



Meeting of the Burnley Borough Council

To be held at 6.30 pm on
Wednesday, 27th September, 2023



Sir or Madam,

Notice is given of a MEETING of the COUNCIL of the BOROUGH OF BURNLEY to be held at MECHANICS THEATRE, BURNLEY on

**DATE: Wednesday, 27th September, 2023
starting at 6.30 pm**

To transact the business specified below.

**Catherine Waudby
Head of Legal and Democratic Services**

Members of the public may ask a question, make a statement, or present a petition relating to any matter for which the Council has a responsibility or which affects the Borough.

Notice in writing of the subject matter must be given to the Head of Legal & Democratic Services by 5.00 pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or from the web at: <http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

All Full Council meetings are livestreamed on the Council's [Youtube Channel](#)

Due to limited space in the venue members of the public wishing to observe the meeting are advised to watch the live stream on Youtube. Priority will be given to those who have registered to speak if seating capacity is exceeded.

A G E N D A

1. Minutes of the Last Meeting 7 - 10
To receive, as read, the Minutes of the proceedings of the last Full Council meeting, held on 19th July 2023 and to confirm them or otherwise.
2. Declarations of Interest
To receive any declarations of interest.
3. Mayor's Communications
To receive communications (if any) from His Worshipful the Mayor.

4. Public Question Time

To receive questions, statements or petitions (if any) from members of the public.

5. Motions to Council

- a) Motion to Remove the Two Child Benefit Cap 11 - 12

6. Items for Decision by the Council

Financial Decisions

- a) Revenue Monitoring Report 2023/24 Quarter 1 13 - 26
To consider for approval the latest revised net budget and the net transfers from earmarked reserves.
- b) Capital Monitoring Report 2023/24 Quarter 1 27 - 40
To consider for approval net capital budget changes and the proposed financing of the revised capital budget.
- c) Treasury Management Activity 2023/24 Quarter 1 41 - 52
To endorse the quarterly update on the Treasury Management Strategy 2023/24.
- d) Revenue Budgets 2024-27 - Latest Position and Savings Proposals 53 - 68
To consider for approval further proposed savings to assist in balancing the 2024/27 revenue budgets.
- e) Climate Action Fund: Burnley Green Activities Project 69 - 70
To consider for approval the establishment of budgets.

Constitutional Decisions

- f) Constitutional Updates, Reporting and Appointments to Committees 71 - 80
To note recent waivers of call-in, note changes to the political balance of the Council and approve consequential changes to membership of committees, and approve changes to the Scheme of Delegation.
- g) Substitute Scheme for Disabled Members 81 - 106
To consider a scheme to allow the use of substitute members to Committees by disabled members.

- h) Parental Leave Policy 107 - 114
To consider the adoption of a parental leave policy for elected members.
- i) Review of Key Decision Threshold 115 - 124
To consider raising the financial threshold for Key Decisions in line with the Standing Orders for Contracts.
7. Reports from Committee Chairs
- a) Report from the Chair of Scrutiny 125 - 126
- b) Report from the Chair of Audit & Standards 127 - 128
- c) Report from the Chair of Development Control 129 - 130
- d) Report from the Chair of Licensing 131 - 132
8. Strategic Plan Progress Reports 133 - 158
To consider progress against the Council's Strategic Commitments.
9. Questions
To deal with questions (if any) relating to matters not contained in the Minutes before the Council and of which notice in writing has been received in accordance with Standing Order No. 10(2).
Councillor Attendance
- Please use the link below to access Councillor attendance records. You can refine your search by time or by committee.
- <http://burnley.moderngov.co.uk/mgUserAttendanceSummary.aspx>
10. Exclusion of the Public
To consider the exclusion of the public from the meeting before discussion takes place on the following item(s) of business on the grounds that in view of the nature of the business to be transacted if the public were present there would be a disclosure to them of exempt information within the meaning of Schedule 12A of the Local Government Act 1972.
11. Items for Decision by the Council
- a) Replacement of Fitness Equipment at St Peter's and Padiham Leisure Centres 159 - 164
To consider for approval the establishment of a new budget in the 2023/24 Capital programme.

b) Building Control IT Procurement

165 - 166

To seek approval to procure a new IT system for the building control service.



