

Minutes of: CABINET

Date of Meeting: 5 October 2023

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

Also in attendance: Councillors M Smith, J Lancaster, J Rydeheard and D Vernon

Public Attendance: One member of the public was present at the meeting.

Apologies for Absence: Councillor T Tariq and Councillor R Bernstein

CA.57 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Tamoor Tariq and Councillor Russell Bernstein, who was substituted by Councillor Jo Lancaster.

CA.58 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.59 PUBLIC QUESTION TIME

There were no public questions.

CA.60 MEMBER QUESTION TIME

The following question was submitted in advance of the meeting by Councillor Jack Rydeheard:

Following Bury Labour's attempt to change the Places for Everyone Plan, despite their acknowledgement on 21st July 2021 at Cabinet that they couldn't make changes to the plan after submitting it, are the "around 1,000" homes that they claim to have "found" in Bury town centre coming out of any of the other greenbelt allocations or is the Council's plan still to build excessively on all available greenbelt, particularly around Walshaw?

Responding, Councillor Eamonn O'Brien reported that on 21 July 2021, Cabinet approved the Publication Places for Everyone for consultation. At that meeting, it was noted that the Council were unable to make changes to the plan once it was submitted but the Planning Inspectors can make alterations.

After the Plan was submitted, new opportunities for housing in Bury and Radcliffe town centres were identified that were not confirmed at the time the Plan was submitted. These new opportunities were identified following extensive work on town centre masterplanning and the acquisition of the Mill Gate estate.

In light of this evidence, Cabinet considered the options and authorised officers to request a main modification to Places for Everyone to remove the proposed housing allocation at Walshaw.

The request for a main modification to remove the site at Walshaw was submitted to the Inspectors and further representation was made at the hearing sessions.

However, the Inspectors have considered the submitted evidence and discussions at the hearing sessions and have concluded that the requested modification to remove the Walshaw site is not necessary to make the plan sound and that the site should remain in the Plan along with the other proposed housing sites.

Whilst this conclusion is disappointing, it is considered that, on balance, this is outweighed by the benefits that come with continuing to participate in the joint plan, including having a housing target that is around 2,300 less than would otherwise be required.

A further supplementary question was submitted:

I'm confused as to why the Council's position is still to build excessively on the greenbelt, including Walshaw's. By default the Council voted to submit the Plan to the Independent Planning Inspectorate, having acknowledged that after it did so it couldn't then change it. I draw your attention to Bury Labour literature, which says: "successfully campaigned to take Walshaw out of the Greater Manchester Housing Plan". Obviously that's not happened. Will you admit your possible intent to mislead residents in this year's election campaign and apologise?

Councillor O'Brien reported that no one sought to mislead anyone in the election campaign. The leaflet referred to successfully developing the argument for the main modification and putting it to the Planning Inspectorate. People in Elton elected a Labour Councillor as they saw the effort put in on a range of issues, including this, to try and influence the Plan in the proper process by applying for a main modification.

The Planning Inspectorate has to follow Central Government planning policy and, following those rules, they have refused the modification and kept the Walshaw site in the Plan. We are disappointed by that but still support the overall PfE Plan as the alternative would put more sites at risk of development through planning by appeal, and all without guarantees, protections, and planning for infrastructure. Ultimately, the Plan will come back to Full Council for a final decision.

We have been clear with our decisions and our campaign about what we are trying to achieve. It was the decision of the government appointed Planning Inspectorate to keep the Walshaw site in. I am confident in the integrity of every single member of Bury Labour, and endorse their campaigns trying to get the best of plan like this, understanding the realities and not trying to mislead people.

CA.61 MINUTES

It was agreed:

That the minutes of the meeting held on 6 September 2023 be approved as a correct record.

CA.62 PLACES FOR EVERYONE: A JOINT DEVELOPMENT PLAN DOCUMENT FOR 9 GREATER MANCHESTER LOCAL AUTHORITIES (BOLTON, BURY, MANCHESTER, OLDHAM, ROCHDALE, SALFORD, TAMESIDE, TRAFFORD AND WIGAN) - PROPOSED MODIFICATIONS CONSULTATION

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which updated Members on the progress of Places for Everyone Plan: A Joint

Development Plan Document for nine Greater Manchester Local Authorities (PfE) and sought approval to consult on proposed modifications to the Plan. It was noted that the alternative option was to not approve the proposed modifications for consultation, and that the final decision on the Plan would come to Full Council in due course.

Councillor Dene Vernon, Chair of the Overview and Scrutiny Committee, confirmed that Scrutiny had met to review the report and had an informative and wide ranging discussion. This had included opportunity for public to ask questions and express their viewpoints. Assurances were given that Greater Manchester Ecology Unit had provided expert witnesses and that consultation feedback would go back to the Planning Inspectorate for consideration. The Scrutiny Committee noted the Council agreement for Cross Party Group to look at a Local Plan and agreed for this to be expedited.

