illuminate the escape route to assist the occupants to move easily to exits and a place of safety;
- highlight any hazards such as stairs and changes in floor level or direction; and
- enable easy identification of any fire alarm call points and fire fighting equipment throughout the escape route.

Lighting of escape routes	
HMO of up to two storeys	Conventional lighting
HMO of three or more storeys	Conventional lighting and Emergency escape lighting

For conventional lighting most existing arrangements will be adequate, with the following conditions:

- light switches/controls should be obvious, simple and visible under all conditions
- switches should be located on every landing in a convenient and conventional position

Emergency lighting must operate not only when there is complete failure of the supply to the conventional artificial lighting, but also when there is a localised power failure within the lighting circuit that could be hazardous. The power supply to the luminaires should be designed to

prevent unauthorised disconnection, but it must incorporate a suitable means for simulating a mains failure (i.e. a test switch).

Installations are to be carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor or equivalent and a satisfactory Emergency Lighting Completion Certificate is submitted on completion.

Emergency lighting systems are subject to 4 weekly testing, and annual inspections. The system must be checked by the property manager on a 4 weekly basis, and recorded.

Additionally, it must be inspected annually by a competent person, and a satisfactory inspections certificate produced within 7 days of the Authority's request.

Fire Routines and Notices

1. Make available for each unit of accommodation in the House a Fire Routine Notice explaining the procedure to be followed in the event of a fire. In the case of an HMO occupied by asylum seekers or other non-English speaking persons, the Fire Routine Notice shall be in their native language and ensure that it is prominently displayed.
2. Provide signs stating 'FIRE DOOR, KEEP SHUT' at eye level, on both sides of all fire doors.
3. Place notices indicating the location of fire escapes in positions that are clearly visible to occupants of the House.
4. Provide fire action signs on each level of the property with details of the emergency services number and the assembly point clearly marked

Fire Fighting Equipment

Provide any fire fighting equipment deemed necessary by your fire risk assessment and ensure all equipment provided is in line with the relevant British Standard and inspected at prescribed intervals.

Fire extinguishers – BS7683 and BSEN 3

Fire Blankets – BSEN 1869:1997

Never put water fire extinguishers in a kitchen.

N.B. Advise all occupiers and visitors that in the event of a fire they should get out of the House and stay out and call the fire service.

[Fire Detection](#)

HMOs Grade and coverage of fire detection	
Shared house HMO of up to two storeys (shared cooking facilities)	Grade D: LD3 coverage + additional detection to the kitchen, lounge and any cellar containing a risk (interlinked)
Shared house HMO of three or four storeys (shared cooking facilities)	Grade D: LD3 coverage + additional detection to the kitchen, lounge and any cellar containing a risk (interlinked)
Shared house HMO of five or six storeys (shared cooking facilities)	Grade A: LD2 coverage (detection in all risk rooms i.e. bedrooms, kitchen and lounge) (interlinked)
Bedsit HMO of one or two storeys with individual cooking facilities within bedsits	A mixed system: <ul style="list-style-type: none"> • Grade D: LD2 coverage in the common areas and heat detectors in bedsits (interlinked) • Grade D smoke alarm in each bedsit to protect the sleeping occupants (non-interlinked)
Bedsit HMO of three to six storeys with individual cooking facilities within bedsits	A mixed system: <ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas and heat detectors in bedsits (interlinked) • Grade D smoke alarm in each bedsit to protect the sleeping occupants (non-interlinked)
Two-storey house converted to self-contained flats (prior to Building Regulations 1991, approved document B standard)	A mixed system: <ul style="list-style-type: none"> • Grade D: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked) • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby opening onto the escape route) to protect the sleeping occupants
Three- to six-storey house converted to self-contained flats (prior to Building Regulations 1991, approved document B standard)	<ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked) • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby

	opening onto the escape route) to protect the sleeping occupants
Building converted partly into self-contained flats and partly into bedsits or non-self-contained lets	A mixed system: <ul style="list-style-type: none"> • Apply the appropriate recommendation for each unit of accommodation from this table and the appropriate whole-house system based on the storey height

The following applies to the fire detection system and coverage;

Ensure that any cellar/basement is included in the system. But, if the cellar/basement has been made/updated to provide 60 minutes fire resistance then automatic fire detection will not be required.

1. Ensure that the alarm sound level is 75 decibels at the bed head when all the doors are closed and attains 65 decibels or 5 decibels above background noise levels throughout the remainder of the property whichever is the greater.
2. Ensure that the installation is carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor or equivalent and provide a satisfactory Installation and Commissioning Certificate on completion.
3. A satisfactory annual test certificate is to be produced within 7 days request of the Authority.

Requirements for escape windows

Any window provided for emergency escape purposes should have an unobstructed openable area that is at least 0.33m² and have a minimum 450mm height and 450mm width. The bottom of the openable area should not be more than 1,100mm above the floor.

Escape windows can only be considered if satisfied that it would be safe to use them in an emergency.

They should meet the following criteria:

- They serve rooms whose floor level is no more than 4.5m from the ground
- Every room served by the escape window has access to it without entering another habitable room with a lockable door (unless of a type that can be overridden from outside the room without the use of a key, tool or numerical code) and any tenancy agreement should ideally prohibit the fitting of alternative or additional locks. (This will usually be achievable in single household occupancies and most shared houses, but is unlikely in a bedsit-type HMO)
- If it is necessary to pass through the common escape route to reach the escape window, consideration should be had to the travel distance involved. Where the common escape route is not a protected route, unusually long travel distances may be unacceptable and other fire precautions may be necessary (this will not usually be the case in conventional houses)
- Occupiers are able-bodied individuals with no specific high-risk characteristics and who can reasonably be expected to exit via the window unaided

- There is no basement well or other encumbrance beneath the window such as railings or a conservatory
- The escape window is openable from the inside without the use of a removable key; and the ground below is level and free of obstructions
- The window or door should lead to a place of ultimate safety, clear of the building. However, if there is no practical way of avoiding escape into a courtyard or back garden from where there is no exit, it should be at least as deep as the building is high

Fixtures and fittings and Common Parts

1. Ensure all:-
 - handrails and banisters
 - stair coverings
 - windows and other means of ventilation in the common parts
 - fixtures and fittings used by two or more households in the HMO (except those outside the Licence Holder's control) are provided and in safe working order and are kept in good repair at all times.
2. Provide additional handrails and banisters as are necessary for the safety of the occupiers or as may be requested by the Authority.
3. Ensure adequate light fittings are fitted and are working in the common parts at all times.
4. Ensure any part of the House not in use for any length of time, including any passage and staircase leading directly to it is kept reasonably clean and free from refuse and litter.
5. Ensure that outbuildings, yards and forecourts which are used in common with two or more households in the House are maintained in good repair, clean condition and good order.
6. Ensure that any garden is kept in a safe and tidy condition.
7. Ensure that boundary walls, fences and railings (including railings in a basement area), belonging to the House are kept and maintained in good and safe repair so as not to constitute a danger to occupiers.

Living Accommodation

1. Ensure that each unit of living accommodation is in a clean condition at the beginning of the occupancy of the House by each household.
2. Ensure in respect of each part of the House used as living accommodation that:-
 - the internal structure is maintained in good repair;
 - all the fixtures, fittings and appliances within the House are maintained in good repair and clean working order
 - all the windows and other means of ventilation are kept in good repair.
3. This paragraph does not apply where the occupant has caused the damage by acting otherwise than in a tenant like manner* or where the item is a fixture or fitting which belongs to the occupant and is outside the Licence Holder's control.

Ventilation

All habitable rooms, kitchen, bathrooms and all non-habitable rooms must be ventilated by a window or other adequate means up to a reasonable standard in the opinion of the Authority. As

a guide this should be in the region of 1/20th of the floor area of the room. All bedrooms require natural ventilation and light.

Lighting - natural and artificial

All rooms must be illuminated up to a reasonable standard in the opinion of the Authority. This shall also apply to common areas such as staircases which shall be adequately lit by artificial lighting. Bathrooms and kitchens may however be illuminated only by artificial light, but in such circumstances must be provided with mechanical extract ventilation. As a guide a habitable room should have natural light in the region of 1/10th of the floor area of the room.

