

Minutes of: **CABINET**

Date of Meeting: 23 February 2021

Present: Councillor E O'Brien (in the Chair)
Councillors L Smith, C Cummins, D Jones, A Simpson,
A Quinn, T Tariq, J Black and T Rafiq

Also in attendance: Councillors N Jones, J Mason and M Powell

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

CA.26 APOLOGIES FOR ABSENCE

There were no apologies received.

CA.27 DECLARATIONS OF INTEREST

Councillor Quinn declared a personal interest in respect of all matters under consideration, as both his son and daughter in law are employed by the NHS, his wife is employed by the Citizens Advice Bureau and he is a member of the trade union, Unite.

CA.28 PUBLIC QUESTION TIME

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

Why despite the enormous opposition by the people of Bury are you still trying to press ahead with decimating the people's green belt rather than working out a more realistic plan and who exactly is profiting from this as it's not the taxpayer/local electorate?

Responding, Councillor Eamonn O'Brien reported that it should be noted that the item before tonight's Cabinet regarding the Places for Everyone Plan relates solely to the establishment of a new joint committee of the nine districts that remain supportive of preparing a joint development plan and to delegate responsibility to that committee for the preparation of the plan.

Like all Councils, Bury is required by law to have an up-to-date plan in place that identifies the land needed for new homes and new employment. Without an up-to-date plan in place we would be at serious risk of unmanaged development and 'planning by appeal' - along with the threat of Government intervention if we do not get a plan in place by December 2023. The Government has recently written to all local authorities to reiterate this requirement. Simply put - we need to get a plan in place. If we do not participate in a joint plan, we would have to produce a Local Plan that had to cover the same strategic issues that would be covered in a joint plan. In particular, this would need to set out how the plan was meeting the Government's housing target. Working with our neighbours, we can offset these housing targets to other parts of Greater Manchester, which reduces the impact on the Green Belt. This was the case with the GMSF where Bury managed to off-set around 2,500 of its housing need to other districts that we would otherwise have

to accommodate within the Borough with a significantly greater impact on the Green Belt.

In terms of who would profit or benefit from an up-to-date plan, this would be wide ranging but it would include the Borough's existing and future residents who need homes to live in, including much needed affordable homes and local employment opportunities.

CA.29 MEMBER QUESTION TIME

There were no Member questions.

CA.30 MINUTES

It was agreed:

Minutes of the meeting held on 20 January 2021 be approved as a correct record and signed by the Chair.

CA.31 THE COUNCIL'S FINANCIAL POSITION AS AT 31 DECEMBER 2020

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which outlined the forecast financial position of the council at the end of 2020/21 based on the information known at the end of the third quarter, 31 December 2020. An underspend of £53,000 was forecast, which was in line with assumptions to break even for this year's budget and the challenges expected in future years.

In response to a Member's question about value for money regarding a consultant hired from Covid monies, the Leader advised that there were a range of functions to scrutinise spending both at an officer and Member level. This post was created to address the impact of Covid on the elections and the democratic process in general. In response to a follow up question, the Leader clarified that opposition Councillors could disagree with the spend itself but that personal attacks on an officer were inappropriate, a sentiment echoed by other Cabinet Members.

Decision:

- To note the forecast underspend of £0.053m on the revenue budget;
- To note the significant uncertainties that exist, in particular Covid, and that there is likely to be further changes before the end of the financial year;
- To note the position on the Dedicated Schools Grant, Collection Fund and the Housing Revenue Account and the Council's participation in the DfE's Safety Valve project;
- To note forecast position on the capital programme;
- To note the Council's application for de-carbonising the estate grant and approve that acceptance of the grant delegated to the Executive Director of Operations and the Council's S151 Officer in consultation with the Cabinet Member for Environment and Climate Change and the Cabinet Member for Finance and Growth;
- To give delegated approval to the Executive Director of Operations and the Council's S151 Officer in Consultation with the Cabinet Member for Environment and the Cabinet Member for Corporate Affairs and HR to award

- contracts associated with the decarbonisation fund, subject to the appropriate procurement contract procedure rules being followed;
- Approve the revised rephrasing of the capital programme as set out in the report.
 - Approve the addition of £0.367m to the capital programme for the previously agreed contribution to the coroner's service to give a final capital programme of £57.201m for 2020/21.

Reasons for the decision:

To ensure the Council's budgetary targets are achieved.

Other options considered and rejected:

None.

CA.32 LOCAL COUNCIL TAX SUPPORT SCHEME 2021/22

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which outlined the background, current scheme, context of overall Welfare Reform and recommendations for delivering a local scheme of Council Tax Support with effect from April 2021.

