

Minutes of: CABINET

Date of Meeting: 8 January 2025

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

Lynne Ridsdale, Jacqui Dennis, Neil Kissock, Sam McVaigh,
Kate Waterhouse, Paul Lakin, Will Blandamer, Adrian Crook,
Chloe Ashworth and Julie Gallagher.

Also in attendance: Councillors R Bernstein and M Smith

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

Apologies for Absence: Councillor C Cummins

CA.282 APOLOGIES FOR ABSENCE

Apologies were received from Councillor C Cummins.

CA.283 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA.284 PUBLIC QUESTION TIME

There were no public questions.

CA.285 MEMBER QUESTION TIME

There were no member questions.

CA.286 MINUTES

It was agreed:

That the minutes of the meeting held on 04th December 2025 be approved as a correct record.

CA.287 PROCUREMENT OF BURY COUNCIL GAS CONTRACT

The Cabinet Member for Corporate Affairs and Human Resources presented the report which sought formal approval for the purchase and supply of the Council's corporate gas supply in an initial four-year contract for the period 1st April 2025 to 31st March 2029, with an option to extend another two years to March 2031 and a further two years to March 2033.

Decision:

Cabinet:

1. Approved the use of YPO appointed framework supplier for the supply of gas through the framework duration. The estimated contract spend with Corona Energy (YPO's Framework corporate gas supplies) is £2.35m per annum (up to £9.4m over four

years); and authorised the Executive Director of Operations to award the contract and facilitate the execution, implementation and operation of the contract.

Reasons for recommendation:

The proposed arrangements ensure that the Council has a compliant Gas supply contract in place and has tested the market for best value.

- Market Research: As part of the evaluation process, other local authorities have been contacted through the Greater Manchester Combined Authority (GMCA) Energy Managers group for their opinion of the YPO gas supply contract other authorities have expressed their intent to access the same framework supplier.

Alternative options considered and rejected:

- Procure our own energy by direct tender.

This is possible, but would involve a standalone UK procurement compliant tender to secure contracts directly with the selected utility provider(s) (or via a broker). This approach is unlikely to produce the best results due to the relatively small scale of the portfolio compared to that of most large purchasing organisations. In contrast, a Public Sector Buying Organisation such as YPO, can obtain good wholesale prices through aggregating the demand of a large number of public sector organisations. In addition, a direct tender would require the Council to engage additional resources (skilled utility traders and additional staff for contract management) and provide greater risk of exposure to utility price fluctuations. It was therefore determined as unviable.

- Procure through a Private Sector based provider.

The Council would be required to invite tenders for a private sector Third Party Intermediary (TPI) to procure utility supply, but it would need to be sure that it would be getting best value through a truly aggregated contract. Full price transparency of all costs, including TPI fees and any commission paid by suppliers to the TPI would be needed. By aggregating the Council's volumes, the TPI could access the gas retail market on our behalf, but we may only receive prices based on the supplier's view of the market. A full UK Procurement Regulations Tender process would be required to engage with such a provider with all the associated resource and time implications this would entail. TPIs may have issues regarding business continuity in the present economic climate and are unlikely to be able to aggregate the council's volume with other customers in a UK Procurement compliant manner or offer the same additional and social value as the YPO contract. Due to this level of complexity and lack of in-house resources to deliver this, this option was dismissed.

CA.288 PROCUREMENT AND APPROVAL OF VARIOUS CONTRACTS FOR THE HRA CAPITAL PROGRAMME 2024/5

The Leader and Cabinet Member for Strategic Growth presented the report on behalf of Councillor Cummins, Cabinet Member for Housing Services which sought formal approval of the projects 'Communal Works Lots 1 and 2' which was a follow on report from the Housing Revenue Account Capital Works Programme 2024/25.

Decision:

Cabinet approved the award of the following contracts:

1. Communal Works Lot 1 – Ian Williams contract value £659,979.91
2. Communal Works Lot 2 – Bell Group contract value £485,590.23

3. Approved the award of a contract to the winning bidders for the initial period of the tender with the option to extend for a further 12 months should additional work be identified.

Alternative options considered and rejected:

Do nothing: These works will enhance the physical appearance and security of common areas across the Borough and will be welcomed and valued by residents.

Deliver Inhouse: Due to the scope of work within these contracts there is both a lack of the suitable skills and capacity in the in-house contractor (Repairs Direct). There is also significant specialist door entry system works included in these contracts.

Open Tender: This option was considered and is possible. However this would involve a significantly extended procurement process in both time and cost. The use of the Procure Plus framework which specialises in social housing investment works adds benefits in ensuring all tenderers meet capability, expertise and compliance requirements and the mini-competition allows the tender to be tailored to the Councils specific requirements. Using the framework offers clear benefits over the open tender route.