Planning permission & building regulations approval

Some works to HMO's will require planning permission and/or building regulations approval including; change of use to become an HMO, installation of plumbing and electrical works, thermal insulation, and structural alterations. You should check with the Councils planning department prior to the start of any development what permissions are required.

For further information please refer to the Councils website and supplementary planning advice:

<https://www.bury.gov.uk/planning-building-control/planning-policy/supplementary-planning-advice>

Please be aware that meeting building regulation standards does not imply that the house meets HMO standards and will be free from HHSRS hazards.

BURY COUNCIL
TIMETABLE OF MEETINGS 2026 - 2027

CYCLE 1 – MAY/JUNE 2026

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comment	
	Mon	27						
	Tues	28						
	Wed	29						
	Thurs	30						
May	Mon	4	Bank Holiday					
	Tues	5						
	Wed	6						
	Thurs	7	Elections					
	Mon	11						
	Tues	12						
	Wed	13	New Councillor Induction	9-16:00				
	Thurs	14						
	Mon	18						
	Tues	19						
	Wed	20	Annual Council	2.00pm	Mayor Making	4.00pm		
	Thurs	21					Shavuot	
	Mon	25	Bank Holiday					
	Tues	26	Licensing Committee Training	18:00			Schools' Half Term Break Eid al-Adha 26/27 May	
	Wed	27	Locality Board Training	18:00				
	Thurs	28	Planning Committee	7.00pm				
June	Mon	1	Locality Board	4.00pm	HMOs Training	6:00pm		
	Tues	2	Youth Cabinet	5.00pm				
	Wed	3	Corporate Parenting Board	5.00pm	Overview and Scrutiny Committee	7.00pm		
	Thurs	4	Bury Local Bee Network Forum	6.00pm				
	Mon	8	Labour Group Meeting	7.00pm				
	Tues	9	Housing Advisory Board	5:00pm				
	Wed	10	Cabinet	6.00pm				
	Thurs	11	Health and wellbeing Board	4.30pm	Licensing Committee	7.00pm		
	Mon	15	Audit Committee Training	18:00				
	Tues	16	Community Safety/Safeguarding Partnership Awareness Session	18:00				
	Wed	17	Children and Young People Scrutiny Committee	7.00pm	Corporate Planning and Performance Briefing	17:00	WC Eng V Croatia KO 9pm	

	Thurs	18	Health Scrutiny Committee	7.00pm	Employment Panel Training	17:00	
	Mon	22	Member Development Group	6.00pm			
	Tues	23	Standards Committee	6.00pm			WC Eng V Ghana KO 9pm
	Wed	24	Scrutiny Committee Training	18:00			
	Thurs	25	ELR Trust Board- Rochdale	6.00pm	Employment Panel	7.00pm	

CYCLE 2 – JULY – SEPTEMBER 2026

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
	Mon	29	Planning Production of the Local Plan and our role as a planning authority Regeneration and Housing Development Economic Development and the GMCA links	17:00-19:00			
	Tues	30	Corporate Parenting Board	5.00pm	Planning Committee	7.00 pm	
July	Wed	1	JCC Teachers	6.00pm			
	Thurs	2	Overview and Scrutiny Committee	7.00pm			
	Mon	6	Locality Board	4.00pm	Labour group	7:00 pm	
	Tues	7		17:00			
	Wed	8	Cabinet	6.00pm			
	Thurs	9			Licensing Committee	7.00 pm	
	Mon	13	Labour Group	7.00pm			
	Tues	14	Health Scrutiny Committee	7.00pm			
	Wed	15	COUNCIL	7.00pm	Pre Council session on Regulator of Social Housing	18-19:00	
	Thurs	16	Youth Cabinet	5.00pm			
	Mon	20	Employment Panel	7.00pm			
	Tues	21	Corporate JCC	5.00pm	Health & Safety JCC	6.30 pm	21 July Schools' Summer Holidays Start
	Wed	22	Audit Committee	7.00pm			
	Thurs	23	Children and Young People Scrutiny Committee	7.00pm			
	Mon	27	Housing and Performance Sub Group	6.00pm			
	Tues	28	Housing Advisory Board	5.00pm	Planning Committee	7.00 pm	
	Wed	29	Corporate Parenting Training	17:30			
	Thurs	30	Licensing Committee	7.00pm			
Aug	Mon	3					Council Recess – No Meetings to be held
	Tues	4					
	Wed	5					
	Thurs	6					
	Mon	10					
	Tues	11					
	Wed	12					
	Thurs	13					
	Mon	17					
	Tues	18					
	Wed	19					
	Thurs	20					
	Mon	25					

	Tues	26					
	Wed	27					
	Thurs	28					

CYCLE 3 – SEPTEMBER/OCTOBER 2026

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
Aug	Mon	31	Bank Holiday				
Sept	Tues	1	Corporate Parenting Board	5.00pm	Planning Committee	7.00pm	
	Wed	2	CQC All Member Training	6:00pm			
	Thurs	3	Health and Wellbeing Board	4.30pm			
	Mon	7	Locality Board	4.00pm			
	Tues	8	Overview and Scrutiny Committee	7.00pm			
	Wed	9	Cabinet	6.00pm			
	Thurs	10	Housing Advisory Board	5:00pm	Licensing Committee	7.00pm	
	Mon	14	Labour Group	7.00pm			
	Tues	15	Children and Young People Scrutiny Committee	7.00pm			
	Wed	16	COUNCIL	7.00pm	Pre Council briefing or drop in Session Bee Network		
	Thurs	17	Bury Local Bee Network Forum	6.00pm			
	Mon	21					Yom Kippur
	Tues	22	Planning Committee	7.00pm			
	Wed	23	Employment Panel	7.00pm			
	Thurs	24	Standards Committee	6.00pm	Health Scrutiny Committee	7.00pm	
	Mon	28					Lab Party Conf
	Tues	29					27-30
	Wed	30					Sukkot 25 Sep - 2 Oct
Oct	Thurs	1					
	Mon	5	Locality Board	4.00pm	Housing and Performance Sub Group	6.00pm	Cons Party Conf 4 – 7
	Tues	6	Member Development Group	6.00pm	(Provisional) Joint Planning Committee	7.00pm	
	Wed	7	Teachers JCC	6.00pm			
	Thurs	8	Licensing Committee	7.00pm	OfSTED (Children's Social Care and SEND)	17:00	
	Mon	12			Labour Group	7.00pm	
	Tues	13	Youth Cabinet	5.00pm			
	Wed	14	Cabinet	6.00pm			
	Thurs	15	ELR Trust Board-Rossendale	6.00pm			
	Mon	19	Audit Committee	7.00pm			
	Tues	20	Planning Committee	7.00pm			
	Wed	21	Corporate JCC	5.00pm	H&S JCC	6.30pm	

	Thurs	22	OfSTED (Children's Social Care and SEND)	17:30-18:30			
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CYCLE 4 – NOVEMBER/DECEMBER 2026

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments	
Oct	Mon	26	Labour Group	7.00pm			Schools' Winter Half Term Break	
	Tues	27						
	Wed	28			Civil contingencies training	17:00		
	Thurs	29						
Nov	Mon	2	Locality Board	4.00pm	Labour Group	7.00pm		
	Tues	3	Code of Conduct training	5:00pm				
	Wed	4	Cabinet	6.00pm				
	Thurs	5	Licensing Committee	7.00pm				
	Mon	9	Labour Group	7.00pm				
	Tues	10	Health and Wellbeing Board	4.30pm	Employment Panel	7.00pm		
	Wed	11	COUNCIL	7.00pm				
	Thurs	12	Children and Young People Scrutiny Committee	7.00pm				
	Mon	16						
	Tues	17	Planning Committee	7.00pm				
	Wed	18	Housing Advisory Board	5:00pm				
	Thurs	19	(Provisional) Joint Planning Committee	7.00pm	Believe and Achieve awards	17.00-19.00		
	Mon	23						
	Tues	24	Overview and Scrutiny Committee	7.00pm				
	Wed	25						
	Thurs	26	Bury Local Bee Network Forum	6.00pm	Health Scrutiny Committee	7.00pm		
	Mon	30	Locality Board	4.00pm	Labour Group	7.00pm		
	Dec	Tues	1	Corporate Parenting Board	5.00pm	(Provisional) Joint Planning Committee	7.00pm	
		Wed	2	Cabinet	6.00pm			
Thurs		3	Standards Committee	6.00pm				
Mon		7						
Tues		8	Youth Cabinet	5.00pm				
Wed		9	Teachers JCC	6.00pm				
Thurs		10	Licensing Committee	7.00pm				
Mon		14						
Tues		15	Planning Committee	7.00pm				
Wed		16	Corporate JCC	5.00pm	H&S JCC	6.30pm		
Thurs		17						
Mon		21					Schools Holidays – Winter Break	
Tues		22						
Wed		23						
Thurs		24						