BURNLEY BOROUGH COUNCIL FULL COUNCIL

VICTORIA MILL, BURNLEY

Wednesday, 19th July, 2023

PRESENT

MEMBERS

His Worshipful The Mayor (Councillor Arif Khan) in the Chair;

Councillors S Hussain (Vice-Chair), A Anwar, L Ashworth, H Baker, G Barton, G Birtwistle, H Bridges, C Briggs, M Brindle, J Broughton, S Chaudhary, S Cunliffe, A Fewings, S Graham, J Harbour, B Horrocks, A Hosker, M Hurt, J Inckle, K Ingham, M Ishtiaq, M Johnstone, N Kazmi, S Kazmi, J Launer, A Lewis, G Lishman, M Lishman, J McGowan, N Mottershead, M Payne, A Raja, P Reynolds, C Sollis, M Steel, J Sumner, M Townsend, A Wight and F Wild

OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Alison McEwan	– Democracy Officer
CJ Walmsley	– Democracy Officer
David Bristow	– Mayor's Officer
MJ Hindman	– Graphic Designer
Dexter Almond	– Admin Officer
Paul Barlow	– Graphic Designer
Blake Morris	– Admin Officer

18 Minutes of the Last Meeting

RESOLVED The Minutes of the meetings of the Council held on the 23rd May and 7th June were confirmed and signed by the Chair.

19 Declarations of Interest

Cllr Andy Fewings declared an interest in Items 5(e) and 5(f). He left the meeting and took no part in the decisions.

20 Mayor's Communications

His Worshipful the Mayor informed members that this was Mick Cartledge's final meeting prior to his retirement.

He and Members paid tribute to Mick's achievements over his time working at Burnley and wished him well in his retirement.

21 Final Recommendation of Community Governance Review - Worsthorne with Hurstwood Parish Council

Consideration was given to the findings of the Community Governance Review for Worsthorne with Hurstwood Parish Council.

RESOLVED:

1. To increase the number of seats on Worsthorne with Hurstwood Parish Council from 7 to 9 from the next scheduled elections in May 2024.
2. To authorise the Head of Legal & Democratic Services to prepare and make a Reorganisation of Community Governance Order, and to take such steps as considered necessary to give effect to the decision of the Council.

22 Constitutional Updates and Reporting

Consideration was given to setting out constitutional updates, amendments and appointments to outside bodies.

RESOLVED:

1. To approve the following addition to CPR 14.5 (g) to speak on behalf of another member who is present at the meeting but as a result of incapacity is unable to speak (either on a temporary or permanent basis), the other member may read out from the incapacitated members own written representations.
2. To agree that the number of elected member appointments on Burnley Together Steering Group and Growth Lancashire each be increased from one to two on the Outside Body list which Full Council approves at its Annual Council meeting, and
3. That Cllr Margaret Lishman be appointed to the Burnley Together Steering Group and Cllr Gordon Birtwistle as substitute member to Growth Lancashire for the remainder of the 2023/24 municipal year.

23 Management Structure

Consideration was given to a report setting out proposals for a review of the Council's management structure.

RESOLVED:

That the report and updated management structure be endorsed, and from 11th August 2023 to:

- (a) Redesignate the Strategic Head of Economy & Growth (RR1002) to Director of Economy and Development and transfer the management of the Head of Housing & Development Control to this post;
- (b) Redesignate the Head of Finance & Property Services (AS0007) to Director of Resources and transfer the management of the People & Development service to this post;
- (c) Note the inclusion of the Head of Housing & Development Control to the Chief Executive's Management Team;
- (d) Redesignate the role of Monitoring Officer to the Head of Legal & Democratic Services; and
- (e) Delegate authority to the Monitoring Officer to make any consequential amendments to the constitution (Part 3 – Scheme of Delegation & Part 7 – Management Structure) to give effect to this decision.

24 Change to delegations Licensing Act 2003

Consideration was given to a report setting out changes to delegations related to Licensing Policy due to changes in Statutory Guidance.

RESOLVED:

To approve amendments to Appendix A of the Council's Statement of Licensing Policy in line with the report.

25 2022/23 Final Outturn Revenue Position

Consideration was given to the Council's final Revenue Budget Outturn 2022/23 position.

RESOLVED:

1. To approve the provisional final position on the Council's revenue account for 2022/23, being a net underspend of £61k which is to be transferred to the Revenue Support Reserve. The projected underspend estimated at quarter 3 budget monitoring was £9k.
2. To approve transfers to/from Earmarked Reserves totalling a net £2.368m increase to reserves including carry forward requests subject to approval but excluding the recommended Revenue Support Reserve transfer above (see Appendix 2).
3. To approve additional revenue budget carry forward requests from Heads of Service totalling £671k and assumed within the net underspend reported above for presentation purposes only at this time.

26 2022/23 Final Capital Outturn Position

Consideration was given to the Capital Budget Outturn 2022/23 and a revised 2023/24 capital budget.

