

Minutes of: CABINET

Date of Meeting: 16 November 2022

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

Also in attendance: Councillor R Bernstein, Leader of the Conservative Group
Councillor M Smith, Leader of Radcliffe First
Geoff Little, Chief Executive
Jacqui Dennis, Monitoring Officer
Sam Evans, Section 151 Officer
Kate Waterhouse, Chief Information Officer
Jeanette Richards, Director of Children's Services
Liz Cook, Director of Housing
Jon Hobday, Public Health Consultant
Julie Gallagher, Democratic Services

Public Attendance: 2 members of the public were present at the meeting.

Apologies for Absence: There were no apologies for absence.

CA.79 APOLOGIES FOR ABSENCE

There were no apologies received.

CA.80 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.81 PUBLIC QUESTION TIME

The following question was submitted in advance of the meeting but after the deadline:

Bury Council published the Climate Strategy and Climate Action Plan in summer 2021 with the promise to establish a Climate Action Board to oversee the progress made against the action plan. Does the Council intend to publish an update on the progress against the original targets for each action in the plan? **Glyn Heath**

Responding, Councillor Quinn reported that the Climate Action Strategy and Action Plan were adopted in October 2021 and a Climate Action Board has been set up as promised. We are currently in the process of producing an annual update of the Climate Action Plan that will detail progress against the planned actions. This should be ready to publish in the next few months.

The following question was submitted in advance of the meeting but after the deadline:

We have received complaints from residents about cars parking on the footpath at the side of the Post Office on Walmersley Road. This practice makes it unsafe for

pedestrians, particularly the elderly and disabled. Traffic wardens do not seem to patrol in this area - is there anything that can be done? **Charlie Allen**

Responding, Councillor Quinn reported that as there are highway restrictions then we are able to enforce the highway up to the back of the footway. The Council have asked that NSL (Parking service) to list the area for additional enforcement.

CA.82 MEMBER QUESTION TIME

There were no Member questions.

CA.83 MINUTES

It was agreed:

That the minutes of the meeting held on 19th October be approved as a correct record and signed by the Chair.

CA.84 QUARTER 2 MONITORING REPORT

Councillor Gold presented the Quarter two Financial monitoring report. The report outlines the forecast financial position of the Council at the end of 2022/23 based on the information known at the end of the second quarter, 30th September 2022. The report sets out the position for both revenue and capital and provides an analysis of the variances, both under and overspending.

Members discussed the information and, in response to Members' questions, the following was noted:

- With regards to the progress of the Council's Capital projects; following formulation and inclusion in the budget process further work is undertaken and more detailed proposals are progressed. The detailed proposals will take account of external factors that may affect their progression including; inflation/supply chain issues.
- The Leader gave an assurance that further information in respect of the Capital programme will be shared at a future Cabinet meeting.
- The proposed savings in relation to the Admin buildings project; the Section 151 Officer reported that staff have now vacated Whittaker Street generating a part year saving; staff will vacate Humphrey House in next financial year, any savings in relation to this will not be realised until the next financial year.
- Savings predicted in relation to procurement continue to be monitored but may be allocated to departments. Star Procurement have been brought in to undertake a review of the Council's current procurement arrangements.
- There is a £2.5 billion overspend across all local authority areas.
- Members were notified that a report on the progress of transformation will be a December Cabinet item.

Recommendation(s)

1. To note the forecast overspend of £2.554m within the revenue budgets at quarter 2 and the need for Directorates to continue to work with their finance managers to maintain tight budgetary control and to ensure services work within their budgets;
2. To note that this overspend does not reflect the estimated £1.600m additional cost of the pay increase over and above what was already budgeted and set aside within reserves at last year end.
3. To note the position on the Dedicated Schools Grant, Collection Fund and the Housing Revenue Account;
4. To note the underspend of £0.144m on the capital programme;
5. To approve the additions of £0.239m and reductions of £4.596m to the capital programme;
6. To approve re-phasing of the capital programme from 2022/23 into 2023/24 and 2024/25 financial years of £85.225m from the current programme.

Reasons for recommendation(s)

To ensure the Council's budgetary targets are achieved.

Alternative options considered and rejected

This report is in accordance with the council's financial procedure regulations.

CA.85 TREASURY MANAGEMENT UPDATE

Councillor Gold, Cabinet member for Finance and Communities presented to Members of the Cabinet a Treasury Management update. The Cabinet Member reported that it is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the half year ended 30th September 2022, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2022/23. The Director of Finance reports that no difficulties are envisaged for the current or future years in complying with these indicators.