Decision:

That Cabinet approves the following recommendations for onward approval by Full Council:

- the scheme continues in its current form for the year 2021/22;
- the current disregard of all War Widow's/Widower's Pension or War Disablement Pension is continued;
- the performance of the scheme continues to be closely monitored and will be reviewed and amended as appropriate on an annual basis.

Reasons for the decision:

Each year local authorities are required to consider their Council Tax Support Scheme as part of the budget setting process.

Other options considered and rejected:

The Council, like most Authorities, is experiencing significant financial pressures due to funding reductions in previous years further impacted by the Covid pandemic. The opportunity to provide additional funding is therefore limited and would create a cost pressure that would need to be managed elsewhere within the Council's budget.

CA.33 THE HOUSING REVENUE ACCOUNT 2021/22

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which set out the proposed Housing Revenue Account for 2021/22 and proposals for Dwelling and Garage rents, Sheltered Support, Management, Amenities and Heating charges, Furnished Tenancy charges and Fernhill Caravan site tenancy charges.

Decision:

- To increase the Rents for all HRA social rent formula and affordable rent dwellings by 1.5% from the first rent week in April;

- To increase Garage rents by 1.5% from the first rent week in April;
- To increase Sheltered Management and Amenity Charges by 1.5% from the first rent week in April;
- To approve that Sheltered support and heating charges remain unchanged from the first rent week in April;
- To approve that Furnished Tenancy charges remain unchanged from the first rent week in April;
- To increase pitch fees at the Fernhill Caravan Site by 1.5% from the first rent week in April.

Reasons for the decision:

The Council has a general duty to review the rents of its houses and is under a duty to prevent a debit balance on the HRA which is ring- fenced.

Other options considered and rejected:

None. A risk assessment of the major issues that could affect the financial position of the HRA has been carried out the Council's s151 Officer is recommending that for 2021/22 the HRA balances should not be allowed to fall below £1,083,000.

CA.34 THE DEDICATED SCHOOLS GRANT AND SETTING THE SCHOOLS BUDGET 2021-22

Councillor Eamonn O'Brien, Leader of the Council and Cabinet Member for Finance and Growth, presented the report which set out recommendations in relation to the Schools Budget for approval by Cabinet. It was noted that the details had been discussed by the Overview and Scrutiny Committee and the Schools Forum, and thanks were expressed to officers across Children's Services and Finance for their work and communication with the DfE.

Decision:

- To approve the Dedicated Schools Grant Budget for 2021/22 at £190.923m and approve the allocations between the 4 funding blocks;
- To approve the Schools and Academies 2021/22 funding unit values as recommended by Schools' Forum and detailed at Appendix 1;
- To approve the 2021/22 hourly rates for all early years providers as follows:
 - £4.44 per hour for 3 and 4 year olds, and;
 - £5.36 per hour for 2 year olds.

Reasons for the decision:

The Schools Forum has considered the allocation of the Schools Block and have made their recommendations. These have been applied to the formula used to determine individual school allocations and ensure full compliance with statutory requirements.

Other options considered and rejected:

None. All proposals have been discussed with the Schools Forum and are based on the latest financial information.

CA.35 CAPITAL STRATEGY 2021/22 - 2023/24 AND CAPITAL PROGRAMME 2021/22

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which had been prepared to cover a 3-year period initially, though it was expected that this will be extended to a 5-year time frame in line with the council's medium term financial strategy. It was noted that the approach set out demonstrated the Council's intent and commitment to regeneration while focussing on practical and deliverable outcomes.

Members discussed the report welcoming the additions for parks and green spaces, investment into highways and pothole repair, renovation of tennis courts and investment into leisure centres, and the extension of the Muslim burial site.

Decision:

- To approve the capital strategy 2021/22 – 2023/24;
- To approve the capital programme of £73.957m for 2021/22 and the associated funding arrangements;
- To note the indicative capital programme for 2022/23 and 2023/24 and that this will be subject to decision making in future years.

Reasons for the decision:

The Capital Strategy forms part of the council's strategic and financial planning framework and provides a framework within which the Council's capital investment plans will be delivered.

Other options considered and rejected:

None. The proposed programme takes account of the latest monitoring position on the 2020/21 capital programme including any identified rephasing that has been agreed for carry forward into the 2021/22 financial year.

CA.36

THE COUNCIL'S BUDGET 2021/22 AND THE MEDIUM TERM FINANCIAL STRATEGY 2021/22 - 2024/25

Councillor Eamonn O'Brien, Leader of the Council and Cabinet Member for Finance and Growth, presented the report which set out the key elements of the 2021/22 budget proposals and the framework for the longer term Medium Term Financial Strategy (MTFS) 2021 – 2025.