RESOLVED:

1. To approve the final position on capital spending and financing of £21.810m for 2022/23 as shown in Appendices 1 & 2, which equates to 92% of the final resources position;
2. To approve the revised capital budget for 2023/24 totalling £40.426m as outlined in Appendix 3, (including net carry forward of £1.925m).

27 Annual Treasury Management Review of 2022/23 Activity

Consideration was given to the Council's 2022/23 Treasury Management Activity.

The report was noted.

28 Reports from Committee Chairs

The Committee Chair reports were noted.

29 Strategic Plan Progress Reports

RESOLVED That the Strategic Plan Progress Reports of Executive Members be noted.

Motion to Remove The 2 Child Benefit Cap

This council notes that:

In 2017, families were stopped from claiming Child Tax Credits or Universal Credit for more than two children.

It is estimated that this policy now affects over 1.5 million children.

Studies have shown that families in the poorest areas are worse off by over £3000 per year.

Ethnic communities are disproportionately affected by the benefit cap.

The estimated cost of removing the cap would be £1.5 billion per year.

Removing the cap could lift a quarter of a million children out of poverty and over three quarters of a million children could see their poverty levels decrease.

The estimated cost of Child Poverty, taking into account costs such as health issues, risk of unemployment later in life, risk of lower income levels, social costs and public services costs is £35 billion per year.

6,520 children in the Burnley Constituency are living in relative poverty according to figures from the DWP, with thousands of families relying on Food Banks or the Community Grocery.

This Council resolves to:

Ask the Chief Executive and the Leader of the Council to write to the town's MP Antony Higginbotham, asking him to support the removal of the cap and to raise awareness in the House of Commons of the poverty that it is causing.

Ask the Chief Executive and the Leader of the Council to write to the Secretary of State for Work and Pensions, asking them to consider removing the benefit cap in order to lift thousands of Burnley families out of poverty.

Proposed by: Cllr. Scott Cunliffe

Seconded: Cllr. Jack Launer

This page is intentionally left blank

Revenue Monitoring Report 2023/24 – Quarter 1 (to 30 June 2023)

REPORT TO EXECUTIVE



DATE	20 September 2023
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Craig Finn
TEL NO	01282 475811
EMAIL	CFinn@burnley.gov.uk

PURPOSE

1. To report the forecast outturn position for the year ending 31 March 2024 based upon actual spending and income to 30 June 2023.
2. Members are asked to note the financial impact of the ongoing cost-of-living crisis as can be seen in paragraph 5. In view of the current economic challenges, forecasts remain under review and are subject to change as the impact on the economy unfolds. Updates will be provided to Members through the established quarterly budget monitoring process.

RECOMMENDATION

3. The Executive is asked to:
 - a. Note the projected revenue budget forecast position of a net overspend of £243k, as summarised in table 1 and detailed in Appendix 1, which is expected to break even by the end of the financial year.

The Executive is also asked to seek approval from Full Council for:

- b. The latest revised net budget of **£16.267m** as shown in Table 1, and
- c. The net transfers from earmarked reserves of **£4.972m** as shown in Appendix 2.

REASONS FOR RECOMMENDATION

4. To give consideration to the level of revenue spending and income in 2023/24 as part of the effective governance of the Council and to ensure that appropriate management action is taken to ensure a balanced financial position.

SUMMARY OF KEY POINTS

5. Financial Impact of the cost-of-living crisis

Sustained inflation above the Bank of England's target of 2%, continues to have an impact on the Council's budget monitoring position, both in respect of increased costs and potential reduction in income receivable from residents for fees and charges, given the inevitable 'squeeze' on disposable incomes.

Members will recall that the Covid-19 Reserve was redesignated the Cost of Living Crisis Reserve to recognise the ongoing financial challenges for both residents and the borough associated with the rising 'Cost of Living'. The sum of £0.616m remains in this reserve and has been set aside to meet these challenges.

The Council has also set aside sums specifically to manage continued volatility in the energy markets, with the balance of £0.260m brought forward from 2022/23 committed in 2023/24, details of which are included at Appendix 2.

At the time of this report, the pay award for 2023/24 has not yet been agreed and this remains an outstanding risk relative to estimates included within the original, approved budget.

6. Revenue Budget Monitoring Process

All budget holders are required to review their budgets on a monthly basis.

Three in-year reports on revenue budget monitoring are presented to the Executive and Scrutiny Committee during the course of the financial year. This is the first in-year report for 2023/24. In addition to these three reports there is a final report for revenue to consider the actual spending at the end of the financial year compared with the revised revenue budget. Under the scheme of delegation each budget area is delegated to a Head of Service who remains accountable for the effective discharge of financial management as an integral part of achieving strategic objectives and in turn meeting service delivery priorities.