In discussions that followed the following questions and comments were raised:

The Section 151 Officer reported that Manchester Airport would be charged late payment interest on their outstanding loan.

Recommendation(s)

Cabinet is asked to note the report.

Reasons for recommendation(s)

It is a requirement of the CIPFA Code that the Council receives an annual Treasury Management Outturn Report. It is good practice to also produce a mid-year report.

CA.86 BURY CORPORATE PLAN PERFORMANCE AND DELIVERY REPORT QUARTER ONE AND TWO 2022-23

Councillor Rafiq, Cabinet Member for Corporate Affairs and HR presented to Members an overview of the Bury Corporate Plan Performance and Delivery Report for Quarters One and Two 2022-23. The report provides a summary of the key delivery and performance outcomes that occurred during Quarter One and Two 2022-23, aligned to the 3R priorities.

The Cabinet Member reported that each quarterly report, includes a spotlight on an area of delivery, performance or intelligence to supplement acknowledgement of progress towards the 2022-23 Corporate Plan objectives. This quarter the focus is on the data available to assess the cost-of-living position for Bury.

In discussions that followed the following questions and comments were raised:

- Councillor Bernstein asked to further understand the cost of living issues in the Borough whether more work could be undertaken to map why there has been an increase in the number of Universal Credit claimants and the reduction in the numbers claiming Council tax support.
- With regards Education Healthcare Plans, the local offer is published online, parents can self-refer however the majority are instigated and developed together with the Local Authority, Health partners, Schools and Parents.

Recommendation(s)

That Cabinet:

- Note the performance and delivery against the 3R priorities and the 2022-23 Corporate Plan delivery objectives
- Note the spotlight on the data available to assess the cost-of-living position for Bury
- Note the ongoing developments to strengthen and improve this reporting process and functionality

Reasons for recommendation(s)

This report continues our commitment to “strengthening the basics” by embedding the corporate business planning process across all the work of the Council and NHS Bury Integrated Care Partnership (ICP). This will allow for more effective performance management at organisation, departmental and officer level.

Alternative options considered and rejected

No alternative option considered.

CA.87 PROPOSED REDEVELOPMENT OF FLETCHER FOLD FOR THE DELIVERY OF SPECIALIST ACCOMMODATION FOR OLDER PEOPLE INCLUDING THOSE WITH LONG TERM CONDITIONS

Councillor Cummins, Cabinet member for Housing Services attended the meeting to update Members on the proposal to redevelop the Fletcher Fold site.

In March 2022, Cabinet approved in principle a proposal for Six Town Housing to redevelop this site for general needs affordable housing, a mix of affordable rent and shared ownership.

The proposed course has since been reviewed and presented to Cabinet is a revised proposal for this site which will meet the Council's broader aims.

In August 2022, the Council procured a Registered Provider Partnership Framework, to maximise the delivery of affordable housing including specialist accommodation on Council owned land. Six registered providers have been appointed to the framework. This report seeks approval to dispose of Fletcher Fold to a registered provider on the framework, for the delivery of a low carbon, specialist affordable housing scheme for older people including those with long term conditions such as a learning disability, to facilitate delivery of the Housing Strategy and generate savings to the adult social care budget.

In discussions that followed the following questions and comments were raised:

- Councillor Cummins confirmed that this development will be community focused and residents at Millwood Court would be consulted on the plans for the site.
- Responding with regards to the change of direction for the site; the Chief Executive reported that the recruitment of a new Director of Housing and a detailed analysis of the health and housing need in the Borough has informed the decision to re-purpose the site.
- Councillor Cummins confirmed that the Council's preference is for social rent properties.

Recommendation(s)

That Cabinet:

1. Approve the proposals for the disposal and redevelopment of Fletcher Fold as set out within this report, to expedite delivery of the priorities within the Housing Strategy.
2. Delegate the finalised terms of this disposal to the Council's Section 151 Officer, Head of Legal Services and the Director of Housing, in consultation with the Cabinet Member for Housing Services.

Reason for recommendation(s)

- Facilitate the Councils 'brownfield first' approach to housing delivery and reduce revenue costs for holding, maintaining and securing long-term disused sites.
- Delivery of much needed, low carbon affordable homes for older people including those with long-term conditions, to reduce the need for more costly interventions and relieve pressures on housing waiting lists.
- Considerable benefits in health and community care with substantial savings on out of Borough placements and the Council's adult social care budget.
- Promote innovation and ensure that the Council meets the obligations of the best value requirements of s123 of the Local Government Act 1972.
- Retain Brownfield Housing Funding Grant allocated to this site.
- Create wider social, environmental and financial benefits including additional council tax revenue and the potential to generate a capital receipt.