The Leader advised of the significant cost pressures of £46m from an increase in demand and loss of income, which had only been partially reimbursed by the £36m in Government support. The impact of Covid would continue, leaving a £45m gap over the next two years, up from £11.5m pre-Covid. One-off pressures could be addressed through the use of reserves, but ongoing pressures needed to be addressed through budget cuts. These were difficult proposals but set out the scale of the challenge and the scope of proposals to address them.

In response to a Member's question, the Leader advised that Business Rate growth assumptions were based on a reasonable return to the growth as seen previously. There had been an impact on the Business Rate base but Bury had seen a strong economy in the past and the Council was working closely with businesses to understand the impact on them and provide support. The Leader also advised that the situation would be reviewed regularly to ensure the Council remained flexible.

With regards to waste disposal, Councillor Alan Quinn, Cabinet Member for Environment and Climate Change advised there were no plans for bin reductions and that a focus on education to improve the use of bins and quality of recyclable materials had the potential to make significant savings.

In response to further Member questions, Councillor Quinn advised he would report back on the percentage of green energy used in Council's estate. He reported that the decarbonisation timescales were very tight, necessitating a huge amount of work for officers to have the scheme up and running by September. With regards to boilers, Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, advised that the Town Hall boilers were being addressed through different means and Councillor Quinn advised that gas boilers would require replacing or retuning and electric boilers were being installed in all brownfield site developments.

Decision:

- To approve the medium-term financial strategy and the assumptions regarding resources and spending requirements;
- To note the Council Tax base at 53,828 on which the Council Tax funding has been calculated as approved by Cabinet in December 2020;
- To approve the net revenue budget of £169.247m for 2021/22 and note that this includes an assumed increase in the council tax of 1.99%;
- To note the further option of a 3% social care levy and that this is not reflected the strategy;
- To approve the permanent spending allocations of £25.211m in 2021/22;
- To note the budget gap of £20.388m in 2021/22;
- To approve the budget reductions of £21.898m over the 4 years of which £8.056m applies to the 2021/22 financial year;
- To approve the use of reserves of £12.332m in 2021/22 and note the planned use of reserves of £14.355m in 2022/23;
- To note the forecast position on reserves;
- To note the Directorate cash limits;
- To note the significant financial risks for funding, income and demand pressures in future years and for the impact of Covid to impact on the strategy.

Reasons for the decision:

To progress the Council's 2021/22 budget setting process to achieve an approved budget.

Other options considered and rejected:

None, setting the budget is a statutory responsibility.

CA.37

LET'S DO IT! BURY 2030 COMMUNITY STRATEGY

Councillor Eamonn O'Brien the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which detailed *Let's do It*, a ten year vision and strategy for the Borough of Bury. It was noted that the strategy set out high level ambitions but was supported by a robust delivery plan to ensure measurable impact and outcomes.

Members praised the strategy and the collaborative approach proposed, the success of which could be seen in the rollout of Covid vaccinations. Members thanked officers for their work and endorsed the recommendations.

Decision:

That Cabinet approves the following recommendations for onward approval by Full Council:

- The Council endorses the strategy for adoption and encourages other public service and community leaders to do the same.

Reasons for the decision:

The strategy had been produced in consultation with local people and informed by all members of the Team Bury public and community sector partnership.

Other options considered and rejected:

None. The strategy has been produced following two rounds of consultation.

CA.38

GM CLEAN AIR PLAN: CONSULTATION

Councillor Alan Quinn, Cabinet Member for Environment and Climate Change, presented the report which set out the progress of the GM CAP and the next steps for the development of the Clean Air Plan and the closely linked Minimum Licensing Standards (MLS) for taxi and private hire services.

Decision:

- To note the progress of the Greater Manchester Clean Air Plan;
- To note the next steps for the development of the Clean Air Plan and Minimum Licensing Standards, listed at Section 11;
- To note the distribution of Bus Retrofit funding commenced in December 2020;
- To note that Government ministers have agreed to consider extending Greater Manchester's Clean Air Zone (CAZ) charges to the sections of the A628/A57 which form part of the Strategic Road Network, within the proposed CAZ boundary, subject to the outcomes of an assessment, which is expected to be completed by early 2021;
- To note that the GM Clean Air Plan is required to take action to tackle nitrogen dioxide exceedances until compliance with the legal limits has been demonstrated and that the nearer term influence of COVID-19 on air quality is not expected to lead to sufficiently long term reductions in pollution such that the exceedances of the legal limits of nitrogen dioxide will not occur without implementing a Clean Air Zone;
- To note that the GM CAP final plan will be brought forward for decision makers as soon as is reasonably practicable and no later than summer 2021;
- To note that the outputs of the MLS will be reported alongside the GM CAP as soon as is reasonably practicable and no later than summer 2021;
- Agree to the establishment of joint committees and to delegate to those committees the Authority's functions as set out in this report at paragraph 8.5 and the terms of reference, as set out in Appendix 6.
- Appoint the Cabinet Member for Transport and Infrastructure to sit on both committees for purposes as set out in this report at paragraph 8.5 with specific terms of reference, as set out in Appendix 6.

