

THE CABINET

MEETING, 11TH SEPTEMBER, 2017

Councillor Morris	Executive Cabinet Member
Councillor Mrs. Thomas	Executive Cabinet Member
Councillor Peel	Executive Cabinet Member
Councillor Adia	Executive Cabinet Member

Cabinet Members

Councillor A. Ibrahim	Adult Safeguarding and Adult Social Care
Councillor D. Burrows	Neighbourhood Services, Police and Community Safety
Councillor Zaman	Development and Regeneration and Human Resources
Councillor Chadwick	Transport and Skills
Councillor Sherrington	Anti-Poverty and Housing
Councillor Cunliffe	Education, Schools, Safeguarding and Looked After Children
Councillor J. Byrne	Culture, Youth and Sport
Councillor Watters	Social Inclusion, Voluntary Sector and Community Services and Skills

Other Members in Attendance

Councillor Donaghy
Councillor Murray
Councillor Kellett
Councillor Greenhalgh
Councillor Haslam
Councillor Cox
Councillor Hornby)
Councillor Martin

Officers

Ms. M. Asquith	Chief Executive
Mr. S. Young	Director of Place
Mr. D. Herne	Director of Public Health
Ms. H. Gorman	Borough Solicitor
Ms. R. Tanner	Assistant Director Adult Operations
Mr. T. Birch	Assistant Director Education and Learning
Mr. P. Rankin	Assistant Director Performance, Planning and Resources
Mr. J. Sharrock	Head of Service Neighbourhood Services
Ms. J. Robinson	Start Well – Strategic Lead for Early Years
Ms. J. Pollard	Head of Strategic Finance and Accountancy
Ms. C. Baxendale	Head of Music Service
Ms. J. Hartley	HR Business Partner Chief Executives and Corporate
Mr. R. Gibbons	Revenues Manager
Mrs. V. Ridge	Democratic Services Manager

Councillor Morris in the Chair.

An apology for absence was submitted on behalf of Councillor Mrs. Fairclough.

13 MINUTES

The minutes of the proceedings of the meeting of the Cabinet held on 14th August, 2017 were submitted and signed as a correct record.

14. REVIEW OF BOLTON COUNCIL'S REDUNDANCY CONSULTATION ARRANGEMENTS

The Borough Treasurer submitted a report which set out a proposal to update the consultation timescales for restructure and redundancy exercises.

Members were advised that the purpose of consultation was to ensure a shared understanding of the drivers, outcomes and planned approach to change. This was in order that concerns could be identified and if possible resolved and any other alternatives identified and explored. Specifically, where redundancies were proposed, the purpose of consultation was to identify alternatives to job losses and where possible, to reduce the number of redundancies.

The report stated that it was felt timely to refresh the Council's current redundancy policies as the 2015/2017 budget savings options had been completed and to reflect the legal changes which were outlined in the report.

The report also provided details in relation to the Council's current position with regard to consultation.

In view of the above and in recognition of the current financial constraints and potential future financial constraints and the 2017/2019 budget process, the following update to the redundancy policy was proposed, viz:-

- To formally reduce the consultation period where 100 or more staff were affected from 90 days to 45 days;
- The consultation period where 20 to 99 staff were affected would be 30 days; and
- Where under 20 staff were affected meaningful consultation would take place, normally 30 days.

It should also be noted that when service redesign and restructure proposals were put out for consultation but did not involve redundancies, again the period of consultation would be normally 30 days. Furthermore, it was explained that the timescales above would, invariably, continue to be more

generous than the legal minimum as the Council's policy covered the number of staff affected rather than actual redundancies proposed.

Members were also advised that the proposal had been discussed with the Trades Unions and their feedback had been considered and incorporated as appropriate. Specific feedback was also provided in the report.

The relevant Equality Impact Assessment had been undertaken and was appended to the report.

Resolved – That the proposals to amend the consultation timescales for restructure and redundancy exercises as detailed in the report be approved.

15. BUSINESS RATES LOCAL DISCOUNTS

The Borough Treasurer submitted a report which sought the Executive Cabinet Member's approval to amendments to the Non Domestic Rates: Discretionary Rate Relief Framework in accordance with the amended powers available to the Council under Section 47 of the Local Government Finance Act 1988.