Members discussed the report, including the following points:

- Members noted the advantage it would give in securing highly skilled jobs and apprenticeships and transport links to those sites, and the serious need for new and affordable housing stock to enable more people to own their own home.
- It was noted that recreation sites like playing pitches were protected, so if any were identified for development sites they would be replaced on a like-for-like basis.
- The cost of the process was born collaboratively by the 9 Local Authorities, and this work and those costs would still be required if Bury were developing its own Local Plan.
- It was understood that Stockport had received applications for developments on Green Field land, one of which had gone to appeal. The Leader noted the need to be proportionate about risk, but confirmed that not having a Plan put sites at risk, including those in Green Belt, and adopting this Plan would enable the Council to redirect developers to more appropriate sites.
- It was noted that, while Government targets were not mandatory, written guidance stated they were a 'minimum' and previous submissions had been rejected for not being ambitious enough. The report on the agenda today was regarding modifications to the Plan, but in theory a Full Council decision could be taken at any time to pull out of PfE. That, however, would put Bury in a worse position in protecting sites as PfE had enabled Bury to shift a significant proportion of the housing allocation to other boroughs.
- Councillor Morris expressed her disappointment that Walshaw was not removed from the Plan but advised that she still supported the Plan overall and would continue to lobby for Walshaw to be removed. It was noted that the additional housing site identified was still included in Bury's allocation but that the overall allocation was still lower than it would be outside of PfE.
- Finally, assurances were given that the consultation would be in accordance with the Gunning Principles, with evidence that the Planning Inspectorate listened to the public's feedback.

Decision:

Cabinet:

1. Noted progress made in respect of the Places for Everyone Joint Development Plan;
2. Agree that the modifications to Places for Everyone (Main, Additional and those relating to the policies map), and associated supporting background documents

be subject to a period of representations for a period of 8 weeks commencing no earlier than 9 October 2023; and

3. Agree the next steps for the production of Places for Everyone (section 15).

Reasons for the decision:

To ensure continued progress towards the adoption of the Places for Everyone Joint Development Plan as a key part of Bury's statutory development plan.

Other options considered and rejected:

To not approve the proposed modifications for consultation and to withdraw from Places for Everyone. However, this option is rejected on the basis that the Council would be unable to benefit from this opportunity to meet its statutory requirement to have an up to date development plan in place in the short-term. This would leave the Borough open to speculative and unplanned development with insufficient supporting infrastructure. Furthermore, as a joint plan of nine Greater Manchester districts, Places for Everyone has allowed for the redistribution of housing needs across the Plan area. As a result, Bury's housing target in the Plan is over 2,300 (24%) less than what would be required outside of the joint plan process using the Government's standard methodology. Therefore, withdrawing from Places for Everyone to pursue an alternative plan could result in Bury requiring a higher housing target and lead to the need for more Green Belt release.

CA.63 BURY LOCAL TRANSPORT STRATEGY

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which detailed the results of the draft Bury Local Transport Strategy consultation and sought approval for the final Strategy to be adopted and published to guide investment in transport improvements and future funding bids.

It was noted that the key issues were those of: poor quality of the existing network, which the GM Bee Network would address through better integration of bus systems with accountability to Local Authorities; safety and security for transport users, which would be taken into account when services and improvements were designed; and the tensions between car use and other modes of transport, with the Strategy supporting all modes of transport and ensuring residents had better choice for their journeys.

Members discussed the report, noting the discrepancies in London transport systems and their funding and that for Northern cities. It was noted that some journeys were necessary by car and that this Strategy was not oppositional to motorists. By giving better public transport alternatives residents would have greater choice and, by users using public transport when possible, congestion would reduce.

Decision:

Cabinet:

1. Noted the key themes raised in response to the consultation on the draft Bury Local Transport Strategy;
2. Accepted the post-consultation amendments;
3. Approved the revised Bury Local Transport Strategy as the final version to be adopted and published to guide investment in transport improvements over the next 10-15 years, inform future funding bids and make the case for investment in transport infrastructure and services in Bury; and
4. Noted the level of funding already secured or available to deliver elements of the Strategy up to March 2027.

Reasons for the decision:

The Bury Local Transport Strategy will guide investment in transport improvements over the next 10-15 years, inform future funding bids and make the case for investment in transport infrastructure and services in Bury.

Other options considered and rejected:

No other options were considered/were applicable.

CA.64 INSURANCE TENDER PROCESS AND AWARD OF CONTRACT

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which sought endorsement and approval for the procurement of the relevant Insurance Programme contracts due to commence on 1 April 2024 via an insurance Broker.

