

Minutes of: CABINET

Date of Meeting: 7 November 2023

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

Also in attendance: Councillors R Bernstein, M Smith and C Birchmore

Public Attendance: Cath Farrell, Interim Chief Executive of Six Town Housing was present at the meeting.

Apologies for Absence: Councillor L Smith

CA.72 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Lucy Smith.

CA.73 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.74 PUBLIC QUESTION TIME

There were no public questions.

CA.75 MEMBER QUESTION TIME

The following question was submitted in advance of the meeting by Councillor Carol Birchmore:

With regards to the following statement taken from the Radcliffe Regeneration, Interim Service Arrangements document, Section 4.3, page 3, being discussed at Cabinet this evening.

“An options appraisal was carried out looking at potential alternative locations for the library once the construction work on the Enterprise Centre commences. It has not been possible to identify a vacant building in Radcliffe that is large enough or at an affordable price to relocate the whole library to. Options around providing a portable building on the car park were investigated but there is a lack of availability of these buildings nationwide due to the current RAAC crisis in schools across the Country and the costs were unaffordable. The architect and developer will work up a series of options for the December 2023 Regeneration Board for the continuation of Library Services in conjunction with the Library Service during this period.”

This appears to suggest that the Council may withdraw the library service in Radcliffe rather than moving it into temporary accommodation to clear the existing Carnegie Library to make space for the Enterprise Centre.

Please can you explain what the above statement means. Can the Council tell me if Radcliffe will be left with no library service during the period when the library has been moved out of the Carnegie building and prior to moving into the new hub and if this is the case how long will Radcliffe be left without a library?

Responding, Councillor Eamonn O'Brien reported that there was no proposal to withdraw the Library Service in Radcliffe. Options were being worked through how it would be provided, with

the current plan to continue to provide the service within the Carnegie Library during the redevelopment. The arrangements for this are currently being considered as part of the design work and we will be briefing Councillors once we have more detail. We are also proposing a public information event in the new year when we hope to share the design proposals for the space and answer any questions people may have. He advised there would be disruption to the library service, but the commitment was to not withdraw it.

A further supplementary question was submitted:

We were told the Enterprise Centre wouldn't start until after the Hub was finished, then were told through Cabinet papers that there would be temporary buildings for the library, then told again through papers that it wouldn't be temporary buildings. This makes it very difficult to speak with residents, and we need better communication.

Councillor O'Brien reported that emails were sent to all Councillors ahead of the Cabinet report explaining the situation and offering a face-to-face briefing, and undertook to look into whether this wasn't received by some Members and if so, why. He advised that there were also monthly Radcliffe meetings to facilitate this sort of communication, and if these were not functioning as planned he would speak to the officers involved to look at options to improve things. He noted that sometimes things do change and often this was out of the Council's control; for example the Enterprise Centre had to be brought forward as the Shared Prosperity Fund monies had a deadline to be spent by. Briefings and papers have been clear that we have always been looking at options and things were not yet decided; there were no guarantees as to how long leisure facilities could be retained in Radcliffe as the school deadlines were absolute. The goal has always been to minimise impact as much as possible and communicate as best as we can to ensure the residents of Radcliffe are confident in the development.

CA.76 MINUTES

It was agreed:

That the minutes of the meeting held on 5 October 2023 be approved as a correct record.

CA.77 QUARTER ONE AND QUARTER TWO CORPORATE PLAN PERFORMANCE REPORT 2023/24

Councillor Tahir Rafiq, Cabinet Member for Corporate Affairs and HR, presented the report which contained full updates in terms of both the delivery against the priorities set out in the Corporate Plan and associated key performance indicators for Quarters 1 and 2. In response to Members' questions, Councillor Rafiq undertook to get detail regarding Care Leavers sent outside of the meeting, and advised that absenteeism rates had been affected by the increase in Covid cases. With regards to the further work on targets, it was noted that this related to local targets where there was no comparison data or where more context was needed to establish the correct target.

Decision:

Cabinet noted the update on progress against performance and delivery and the priorities for action against key metrics and timescales.