CYCLE 5 – JANUARY/FEBRUARY 2027

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
Jan	Mon	28	Bank holiday				Schools' Holidays – Winter Break
	Tues	29					
	Wed	30					
	Thurs	31					
	Mon	4	Locality Board	4.00pm			
	Tues	5	Housing and Performance Sub Group	6.00pm			
	Wed	6	Children and Young People Scrutiny Committee	7.00pm	All Member Health and Wellbeing Focus	5:00	
	Thurs	7	Housing Advisory Board	5.00pm			
	Mon	11	Labour Group	7.00pm			
	Tues	12	Corporate Parenting Board	5:00pm			
	Wed	13	Cabinet	6.00pm			
	Thurs	14	Health and Wellbeing Board	4.30pm			
	Mon	18	Labour Group	7.00pm			
	Tues	19	Casework Training Session & Member Drop in	17:00			
	Wed	20	COUNCIL	7.00pm	Budget Training	17:30-18:30	
	Thurs	21	Licensing Committee	7.00pm			
	Mon	25	Labour Group	7.00pm			
	Tues	26	Youth Cabinet	5.00pm	Planning Committee	7.00pm	
	Wed	27	Health Scrutiny Committee	7.00pm			Holocaust Memorial Day
	Thurs	28	No meetings this evening – Holocaust Memorial service				No mtgs – Holocaust Memorial service
Feb	Mon	1	Locality Board	4.00pm			
	Tues	2	Employment Panel	7.00pm			
	Wed	3	Corporate JCC (budget)	4.00pm	Teachers JCC	6.00pm	
	Thurs	4	Member Development Group	6.00pm			
	Mon	8	Labour Group	7.00pm			Ramadan starts 7 Feb
	Tues	9	Overview and Scrutiny Committee (Budget)	7.00pm			
	Wed	10	Cabinet (Budget)	6.00pm			
	Thurs	11	Bury Local Bee Network Forum	6.00pm			
	Mon	15	Casework training session	5:30pm			Schools' Half Term Break
	Tues	16	Audit Committee	7.00pm			
	Wed	17					
Thurs	18	Licensing Committee	7.00pm				
Mon	22	Labour Group	7.00pm				

	Tues	23	Planning Committee	7.00pm			
	Wed	24	COUNCIL (BUDGET)	7.00pm			
	Thurs	25					

CYCLE 6 – MARCH - MAY 2027

Month	Day	Date	Meeting 1	Time	Meeting 2	Time	Comments
Mar	Mon	1	Locality Board	4.00pm			
	Tues	2	2 Marching Board	5.00pm			
	Wed	3	Health Scrutiny Committee	7.00pm			
	Thurs	4	Housing Advisory Board	5.00pm	ELR Trust Board (Bury)	6.00pm	
	Mon	8	Labour Group	7.00pm			Ramadan ends 8 March
	Tues	9	Overview and Scrutiny Committee	7.00pm			Eid-ul-Fitr
	Wed	10	Cabinet	6.00pm			
	Thurs	11	Standards Committee	6.00pm	Children and Young People Scrutiny Committee	7.00pm	
	Mon	15	Labour Group	7.00pm	Lets Update All Member Briefing	17:00	
	Tues	16	Health and Wellbeing Board	4.30pm			
	Wed	17	COUNCIL	7.00pm			
	Thurs	18	Licensing Committee	7.00pm			
	Mon	22	Housing and Performance Sub Group	6.00pm			Purim 22 – 23 March
	Tues	23	Member Development Group	6.00pm	Planning Committee	7.00pm	
	Wed	24	Corporate JCC	5.00pm	H&S JCC	6.30pm	
	Thurs	25	Teachers JCC	6.00pm			
	Mon	29	Bank Holiday				
	Tues	30	Youth Cabinet	5.00pm			
	Wed	31					Pre-election period starts
Apr	Thurs	1					
	Mon	5					Schools' Spring Break
	Tues	6					
	Wed	7					
	Thurs	8					
	Mon	12	Labour Group	7.00pm			
	Tues	13	Audit Committee	7.00pm			
	Wed	14	Cabinet	6.00pm			
	Thurs	15	Licensing Committee	7.00pm			
	Mon	19					
	Tues	20	Planning Committee	7.00pm			
	Wed	21					Passover 21 - 29 April
	Thurs	22					
	Mon	26					
	Tues	27					
	Wed	28					
	Thurs	29					
May	Mon	3	Bank Holiday				

Tues	4					
Wed	5					
Thurs	6	Local Elections				
Mon	10					
Tues	11					
Wed	12					
Thurs	13					
Mon	17					
Tues	18					
Wed	19	Annual Council	2.00pm	Mayor Making	4.00pm	
Thurs	20					
Mon	24					
Tues	25					
Wed	26					
Thurs	27					

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Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 11 March 2026
Subject:	Business Rates and Council Tax Discretionary Policy	
Report of	Deputy Leader and Cabinet Member for Finance and Transformation	

Summary

In accordance with Section 47 of the Local Government Finance Act 1988 and in addition to any national relief schemes, the council can exercise discretion to provide additional reductions to the amounts of Business Rates due to be paid by ratepayers.

The Local Government Act 2003 extended the Council discretion to allow discretionary Council Tax discount to be awarded where the Council sees fit.

The Council directly contributes to the cost of any discretionary relief awarded, therefore decisions must take into account the Council's overall financial position, the interests of the borough's taxpayers, and alignment with the priorities set out in the Council's Corporate Strategy.

In order to safeguard the above, it is critical to have the Council's intended use of discretionary support clearly outlined within a policy document, and for this to be regularly reviewed and updated to account for national and local priority shifts.

It is a number of years since the council reviewed and/or updated their DRR policy, leading to a requirement to update the policy for the coming financial year. Furthermore, the policy must be adopted on the 1st April of the given financial year.

Recommendation(s)

1. That Cabinet makes a recommendation to Council to approve the new Business Rates and Council Tax Discretionary policy from 1st April 2026.
2. That Cabinet note that adoption of the policy must be made by Full Council.

Reasons for recommendation(s)

There is a governance requirement for the council to hold an up to date and robust DRR policy.

Alternative options considered and rejected

N/A

Report Author and Contact Details:

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Department: Finance

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Background

In accordance with Section 47 of the Local Government Finance Act 1988 and in addition to any national relief schemes, the council can exercise discretion to provide additional reductions to the amounts of Business Rates due to be paid by ratepayers.

The Local Government Act 2003 extended the Council discretion to allow discretionary Council Tax discount to be awarded where the Council sees fit and where it can be demonstrated that previously, attempts to secure other Council Tax discounts, exemptions and Local Council Tax Support have been made.

The Council directly contributes to the cost of any discretionary relief awarded, therefore decisions must take into account the Council's overall financial position, the interests of the borough's taxpayers, and alignment with the priorities set out in the Council's Corporate Strategy.

In order to safeguard the above, it is critical to have the Council's intended use of discretionary support clearly outlined within a policy document, and for this to be regularly reviewed and updated to account for national and local priority shifts.

In accordance with the Non-Domestic Rating (Discretionary Relief) Regulations 1989, all concerned ratepayers were provided at least 12 months' notice of the change to the policy in writing and prior to 1st April 2025.

Therefore, an updated DRR Policy has been drafted by officers, with the intention of this coming into force on 1st April 2026.

Links with the Corporate Priorities:

3. Reduce Child Deprivation & Inclusive Economic Growth– By providing financial support through Business Rates Relief to not for profit and charitable organisations, the policy helps enable sustainability for organisations supporting families who are suffering from deprivation, as well as employing residents in paid employment.
-

Equality Impact and Considerations:

A full EIA has been completed which has identified no material impact on any characteristic except for the socio-economically vulnerable where the policy would have a positive impact.