CA.289 EXTENSION OF COUNCIL FRAMEWORK FOR DELIVERY OF HIGHWAY RELATED SERVICES.

The Cabinet Member for Environment, Climate Change and Operations presented the report which sought approval to extend the existing Council highways framework for nine months until 30th September 2025, with the option to extend it for a further three months until 31st December 2025.

Decision:

Cabinet:

1. Approved the extension of the existing Council highways framework for nine months until 30th September 2025, with the option to extend it for a further three months until 31st December 2025.

Reasons for recommendation:

The extension is required to allow sufficient time for the complex steps to be taken to re-procure a new replacement framework.

Alternative options considered and rejected:

No other option is available in light of the operational requirement.

CA.290 BIODIVERSITY NET GAIN – COUNCIL-OWNED RECEPTOR SITES

The Cabinet Member for Environment, Climate Change and Operations presented the report which considers the opportunities for accommodating off-site biodiversity net gain on Council-owned land and specifically identifies six sites that are proposed to be submitted for registration as well as setting out how these sites can be brought forward as receptor sites.

Discussions took place regarding the biodiversity and environmental benefits to the Borough of Bury. In response to a member question from Councillor M Smith, members were informed that Councillor Quinn was committed to providing a future update to members, before a Council meeting to outline the financial value of the units. Discussions took place regarding the

future of responsible bodies to manage sites and this will continue to be considered in the new municipal year.

Decision:

Cabinet:

1. Agreed to the use of Council land at Old Kays, Chesham, Hollins Mount, Springwater Park, Outwood and Philips Park as receptor sites for biodiversity net gain and, if legally secured, to submit these to the Department of Food & Rural Affairs for inclusion on their register of biodiversity gain sites;
2. Authorised the Head of Property and Director of Law and Governance in consultation with the relevant portfolio holder to advertise for potential tenants to deliver biodiversity net gain on one or more of the above sites and, if terms can be agreed, sign leases; and
3. Authorised a procurement exercise, in consultation with the relevant portfolio holder, to advertise for a responsible body and delivery partner to deliver biodiversity net gain on one or more of the above sites.

Reasons for recommendation:

1. To help ensure that the benefits of biodiversity net gain from development in the Borough are secured locally, as opposed to regionally or nationally.
2. To improve management of and maximise investment in Council-owned greenspace.
3. To provide flexibility for the Council to utilise the best method for securing each site on a site-by-site basis during a time when the market is still emerging and routes to delivery are in the early stages of development

Alternative options considered and rejected:

To take no action - The lack of opportunities for developers to deliver off-site BNG within Bury is likely to result in developers delivering this outside of the Borough meaning that Bury would not benefit from biodiversity enhancements. Furthermore, the Council would lose the opportunity to secure investment in and enhancement of its land.

CA.291 ADULT SOCIAL CARE PERFORMANCE REPORT QUARTER 2

The Cabinet Member for Health and Wellbeing presented the Adult Social Care Department Quarter 2 Report for 2024-25. The report outlined delivery of the Adult Social Care Strategic Plan, preparation for the new CQC Assessment regime for local authorities and provided an illustration and report on the department's performance framework. In the update the Cabinet Member for Health and Wellbeing wished to place on record praise and thanks to the social care staff and recognise their efforts over the winter period as they are an integral part of the workforce and to formally welcome Emma Massey as the newly recruited Principal Social Worker.

In response to a question asked by Councillor Bernstein with regards to the improvement journey, members were advised the council is undergoing a peer review next month and the Council is confident that following the review any required changes will be implemented quickly. In addition Councillor Bernstein wished to place on record he is grateful for the opportunity to participate in the upcoming peer review.

Decision:

Cabinet:

1. Note the report

Reasons for recommendation:

1. None

Alternative options considered and rejected:

1. None

CA.292 PARKING STANDARDS IN BURY SUPPLEMENTARY PLANNING DOCUMENT

The Leader and Cabinet Member for Strategic Growth presented the Parking Standards in Bury Supplementary Planning Document which provides recommended guidelines for parking provision for new development. It is proposed that, following consultation, a further version of the Parking Standards SPD will be brought back to Cabinet for formal approval.

Decision:

Cabinet:

1. Approved the draft revised Parking Standards SPD attached at Appendix 1 as the basis for a six-week public consultation commencing February 2025.
2. Delegated approval to the Executive Director of Place to make minor non-material modifications to the draft revised Parking Standards Supplementary Planning Document- before consultation commences.