Reasons for the decision:

N/A

Other options considered and rejected:

N/A

CA.78 QUARTER 2 BUDGET MONITORING REPORT

Councillor Richard Gold, Cabinet Member for Finance and Communities, presented the report which outlined the forecast financial position of the Council at Quarter two 2023/24 and provided an update on the work to mitigate and reduce the overspends and how this will be managed throughout the remainder of this financial year. It was noted that the Council was forecasting an overspend of £9.749m, which was an improvement from Quarter 1.

In response to Member questions, it was noted that some longer term bad debts might have had payment plans and been escalated further down the line, or were being pursued prior to Covid. It was noted that the Medium Term Financial Strategy was expected to come to Cabinet in December, and savings were still being driven forward but resources to do so were getting tighter. Councillor Gold confirmed that Levelling Up deadlines were being met, and advised that SEND demand had been an unexpected issue nationally but was being planned for in the MTFs for next year.

Decision:

Cabinet:

1. Noted the delivery of savings to date of £12.849m with a forecast savings delivery of £18.888m within the challenging context of increased demand and inflationary cost increases;
2. Noted the forecast overspend of £9.749m within the revenue budgets at Quarter two and the recovery action proposed;
3. Noted the re-phasing of the capital budget;
4. Noted the deficit on the Dedicated Schools Grant and the ongoing activity within the Project Safety Valve project;
5. Noted the mid-year treasury management report for onward approval by Council of the refreshed prudential indicators and updated Approved Lending List Criteria; and
6. Approved the write off of the business rate accounts included in Appendix 4

Reasons for the decision:

To update Members on the Council's budgetary position and ensure the Council's budgetary targets are achieved. This report is in accordance with the Council's financial procedure regulations.

Other options considered and rejected:

None.

CA.79 RADCLIFFE REGENERATION, INTERIM SERVICE ARRANGEMENTS

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which provided an update on the interim service arrangements required to enable the implementation of the schemes to regenerate Radcliffe, including the construction of a new school, the opening of a new Leisure Centre and Library as part of the new Radcliffe Hub and the redevelopment of the current Radcliffe Library into an Enterprise Centre.

Members discussed the importance of leisure facilities on physical health and mental wellbeing, and thanks were given to officers who had worked very hard to find alternative leisure provision in Radcliffe, which had unfortunately been unsuccessful. Decommissioning of services and equipment had begun, and users had been kept informed and signposted to alternative arrangements. In response to Members' questions, it was noted that options for relocating the PRU were still being explored and it wasn't clear whether temporary facilities would be needed or if a permanent move could be made.

Decision:

Cabinet:

1. Agreed that the Leisure Centre in Radcliffe will close on 10th December 2023 to enable the handover of the site for the construction of the new school on the Spring Lane site;
2. Noted the temporary arrangements which will be put in place prior to the opening of the new leisure facility in Radcliffe in late 2025;
3. Noted that the PRU will vacate the Spring Lane site in February half term 2024 and options to proceed with alternative arrangements are underway and will be approved subject to further work on costs and programme planning. A further report will be brought forward once this work is completed; and
4. Noted recent progress with the development of the Enterprise Centre and a proposal to bring forward a further report setting out details of decant and library services.

Reasons for the decision:

- Any delay in vacating the Spring Lane site will attract a financial penalty for the Council of £2.4m.
- Various options have been explored to re-provide a full-time sports hall and gym in Radcliffe and the service has worked closely with local Members and the community and voluntary sector to identify suitable locations. This has not been possible as the community venues are required for other activities throughout the week such as church services and it would not be possible to move the gym equipment to accommodate. It is not possible or affordable to re-provide a temporary swimming pool in Radcliffe.
- The new Community Wellness Activity Plan is an appropriate next step following the development of the 2023 Wellness Strategy and is an excellent demonstration of the ambitions of the Let's do it Strategy, working together to deliver for the local community.
- The PRU will need to vacate the site during February half term 2024 to hand over the site for the construction of the school. The option to relocate to Spurr House has proved too expensive and not achievable within the timescales so further options are under discussion.
- The financials have been agreed to turn the current Radcliffe Library into an Enterprise Centre by April 2025 and the work is underway to tender for a construction partner and operator. When the construction programme is agreed a further report will be brought forward after December 2023 Regeneration Board to set out the operational impact on the current Library.

