

Minutes of: **THE CABINET**

Date of Meeting: 26 November 2014

Present: Councillor M Connolly (in the Chair)
Councillors G Campbell, A Isherwood, J Lewis, R Shori
and S Walmsley

Apologies: -

Public attendance: no members of the public were in attendance.

CA.475 DECLARATIONS OF INTEREST

Councillor Connolly declared a personal interest in any matters relating to the fact that his partner is employed by Adult Care Services. A personal interest was also declared in respect of minute number CA.479 'Review of Council Owned Garage Sites – Phase 2' for the reason that Councillor Connolly rented a garage from the Council (covered under phase 1).

CA.476 PUBLIC QUESTION TIME

A period of thirty minutes was allocated for members of the public present at the meeting to ask questions about the work or performance of the Council or Council services.

No questions were asked.

CA.477 MINUTES

Delegated decision:

That the minutes of the meeting held on 1 October 2014 be approved and signed by the Chair as a correct record.

CA.478 ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

The Cabinet Member (Communities and Culture) submitted a report which provided an overview of the new provisions contained within the Anti-Social Behaviour, Crime and Policing Act 2014.

Members were requested to consider the approval of recommendations to enable the Council to ensure effective implementation of the powers. The report outlines how the Act streamlines tools for tackling anti-social behaviour with six new powers replacing 19 existing ones to allow anti-social behaviour to be tackled in a more effective and efficient manner. These include powers to help focus the response to anti-social behaviour on the needs of victims.

The report also outlined the work being undertaken, through the Bury Community Safety Partnership, to prepare for the Act and develop a response within the capacity and resources available to local agencies.

An amendment was made to the recommendation on page 2 of the report submitted, under the heading 'Community Protection Notices', paragraph 2, changing the reduced payment period deadline from 14 days to 10 days from the issue of a Fixed Penalty Notice.

Delegated decisions:

1. That the new tools and powers in respect of tackling anti-social behaviour, as detailed in the report submitted, be noted.
2. That approval be given for a clear and consistent communication with all sections of the community to manage expectations and promote self help.
3. That approval be given to the following authorisations, subject to the amendment above, for the implementation of the Anti-Social Behaviour, Crime and Policing Act 2014:

Injunctions

- That the Executive Director (Communities and Wellbeing), in consultation with the Assistant Director (Legal and Democratic Services) and Cabinet Member (Communities and Culture), be given delegated authority, where appropriate, to seek a Civil Injunction in accordance with Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Community Protection Notices

- That initially, officers from the Council's Environmental Health and Anti-social Behaviour Team be authorised, where appropriate, to serve Community Protection Notices and Public Space Protection Orders (in accordance with Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014).
- That the level of fines for Fixed Penalty Notices (FPNs) issued as a sanction for breaching Community Protection Notices and Public Spaces Protection Orders be set at £90 to bring them in line with other Greater Manchester authorities and that the level is reduced to £60 for payment within 10 days of the FPN being issued.
- Further consideration be given to the feasibility of Six Town Housing and other social landlords becoming agents of the Council for the purposes of issuing Protection Notices, in accordance with the provisions of the Act., subject to further Regulations being published.
- That over the next six months, the Head of Environmental Protection, in consultation with the Assistant Director (Legal and Democratic Services), work with Greater Manchester Police to agree local arrangements for the issuing of Community Protection Notices and Fixed Penalty Notices (for breach of CPNs) by them. As the Prosecuting Authority, the Council aims to ensure consistent and appropriate use.

Closure Notices

- That the Executive Director (Communities and Wellbeing), in consultation with the Cabinet Member (Communities and Culture), be granted delegated authority to issue a Closure Notice and apply for a Closure Order in accordance with Chapter 3 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Anti Social Behaviour Case Reviews (Community Trigger)

- That the threshold for enacting Anti-Social Behaviour (ASB) Case Reviews be set at the minimum statutory level of 3 qualifying complaints within a six month period unless hate crime is a factor or where the victim scores 'amber' or 'red' on the risk matrix used to assess vulnerability in anti-social behaviour cases, in which cases immediate reviews may be enacted.
- That the following people be designated to respond to Anti-Social Behaviour Case Reviews (Community Trigger):
 - Acknowledgement – Anti-Social Behaviour Manager;
 - Outcome (of the request for a Review) – Executive Director of Communities and Well Being or a senior manager nominated by the Executive Director;
 - Appeal – Chair of the Bury Community Safety Partnership.
- That a review be conducted in six months to assess the impact of the legislation on demand.

Reasons for the decision:

1. The provisions of the Act enable the Council and its partners to tackle anti-social behaviour.
2. Resource constraints limit the extent to which these powers can be applied
3. The proposals outlined will ensure appropriate, consistent and proportionate use of the new tools and powers.

Other option considered and rejected:

To reject or amend the proposals.

CA.479 REVIEW OF COUNCIL OWNED GARAGE SITES – PHASE 2

The Deputy Leader and Cabinet Member (Health and Wellbeing) and the Cabinet Member (Resources and Regulation) submitted a report on a review of Council owned garage sites within Bury. The report identified there were originally 85 garage colonies throughout the Borough that are managed either by the Council's Corporate Property Services or by Six Town Housing.