As part of the quarterly monitoring cycle, all Heads of Service are asked to consider their budgets and provide information and details of any actual or anticipated significant variations between spending / income and budgets.

7. Budget Changes

Since the budget was approved in February 2023, the following proposed budget changes have been made and are shown in Appendix 1:

- Virements approved by Heads of Service and Management Team.
- Decisions confirming additional awards of grant and contributions up to £50k approved by Heads of Service and Management Team.
- Transfers to/from Earmarked Reserves in respect of grants/contributions and also approved carry forwards from 2022/23 (Appendix 2).

Members are asked to approve the latest revised net budget of £16.267m as shown in Table 1.

8. Revenue Budget Summary

Table 1 shows a summary by service area of the revised budget for the year along with the current forecast as at the end of Q1 and the anticipated variance.

On current projections the net revenue budget is forecast to be exceeded by £243k, details of which are also included at section 11, 'Service Reports'.

Due to the continuing uncertainty around the potential impact of the cost of living crisis on the Council's approved budgets, forecast reductions in income and increases in expenditure remain subject to change as the year progresses. The net budget forecast at Quarter 1 of a £243k year-end deficit is based upon the latest estimates of income and expenditure.

Table 1: Revenue Budget Forecast Position 2023/24

	Quarter 1			
	NET BUDGET 2023/24 £000s	REVISED BUDGET 2023/24 £000s	FORECAST Q1 £000s	VARIANCE Q1 £000s
Economy and Growth	711	961	1,017	56
Policy and Engagement	510	880	880	0
Management Team	394	394	394	0
Sport and Culture Leisure Client	1,270	1,270	1,270	0
Green Spaces and Amenities	1,376	1,497	1,496	(1)
Streetscene	3,346	3,448	3,488	40
Housing and Development Control	1,036	1,146	1,146	0
Strategic Partnership	4,205	4,217	4,217	0
Finance and Property	(1,343)	(298)	(298)	0
Revenues and Benefits Client	(1,158)	(1,138)	(1,138)	0
Legal and Democratic Services	1,273	1,428	1,428	0
People and Development	234	242	242	0
Central Budgets - Other	906	1,154	1,154	0
Central Budgets - Savings Targets	(248)	(248)	0	248
NET SERVICE BUDGET	12,512	14,953	15,296	343
Pensions	486	486	486	0
Parish Precepts	173	173	173	0
Treasury Investments & Borrowing	1,516	1,516	1,416	(100)
Capital Financing	1,951	4,111	4,111	0
Earmarked Reserves	(361)	(4,619)	(4,619)	0
Strategic Reserves	(10)	(353)	(353)	0
NET CORPORATE ITEMS	3,755	1,314	1,214	(100)
Council Tax	(7,724)	(7,724)	(7,724)	0
Council Tax - Parish Precepts	(173)	(173)	(173)	0
Business Rates: Retained Income	(5,950)	(5,950)	(5,950)	0
Business Rates: S31 Grants	(754)	(754)	(754)	0
Prior Year Collection Fund (Surplus)/Deficit	1,208	1,208	1,208	0
Revenue support Grant	(1,872)	(1,872)	(1,872)	0
New Homes Bonus	(319)	(319)	(319)	0
Other Government Grants	(683)	(683)	(683)	0
FUNDING	(16,267)	(16,267)	(16,267)	0
BUDGET BALANCE	0	0	243	243

9. Members will recall that savings totalling £0.363m were built in to the 2023/24 revenue budget to ensure that a balanced budget was achieved. As part of the budget monitoring process, progress against the achievement of these savings is monitored in year, details of which can be seen below:

Description	Saving £000	Progress of Achievement
Reduction in grant award to Burnley & Pendle Citizens Advice	10	Fully achieved.
Removal of annual contribution to the Pensions Reserve	353	Fully achieved.
TOTAL	363	

10. SAVINGS TARGETS

In addition to the savings above, it was assumed that two savings targets would be achieved over the course of the year: £169k salary savings from not filling posts immediately and £79k from in year savings/additional income. Current economic conditions and the 'Cost of Living Crisis' generally *may* threaten the achievement of these targets. At present the forecast budget overspend is £243k. A summary of the in-year targets and the projected budget forecasts categorised by salary and non-salary expenditure as at the end of Q1 can be seen in Table 2 below:

Savings	Revised Budget £000	Savings Forecast Q1 £000	Balance of Savings yet to be Identified £000
Salary Savings	(169)	4	(165)
Non-Salary Savings	(79)	1	(78)
TOTAL SAVINGS YET TO BE IDENTIFIED	(248)	5	(243)

Salary Savings Target

The position at the end of Quarter 1 is that £4k of salary savings will be secured leaving £165k of salary savings yet to be identified.

