

Minutes of: CABINET

Date of Meeting: 1 September 2021

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

Also in attendance: Councillors N Jones, M Powell, R Bernstein and J Rydeheard

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

Apologies for Absence: Councillor A Simpson

CA.124 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Andrea Simpson.

CA.125 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.126 PUBLIC QUESTION TIME

There were no public questions.

CA.127 MEMBER QUESTION TIME

There were no Member questions.

CA.128 MINUTES

It was agreed:

Minutes of the meeting held on 21 July 2021 be approved as a correct record and signed by the Chair.

CA.129 ITEMS CALLED-IN BY OVERVIEW AND SCRUTINY - ACCELERATED LAND AND PROPERTY DISPOSALS PROGRAMME - PHASE 2

Councillor Russell Bernstein introduced the minutes and recommendation of the Overview and Scrutiny Committee meeting held on 29 July 2021 which considered the call-in of the Accelerated Land and Property Disposals Programme – Phase 2.

He thanked Cabinet for their co-operation, advising that it had been a healthy debate at the meeting with a focus on community asset transfers and ensuring resources would be made available for residents and community groups.

In response, Councillor Eamonn O'Brien, Leader and Cabinet Member for Finance and Growth, reported that Cabinet welcomed this recommendation. He advised that the council was committed to support residents through the community asset transfer procedure.

It was agreed:

That the following recommendation from the Overview and Scrutiny Committee be accepted:

"The Overview and Scrutiny Committee strongly support Community Asset Transfers and recommend to Cabinet that policies are reviewed and strengthened to incorporate earlier communication with residents."

CA.130 THE COUNCIL'S FINANCIAL POSITION AS AT JUNE 30 2021

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 2021/22 based on the information known at the end of the first quarter, 30 June 2021. The report set out the position for both revenue and capital and provided an analysis of the variances, both under and overspending. In response to Members' questions, it was noted that the issues with waste collections, including the redesign, staff absences, and HGV driver shortages, were not accounted for in this period. Spend would be affected but savings would still be achieved in the long-term. In terms of the transformation plan, the realisation of those savings was delayed as changes couldn't be made as quickly as expected, but progress was being made with a report later in the agenda.

Decision:

Cabinet:

1. Noted the forecast overspend of £3.053m within the revenue budgets at quarter 1 and the need for Directorates to work with their finance business partners to identify mitigating actions to bring budgets back into line;
2. Noted the use of the Covid Outbreak Management Fund and Departmental Reserves in line with the criteria and one off departmental priorities;
3. Approved the use of the Corporately held waste levy reserve for the items specified against this funding in Appendix 2;
4. Noted the position on the Dedicated Schools Grant, Collection Fund and the Housing Revenue Account;
5. Noted forecast position on the capital programme.

Reasons for the decision:

To ensure the Council's budgetary targets are achieved.

Other options considered and rejected:

N/A

CA.131 TREASURY MANAGEMENT OUTTURN 2020/21

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which outlined the financial position and provided an update on the Council's capital expenditure and financing, the treasury position as 31st March 2021, the investment and borrowing strategy, and borrowing and investment Outturn throughout 2020/21. In response to Members' questions, it was noted that no new loans to the airport were proposed and

dividend pay-out from existing loans had been affected from Covid and were expected to not return to normal until after air travel picked up again.

Decision:

Cabinet approved, for onward submission to Council in September, the:

- 2020/21 Prudential and Treasury Indicators
- Treasury Management 2020/21 Outturn Report

Reasons for the decision:

It is a requirement of the CIPFA Code that the Council receives an annual Treasury Management Outturn Report.

Other options considered and rejected:

N/A

CA.132 ESTATES TRANSFORMATION: BURY HUB PROPOSALS - PHASE 1 HUMPHREY HOUSE - PART A

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report which proposed to close and sell Humphrey House, moving existing tenants to 3 Knowsley Place, and make adjustments to those facilities accordingly. In response to Member's questions, it was noted that the £500k investment in agile working was sufficient and was supported by wider pieces of work. Members welcomed the Brownfield suitability of the site and were hopeful it could be utilised for town centre housing.