Environmental Impact and Considerations:

4. Not applicable

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Fraudulent applications for DRR made leading to unnecessary council expenditure	Robust application and review process to be implemented alongside the policy utilising new e-form software to enable more meaningful data capture and award assessment.

Legal Implications:

The Council may grant discretionary relief, pursuant to section 47 of the Local Government Finance Act 1988 (LGFA), from all or part of the amount payable in respect of hereditaments occupied by a charity for charitable purposes, by certain voluntary bodies of a philanthropic nature, for recreation, or by clubs and societies not established or conducted for profit.

Section 49 of the LGFA 1988 permits the Council to reduce, or remit the whole of, an amount of non-domestic rate in circumstances where it is satisfied that (a) the ratepayer would otherwise sustain hardship and (b) it is reasonable to do so having regard to the interests of Council Tax payers.

The Non-Domestic Rating (Discretionary Relief) Regulations 1989 allow the Council to grant the relief for a fixed period. One year's notice is required of any decision to revoke or vary the amount of relief granted, if in the case of a variation, it would result in the amount of payable rates increasing. The notice must take effect at the end of the financial year.

It is a decision for Full Council to approve policies and practices regarding the granting of a discretionary rate relief in accordance with section 47 of the Local Government Finance Act 1988.

Section 13A(2) of the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2012, provides that each billing authority in England must make a scheme specifying the reductions which are to apply to amounts of council tax payable, in respect of dwellings situated in its area, by people they consider to be in financial need.

Financial Implications:

5. The projected DRR expenditure for 2026/27 is £594,725.

Appendices:

Bury Council Business Rates Discretionary Rate Relief and Council Tax Discretionary Relief Policy

Business Rates Discretionary Rate Relief and Council Tax Discretionary Discount Policy

1. Introduction

Bury Metropolitan Borough Council is committed to the fair and transparent administration of Discretionary Rate Relief on National Non-Domestic Rates (NNDR) for qualifying organisations operating within the borough and Council Tax Discretionary Discount for council taxpayers.

This policy outlines the principles and criteria guiding the award of Discretionary Rate Relief, in accordance with the Local Government Finance Act 1988 (as amended). While Discretionary Rate Relief is discretionary, this document provides a framework to support consistent decision-making without limiting the Council's ability to exercise discretion.

Discretionary Rate Relief is a financial award by which certain businesses and organisations are granted relief on all or part of the NNDR which they are required to pay, in addition to any statutory relief (known as Mandatory Rate Relief) to which such organisations may be entitled.

This policy also outlines the principles and criteria guiding the award of Council Tax Discretionary Discount, in accordance with Section 13A (1) (c) Local Government Finance Act 1992.

2. Background

In accordance with Section 47 of the Local Government Finance Act 1988 and in addition to any national relief schemes, the council can exercise discretion to provide additional reductions to the amounts of Business Rates due to be paid by ratepayers. The Local Government Act 2003 extended the Council discretion to allow discretionary Council Tax discount to be awarded where the Council sees fit.

The Council directly contributes to the cost of any discretionary relief awarded, therefore decisions must take into account the Council's overall financial position, the interests of the borough's taxpayers, and alignment with the priorities set out in the Council's Corporate Strategy.

Applications for Discretionary Rate Relief will be assessed based on the contribution of each organisation or business to the well-being of Bury's residents and the strength of the local economy. While all applications will be carefully considered, it may not be possible to grant relief to every applicant.

Business Rates Discretionary Rate Relief

3. Mandatory Rate Relief

The Local Government Finance Act 1988 requires the Council to grant Mandatory Rate Relief of 80% of the business rates to the following categories of business rates payers:

- Charities where the property is wholly or mainly used for charitable purposes
- Registered Community Amateur Sports Clubs (CASCs) for any club with the appropriate registration with HMRC.
- Rural relief - if your business is in an eligible rural area with a population below 3,000

4. Discretionary Rate Relief Scheme

The Local Government Finance Act 1988 requires the Council to maintain a Discretionary Rate Relief Scheme, with the option to award Business Rates relief of up to 100% to organisations which operate within specified criteria.

This includes:

- Charitable bodies (who receive 80% Mandatory Rate Relief) – the Council has further discretion to 'top up' this relief to 100% of the rates due
- Registered Community Amateur Sports Clubs (CASCs) (who receive Mandatory Rate Relief) – the Council has further discretion to 'top up' this relief to 100%
- Non-profit making organisations – the Council has discretion to grant 'standard' Discretionary Rate Relief of between 0-100% of the Business Rates due

The Council will consider applications from charitable bodies, CASCs, non-profit making organisations and ratepayers of retail premises under the discretionary scheme.

In determining applications, the Council may grant Discretionary Rate Relief of:

- up to 20% of the rates due from ratepayers in receipt of 80% Mandatory Rate Relief;
- up to a maximum of 100% of the rates due from non-profit making organisations;

The council may also refuse an application for any amount of Discretionary Rate Relief.

Throughout the application process, ratepayers must ensure payments are made as per their most recently issued bill whilst any application for Discretionary Rate Relief is being considered.

4.1. Charitable bodies (charities)

Mandatory Rate Relief of 80% is granted to charities in the following circumstances:

- The ratepayer of a property is a charity or the trustees of a charity, and;
- The property is wholly or mainly used for charitable purposes and objectives (including charity shops, where the goods sold are mainly donated and the proceeds are used for the purpose of the charity).

Registration under the Charities Act 1993 is evidence of an organisation's charitable status.

Bodies which, under the 1993 Act, are excepted from registration or are exempt charities, are also eligible for Mandatory Rate Relief and providing the above criteria is met, 80% Mandatory Rate Relief is applicable.

In cases where a charity is in receipt of Mandatory Rate Relief of 80%, in accordance with this policy the Council has discretion to grant up to a further 20% additional rate relief. This is known as Discretionary Rate Relief top up.

The Council will consider applications for a Discretionary Rate Relief top up on a case-by-case basis, with each application judged on its own merits.

In determining an application for Discretionary Rate Relief, the following matters will be taken into consideration:

- How the charity supports and links into the council's Corporate Strategy;
- The purpose of the charity and the specific activity carried out within the building for which the relief is requested; and
- Whether the charity operates at a local or national level. Where relevant, the availability and use of local and national funding streams, as well as the Charity's overall financial position, will be taken into account. This

includes any financial surpluses and how those funds are distributed or utilised.

4.2. Registered Community Amateur Sports Clubs

A Mandatory Rate Relief of 80% is granted to registered Community Amateur Sports Clubs (CASC). To qualify as a CASC, a sports club must fulfil the following criteria:

- Be open to the whole community; and
- Run as an amateur club; and
- Be a non-profit making organisation; and
- Aim to provide facilities for, and encourage people to take part in, eligible sport.

In cases where a CASC is in receipt of Mandatory Rate Relief of 80%, the Council has discretion to grant up to 20% additional rate relief as a discretionary top up.

The Council will consider applications for a Discretionary Rate Relief top up on a case-by-case basis, with each application judged on its own merits.

In determining an application for Discretionary Rate Relief, the following matters will be taken into consideration (list is not exhaustive):

- How the CASC supports and links into the council's Corporate Strategy;
- The membership and fee structure and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
- Membership numbers and the number and percentage of these members that are Bury residents;
- If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example ethnic minority residents, people over 50 and people with disabilities;
- Whether facilities are available to the wider community regardless of ability.

Applicants will be required to provide additional financial information to support their application. This information will form part of the council's assessment process and may include, but is not limited to, the following:

- If the CASC runs a bar or food provision, the level of income from this activity and how this money is used; and

- whether the CASC operates at a local or national level. Where relevant, the availability and use of local and national funding streams, as well as the CASC's overall financial position, will be taken into account. This includes any financial surpluses and how those funds are distributed or utilised.