Decision:

Cabinet:

1. Approved the undertaking of the necessary procurement, via an insurance broker, of the relevant Insurance Programme contracts;
2. Delegated authority to the Executive Director of Finance (S151 Officer), in consultation with the Cabinet Member for Finance and Communities, to undertake a tender process to ensure that appropriate Insurance arrangements are in place for the activities of the Council; and
3. Requested a report back to Cabinet on the results of the procurement exercise seeking authorisation of the award of contracts to the successful bidders and delegation of authority to the Executive Director of Finance and the Council's Monitoring Officer, after consultation with the Cabinet Member for Finance and Communities, to take the necessary actions required to implement that decision.

Reasons for the decision:

It is recommended the Council proceeds with a tender exercise to procure a new insurance programme. There is no option for a further extension of the existing arrangement. Proceeding without insurance cover is not recommended as the Council would risk significant claims spend – particularly if a total property loss was to be suffered. Completing a tender exercise will allow the Council to explore all available market options, which is considered advantageous whilst the insurance market remains unsettled. The market has hardened since Covid-19 due to global uncertainty and limited investment opportunities, making re-insurance more expensive.

Other options considered and rejected:

When the policies expire on 31st March 2024, the Council has only one alternative option – to do nothing and self-insure without additional insurance cover.

CA.65 BURY AND ROCHDALE YOUTH JUSTICE ANNUAL PLAN 2023-2024

Councillor Lucy Smith, Deputy Leader and Cabinet Member for Children and Young People, presented the report which provided a summary of the Bury and Rochdale Youth Justice Service (YJS) Annual Plan 2023-2024 which will be presented to Council for approval in November. In future years this would be considered by Scrutiny before being commended directly to Council.

Decision:

Cabinet commended the adoption of the Youth Justice Plan to Council.

Reasons for the decision:

The YJS annual plan is a statutory requirement to set out the priorities for the year ahead to support young people both to avoid entry into the criminal justice system as well as to work to support young people within the system to achieve improved outcomes and avoid repeat offending.

Other options considered and rejected:

Not applicable.

CA.66 AWARDING OF FROZEN FOOD CONTRACT TO A SUPPLIER ON BEHALF OF CATERING SERVICES

Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which regarding the award of the frozen food supply contract providing school meals across the borough.

Decision:

Cabinet authorised the award of the frozen food supply contract to JJ Food Services from 06/10/23 to 03/09/25 with 2 options to extend for an additional 12 months (2+1+1).

Reasons for the decision:

JJ Food Service achieved the highest scores across the three criteria as to cost, quality, and social value/ sustainability . It is therefore best placed to meet the needs of the catering provision as well as supporting the Council's strategic priorities and meeting the relevant governance and legal requirements.

Other options considered and rejected:

The Schools Catering team could revert to the AGMA (Association of Greater Manchester Authorities) preferred supplier, to which Bury Council can access; Dunster's Farms, however using Dunster's would not represent best value or quality as they achieved the lowest overall score of the five bidders who submitted bids in the Council's tendering exercise.

CA.67 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 28 July 2023 be noted.

CA.68 URGENT BUSINESS - STRATEGIC HOUSING REVIEW - FUTURE MANAGEMENT AND MAINTENANCE OF COUNCIL HOUSING - PART A

Councillor Clare Cummins, Cabinet Member for Housing Services, presented the report which updated Members on the results of the Tenant's test of opinion and progress following an earlier Cabinet report received in June 2023. It was noted that a statistically significant number of residents responded, 90% of whom were in favour of the proposals, and Members were pleased to also note that approximately 300 residents had also indicated they would want to be involved in improving neighbourhoods.

Decision:

Cabinet noted the outcome of the Tenants test of opinion and the service improvement plan activity to date.

Reasons for the decision:

To provide an update to the Cabinet.

Other options considered and rejected:

Not applicable.

CA.69 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.70 UPDATE ON FINANCIAL IMPROVEMENT PANEL

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the confidential report which provided an update on the progress in establishing the Finance Improvement Panel and the progress against the Finance Improvement Plan.

Decision:

Cabinet:

1. Noted the amended Terms of reference which include a strengthened primary purpose of "To ensure Bury Council is placed on a sustainable financial footing and is capable of delivering a sound MTFP"; and
2. Noted the Finance Improvement plan which will be monitored by the finance improvement panel on a monthly basis.

Reasons for the decision:

To update members on the progress regarding the Finance Improvement Panel and the Finance Improvement Plan.

Other options considered and rejected:

None.

CA.71 URGENT BUSINESS - STRATEGIC HOUSING REVIEW - FUTURE MANAGEMENT AND MAINTENANCE OF COUNCIL HOUSING - PART B

Councillor Clare Cummins, Cabinet Member for Housing Services, presented the confidential report which updated Members on the partnership arrangements with Six Town Housing.

Decision:

Cabinet noted the update and requested an updating report to be considered by Cabinet in November 2023.

Reasons for the decision:

To provide an update to the Cabinet.

Other options considered and rejected:

Do nothing; this option is not recommended.

Cabinet, 5 October 2023

COUNCILLOR E O'BRIEN
Chair

(Note: The meeting started at 6.00 pm and ended at 7.30 pm)