Decision:

Cabinet:

1. Approved the disposal of Humphrey House and offer an alternative leasing option to the existing tenants as set out in this report.
2. Approved an increase to the capital programme of up to £500k to fund the works required to facilitate shared occupation of 3 Knowsley Place and a modern, flexible working environment.
3. Delegated the finalised terms of any revised leasing arrangements and commercial negotiations to the Director of Regeneration and the Section 151 Officer and Monitoring Officer.

Reasons for the decision:

- The Council has challenging savings targets to meet through the 'Let's Do It' transformation programme, 'Let's Do It Flexibly'
- There is an immediate opportunity to realise a significant saving by seeking to share the space we let. 3 Knowsley Place and 6 Knowsley Place have the potential to be shared with other public sector partners. This opportunity is time-bound because if Humphrey House is to be retained a major refurbishment programme would have to be funded in the very short-term to bring the building up to a modern standard.
- The implementation of agile working means that we do not expect staff to return to the office en-mass (subject to the evaluation of the model which will take place in December). However, we do expect teams and people to meet up regularly and to have spaces and areas that promote collaborative working.

- 3 Knowsley Place was fitted out 10 years ago as a standalone office building for Council workers – replacing a similar building Craig House on Bank Street in Bury. The current ground floor layout does not allow for multiple tenancy or provide spaces and areas that enable agile working, collaboration and teamwork.
- By moving into modern, efficient buildings, the NHS tenants will save on energy bills likely to be in the region of £24k per annum.

Other options considered and rejected:

- Advise the NHS Trusts that we are selling Humphrey House and ask if they would like to buy it. However, one Trust has already been advised of our existing use asset valuation and have not responded with an offer. The other two trusts have indicated they are content with the leasing option and are not seeking to acquire a property.
- Retain Humphrey House and offer the tenants new 5-year leases. This would require an immediate capital outlay of circa £900K to undertake urgent works (of which there is no budget currently), plus an estimated £200K p/a to maintain the building over the five-year period. The costs of undertaking the additional works would be roughly equivalent to the income generated through the current rental agreement.
- Advise the NHS Trusts that we are selling the building and ask them to vacate without offering them floorspace in 3 Knowsley Place. This option was rejected due to the availability of space within our Estate.
- The option of 'no-change' has been discounted on the basis that Pennine Care and Greater Manchester Mental Health Trust continuing to hold over on expired leases in a building which requires urgent modernisation is not an acceptable long-term option.

CA.133 LUF PROJECTS - PROCUREMENT UPDATE - PART A

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the report regarding the procurement of the main contractors for the Radcliffe Civic Hub and Bury Market Flexi Hall projects, having now been subject to a competitive tendering process which culminated in the receipt of multiple submissions, the details of which were set out in the Part B paper later in the agenda.

Decision:

Cabinet:

1. Noted progress to date on the development of the Radcliffe Civic Hub and Bury Market Flexi Hall projects, in line with the LUF bid procurement strategy and spending programme requirements;
2. Approved the contractor appointments to undertake design development and planning for both projects on behalf of the Council under preconstruction service agreements (the details of which are in the Part B paper); and
3. Noted that update reports will be presented to Cabinet upon completion of each RIBA Stage.

Reasons for the decision:

- The Radcliffe Strategic Regeneration Framework (SRF) was adopted in September 2020 as the Council's policy for the future regeneration of the

town. The development of a Hub in Radcliffe's town centre is integral to the SRF's aims, and access to monies from the Levelling Up Fund is crucial to the delivery of the hub.

- In Area policy BY6 - Central Shopping Area, the current development plan states that the Council will encourage and support proposals for retailing and appropriate ancillary retail uses within Bury town centre's central shopping area.
- In Area policy S1/1 - Shopping in Bury Town Centre, the Council will protect, maintain, and enhance the role of Bury Town Centre as a subregional shopping centre and promote the centre as a focal point for further development. In particular, the Council will support the expansion of the centre through the development of additional comparison shopping floorspace, complementary non-food retail warehousing and speciality shopping.