Alternative options considered and rejected

1. Do nothing: Bury has high levels of need for specialist affordable housing and supply is required in the marketplace immediately. This is a brownfield site suitable for specialist housing in an area of high demand, to do nothing would not be an option.
2. Market the site: This option has been discounted as an affordable housing scheme for older people would not be delivered by a private developer in the current housebuilding marketplace.
- 3 Permit STH to redevelop this site for affordable housing, as per the original proposal set out within the Cabinet report dated 9 March 2022: This option has been rejected taking account of the factors outlined in section 7 of the report. In addition, it would preclude other registered providers on the new framework from having the opportunity to bid to redevelop this site and, prevent the Council from obtaining best value for the land in accordance with the requirements of s123 of the Local Government Act 1972.

CA.88 EAST LANCASHIRE PAPER MILL SITE UPDATE - PART A

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth and Skills, provided Members of the Cabinet with an update on the proposals for the East Lancashire Paper Mill

The Leader reported that the Council has been working in partnership with Homes England since 2016, the Council has now entered in to a Collaboration Agreement with Homes England which will see Bury's land transferred to Homes England for onward lease with Morris Homes.

This report provides an update to the March 2022 Cabinet Paper 'East Lancashire Paper Site Update' and sets out changes in the original offer approved by Cabinet, resulting from a change in market conditions and viability appraisals.

Members discussed the proposals and the following comments and issues were raised:

- The Leader reported the decision to change the proposal would ensure that the Council receives a greater subsidy.
- It is proposed that the site will have a mix range tenure but this is to be determined. Proposals to be considered at the Planning Committee in December 2022.

Recommendation(s)

That Cabinet:

1. Agrees to the revised land value offer received by the Council and Homes England in October 2022, which will result in a reduced capital receipt from Morris Homes (North) Ltd based on a deferred payment basis.
2. Notes the delivery of 25% Affordable homes provision will now be undertaken via a standard S.106 agreement.
3. Notes the extensive partnership work with Homes England (as major land owner) and Morris Homes that has enabled an ambitious delivery schedule to be maintained which will result in housing, improved open space and replacement cricket facilities.
4. Delegate the finalised terms of the land sale agreement to the Executive

Director of Place in consultation with the Cabinet Member for Finance, S151 Officer and Monitoring Officer.

Reasons for the decision:

To ensure that Cabinet are kept fully informed on progress regarding the delivery of the East Lancashire Paper Mill site working in collaboration with Homes England and Morris Homes as the preferred bidder.

To ensure Cabinet are aware that the previous Section 73 application made on viability grounds has been withdrawn on the basis that the scheme is deemed viable without the need for Homes England funding.

In light of the above, to ensure approval is in place for agreeing a revised land value offer and Cabinet are appraised of the capital receipt which continues to offer the Council the most attractive financial proposition.

Other options considered and rejected:

The other option considered and rejected is set out in the Part B report.

CA.89 SALE OF NEW SUMMERSEAT HOUSE, RAMSBOTTOM - PART A

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth and Skills, reported the results of a recent tender exercise for the sale of New Summerseat House. The site is part of the Accelerated Land Disposal Programme and has been vacant for many years. The sale will bring forward the restoration of this listed building, end problems caused to local residents by the empty building attracting anti-social behaviour and remove ongoing liabilities to the Council for security and maintenance.

Recommendations:

That Cabinet:

1. Notes the results of the tender exercise for the sale of New Summerseat House.
2. Approves the grant of a 250 year lease to the selected purchaser.
3. Delegate the signing of all contracts required to complete the grant of the lease to the Director of Law and Democratic Services.

Reasons for recommendation(s)

To bring forward the sale of New Summerseat House.

CA.90 OFSTED MONITORING VISIT

Councillor Lucy Smith, Cabinet Member for Children's Services presented an overview of the findings from the recently undertaken Ofsted visit. An accompanying Ofsted Monitoring letter had been circulated to Members ahead of the meeting. The visit took place on the 12th and 13th of October 2022.

The Cabinet Member reported that this is the Second monitoring visit and the first to be published on the Ofsted website following Children's Services receiving an overall judgement of inadequate on the 17th December 2021.

Recommendation(s)

1. That the findings of the monitoring visit be noted by Cabinet.
2. That Cabinet note the progress made.
3. That Cabinet note the breadth of assurance mechanisms in place to

support/challenge and scrutinise the impact of improvement activity upon outcomes for children and families and therefore recommend to Council that the requirement for Chief Executive provide verbal monthly updates to cabinet is no longer required.