Non-Salary Savings Target

At Quarter 1, surplus investment income of £100k is funding the forecast non-salary overspends within Services of £99k, contributing a net £1k of additional income and/or reduced expenditure to the Corporate Savings target. The result is that £78k of non-salary savings are yet to be identified.

The combined balance of savings (salary and non-salary) forecast at Q1 yet to be identified totals a net requirement of £243k. The above estimates are based on forecasts at the end of Q1 when there are many future uncertainties. As such the budget is fluid in nature and may change (positively or negatively) as the year progresses.

11. SERVICE REPORTS

11.1 Departmental budgets and current forecast for each service area can be found in Appendix 1. Summarised below by service area are narratives explaining movements in the projected forecast along with any issues or concerns for highlighting.

a. **Economy and Growth**

Forecast Variance: £56k net overspend

The above variation is anticipated in respect of Burnley Market, being a combination of a loss of income from reduced trader numbers, an associated increase in overhead costs that cannot be transferred to the reduced number of traders via agreed Service Charges, and increased cost of security provision due to anti-social behaviour.

b. **Policy and Engagement**

Forecast Variance: £0

There are no variances or issues of concern to report in this quarter.

c. **Management Team**

Forecast Variance: £0

There are no variances or issues of concern to report in this quarter.

d. **Sport and Culture Leisure Client**

Forecast Variance: £0

There are no variances or issues of concern to report in this quarter.

Towneley Golf Season Ticket income, and Prairie Driving Range income are currently ahead of Budget Profile.

Gym Memberships income is anticipated to meet the budget but these are being closely monitored, due to the opening of alternative gym provision within the borough from the private sector.

Hospitality income is slightly ahead of the budget set. However, it remains the most challenging area due to cost of products. Burnley Leisure will be monitoring Cost of Sales closely, to ensure it remains within budget.

e. **Green Spaces and Amenities**

Forecast Variance: £1k net underspend

At Q1 the Service is forecasting a net underspend of (£1k).

This comprises an overspend of £8k on the Cremator contract owing to cpi inflation as per the contract, being above sums estimated when setting the budget and very much linked to the ongoing cost of living crisis implications referred to elsewhere in this report. This is forecast to be mitigated in year through increased income (£11k) via a partnership arrangement with a neighbouring Local Authority to help reduce their Crematoria mercury emissions, through the sale of this Council's spare 'Mercury Abatement' capacity.

The Ranger service has incurred additional overtime costs of £2k to service security related call out requests eg Towneley Hall site. The revised 2023/24 Capital Investment Programme elsewhere on the agenda proposes a replacement of the fire and intruder alarm system at Towneley Hall to reduce the number of false alarms.

f. **Streetscene**

Forecast Variance: £40k net overspend

Members will recall when approving the 2023/24 revenue budget, the risks to income associated with temporary closure and reduction of available car parking spaces as a consequence of continued Capital investment within the Town Centre.

The current forecast at Q1 is a shortfall in income of £40k associated with Pioneer Car Park.

g. **Housing and Development Control**

Forecast Variance: £0

There are no variances or issues of concern to report in this quarter.

h. **Strategic Partnership**

Forecast Variance: £0

There are no variances or issues of concern to report in this quarter.

i. **Finance and Property**

Forecast Variance: £0k

Reduced income of £6k from 'Room Hire' sales to outside bodies is to be offset by vacancy savings identified in the period (£6k) for a Trainee Accountant for which recruitment is underway.

j. **Revenues and Benefits Client**

Forecast Variance: £0

There are no variances or issues of concern to report in this quarter.

k. **Legal and Democratic Services**

Forecast Variance: £0k

There are no variances to report in this quarter.

l. **People and Development**

Forecast Variance: £0k

There are no variances or issues of concern to report in this quarter.

m. **Central Budgets**

Forecast Variance: £248k net overspend

This variation is for the purpose of presentation, recognising that the Corporate Savings targets are initially held centrally but that contributions towards the targets will be identified within Services and/or Corporate Items as the year progresses.