Other options considered and rejected:

- An options appraisal was carried out looking at assorted options to re-provide the sports hall and gym in community venues and by renting or buying a portable building, but this proved to be unaffordable in the current climate, there was a lack of available alternative sites and a shortage of portable buildings nationally due to RAAC issues elsewhere in the UK.
- An alternative long-term option for the PRU relocation was considered at Spurr House although costs have risen significantly against the Cabinet approved budget. This option has been discounted as a short-term solution as the construction programme does not align with offering vacant possession of Spring Lane to the DfE.
- An options appraisal was carried out looking at potential alternative locations for the library once the construction work on the Enterprise Centre commences. It has not been possible to identify a vacant building in Radcliffe that is large enough or at an affordable price to relocate the whole library to.
- Options around providing a portable building on the car park were investigated but there is a lack of availability of these buildings nationwide due to the current RAAC crisis in schools across the Country and the costs were unaffordable. The architect and developer will work up a series of options for the December 2023 Regeneration Board for the continuation of Library Services in conjunction with the Library Service during this period.

CA.80 MILL GATE STRATEGIC REGENERATION FRAMEWORK

Councillor Eamonn O'Brien, Leader and Cabinet Member for Strategic Growth, presented the report which presented a draft Strategic Regeneration Framework document and sought approval to go out for formal public and stakeholder consultation. Members supported the aspirations for the Town Centre and for the Mill Gate, noting its current success should be built upon, diversifying the offer and ensuring public engagement and buy in.

Decision:

Cabinet:

1. Provided approval for the Mill Gate JV to carry out a formal period of public and stakeholder consultation on the draft strategic regeneration framework; and
2. Noted that following the public and stakeholder consultation, a full review of consultation feedback will be undertaken and required amendments will be made before the Strategic Regeneration Framework is brought back to Cabinet for formal adoption in Spring 2024.

Reasons for the decision:

It is important for the JV to continue to engage with the Public and other stakeholders in order to refine the emerging vision for the Mill Gate estate via the Strategic Regeneration Framework. Public and Stakeholder consultation and development of the Strategic Regeneration Framework for Mill Gate enables large scale development to progress in accordance with the emerging vision of the Mill Gate Joint Venture vehicle and the strategic objectives set out during the acquisition of the asset.

Other options considered and rejected:

N/A

CA.81 SUBSTANCE MISUSE SERVICE CONTRACT

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the report which sought approval to recommission Greater Manchester Mental Health (GMMH), an NHS provider, to deliver its substance misuse treatment service.

Decision:

Cabinet agreed to make a direct award to the current provider, GMMH, for a period of 3 years (with the right to extend at the Council's discretion for two further years) at a total estimated cost of £4,284,000 for the initial 3 years, and £1,428,000 per annum thereafter (subject to inflation and Agenda for Change pay increases).

Reasons for the decision:

The Council is happy with the current performance of GMMH. Its substance misuse services were rated as outstanding from their most recent inspection by the Care Quality Commission (CQC) in 2018. In 2022 GMMH had an independent, external provider evaluate the partnership model, which overall was considered to work very effectively and reflect the aims of the contract.

This option would allow the Council to continue to build on already existing, positive relationships that have been built over the last four years, not just between GMMH and Bury Council but between it and numerous other external partners. Continuing with the current provider will enable current projects and funding streams to continue seamlessly. The current contract represents good value for money, compared to other organisations and localities, evidenced in supporting documents.

Other options considered and rejected:

Tender for new provider(s). This would allow direct comparison to other providers, offer confirmation that the Council is getting best value for money, and could ask for more for the same value, whether this takes the form of price reductions, better service, higher quality products or other added value. This option was rejected as it would:

- Create disruption to current service users and staff. Anecdotal reports from the last tender in 2018 demonstrated that implementation of a new provider caused significant disruption to service users and triggered low staff morale.
- Potential disruption to performance.
- Based on an understanding of the current market, there is unlikely to be a better provider for this role and we believe it is good value for money.
- Loss of the positive relationships already built.
- Would interfere with current / planned projects and external funding streams.
- A tender process would require extensive use of resources (particularly staff time across the organisation), which would come at a significant opportunity cost, preventing time being spent on primary prevention and current workstreams. This process would be complex and would need to consider adults, young people, and assertive outreach. This may involve tendering for more than one provider. Likely to require additional capacity to support the process.
- May lose partnership between neighbouring authorities who also have GMMH as their substance misuse provider. This currently allows for economies of scale of work, shared back-office functions and a peer support approach across all organisations involved.
- Potential loss of the benefits of the partnership model that is in place with GMMH as lead provider. The current partnership model incorporates both NHS and third sector organisations, meaning the Council is able to benefit from both types of organisations working on our substance misuse agenda.