4.3. Non-profit making organisations (other than charities, CASCs or other sports and leisure clubs) and Community Interest Companies (CIC)

The Council has the power to grant Discretionary Rate Relief of up to 100% of the rates due to other non-profit making organisations. Discretionary Rate Relief can be awarded to properties used by non-profit making organisations for recreational, charitable, philanthropic, or religious purposes or in connection with education, social welfare, science, literature, or the fine arts.

Community Interest Companies (registered with the Office of the Regulator of Community Interest Companies) can apply for Discretionary Rate Relief which can be paid at any rate up to 100%.

In determining an application for Discretionary Rate Relief, the following matters will be taken into consideration (list is not exhaustive):

- How the organisation supports and links into the council's Corporate Strategy.;
- Whether the facilities provided include education and/or training for members as a whole or for special groups;
- The extent to which the facilities provided reduce the demand for Council services or produce savings;
- Any membership and fee structure and whether the facilities are accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
- If covered by a membership scheme, membership numbers and the number and percentage of these members that are Bury residents;
- If the organisation has due regard to equality issues and if its facilities are used by all members of the community, for example ethnic minority residents, people over 50 and people with disabilities.
- If the organisation takes on another premises, whether this enhances the charities objectives.

We will also require additional financial information including:

- If the organisation runs a bar or food provision, or receives any other income from other sales, the level of income from this activity and how this money is used; and
- Whether the organisation operates at a local or national level. Where relevant, the availability and use of local and national funding streams, as well as the organisation's overall financial position, will be taken into account. This includes any financial surpluses and how those funds are distributed or utilised.

4.4. Rural Rate Relief

Mandatory Rate Relief applies to a qualifying property which is within a settlement identified in an authority's rural settlement list for the chargeable financial year where its rateable value is not, at the beginning of the year in question more than a relevant prescribed amount. The rateable value limits are as follows:

- For the only village food shop, general store or post office with a rateable value of up to £8,500.
- For the only public house or petrol station with a rateable value of up to £12,500.

In addition, discretionary rate relief may be allowed if:

- The property is in a rural settlement
- The rateable value of the property is £16,500 or less.
- The property is used for purposes which are of benefit to the local community: and
- It is reasonable for the Council to grant relief taking into account the interests of its council taxpayers

4.5. Other National/Local Reliefs

From time to time the government may introduce relief schemes in response to a specific incident (such as flooding) Where such schemes are introduced, the cost of additional relief is normally met by central Government without any impact on local Business Rates income.

Any such schemes that are introduced, in so far as they fall to be administered under Section 47 of The Local Government Finance Act 1988, will be administered in accordance with instructions and guidance set out by Government at that time.

Backdating of any local reliefs from either a new/split or merged hereditament will be considered on each individual merit. However, any relief awarded under these schemes that the customer held previously will continue to be awarded to the relevant financial year and if still applicable.

The Council may refuse an award of Discretionary Rate Relief to any ratepayer where it considers it appropriate not to and/or were doing so would not be considered in line with the Council's Corporate Strategy.

5. Part Occupied Relief

The Council has discretion under Section 44a of the Local Government Finance Act 1988 to allow relief to be provided to a business that is partially occupying a property for a short period of time (no more than 6 months), typically, but not exclusively, as part of a phased move in or phased move out.

The Council will consider each case on its merits and will take into account the following;

- The circumstances leading to the part occupation
- The intention of the ratepayer to fully occupy or vacate the premises
- Evidence that it will be empty only for a short period of time
- The financial implications of granting relief

The amount of relief that can be granted will be determined by the Valuation Office Agency, who will assign a rateable value to the unoccupied element of the property.

Relief will not be granted if an application is received after the property has become fully occupied or fully empty.

6. Discretionary Hardship Relief

The Council can exercise its discretion under Section 49 of The Local Government Finance Act 1988 to provide either partial or full relief from Non-Domestic Rate payments in cases of hardship where it would be considered reasonable to do so.

Hardship must be due to an unforeseen change in economic circumstances causing financial or other difficulties or due to extraordinary external factors causing the failure of a business or preventing premises from being re-let or re-occupied. The main consideration is the effect a loss of a business will have on

local council tax payers, for example, the loss of a major employer or the only provider of an essential service in an area.

As there is no statutory definition of hardship, the Council decides each case on its own merits. When deciding whether to award hardship relief, as well as being confident that the organisation is experiencing hardship, the principle consideration will be that any relief is in the best interests of the council taxpayers, as the Council must bear the cost of any relief granted.

The period for the award to be determined on a case by case basis.

7. Local Business Rate Discount

Section 69 of The Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988 and allows the Council to grant locally determined Business Rate discounts (in addition to the already available Discretionary Rate Reliefs).

This power recognises that the current Business Rates scheme is broadly prescribed by central government and its aim is to provide increased flexibility to local authorities to support organisations, recognising the variations in economic conditions across and within local authority boundaries.

When an application for relief under the Localism Act 2011 is received, assessing whether it is reasonable to award relief in the interests of Council Tax payers can be complex. Each situation may involve different factors, and there is no universal set of criteria that can be applied in every case. For this reason, every application will be reviewed individually and judged on its own merits. Examples of the types of considerations that may be taken into account include:

- Whether awarding the relief is likely to support long-term business growth, encourage investment in the area, and/or create new jobs.
- The length of time the organisation intends to remain operating within the area.
- The financial impact on the Council of granting the relief.
- The history and previous use of the property, for example whether it has been vacant for a significant period or was previously exempt from Business Rates.
- Any potential impact on, or perceived unfairness to, other ratepayers if relief is awarded.
- Whether a clear business case has been provided addressing the relevant considerations listed above.

Council Tax Discretionary Discount (Section 13A)

8. Care Leavers Discount

Since the 1st April 2018 the Council has exercised its discretionary power under Section 13A (1) (c) Local Government Finance Act 1992 to award a partial or full Council Tax Discretionary Discount to care leavers aged 18 to 25 years.

To qualify for this discount, you must:

- be under 25 years of age
- have a Council Tax bill from Bury Council in your name
- have been in care, with any local authority, on or after your 16th birthday
- have been in care for at least 13 weeks (continuous or not) anytime from the age of 14

If your name is not on the Council Tax bill, we cannot award a discount.

The council tax discount took effect from 1st April 2018. Care leavers who become liable for council tax after this date will be granted the discount from the date of occupation.

For anyone already living independently prior to 1st April 2018 but not yet 25, the discount will be applied from 1st April 2018 up to their 25th birthday or until they cease to be liable for council tax.

The level of discount applied will be 100% of any council tax liability after any entitlements to any national reliefs, exemptions or other discounts (including single person discount) have been calculated and awarded.

If after an award, the care leaver's liability for council tax reduces for example if the care leaver becomes entitled to a single person's discount, the care leaver discount will be amended to ensure the award does not exceed the care leavers council tax liability.

Where awarded the discount will remain in force until the care leaver reaches the age of 25 or ceases to become responsible for council tax, whichever date occurs first. In these circumstances the annual bill is apportioned.

9. Special Constables Discount

Since the 1st April 2020 the Council has exercised its discretionary power under Section 13A (1) (c) Local Government Finance Act 1992 to award a 50% Council Tax Discretionary Discount to Special Constables living in Bury.

To qualify for this discount, you must be:

- responsible for paying the Council Tax at an address in the borough
- in the role of a Special Constable for a Police force and you;
 - have completed the required training
 - are spending a minimum of 16 hours a month in the role.

There can only per one Special Constable discretionary discount per household.

The level of discount applied will be a maximum of 50% of any council tax liability and includes any other national reliefs, exemptions or other discounts your household is eligible for.

10. Council Tax Hardship Relief

The Council can exercise its discretion under Section 13A (1) (c) Local Government Finance Act 1992 to award partial or full Council Tax Discretionary Discount in exceptional circumstances, where a person is in financial need and it is considered reasonable to do so.

The Council will look at each case on its own merits and will consider various of factors which may include some of the following considerations:

- entitlement to all other eligible discounts / reliefs / income / welfare benefits must have been explored/claimed before making a claim for Section 13A.
- evidence that the application is for exceptional circumstances, which are unexpected and unforeseen.
- we must be satisfied that the applicant has taken or will be taking all reasonable steps to resolve the situation (for example consideration of moving to a lower banded property or lowering the price of a property for sale).
- the amount outstanding must not be the result of wilful refusal to pay or culpable neglect. Arrears built-up as a result of non-payment will not qualify for this reduction.
- the taxpayer must not have access to other assets that could be used towards their council tax liability.