The first review included an examination of the usefulness and value for money of these assets to ensure their continued operational usefulness. The review identified 33 sites initially requiring action based on low occupancy rates, low rental income/future liabilities. Each of the sites were subsequently evaluated in greater depth and discussed in consultation with elected Members, the garage tenants and residents living near to the colonies.

Of the 52 other sites in Phase 2 of the review, three have been sold to adjoining properties and a housing association. The remaining 49 sites have been considered against the original review criteria. While most plots or garages were let to tenants, there is evidence of a declining demand.

Some of the garage sites have potential for development and could generate significant capital receipts, reduce revenue costs and provide sites for affordable housing developments. In view of the challenging targets for housing construction referred to within the Planning Core Strategy and pressures on the number of affordable housing properties in the Borough the report proposed that where development was possible it should be recognised as a higher priority than the provision of garage plots.

Delegated decisions:

That approval be given to either redevelop directly or dispose of Phase 2 garage sites on an individual basis where the Head of Property and Asset Management considers that there is potential for residential development.

Reason for the decision:

The decision is based on the results of options appraisal and awareness of greater pressure for new housing in the Borough

Other option considered and rejected:

Do nothing further. This involves no change of use for the remaining 49 sites in Phase 2 of the review. This is not a tenable long term solution due to the maintenance costs and management issues associated with a service declining in demand.

CA.480 CORPORATE PLAN PROGRESS MONITORING REPORT – QUARTER 2 2014-15

The Leader of the Council and Cabinet Member (Finance) submitted a report outlining the progress made during quarter two 2014-2015 for the corporate performance indicators and projects within the Bury Council Corporate Plan.

Decision:

That the report be noted.

Reason for the decision:

The Council publishes a Corporate Plan each year and the report provides details on the progress made on the performance targets.

Other option considered and rejected:

To reject the recommendation.

CA.481 TREASURY MANAGEMENT STRATEGY – MID YEAR REVIEW 2014-2015

The Leader of the Council and Cabinet Member (Finance) submitted a Treasury Management mid-year review report in compliance with CIPFA's Code of Practice. The report covered the following areas:

- An economic update for the 2014/15 financial year to 30 September 2014;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure (prudential indicators);
- A review of the Council's investment portfolio for 2014/15;
- A review of the Council's borrowing strategy for 2014/15;
- A review of any debt rescheduling undertaken during 2014/15;
- A review of compliance with Treasury and Prudential Limits for 2014/15.

Delegated decisions:

1. That, in accordance with the CIPFA Code of Practice on Treasury Management, the report be noted.
2. That approval be given to the increase of the Counterparty investment limit for Barclays from £10m to £15m to reflect that Barclays will be the Authority's main banker for 2015.

Reason for the decision:

Treasury Management is an integral part of the Council's financial framework.

Other option considered and rejected:

To reject the recommendations.

CA.482 CORPORATE FINANCIAL MONITORING REPORT – APRIL 2014 TO SEPTEMBER 2014

The Leader of the Council and Cabinet Member (Finance) submitted a report informing Members of the Council's financial position for the period April 2014 to September 2014 and a projection of the estimated outturn at the end of 2014/2015.

The report also set out a proposed series of measures to curb spend in 2014/15 and proposed that this continue into 2015/16, as detailed in paragraph 3.7 of the report submitted. The report included Prudential Indicators in accordance with CIPFA's Prudential Code.

Delegated decisions:

1. That the financial position of the Council as at 30 September 2014 be noted.

2. That approval be given to the s151 Officer's assessment of the minimum level of balances.
3. That approval be given to the series of measures to curb spend in 2014/2015 and 2015/2016, to be implemented with effect from 1 December 2014. The measures are as follows:
 - Freeze on external recruitment (exceptions to be signed off by Head of Human Resources & Organisational Development); internal recruitment will continue to support the redeployment process.
 - Re-launch Work Life Balance options around reduced hours / purchase of leave;
 - Cease all but essential spend on stationery, office equipment etc.;
 - Any spend >£500 to be signed off by Executive Director.
4. That it be noted that Executive Directors have been requested to:
 - Review the use of all casual/ agency staff/consultants;
 - Review arrangements for overtime/additional hours;
 - Review training commitments;
 - Review spend on IT/ Communications.

Reason for the decision:

The report provides important financial information on the performance of the Council budget and identifies spending pressures and measures to curb spend.

Other option considered and rejected:

To reject the recommendations.

CA.483 MINUTES OF ASSOCIATION OF GREATER MANCHESTER AUTHORITIES /GREATER MANCHESTER COMBINED AUTHORITY

Consideration was given to the minutes of the AGMA Executive Board and Greater Manchester Combined Authority meetings both held on 31 October 2014.

Decision:

That the minutes of the meetings of the AGMA Executive Board and Greater Manchester Combined Authority held on 31 October 2014 be noted.

CA.484 APPOINTMENTS

The following appointments were reported:

- Councillor T Tariq is appointed as Deputy Cabinet Member for Wellbeing
- Councillor A Cummings is appointed as a Council representative to the Bury Music Service.

Decision:

That the appointments be noted.

COUNCILLOR M CONNOLLY
Chair

(Note: The meeting started at 6.00 pm and ended at 6.20 pm)