Reasons for recommendation(s)

The headline findings from Inspectors indicate that the strategic approach and improvement activity has delivered progress, though there is much more to do to consistently improve outcomes for children and families in Bury.

There is a comprehensive assurance system around Improvement activity both within Bury and via external Scrutiny from the DfE

Council agreed a motion on the 19th January 2022 requesting the Chief Executive provide a monthly update to Cabinet on the progress of the improvement plan. Cabinet is now asked to recommend to Council that this is no longer required due to the range of other reporting mechanisms in place as set out in the body of this report.

Alternative options considered and rejected

Consideration was given to whether to continue with monthly verbal update reports to Cabinet however following review of the mechanisms in place to track and share progress this was discounted.

CA.91 BURY COST OF LIVING AND ANTI-POVERTY APPROACH

The Cabinet Member For Finance and Communities presented to members an overview of the Council's cost of living and anti-poverty approach. and the proactive and targeted approach we are taking as part of the strategy. Given the increasing cost-of-living pressures, the paper outlines the ongoing challenge and impacts along with the approach being taken to deliver the local anti-poverty strategy.

- Councillor Smith commended the report for including support for energy bills for care leavers and that work is ongoing to support foster carers to enable them to get assistance.
- With regards to supporting the long term unemployed in to work, Councillor Morris reported that the Cabinet are working to develop and Economic Development Strategy as well as an all age skills strategy.

Recommendation

That the Cabinet

- Notes the significant impacts of the increase in the Cost of Living on local residents, and that the impacts are disproportionately affecting certain groups within the community.
- Endorse and approve the actions that have taken place, and that are planned as part of the anti-poverty strategy, including the proposals in relation to the use of the Household Support Fund.

Reasons for recommendation

The Paper sets out the wider context and the impact the cost of living is having on Bury residents. Local data and insight has been used to inform the local approach and shape the proposals related to the Household Support Fund (HSF). This local insight has helped to inform our approach to responding to this issue effectively and

efficiently, ensuring we utilise resources in a way which has a maximum impact on our residents, and a focus on reducing inequalities.

Alternative options considered and rejected

The approach has been evidence based and developed with local partners and networks to align existing and future activity and to build on existing strengths. The approach both aligns to our local strategy and action plan and the wider work across Greater Manchester. A series of long, medium- and short-term actions are identified within the plan which we are delivering on and we continue to engage with partners, communities and people with lived experience to ensure the approach is right and supporting those most in need.

CA.92 FREEDOM OF THE BOROUGH

The Leader reported at a meeting of the Democratic Arrangements Forum held on 3rd November 2022 Group Leaders considered the following nominations for Freedom of the Borough:

- Roy Walker – Nominated by Councillor Bernstein on behalf of the Conservative Group and Councillor Yvonne Wright.
- Trevor Holt – Nominated by the Labour Group
- Dorothy Gunther – Nominated by Councillor Bernstein on behalf of the Conservative Group
- Itzik Alterman – Nominated by Councillor Bernstein on behalf of the Conservative Group and Supported by Councillor Richard Gold
- Akram Baig – Nominated by the Labour Group.

The Group Leaders agreed to progress these nominations and seek further information in relation to the bestowing of the title of Freedom of the Borough on the premiership footballer, Kieran Trippier.

Recommendation(s)

The Democratic Arrangements Forum recommends to Cabinet with onward consideration at Council that all five nominations be progressed and an expediated ceremony be arranged for former Councillor, Roy Walker in December 2022 and a further ceremony for the remaining nominees, including Kieran Trippier, in January 2023.

Reasons for recommendation(s)

Group Leaders agreed that the five nominees be progressed to recognise their achievements as well as their exceptional service.

Alternative options considered and rejected

An additional nomination was considered but Group Leader

CA.93 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY

It was agreed:

That the minutes of the Greater Manchester Combined Authority meeting held on 30th September be noted.

CA.94 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.95 EAST LANCASHIRE PAPER MILL SITE UPDATE - PART B

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth and Skills, presented the report which provided the full financial details.

Recommendation(s)

That Cabinet agrees the recommendations as set out in the report.

Reasons for the decision:

As set out in the Part A report.

Alternative options considered and rejected:

As set out in the Part A report

CA.96 SALE OF NEW SUMMERSEAT HOUSE, RAMSBOTTOM - PART B

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth and Skills, presented the report which provided the full financial details.

Recommendations

That Cabinet agrees the recommendations as set out in the report.

Reasons for the decision:

As set out in the Part A report.

Alternative options considered and rejected:

As set out in the Part A report

COUNCILLOR E O'BRIEN

Chair

(Note: The meeting started at Time Not Specified and ended at Time Not Specified)