Other options considered and rejected:

Undertake all duties required to complete RIBA Stages 2-4 and go out to the market via a traditional tender route. This approach is not feasible due to limited internal resource to manage all design and planning activities. Moreover, the timescales required to fulfil these duties and follow a compliant traditional tender route would not enable compliance with the LUF spending criteria a programme.

CA.134

**BURY CORPORATE PLAN PERFORMANCE AND DELIVERY REPORT
QUARTER ONE 2021-22 DELIVERY UPDATE**

Councillor Tahir Rafiq, the Cabinet Member for Corporate Affairs and HR, presented the report which provided a summary of key performance and delivery in each department during quarter 1 2021-22. In response to Members' questions, it was noted that sickness rates had decreased but were still high owing to the impact of Covid related issues. Staff turnover was above target and was being looked into via exit interviews. Figures could be provided regarding where rates were highest and it was noted that initiatives like the Real Living Wage later on in the agenda would help improve staff morale and hopefully reduce staff turnover. With regards to collection rates of Council Tax and Business Rates, these were expected to improve over the course of the year, though would continue to be impacted from the effects of Covid.

Decision:

Cabinet:

1. Noted the performance and delivery towards the 2021/22 Corporate Plan delivery objectives;
2. Noted the spotlight on inequalities data and performance management;
3. Noted the ongoing developments to strengthen and improve this reporting process and functionality.

Reasons for the decision:

To measure and acknowledge progress towards the 2021/22 Corporate Plan delivery objectives.

Other options considered and rejected:

N/A

CA.135 ESTABLISHING THE BUSINESS AND EXECUTIVE SUPPORT SERVICE

Councillor Tahir Rafiq, the Cabinet Member for Corporate Affairs and HR, presented the report which detailed proposals to establish a single Business and Executive Support Service as part of the Corporate Core Department. This would be a fundamental change to how administrative services are provided in Bury, seeking to achieve consistency and improved performance, through a review of resources across the Council and a modernisation of processes and ways of working.

In response to Members' questions, it was noted that although making changes to people's jobs was always difficult, vacancies were being deleted and the use of agency workers reduced to secure savings without impacting permanent staff. Holding clear, consistent roles within the Council would secure good quality employment with clear prospects and longevity, serving both the organisation and its staff. With regards to sickness absence, it was noted that sicknesses were being reported but holding figures in a centralised system would be a more efficient reporting method.

Decision:

Cabinet:

1. Note the advice from external strategic partners, Ameo.
2. Agree the establishment of a central Business and Executive Support function within the Corporate Core Department and under the leadership of the Director of People and Inclusion.
3. Agree the overall proposed structure set out in Appendix A as a basis for consultation with staff.

Reasons for the decision:

As well as delivering savings and improved performance these proposals seek to support staff through the creation of clear career pathways, increased resilience, reduced siloed working and a new service with a positive culture which aligns with the Let's Do It principles. Savings will, on the whole, be delivered through the deletion of funded vacancies, cessation of fixed term contracts and a substantial reduction in the reliance on Casual and Agency workers. The impact on substantively employed staff will be minimised. Whilst there will be changes in grades, job descriptions and ways of working the proposal as drafted are not envisaged to result in any redundancies for permanent employees.

Other options considered and rejected:

This change has been informed by external advice and enabled through a reduction in demand due to agile working and the introduction of improved technology. The detailed proposals have been informed by engagement with both Business Support staff and Council managers.

CA.136 REAL LIVING WAGE IMPLEMENTATION

Councillor Tahir Rafiq, the Cabinet Member for Corporate Affairs and HR, presented the report which sought Cabinet's approval to implement the necessary steps to pay the living wage and progress formal accreditation via the Living Wage Foundation. It included a detailed analysis of projected costs over future years and set-out the proposed approach to meeting these costs.

Members were supportive of the report, noting in particular the uplift this would give to carers and their families, giving them the recognition, support and thanks they deserve. In response to Members' questions, it was noted that when contracts were being procured or renewed this would be part of those discussions. The Council was setting a standard it would hold to during commissioning negotiations, it would take an appropriate view dependent on the individual circumstances.