At Quarter 1, and as per Table 2 above, a net contribution of £5k towards the Corporate Savings target of £248k has been identified but £243k is yet to be secured.

n. **Corporate Items**

Forecast Variance: £100k net underspend

Bank rate increases during the first quarter have seen a positive impact on rates available for surplus monies deposited with approved financial institutions. Returns for the year are currently forecast to exceed the budgeted figure by (£100k).

o. **Funding**

Forecast Variance: £0k

There are no variances or issues of concern to report in this quarter.

12. EARMARKED RESERVES

The council holds a number of earmarked reserves, details of which can be seen in Appendix 2 which shows the opening balance at the start of the year and any in quarter movements.

A summary of the reserves can be seen in Table 3 below:

	Transformation Reserve	Growth Reserve	Other Earmarked Reserves	Total
	£	£	£	£
Balance as at 01/04/23	4,621	1,050	19,812	25,483
Movements between reserves	-1,123	1,123	-	-
Approved budget contributions (Original Estimate)	-10	-	-360	-370
Slippage/carry forwards from 2022/23	-	-171	-886	-1,057
Additional Movement in Q1	-1,008	835	-3,372	-3,545
Balance as at 30/06/23	2,480	2,837	15,194	20,511

Significant reserve movements in the first quarter relate to releasing approved Budget Carry Forward requests approved as part of the 2022/23 outturn reported in July and approved contributions to fund Capital expenditure, as shown below.

Any savings proposals for 2023/24 that are subsequently adopted and include proposed reductions in posts, will require the cost of any redundancies to be met in the current financial year.

13. CAPITAL FINANCING

13.1 Included in the revenue budget is a revenue contribution to capital outlay (RCCO) of £2.350m. A breakdown of the current revenue/reserve funding set aside to finance Capital expenditure is shown below, and is also included in the Capital Monitoring report elsewhere on the agenda:

Service Unit	Capital Scheme Name	£'000
Green Spaces & Amenities	Vehicle and Machinery Replacement	206
Green Spaces & Amenities	Worsthorne Rec Grd Improvements	22
Green Spaces & Amenities	Refill Fountains	5
Economy & Growth	Lower St James Street Historic Action Zone	170
Economy & Growth	Pioneer Place	665
Finance & Property	Building Infrastructure Works	2
Finance & Property	Audio & Visual Upgrade to Facilitate On-Line Meetings	100
Finance & Property	Charter Walk Refurbishment	1,180
RCCO as at 30/06/2023		2,350

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

14. As shown in the body of the report.

POLICY IMPLICATIONS

15. The revenue budget determines the extent to which the Council's strategic objectives can be pursued and achieved.

DETAILS OF CONSULTATION

16. None

BACKGROUND PAPERS

17. None

FURTHER INFORMATION

PLEASE CONTACT:

**Craig Finn
Principal Accountant**

This page is intentionally left blank

Revenue Budget Forecast Position 2023/24 by Service Area

Appendix 1

			Quarter 1			
			NET BUDGET 2023/24 £000s	REVISED BUDGET 2023/24 £000s	FORECAST Q1 £000s	VARIANCE Q1 £000s
Economy and Growth	RAPP Holding Accounts	RAPP Holding Accounts	170	170	170	0
Economy and Growth	Markets	Burnley Markets	169	169	225	56
Economy and Growth	Markets	Markets Shared Areas	(31)	(31)	(31)	0
Economy and Growth	Planning Policy	Local Plan	14	46	46	0
Economy and Growth	Planning Policy	Planning Policy	223	296	296	0
Economy and Growth	Economic Development	Town Centre Management	83	78	78	0
Economy and Growth	Economic Development	Business Support	211	314	314	0
Economy and Growth	Economic Development	Burnley Branding	96	96	96	0
Economy and Growth	Economic Development	Burnley Bondholders	36	36	36	0
Economy and Growth	Regeneration Development	Regeneration	(212)	(165)	(165)	0
Economy and Growth	Regeneration Development	Padiham THI	(48)	(48)	(48)	0
sub-total			711	961	1,017	56
Policy and Engagement	Corp Engage & Policy Hold Acc	Corp Engage Holding Accounts	52	54	54	0
Policy and Engagement	Emergency Planning	Emergency Planning	2	2	2	0
Policy and Engagement	Communications	Communications	109	109	109	0
Policy and Engagement	Community Engagement	Community Engagement	233	551	551	0
Policy and Engagement	Performance And Policy	Performance and Policy	114	164	164	0
sub-total			510	880	880	0
Management Team	Management Team	Management Team	394	394	394	0
sub-total			394	394	394	0
Sport and Culture Leisure Client	Burnley Mechanics And Arts Devt	Burnley Mechanics And Arts Devt	59	59	59	0
Sport and Culture Leisure Client	Leisure Centres	St Peters Centre	253	253	253	0
Sport and Culture Leisure Client	Leisure Centres	Leisure Trust Client	813	813	813	0
Sport and Culture Leisure Client	Leisure Centres	Padiham Leisure Centre	85	85	85	0
Sport and Culture Leisure Client	Leisure Centres	Prairie Sports Village	60	60	60	0
sub-total			1,270	1,270	1,270	0
Green Spaces and Amenities	Bereavement Service	Cemeteries and Crematorium	(943)	(921)	(924)	(3)
Green Spaces and Amenities	Parks And Green Spaces	Community Parks and Open Space	1,587	1,631	1,633	2
Green Spaces and Amenities	Parks And Green Spaces	Recreation and Sport	310	310	310	0
Green Spaces and Amenities	Parks And Green Spaces	Allotments	(17)	(2)	(2)	0
Green Spaces and Amenities	Parks And Green Spaces	Parks Externally Funded Scheme	0	39	39	0
Green Spaces and Amenities	Art Gallery And Museums	Towneley Hall	361	362	362	0
Green Spaces and Amenities	Transport	Grounds Maintenance	78	78	78	0
sub-total			1,376	1,497	1,496	(1)
Streetscene	Streetscene Holding Accounts	Streetscene Holding Accounts	1,118	1,069	1,069	0
Streetscene	Engineering Services	Bus Shelters	18	18	18	0
Streetscene	Engineering Services	Highways	13	13	13	0
Streetscene	Engineering Services	Street Lighting	83	83	83	0
Streetscene	Engineering Services	Drainage	4	4	4	0
Streetscene	Community Safety	Community Safety	226	228	228	0
Streetscene	Car Parking	Car Parking	(597)	(572)	(532)	40
Streetscene	Car Parking	Car Parking Enforcement	12	12	12	0
Streetscene	CCTV	CCTV	176	176	176	0
Streetscene	Environmental Services	Waste Cleaning Contract	77	166	166	0
Streetscene	Environmental Services	Street Cleansing	1,334	1,369	1,369	0
Streetscene	Environmental Services	Waste Collection	1,110	1,110	1,110	0
Streetscene	Environmental Services	Pest Control	19	19	19	0
Streetscene	Environmental Services	Dog Warden	16	16	16	0
Streetscene	Environmental Services	Default Works	(24)	(24)	(24)	0
Streetscene	Regulation	Environmental Health Client	(21)	(21)	(21)	0
Streetscene	Regulation	Taxi Licensing	(116)	(116)	(116)	0
Streetscene	Regulation	Other Licensing	(112)	(112)	(112)	0
Streetscene	Regulation	Public Funerals	10	10	10	0
sub-total			3,346	3,448	3,488	40
Housing and Development Control	Housing And Development Ctrl	Housing	536	600	600	0
Housing and Development Control	Development Control	Development Control	242	257	257	0
Housing and Development Control	Building Control	Building Control	79	110	110	0
Housing and Development Control	Selective Licensing	Selective Licensing	179	179	179	0
sub-total			1,036	1,146	1,146	0
Strategic Partnership	Strategic Partnership	Strategic Partnership	4,205	4,217	4,217	0
sub-total			4,205	4,217	4,217	0