- whether the situation can be resolved by some other legitimate means for example postponing payment pending sale or extending instalments.
- any social or health issues currently being faced by the resident and/or their immediate family. For example, the effect the situation is having on vulnerable members of the family.
- other evidence in support of an application (such as information from professional bodies, e.g. a doctor or social worker).
- where applicable, confirmation of what information/advice has been sought and obtained previously, for example from the C.A.B or other welfare organisations.

11. Applications and review process

Business Rates Discretionary Rates Relief

All applications for Discretionary Rate Reliefs should be made using the Council's application forms.

The Council will also require evidence to support applications,

- The organisation's main purposes and objectives set out in, a written constitution, a memorandum of association, or set of membership rules;
- A full set of audited accounts relating to the two years preceding the date of application. Where audited accounts are not available for the current financial year, projected figures should be provided instead; and
- Details of how the organisation meets the criteria outlined in these guidelines.

Any additional information required should be submitted when requested, failure to provide the requested information may result in your application being delayed or ultimately refused.

Applications may be considered against any national reliefs that are available in the first instance.

If a ratepayer is not satisfied with the decision they can request, in writing within 21 days, for the decision to be reviewed. If they are still not satisfied with the decision after the review has taken place they retain the right to make a complaint under the Council's Corporate Complaints Procedure.

The council may request further information from a ratepayer in connection with any request to reconsider a decision.

Council Tax Discretionary Hardship Relief

Any application for Council Tax Discretionary Hardship Relief should be made using the Council's application form which can be obtained upon request.

Before applying, applicants must be able to demonstrate they have taken all reasonable steps to resolve the problems that are causing them to apply for the relief.

- apply for any other types of Council Tax reduction they may be entitled to. Please see our webpage, [Council Tax discounts, reductions and exemptions - Bury Council](#) for more information.
- see if they can reduce their Council Tax by challenging their Council Tax band, if they have grounds to do so. If they feel that the property is in such a dilapidated condition that it no longer exists as a dwelling they may want to contact the Valuation Office Agency to investigate whether they will remove the property from council tax. This could apply for example where a property has extensive damage to external walls, no roof etc.

There are many organisations that can offer free support and advice if a council taxpayer is struggling with their finances. Please see webpage [Let's manage tough times - Bury Council](#) for more information on support available.

If a council taxpayer is unable to demonstrate that they have explored the relevant points above the application will not be considered.

Any additional information required should be submitted when requested, failure to provide the requested information may result in your application being delayed or ultimately refused.

Applications may be considered against any Council Tax discounts/exemptions that are available in the first instance.

If a council taxpayer is not satisfied with the decision they can request, in writing within 21 days, for the decision to be reviewed. If they are still not satisfied with the decision after the review has taken place they retain the right to make an appeal to the Valuation Office Agency within 28 days, who can be contacted at www.gov.uk/contact-voa or phone 03000 501 501

The council may request further information from a council tax payer in connection with any request to reconsider a decision.

12. Decision Making and Approval

Applications will be considered within the Corporate Collection and Support service with oversight by a Business Manager or a nominated individual, in consultation with other services within the council and the Director/Assistant Director of Finance (or nominated individual) where necessary.

The primary consideration in awarding discretionary relief is that it serves the best interests of Bury's taxpayers and aligns with the strategic priorities set out in the Council's Corporate Strategy.

13. Award Periods

Business Rates Discretionary Rate Relief

Discretionary Rate Relief may be granted for up to 100% of the amount due for a period of up to 12 months and will be reviewed annually if required.

The organisation must inform the Council of any change in circumstances, which might affect eligibility for relief. The change should be notified within two weeks of the date it occurs.

The Council reserves the right to review the award should the circumstances of the organisation change during the period of the award. Where an organisation ceases to meet the eligibility criteria, Discretionary Rate Relief will be withdrawn following a notice period of 12 months.

Council Tax Discretionary Discount

Discretionary discounts may be awarded for any amount (up to 100% of the charge due), for a specific period, for a fixed amount or for an ongoing period of liability. Where the period is ongoing, the award will be subject to regular review.

The applicant will be notified of the decision as soon as possible after it has been made and any award will be applied to the relevant Council Tax account.

14. Backdating of Awards

Business Rates Discretionary Rate Relief

Whilst there is no time limit for an organisation to make an application for Discretionary Rate Relief, the maximum period for which the council will consider awarding relief is the start of the preceding financial year. For example: relief application received on 1st January 2024 and approved – the earliest period the

award could be backdated to would be 1st April 2023 unless there are exceptional circumstances where the council see fit to backdate an award further.

Council Tax Discretionary Discount

Discretionary discounts may be awarded for any amount (up to 100% of the charge due), for a specific period, for a fixed amount or for an ongoing period of liability. Where the period is ongoing, the award will be subject to regular review.

The applicant will be notified of the decision as soon as possible after it has been made and any award will be applied to the relevant Council Tax account.

15. Financial Implications

Business Rates Discretionary Rate Relief

Discretionary Rate Relief is funded in part by the Council and therefore has a direct impact on its financial resources. Under the Business Rates Retention Scheme, the Council retains a significant proportion of business rates income, meaning any relief awarded reduces the funding available for local services. As such:

- Awards of discretionary relief must be made with careful consideration of the Council's overall financial position.
- Relief decisions should reflect the interests of Bury's taxpayers and align with the Council's Corporate Strategy and budgetary priorities.
- The Council reserves the right to limit or refuse relief where the financial impact is deemed unsustainable or inconsistent with strategic objectives.
- Relief will not be awarded retrospectively beyond six months after the end of the financial year to which the application relates, unless exceptional circumstances apply.

Council Tax Discretionary Discount

Council Tax Discretionary Discount is funded wholly by the Council and therefore has a direct impact on its financial resources.

Awards of discretionary relief/discount must be made with careful consideration of the Council's overall financial position and relief decisions should reflect the interests of Bury's taxpayers and align with the Council's Corporate Strategy and budgetary priorities.

Any officer or member involved in the decision-making process for discretionary relief must declare if they have any interest or association with the organisation/individual which is applying for discretionary relief.

Applicants will be notified in writing of any decision, whether they are successful or not. A revised NNDR/Council Tax bill will be sent where appropriate.

16. Subsidy Allowances

Business Rates Discretionary Rate Relief

Discretionary Rate Relief may constitute a subsidy under the UK's subsidy control regime, which replaced EU State Aid rules following Brexit. In accordance with the Subsidy Control Act 2022, the Council must ensure that any relief granted:

- Complies with the principles set out in the Act, including transparency, proportionality, and minimal distortion of competition and trade.
- Does not exceed the thresholds for Minimal Financial Assistance (MFA), currently set at £315,000 over a three-year period for most undertakings.
- Is recorded and reported in line with government requirements, including publication on the UK Subsidy Database where applicable.
- Is assessed for its potential impact on competition and investment, particularly where the recipient operates in markets that extend beyond the local area.

Please note that it is up to the organisation applying for relief to advise if they comply with Subsidy allowances and to inform the council as necessary.

17. Fraud

Where a ratepayer falsely applies for any relief/discount, or where the ratepayer/chargepayer provides false information, make false representations, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.

18. Policy Review

This policy will be periodically reviewed as necessary, or sooner should there be a change in legislation that impacts on its operation.

19. Conclusion

This policy is designed to reflect the Council's corporate direction and incorporates the values outlined in the Corporate Strategy to guide the decision-making process for awarding Business Rates Discretionary Rate Relief and Council Tax Discretionary Discount.



Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 11 March 2026
Subject:	Write Off Policy 2026	
Report of	Deputy Leader and Cabinet Member for Finance and Transformation	

Summary

Approval is sought for a new Write Off policy covering all council-related income streams.

The policy provides a robust, consistent and efficient approach to the write off of council debts.

The policy also introduces a framework for irrecoverable debts – essentially debts that the council has no choice but to write off due to the circumstances surrounding it – which drives down the level of administrative work involved whilst retaining a sufficient level of governance.

The policy also alters the Scheme of Delegation and threshold levels therein to enable a more practical approach to the write off of debt and reasonable intervention points for executive officers and above.