CA.82 HOUSING SUPPORT SERVICE: YOUNG PEOPLE 18-25 YEARS - CARE PROVIDER CONTRACT AWARD - PART A

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the report which outlined an innovative support service to provide a transitional home for 8 young Bury adults with Learning Disabilities and/or autism, aged 18-25 years. It was noted that this was pending a procurement outcome and if the result was over the £500,000 threshold it would come back to Cabinet for final approval.

Decision:

Cabinet:

1. Approved the Procurement of a Care Provider for 18-20 St Marys Place Bury either:
 - i) via a Teckal exemption; or
 - ii) An Invitation to Tender to the open market (if needed)
2. Delegated the approval for the 4 year contract award (with an option to extend for another 2 years) to the Executive Director of Health and Adult Care, to be awarded. Procurement route to be confirmed in due course;
3. Delegated approval for the 2-year extension of the contract, if required, of the chosen Care Provider to the Executive Director of Health and Adult Care; and
4. Noted that the proposed contract will be funded using Bury's Adult Social Care Community Care budget.

Reasons for the decision:

This innovative support scheme offers a transitional living service for young adults with Learning Disability aged 18-25 years. The potential for cost savings/cost avoidance has been demonstrated. The scheme offers 8 units towards our corporate and ASC housing commitments and supports our 'Let's Do It' strategy in offering an opportunity for people to live locally, independently, and with choice.

Other options considered and rejected:

- Option 1: Not to proceed with the scheme
- The impact of this will mean young adults continue to be placed out of borough and/or in more expensive placements. This accommodation and model of care (including follow-up support to prevent escalation of crisis/ challenging behaviour), follows best practice. Not to proceed with the scheme would be a missed opportunity to:
 - pilot a new transitional offer for young adults
 - contribute towards our ASC housing targets, which provide people with learning disabilities the chance to live locally, independently, with choice
 - save and prevent costs compared to people living independently/placing young people in expensive out of borough placements.
- Option 1 was therefore rejected.

- Option 2: To proceed with the scheme using an alternative property/landlord
- This scheme was brought to our attention by the property developer Mortimer, Mortimer and Mortimer Ltd. ASC operational professionals and commissioning staff viewed the property for suitability. All agreed the property as suitable for this type of service. The property developer and vendor have been very supportive in the current fast-paced housing market.
- Option 2 was therefore rejected.

CA.83 TOPPING MILL MENTAL HEALTH SUPPORTED LIVING SCHEME - PART A

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the report which sought approval to commission care and support services for a new mental health supported housing scheme. Members supported the proposal, which made use of old buildings and created decent supported accommodation for those with a mental health diagnosis.

Decision:

Cabinet:

1. Approved the procurement through a competitive process of a care provider for the provision of mental health support at Topping Mill, Topping Street, Bury BL9 6DR;
2. Approved the award of a 3-year contract to the successful bidder with the right to extend it for a further period of up to two years at the discretion of the Council, subject to monitoring of performance and satisfactory delivery of the desired outcomes; and
3. Noted that this will be funded using Bury's Adult Social Care Community Care budget.

Reasons for the decision:

The recommendations align to the Council's Housing for Adults with Additional Needs Strategy 2021-2025 and the vision for mental health supported accommodation to:

- Improve outcomes for people with mental health needs.
- Enable people to live independently.
- Reduce the need for out of area residential placements.
- Enable tenancy sustainment.
- Support management of long-term health conditions.
- Create employment for local people.
- Create value for individuals, communities, and statutory services.
- Reduce hospital admissions and / or reducing delayed transfers of care (DTOC) where people are fit for discharge but accommodation with appropriate support is the barrier.

Other options considered and rejected:

None.