Members were reminded that previously the Government had determined five temporary business rates relief initiatives to support businesses which are/were being delivered by local authorities using their Section 47 powers and Cabinet had previously agreed to amend the discretionary rate relief framework to cover the granting of these reliefs.

The report stated that the following three new temporary reliefs were now being delivered in a similar way in that rather than amend the business rates regulations to provide an automatic entitlement to relief, the Government would reimburse the costs of relief granted by billing authorities in the circumstances as set out in the guidance notes attached to the report, viz:-

- Pub Relief;
- Supporting Small Business Relief (SSBR); and
- Discretionary Relief.

Members were also advised of the consultation which had been undertaken in respect of the above relief schemes and in terms of the financial implications it was explained that the relief was to be fully funded by Government by way of a Section 31 grant to billing authorities.

The Executive Cabinet Member APPROVED the amendments to the discretionary rate relief framework as set out below relating to the inclusion of a local scheme to grant relief on a case by case basis, under Section 47, based on the Government's 2017 Spring 2016 Budget announcement to introduce temporary business rates reliefs for:-

- (i) Eligible Pubs (Pub Relief);**
- (ii) Ratepayers facing large increases as a result of the loss of small business relief (Supporting Small Business Relief); and**
- (iii) Those ratepayers worst affected by an increase in their rates following the 2017 revaluation in accordance with Bolton Council's proposed framework (Discretionary Relief).**

16. CONSULTATION ON PROPOSED CHANGES TO PAYING FOR NON-RESIDENTIAL CARE (FAIRER CONTRIBUTION POLICY)

The Director of People submitted a report which set out proposals for changes to paying for non-residential care for consultation.

Members were advised that the Care Act set out the minimum requirements for a charging policy although some areas were subject to the discretion of the local authority. Bolton had discretion over how much disposable income was taken into account when charging someone for their care and currently in Bolton this was 95%, which was more generous than most other Greater Manchester Councils.

It was also stated that Bolton applied a subsidy for reducing the amount a person was asked to pay towards the cost of their care. This was known as a maximum 'cap' which was set at £300 per week. The other discretion related to the Council subsidising the actual costs of care. This discarded any fees uplifts or where there were 'double up' carers within the consideration of the financial assessment. The Council would consider annually the fees it paid to providers to deliver the care and had given an uplift to providers. It was stated though that the fee rates considered in the financial assessment had not been uplifted to reflect this.

Members were informed that a benchmarking exercise had been undertaken to ascertain how other authorities in Greater Manchester applied charging policies compared to Bolton and details of this were provided in the report.

In view of the above, the report stated that the proposal was to consider the removal of subsidies in order to apply a fair approach to charging for the full cost of care. This would ensure that people who could afford to pay more were asked to do so.

It was explained that due to the interdependencies within the charging policy, the proposal had three elements that would change, viz:-

- The Disposable Income to change from 95% to 100%;
- Removal of the maximum 'cap' of £300 per week; and
- Move towards full cost recovery of care.

The financial saving resulting from the proposals as set out in the report was estimated to be £550,000 over the 2017-2019 period.

Information in relation to the financial modelling and the impact of the proposals on service users was provided in the report.

The report also outlined the proposed consultation process which would commence in September, 2017 and run for 60

days and, if agreed, the revised policy for charging would be implemented from 1st April, 2018.

The relevant Equality Impact Assessment had been undertaken and was detailed in Appendix B to the report.

Resolved – That the proposals in relation proposed changes to paying for non-residential care, as detailed in the report, be approved for consultation purposes.

17. EXCLUSION OF PRESS AND PUBLIC

Resolved – That, in accordance with Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 1 and 3 of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in their exemption outweighs the public interest in their disclosure.

18. REVIEW OF NURSERY PROVISION AT HARVEY START WELL CENTRE

The Director of People Services submitted a report which set out proposals to relieve the financial and business pressures affecting nursery provision at the Harvey Start Well Centre.