Decision:

Cabinet:

1. Agreed that an additional payment should be made to Council employees at grades 1 to 4 via a non-consolidated supplement to align the Council's lowest point of pay for substantive employees to the Real Living Wage and that this change should be backdated to April 2021 and reviewed annually as part of the Council's Pay Policy Statement. (Section 3.1);
2. Agreed that the Council should seek to apply the above changes to staff employed in Local Authority maintained schools and commend payment of the Living Wage to other Bury schools. (Section 3.1);
3. Agreed that the lowest point of pay for agency staff engaged by the Council should be aligned with the lowest point of pay for substantive Council employees and hence the Living Wage. (Section 3.1);
4. Agreed the model for application of the Living Wage to commissioned Adult Social Care staff over a three-year period and ongoing maintenance of this payment. (Section 3.2);
5. Agreed that the Council should seek to ensure application of the Living Wage to other commissioned providers in-scope through the contract review process over the coming three years. (Section 3.3);
6. Agreed that the Council should look to formally commend payment of the Living Wage to its partners and other employers within the borough. (Section 3.4);
7. Noted the overall projected cost of Living Wage accreditation over the next five years of £5.487M and agree that the required funding as yet to be identified of £3.585M be built into the Council's Medium Term Financial Strategy (Section 4); and
8. On the basis of the detail contained within this report, agreed to progress formal accreditation as a Living Wage employer.

Reasons for the decision:

As part of the 2021/22 budget setting process, Council agreed that work should progress with the aim of working towards the organisation becoming an accredited Living Wage employer. In agreeing to this work, Council recognised the significant impact Living Wage accreditation could bring through the Council's role as an employer and commissioner within the borough as well as through the Authority's position as a wider civic influencer.

Other options considered and rejected:

None; this report reflects detailed work over recent months to develop a robust approach to payment of the Living Wage for both staff and providers.

It was agreed:

Minutes of the Greater Manchester Combined Authority meetings held on 28 May and 25 June 2021 be noted.

CA.138 EXCLUSION OF PRESS AND PUBLIC

Decision:

That the press and public be excluded from the meeting under Section 100 (A)(4), Schedule 12(A) of the Local Government Act 1972, for the reason that the following business involves the disclosure of exempt information as detailed against the item.

CA.139 ESTATES TRANSFORMATION: BURY HUB PROPOSALS - PHASE 1 HUMPHREY HOUSE - PART B

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the Part B report which set out the financial details for the Estates Transformation work.

Decision:

Cabinet:

1. Approved the disposal of Humphrey House and offer an alternative leasing option to the existing tenants as set out in this report.
2. Approved an increase to the capital programme of up to £500k to fund the works required to facilitate shared occupation of 3 Knowsley Place and a modern, flexible working environment.
3. Delegated the finalised terms of any revised leasing arrangements and commercial negotiations to the Director of Regeneration and the Section 151 Officer and Monitoring Officer.

Reasons for the decision:

As set out for the Part A report.

Other options considered and rejected:

As set out for the Part A report.

CA.140 LUF PROJECTS - PROCUREMENT UPDATE - PART B

Councillor Eamonn O'Brien, the Leader of the Council and Cabinet Member for Finance and Growth, presented the Part B report which set out the details of the submissions received regarding the procurement of the main contractors for the Radcliffe Civic Hub and Bury Market Flexi Hall projects.

Decision:

Cabinet:

1. Noted progress to date on the development of the Radcliffe Civic Hub and Bury Market Flexi Hall projects, in line with the LUF bid procurement strategy and spending programme requirements;
2. Approved the contractor appointments to undertake design development and planning for both projects on behalf of the Council under

- preconstruction service agreements (the details of which are in the Part B paper); and
3. Noted that update reports will be presented to Cabinet upon completion of each RIBA Stage.

Reasons for the decision:

As set out for the Part A report.

Other options considered and rejected:

As set out for the Part A report.

COUNCILLOR E O'BRIEN

Chair

(Note: The meeting started at 6.05 pm and ended at 7.25 pm)