CA.84 STRATEGIC HOUSING REVIEW - FUTURE MANAGEMENT AND MAINTENANCE OF COUNCIL HOUSING

Councillor Clare Cummins, Cabinet Member for Housing Services, presented the report which updated Members on the in-principle decision to return the management of housing stock to the Council's direct control following a Strategy Housing Review and Tenants Test of Opinion. Members discussed the report, welcoming the proposal to transfer functions from 15 January 2024. The significance of the governance review was noted, as was the importance of including tenant voice through a forum or within the Board itself. It was noted that governance work was on track, and the ambition was for Six Town Housing to align with the neighbourhood approach elsewhere in the Council.

Members had a discussion in Part B regarding staffing during the Strategic Housing Review, and it was noted that proposals would be brought to Cabinet in due course regarding staffing structures to ensure sufficient leadership capacity from both the transfer of Six Town and the new regulatory responsibilities for Social Housing.

Decision:

Cabinet:

1. Noted the work undertaken since the last update to Cabinet in October 2023;
2. Approved the return of Six Town Housing to direct Council control through a mutually agreed termination of the Management Agreement;
3. Agree that, subject to the support of the recognised Trade Unions through the Local Government Services Consultation Meeting:
 - Consultation with affected Council staff on changes to structures and responsibilities should begin on 13th November for a period of 30 days.
 - The Director of People & Inclusion should ask Six Town Housing to commence formal TUPE consultation with Six Town Housing staff following the same timeline
4. Noted the transfer of housing management functions will take effect from 15th January 2024;
5. Instructed the Director of Law & Governance to enter into legal arrangements to support the termination and the return of stock to Council ownership; and
6. Approved the restructure of Council Chief Officer responsibilities to support new responsibilities, subject to the outcome of consultation as described in the report.

Reasons for the decision:

To approve the return of housing management to the Council.

Other options considered and rejected:

- The Council may continue with the existing management arrangements and continue to have the Housing Stock managed by Six Town Housing. This option has been rejected by the Council as tenants' views which were reported to the October Cabinet were in favour of a return to the Council directly managing the stock. Six Town Housing agree to the mutual termination of the management arrangements.
- The Council could consider a hybrid arrangement where the management function could sit across a range of third-party providers, this option was discounted as the Council needs to ensure compliance with new social housing regulator standards by 1 April 2024. The contracting and procurement work required to appoint a third party would take time and resources best spent ensuring compliance with the housing regulator standards.

CA.85 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES / GREATER MANCHESTER COMBINED AUTHORITY

Members discussed the minutes, noting in particular the Integrated Water Management Plan and its importance regarding draining and preventing flooding.

It was agreed:

That the minutes of the Greater Manchester Combined Authority meeting held on 29 September 2023 be noted.

CA.86 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.87 HOUSING SUPPORT SERVICE: YOUNG PEOPLE 18-25 YEARS - CARE PROVIDER CONTRACT AWARD - PART B

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the Part B report which included full financial details.

Decision:

Cabinet:

1. Approved the Procurement of a Care Provider for 18-20 St Marys Place Bury either:
 - i) via a Teckal exemption; or
 - ii) An Invitation to Tender to the open market (if needed)
2. Delegated the approval for the 4 year contract award (with an option to extend for another 2 years) to the Executive Director of Health and Adult Care, to be awarded. Procurement route to be confirmed in due course;
3. Delegated approval for the 2-year extension of the contract, if required, of the chosen Care Provider to the Executive Director of Health and Adult Care; and
4. Noted that the proposed contract will be funded using Bury's Adult Social Care Community Care budget.

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.88 TOPPING MILL MENTAL HEALTH SUPPORTED LIVING SCHEME - PART B

Councillor Tamoor Tariq, Cabinet Member for Health and Wellbeing, presented the Part B report which included full financial details.

Decision:

Cabinet:

1. Approved the procurement through a competitive process of a care provider for the provision of mental health support at Topping Mill, Topping Street, Bury BL9 6DR;
2. Approved the award of a 3-year contract to the successful bidder with the right to extend it for a further period of up to two years at the discretion of the Council, subject to monitoring of performance and satisfactory delivery of the desired outcomes; and

3. Noted that this will be funded using Bury's Adult Social Care Community Care budget.

Reasons for the decision:

As set out for the Part A report.

Other options considered and rejected:

None.

COUNCILLOR E O'BRIEN

Chair

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