- Appoint the Cabinet Member for Environment and Climate Change as substitute for both committees for purposes as set out in this report at paragraph 9.5 with specific terms of reference, as set out in Appendix 6.
- Agree to enter into a collaboration agreement with the other 9 GM local authorities and GMCA/TfGM to clarify amongst other matters the rights, responsibilities and obligations of the authorities in relation to those contracts set out in Appendix 2 that are required to maintain delivery momentum in line with JAQU funding agreements.
- Agree a delegation to the Council Solicitor and Monitoring Officer to agree the final form of the collaboration agreement;
- Agree a delegation to the Executive Director of Operations in consultation with the Cabinet Member for Transport and Infrastructure and the Cabinet Member for Climate Change to award the contracts set out in Appendix 2 (subject to government funding) that are required to implement a charging Clean Air Zone in Spring 2022 to ensure the achievement of Nitrogen Dioxide compliance in the shortest possible time and by 2024 at the latest as required by the Ministerial Direction.
- Agree a delegation to Executive Director of Operations in consultation with the Cabinet Member for Transport and Infrastructure and the Cabinet Member for Climate Change to approve the submission of supplementary information to the Government's Joint Air Quality Unit (JAQU).

Reasons for the decision:

The formal governance mechanisms will underpin the delivery of a GM Clean Air Zone (CAZ) so as to ensure the achievement of NO₂ compliance in the shortest possible time.

Other options considered and rejected:

None.

CA.39

ARRANGEMENTS FOR THE PREPARATION OF A JOINT DEVELOPMENT PLAN ON BEHALF OF NINE DISTRICTS

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which provided further details on the next steps in relation to the joint plan of the nine GM districts, to be known as 'Places for Everyone'. In order to progress this plan, a new Joint Committee of the nine districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) was proposed to be established, with delegated authority to formulate and prepare the 'Places for Everyone' Joint Development Plan Document (DPD).

In response to Members' questions, the Leader advised that by working with other GM districts there was more scope to push housing allocation from greenbelt to brownfield sites. He also advised that it was too early to say what the development plan would propose, and that this report focussed on the establishment of a joint committee to consider those matters.

Decision:

1. Approve the making of an agreement with the other 8 Greater Manchester councils [Bolton, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford, Wigan] to prepare a joint development plan document to cover

strategic policies including housing and employment land requirements and, as appropriate, strategic site allocations and Green Belt boundary amendments and associated infrastructure across the nine districts.

2. Delegate to the Joint Committee of the nine Greater Manchester councils the formulation and preparation of the joint development plan document to cover housing and employment land requirements including, as appropriate, strategic site allocations and Green Belt boundary amendments and associated infrastructure across the nine Greater Manchester districts insofar as such matters are executive functions.
3. Agree that the Leader of the Council be the lead Member for the joint committee and that the Deputy Leader of the Council be the nominated deputy to attend and vote as necessary.
4. Note that the following are the sole responsibility of full Council:
 - Responsibility for giving of instructions to the Cabinet to reconsider the draft plan submitted by the Cabinet for the Council's consideration.
 - The amendment of the draft joint development plan document submitted by the Cabinet for the full Council's consideration.
 - The approval of the joint development plan document for the purposes of submission to the Secretary of State for independent examination.
 - The adoption of the joint development plan document.
5. Delegate to the Cabinet Member for Finance and Growth the power to make minor amendments to the Council's Statement of Community Involvement to reflect the new joint plan-making arrangements in Greater Manchester.
6. Note that the Council's Local Development Scheme will be amended by the Cabinet Member for Finance and Growth under existing delegated powers to reflect the new joint plan-making arrangements in Greater Manchester.

Reasons for the decision:

Approval to establish the new Joint Committee is a decision for each district according to their own Constitutional arrangements and approval to delegate the formulation and preparation of the Joint DPD to that committee is a Cabinet function.

Other options considered and rejected:

Discussions with the nine authorities indicate that there is continued opportunity to work collaboratively to produce a joint plan of the nine.

CA.40

MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY

It was agreed:

Minutes of the meetings of the AGMA Executive Board held on 11 December 2020 and Greater Manchester Combined Authority held on 18 December 2020 and 29 January 2021 be noted.

COUNCILLOR E O'BRIEN

Chair

(Note: The meeting started at 5.00 pm and ended at 6.22 pm)