Recommendation(s)

1. That Cabinet approve the new policy and relevant changes to the constitution being forwarded to Full Council for ratification
2. That Cabinet note that adoption and constitution changes must be by Full Council

Reasons for recommendation(s)

There is a governance requirement for the council to hold an up to date and robust Write Off policy, and for any constitution changes to be put before Full Council.

Alternative options considered and rejected

N/A

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Background

Section 151 of the Local Government Act 1972 requires that local authorities make arrangements for the proper administration of their financial affairs. Part of these arrangements includes establishing a policy for the writing off of irrecoverable debts. These arrangements are underpinned by Part 4 Procedures Rules, Section 6 Financial Regulations of the Council's constitution.

Recent centralisation of the council's income streams into one service – Corporate Collection and Support – has enabled adoption of more consistent collection principles across these different streams.

This approach has now led to the drafting of a new corporate Write Off policy.

The purpose of this new policy is to provide a consistent, efficient and corporate approach to the writing off of unviable and irrecoverable debts whilst seeking to maximise the opportunity for collection and thereby minimising the need for write off. The policy also establishes a disciplined approach across the Council for the writing off of those debts that are not recoverable. It establishes clear guidance for all Council Officers on the recording, reporting, recovery and monitoring of the Council's debt and income.

Its core intention is to set out clear criteria and processes for when debts may be considered for write-off, ensuring fairness, objectivity, and accountability. This includes outlining circumstances such as insolvency, death, untraceable debtors, financial hardship, or uneconomical recovery. The policy also establishes approval thresholds, responsibilities of officers, and the need for evidence so that write-off decisions are made consistently, efficiently, and in line with legislation, including specific rules for Adult Social Care and Housing Benefit overpayments.

Overall, the policy is designed to reduce the level of write-offs by improving debt collection practices, strengthening performance management, and supporting informed decision-making across all service areas. It ensures that resources are focused on debts that are realistically recoverable, that historical or unsupported debts are properly addressed, and that appropriate use is made of third-party collection services. The policy also reinforces good financial governance by requiring regular reporting, maintaining proper records, and ensuring adequate bad debt provision.

Links with the Corporate Priorities:

3. Reduce Child Deprivation & Inclusive Economic Growth– By upholding a robust write off policy and procedure, families who are struggling financially and obtain statutory financial measures such as Debt Relief Orders will benefit from an efficient write off of their debts. A robust write off policy forms a key part of any income collection regime and will help ensure debt profile

refinement is maintained and officers are able to better focus on viable debt caseloads.

Equality Impact and Considerations:

The analysis has identified there is no material impact on all characteristics with the exception of the Socio-economically vulnerable where the policy is likely to have a supportive positive impact

Environmental Impact and Considerations:

4. Not applicable

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Debt over £10,000 is incorrectly classified as irrecoverable, and is written off by the Head of Service without need to refer to Section 151 Officer.	A full list of all debts written off as irrecoverable to be taken to Finance Board on a quarterly basis for ratification.

Legal Implications:

The Council is required by its Financial Regulations to have sound financial management policies in place. An adopted policy supports consistency of decision-making and transparency in relation to decisions to write-off irrecoverable debts.

Financial Implications:

There are no financial implications arising from this report

Appendices:

Bury Council Write Off Policy 2026

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Bury Council Write Off Policy April 2026

Introduction

The purpose of this new policy is to provide a corporate approach to the writing off of bad and irrecoverable debts whilst seeking to maximise the opportunity for collection thereby minimising the need for write off. The policy also establishes a disciplined approach across the Council for the writing off of those debts that are not recoverable. It establishes clear guidance for all Council Officers on the recording, reporting, recovery and monitoring of the Council's debt and income.

Section 151 of the Local Government Act 1972 requires that local authorities make arrangements for the proper administration of their financial affairs. Part of these arrangements includes establishing a Policy for the writing off of irrecoverable debts. These arrangements are underpinned by Part 4 Procedures Rules, Section 6 Financial Regulations of the Council's constitution.

Objectives

This Policy has the following objectives:

- to promote a consistent and fair approach to the writing off of debt across the Council,
- Enable debts to be written off in a timely and efficient manner,
- Provide a framework that sets out the criteria for writing off debt.

Outcome

The outcomes expected from this policy:

- Minimise the level of write off necessary,
- To ensure cases recommended for write off are done so every quarter,
- Minimise the level of resources provided for bad and irrecoverable debts,
- Standardise the write off process across all income and debt areas,
- Avoid the use of subjective judgement and criteria when considering cases for write off, by providing clear objective criteria and procedures,
- Introduce effective performance management arrangements,
- Help focus resources on potentially recoverable debts (by disciplined writing off of irrecoverable debts),

Debts covered by this Policy

For the avoidance of doubt this policy document applies to all debts and income due to the Council including but not limited to the list below, and include any other debts across the Council:

- Council Tax,
- Business Rates,
- Housing Rents
- Sundry Debts (incl. Commercial Rents, service charges and insurance, licensing, fees, statutory notices, subscriptions, etc.),
- Adult Social Care,
- Housing Benefit Overpayments

General Collection Policy

It is Council policy to pursue the collection of all debts owed to the Council as vigorously as possible. Every effort will be made to recover any Council debt before write off is considered. Service Areas will work together, where appropriate to do so share data, to make informed decisions about debt recovery and write off.

This policy supports the decision process for debts that may have become uneconomical to pursue or are irrecoverable.

It must be noted that a debt may be written off but can be reinstated if deemed recoverable at a future date and is appropriate to do so.

The policy will be reviewed as required to ensure processes remain fair and in line with legislation and best practice.

The policy may be extended to include other forms of revenue and income collected by the Council.

General Principles

The general principles adopted in this policy are as follows:

- To ensure a professional, consistent and timely approach to debt write off across all of the Council's functions,
- To promote, where Data Protection legislation allows, a coordinated approach towards sharing debtor information internally and managing multiple debts owed to the Council,
- To ensure that debts are managed in accordance with legislative provisions and best practice,
- To ensure that any steps taken to recover debt / income are in line with the Council's corporate policies.

Delivering the Policy

Writing off of debt should be undertaken in accordance with the Council's Financial Procedure Rules, as outlined within the financial limits contained within the Council's constitution.

Adult Social Care debt write offs must be carried out in accordance with Annex D of the Statutory Guidance to the Care Act 2014.

Delivering the policy involves a number of processes which are explained in more detail below:

- Ensuring a consistent approach,
- Pre-request for write off,
- Request for write off,
- Writing debts off,
- Reinstating written off debt,
- Evasion and fraud,
- Credit balance write offs,
- Dealing with historical debts.
- Insufficient Evidence to Enforce Debts
- Bad debt provision,

Ensuring a consistent approach

In line with this policy, the Council will have a consistent approach across all directorates in responding to debt write offs. Proposal for write offs should be considered at every appropriate stage in line with the framework.

Pre Request for Write Off

All debts of the Council will be acted on in accordance with its Financial Rules. If the debt remains unpaid, after exhausting all appropriate recovery methods, the debt should be considered for write off. All requests to write off debts must be approved by authorised officers and within the approval thresholds set out in this policy.

The Service Area will take reasonable steps to contact the debtor to discuss the matter before making any final decisions on recovery actions, of which, write off may be considered as an option based on the circumstances of the debtor. As a result of these discussions, or in the view of the service area, if the debt is considered uneconomical to pursue or considered irrecoverable then the service area may propose the debt for write off.

A debt may be written off when one or more of the following apply (this list is illustrative and not exhaustive):

- **Council error** – The debt was caused by a local authority mistake, and the debtor could not reasonably have known about it.
- **Deceased debtor** – The debtor has died and there are not enough funds in the estate to clear the debt.
- **Low-value debt** – The total debt is under £50 and no payment has been made within six months of the final reminder.
- **Custodial sentence** – The debtor is serving a prison sentence of 12 months or more and recovery is unlikely.