It was stated that if the proposals were agreed they would form the basis for consultation with trades unions, staff, elected members and key service users. Final proposals, with any changes were appropriate, would be considered after an appropriate period of consultation with anticipated implementation in July, 2018.

The relevant Equality Impact Assessment had been undertaken and was detailed in Appendix 2 to the report.

Resolved – That the proposals in relation to the review of nursery provision at Harvey Start Well Centre as detailed

in the report be approved for consultation purposes with trades unions, staff, service users and stakeholders.

19. INTEGRATION OF BOLTON AND BLACKBURN WITH DARWEN MUSIC SERVICES

The Director of People submitted a report which sought members' approval to proceed with the integration of Bolton Music Service and Blackburn with Darwen Music Service under the leadership and name of Bolton Music Service, with effect from 1st October, 2017.

The report outlined the business case for the integration of the two services and provided information in relation to the following, viz:-

- Blackburn with Darwen Music Service;
- Bolton Music Service;
- Arts Council funding;
- The Integrated Music Service Operating Model;
- Staffing implications;
- Financial arrangements;
- Assets and Resources;
- Governance arrangements;
- The consultation process; and
- Timescales and key milestones.

The relevant Equality Impact Assessment had been undertaken and was detailed in Appendix 3 to the report.

Resolved – (i) That the integration of the Bolton and Blackburn with Darwen Music Services under the leadership and name of Bolton Music Service be agreed.

(ii) That the Director of People be granted delegated authority to negotiate and enter into a Partnership Agreement with Blackburn with Darwen Council in relation to the Integrated Music Service and any other necessary documentation including but not limited to any Deeds of

Novations for Contracts and Agreements which have been entered into by Blackburn with Darwen Council.

(iii) That the finance and HR implications as detailed in the report be agreed.

(iv) That the Director of People be granted delegated authority to procure and appoint music tutors for the delivery of the music service.

(v) That the Director of Place be granted delegated authority to negotiate the terms of a licence agreement.

(vi) That the Borough Solicitor be granted delegated authority to complete any necessary legal formalities.

20. BUSINESS CONTINUITY PLAN – WASTE DISPOSAL

The Director of Place submitted a report which provided information on practices and procedures for the Department of Place to ensure business continuity in the event of disruption at waste disposal facilities in Greater Manchester.

Members were informed that a Business Continuity Plan had been developed by Bolton Council in consultation with the Greater Manchester Waste Disposal Authority and other Greater Manchester Waste Collection Authorities and the objectives of this was to:-

- Ensure all statutory duties were met;
- Maintain service delivery wherever possible;
- Ensure health and safety in the workplace was not put at risk; and
- Maintain clear communication channels.

A copy of the Business Continuity Plan was appended to the report.

Resolved – (i) That the risks, as outlined in the plan, and the mitigation in place be noted.

(ii) That the priority ratings allocated to each service be agreed.

(iii) That it be noted that the plan will be a working document that will be reviewed and updated every six months or as and when required.

(iv) That the Director of Place or the Assistant Director for Community Services be granted delegated authority to implement the Business Continuity Plan as and when required.

21. BOLTON AT HOME – UPDATE

A joint report of the Borough Treasurer and Borough Solicitor was submitted which sought members' consent to the conversion of Bolton at Home to a community benefit society and also to approve the actions relating to Bolton at Home and the Greater Manchester Pension Fund.

Resolved – (i) That consent be granted for the conversion of Bolton at Home to a Community Benefit Society and the Borough Solicitor and Borough Treasurer be granted delegated authority to agree to the Rules for the community benefit society on the basis as detailed in the report.

(ii) That the principles as set out in the undertaking offered by Bolton at Home, as detailed in Appendix 1 to the report, be accepted.

(iii) That upon conversion to a Community Benefit Society the following be approved:-

- The transfer of the pensions guarantee from Bolton at Home (Company) to Bolton at Home (Community Benefit Society);**
- The extension of the pensions guarantee to all employees who are members of the pension fund;**
- and**

- **The revised assumptions underpinning the actuarial valuations used to determine the pension's liabilities of Bolton at Home and authorise the Borough Treasurer and Borough Solicitor to agree the necessary documentation with the Greater Manchester Pension Fund.**