Reasons for recommendations:

To ensure that all stakeholders are given the opportunity to have their say on the draft revised Parking Standards Supplementary Planning Document.

Alternative options considered and rejected:

To not approve the SPD for consultation - This would prevent stakeholders from commenting on the SPD and would prevent the Council from being able to proceed to adopt the SPD because it is a statutory requirement that such documents must be consulted on before adoption.

CA.293 HUNTLEY HOUSE AND SILVER STREET- HOMELESS TEMPORARY ACCOMMODATION AND SUPPORT

The Leader and Cabinet Member for Strategic Growth presented the Huntley House and Silver Street report on behalf of the Cabinet Member for Housing. Cabinet were asked to consider a proposal that has been made by JDBR Investments Ltd to improve the two properties (Huntley House and Silver Street) and offer them out for the provision of multiple units of temporary supported accommodation for the relief of the districts homeless people who are also in need of support to enable them to maintain a tenancy and prepare them for a later move to independent living in permanent housing.

In response to a question regarding support for the vulnerable residents members were informed that they have a range of different provisions in place. Further discussions took place regarding utilising smaller landlords with empty properties.

Decision:

Cabinet:

1. Noted the proposal being made by JDBR Investments Ltd and its opportunity and implications for the Council.
2. Approved that the Council should enter into a 5 (five) year exclusive Nominations Agreement with the selected RP in relation to both "Huntley House" and "18- 22 Silver Street" enabling the Council to refer homeless people to it to include if necessary agreeing to indemnify the RP for any loss of rent in the event the Council cannot fill all the accommodation units within each property.
3. Approved that the Council should procure and enter into a 4 + 1 year contract for the supply of Support Services to support those people who will be taking up residency in in both "Huntley House" and "18- 22 Silver Street".
4. Approved that authority is delegated to the Executive Director (Strategy & Transformation) to agree best possible terms for the Council in each contract.

Reasons for recommendations:

Reasons for recommendation(s) 3.1 There has been a significant increase of homeless single people and families requiring temporary accommodation and support to sustain their tenancies to whom the Council owes housing duties under homelessness legislation. These people are currently accommodated in B&B/hotel provision funded by Bury Council General fund as there are no direct allocated funding streams from central Government.

Alternative options considered and rejected:

This is a unique opportunity offered to Bury Council to deliver housing and support for homeless people. The only other option is to reject the offer, which will then miss the opportunity to increase the supply of better quality housing for those in need in the district and to save the Council significant sums of money.

CA.294 FUTURE OF SIX TOWN HOUSING

The Leader and Cabinet Member for Strategic Growth presented the report on behalf of Councillor Cummins, Cabinet Member for Housing Services which outlined the contractual requirements to continue the delivery of Council services to Six Town Housing Limited from 1st February 2025 and the strategic future of Six Town Housing Limited.

Decision:

Cabinet

1. Delegated to the Director of Law and Democratic Services the preparation and signing of the variation instruments to extend the provision of Council Services to Six Town Housing and to introduce charging for the same from 1/2/25.
2. Noted the progress of the Future of Six Town Housing Task and Finish group and their recommendation to resource independent legal, financial and commercial advice to complete an options appraisal for the viability of maintaining Six Town Housing.
3. Noted that Cabinet will receive a report with recommendations based on the legal and commercial advice in June 2025.

Reason for Recommendation:

STH no longer performs the ALMO function for the Council but it continues as an active Private Registered Provider of Social Housing company owning and leasing just 149 social housing homes which it lets and sublets to its own social housing tenants. STH no longer employs staff, is managed solely by its Board, and wholly relies on the Council for services.

Therefore, an ongoing Service Level agreement is required so STH may continue with its reduced social housing activities relying on the support of the Council.

A cross-department Task and Finish group was set up in September 2024 to discuss and make recommendations to cabinet regarding the future of Six Town Housing Limited. The group have identified a number of opportunities where STH could benefit Bury Council Strategic aims that should be explored further. The time provided by the extension will enable determination as to viability and feasibility of schemes and the development of an options appraisal which would include a business plan.

Alternative options considered and rejected

The option to “do nothing” is not appropriate since STH corporate governance arrangements must provide for and align with STHs significantly reduced role and activities post cessation of ALMO. The Provision of Council Services must be extended.

If there are no opportunities identified which are advantageous or viable for Bury’s Priorities then retaining Six Town Housing “as is” is a potential risk to Bury Council in terms of onerous resources and requirements to maintain regulatory compliance for an additional organisation.

CA.295 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 29th November 2024 be noted.

COUNCILLOR E O'BRIEN
Chair

(Note: The meeting started at 6.08 pm and ended at 7.12 pm)