- **Debtor untraceable** – The debtor cannot be located for at least six months. (The Council may reinstate the debt if the debtor is later found.)
- **Debtor overseas** – The debtor is living abroad, and the law does not allow the Council to enforce recovery.
- **Statute-barred debt** – The debt cannot legally be pursued due to the time limits set out in legislation.
- **Debt Collection Agent unable to recover** – All recovery options have been exhausted, and the agent confirms the debt is unrecoverable.
- **Legal advice** – Legal Services advise that the debt is not recoverable or that legal action would not be cost-effective.
- **Uneconomical to collect** – The cost of recovery would exceed the value of the debt.
- **Bankruptcy or liquidation** – The debtor is declared bankrupt, or a company has gone into liquidation.
- **Company arrangements** – A Company Voluntary Arrangement (CVA) or administration order prevents or limits recovery.
- **Financial hardship or vulnerability** – Recovery action would cause serious financial difficulty, or the debtor is considered vulnerable or in hardship.
- **Multiple debts with limited means**
Where the debtor owes several debts to the Council and a financial assessment shows they do not have sufficient means to pay them all, consideration may be given to writing off some debts to support sustainable repayments.
Evidence of financial circumstances is required. If the debtor fails to maintain the agreed payment plan, the write-off may be reversed.
- **Insolvency confirmation** – The Official Receiver or Administrator confirms there is no prospect of settlement.
- **All recovery options exhausted** – No further recovery actions are available.
- **Court remission** – The court has formally remitted (cancelled) the debt.

Write off is a formal process and when authorised, ceases all debt recovery action for that specific debt, albeit recovery action may continue for other debts connected to the debtor.

Where authorised, a request for write off does not mean the debt cannot be reinstated in future, where appropriate. The write off will be removed and action will continue giving weight to the statute of limitations, and corporate debt management.

Request for Write Off

As per the Accounts and Audit Regulations 2003 (as amended), debts should only be written off with approval of the responsible finance officer (Section 151), or such members of staff, where this function has been delegated in line with the current Financial Regulations and Financial Delegations.

Write off proposals and subsequent decision papers will be retained for the current year plus six years as per the Council's Record Retention Policy.

Once appropriate authorisation has been received and final authorisation for the write off obtained from the Director of Finance (Section 151 Officer) or delegated officers, the debt will be removed from the relevant accounting system and charged against the appropriate cost centre/fund.

Write offs of Housing Benefit caused by an Official Error where the debt has been determined as unrecoverable can only be made in conjunction with the relevant Housing Benefit legislation and guidance.

Any write off relating to Adult Social Care debt is governed by the Care and Support Statutory Guidance Annex D, in addition to the above process.

Writing Debts Off (framework)

The writing off of debt should be administered in accordance with the Council's Financial Procedure Rules, as outlined in the Financial Limits contained in the Council constitution.

Irrespective of the amount to be written off, the following list of exceptions* is delegated to Heads of Service to authorise write offs. Write off of debts in accordance with the list of exceptions will be reported quarterly to the Council's Finance Board & Section 151 Officer.

**Evidence is required under the following categories (outlined below).*

List of exceptions:

- **Death of the debtor**
The debtor has passed away and there are no assets in the estate to cover the debt, the remaining balance may be written off.
**Written confirmation of this is required from a solicitor or executor.*
- **Bankruptcy or Liquidation**
A debtor has been declared bankrupt (individual) or has entered liquidation (company), creditors may only receive a portion of the owed amount, or nothing at all, depending on the available assets.
**Bankruptcy or Liquidation number or documentation should be provided*
- **Debt Relief Order granted to the Debtor.**
**Appropriate entry in the Insolvency Register or documents should be provided,*
- **Individual Voluntary Arrangement.**
**Appropriate entry in the Insolvency Register and documents should be provided,*
- **Company Voluntary Arrangement / Administration Order.**
**Appropriate documents should be provided,*
- **Debt remitted by court.**
**A statement to confirm the decision of the court is needed.*
- **Debtor living abroad.**
The debtor is believed to be living overseas, and the legislation does not permit debt pursuance.
**Evidence to confirm this position is required*

Once appropriate authorisation has been received and final authorisation for the write off obtained from the Director of Finance (Section 151 Officer) or delegated officers, the debt will be removed from the relevant accounting system and charged against the appropriate cost centre/fund and bad debt provision.

Authorised officers and approval thresholds

The following Scheme of Delegation is in place for authorised officers to write off debts owed to the Council.

Authorisation to write off* is delegated, after all appropriate recovery options have been exhausted.

Value	Approval Required	Reported to
Up to £10,000	Head of Service	Director
In excess of £10,000 but not more than £25,000	Responsible Director in consultation with the Assistant Director of Finance	Section 151 Officer
In excess of £25,000 but not more than £50,000	Section 151 Officer in consultation with the Monitoring Officer	Relevant Cabinet Member
In excess of £50,000	Cabinet	

*Excluding the list of exceptions detailed in the Writing Debts Off (framework).

Reinstating Written Off Debt

Service Areas must be aware of an individual's circumstances during all financial related dealings, and this includes being aware of any current and written off debt(s) that the debtor may have.

Where a debtor's circumstances change and the original grounds for writing off the debt no longer stand, the Council reserves the right to reverse the write-off and pursue the outstanding amount through normal recovery procedures.

Fraud and Misrepresentation

If an allegation or suspicion of fraud arises, the Council will investigate the matter. Should fraud be established, the Council may reverse the write-off and pursue criminal proceedings where warranted.

Credit Balance Write Offs

When an account is closed and a credit balance remains, the credit must be checked against any other debts owed to the Council and, where appropriate, offset against those debts. If the credit is repayable, it will be refunded by BACS where bank details/address are known.

Where no forwarding address is available, reasonable efforts must be made to identify the correct address for repayment. If no address can be found, the credit will

be removed from the account. If an address is identified at a later date, the credit may be reinstated, offset against another outstanding debt, or refunded where no other debts exist.

Dealing with Historical Debts

Historical debts will be dealt with outside of this policy. A separate procedure will be designed for this which will be subject to separate approval.

Insufficient Evidence to Enforce Debts

Where there is insufficient evidence to create a debt then these amounts should not be raised at the outset by either the service or finance staff. It is always important to consider this at the inception of raising a debt and whether the funds can or cannot be successfully recovered.

If a debt is raised and then subsequently with the passage of time, the debt becomes not credible either on the challenge of the debtor or because there is insufficient evidence to support the debt, then this debt should be removed from the finance system by way of a credit note. This will effectively remove the debt from the Council's aged debt portfolio and reduce it to nil.

It is important that where any debts fall into this area that they follow the credit note process, and not the debt write off route. Debts that should not have been raised or cannot be supported should not be written off.

Any debts raised which fall into the recovery process which later require a credit note will be collated and reported quarterly to the Finance Board & Section 151 Officer. Service Area's responsible will report need to report why the debt was raised, why it is not being pursued and the steps which have been put in place to avoid a reoccurrence.

Use of Third Party Collection Services

Where appropriate to do so, and prior to the submission for write off, debts of £300 or more should be considered for referral to the Council's appointed collection agent who will undertake further checks to determine if the debt can be traced and / or collected.

- Trace and collect – where a forwarding address cannot be determined, further checks will be made with third parties to determine if address information can be found. This is a further check, prior to write off, to support the write off recommendation,
- Collection of debts where all internal remedies to collect have been exhausted. The debt will be passed to a third party collection agent, who will attempt to secure payment in line with appropriate legislation/contractual arrangements in place.

Bad Debt Provision

The Director of Finance (Section 151 Officer) in conjunction with Heads of Service must ensure there is adequate provision for bad debts, in accordance with 'CIPFA Code of Practice on Local Authority Accounting in United Kingdom – A Statement of Recommended Practice'.

Debts where a bad debt provision has been assigned should be appropriately reviewed on a timely basis with effective recovery methods applied. Where debts are not recoverable, suitable evidence should be provided to progress the case / debt to write off.

Any debts which form part of the proof of debt sent by the Council to the to the insolvency practitioner are written off if they meet all the terms of the insolvency agreement. The insolvency practitioner may make payments in the form of dividends to Bury Council which will be offset against the debt and the amount written off will be reduced accordingly.

A separate bad debt provision is held for each service area so that any increase required in the provision will be charged to the service area concerned. Conversely, if the debt for which a bad debt provision is paid then the provision for that debt will be credited back to the relevant service area.