Finance and Property	Finance Unit	Finance Unit	823	812	806	(6)
Finance and Property	External Audit	External Audit	124	124	124	0
Finance and Property	Internal Audit	Internal Audit	155	166	166	0
Finance and Property	Misc Income And Expenditure	Misc Income And Expenditure	(76)	(76)	(76)	0
Finance and Property	Property	Property	(2,369)	(1,324)	(1,318)	6
sub-total			(1,343)	(298)	(298)	0
Revenues and Benefits Client	Revenues And Benefits Client	Revenues And Benefits Client	(353)	(353)	(353)	0
Revenues and Benefits Client	Housing Benefits Payments And Subs	Housing Benefits Payments And Subs	(74)	(54)	(54)	0
Revenues and Benefits Client	Council Tax Support	Council Tax Support	5	5	5	0
Revenues and Benefits Client	Cost Of Collection Accounts	Cost Of Collection Accounts	(736)	(736)	(736)	0
sub-total			(1,158)	(1,138)	(1,138)	0
Legal and Democratic Services	Legal	Legal Services	425	442	442	0
Legal and Democratic Services	Legal	Local Land Charges	(39)	12	12	0
Legal and Democratic Services	Legal	FOI Requests	1	1	1	0
Legal and Democratic Services	Governance	Conducting Elections	84	102	102	0
Legal and Democratic Services	Governance	Register of Electors	90	90	90	0
Legal and Democratic Services	Governance	Parish Councils	2	2	2	0
Legal and Democratic Services	Governance	Democratic Services	377	383	383	0
Legal and Democratic Services	Governance	Civic Administration	11	71	71	0
Legal and Democratic Services	Governance	Mayoralty	67	67	67	0
Legal and Democratic Services	Governance	Members Expenses	255	258	258	0
sub-total			1,273	1,428	1,428	0
People and Development	People And Development	People and Development	234	242	242	0
sub-total			234	242	242	0
Central Budgets - Other	Central Budgets - Other	Central Budgets - Other	906	1,154	1,154	0
Central Budgets - Savings Targets	Central Budgets - Savings Targets	Salary Savings Target	(169)	(169)	0	169
Central Budgets - Savings Targets	Central Budgets - Savings Targets	Non-Salary Savings Target	(79)	(79)	0	79
sub-total			658	906	1,154	248
NET SERVICE BUDGET			12,512	14,953	15,296	343
Corporate Items	Pensions		486	486	486	0
Corporate Items	Parish Precepts		173	173	173	0
Corporate Items	Treasury Investments & Borrowing		1,516	1,516	1,416	(100)
Corporate Items	Capital Financing		1,951	4,111	4,111	0
Corporate Items	Earmarked Reserves		(361)	(4,619)	(4,619)	0
Corporate Items	Strategic Reserves		(10)	(353)	(353)	0
NET CORPORATE ITEMS			3,755	1,314	1,214	(100)
Funding	Council Tax		(7,724)	(7,724)	(7,724)	0
Funding	Council Tax - Parish Precepts		(173)	(173)	(173)	0
Funding	Business Rates: Retained Income		(5,950)	(5,950)	(5,950)	0
Funding	Business Rates: S31 Grants		(754)	(754)	(754)	0
Funding	Prior Year Collection Fund (Surplus)/Deficit		1,208	1,208	1,208	0
Funding	Revenue support Grant		(1,872)	(1,872)	(1,872)	0
Funding	New Homes Bonus		(319)	(319)	(319)	0
Funding	Other Government Grants		(683)	(683)	(683)	0
FUNDING			(16,267)	(16,267)	(16,267)	0
BUDGET BALANCE			0	0	243	243

Quarter 1 Movements in Reserves

	Transformation Reserve	Growth Reserve	Total Strategic Reserves	Other Earmarked Reserves	Total Earmarked Reserves
	£'000	£'000	£'000	£'000	£'000
Balance as at 01/04/23	4,621	1,050	5,671	19,812	25,483
Movements between reserves	-1,123	1,123	-	-	-
Approved budget contributions (Original Estimate)	-10	-	-10	-360	-370
	3,488	2,173	5,661	19,452	25,113
Slippage/carry forwards from 2022/23	-	-171	-171	-886	-1,057
Additional Movement in Q1	-1,008	835	-173	-3,372	-3,545
Anticipated balance as at 31 March 2024	2480	2,837	5,317	15,194	20,511
Approved use future years	-276	-1,037	-1,313	2,577	1,264
Balance after approvals	2,204	1,800	4,004	17,771	21,775

This page is intentionally left blank

Capital Monitoring Report 2023/24 – Quarter 1 (to 30 June 2023)

REPORT TO EXECUTIVE



DATE	20 September 2023
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Craig Finn
TEL NO	01282 475811
EMAIL	CFinn@burnley.gov.uk

PURPOSE

1. To provide Members with an update on capital expenditure and the resources position along with highlighting any variances.

RECOMMENDATION

2. The Executive is asked to:
 - a. Recommend to Full Council, approval of net budget changes totalling a reduction of (£1,235,466) giving a revised capital budget for 2023/24 totalling £39,190,265 as detailed in Appendix 1.
 - b. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £39,190,265 as shown in Appendix 2.
 - c. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £3,769,351 as at 31 March 2024 as shown in Appendix 3.

REASONS FOR RECOMMENDATION

3. To effectively manage the 2023/24 capital programme.

SUMMARY OF KEY POINTS

4. Monitoring Information

On 22 February 2023 Full Council approved the 2023/24 original capital budget, totalling £41,357,215.

The 2022/23 Outturn report, presented to the Executive on 12 July 2023 obtained approval for slippage of £2,006,176 to be added **to** the Capital Programme 2023/24 and reverse slippage of £2,937,660 **from** the 2023/24 approved programme back into 2022/23 to match the actual timing of capital spend. The result is a net reduction to the approved Capital

Programme 2023/24 of £931,484, giving a revised Capital Programme 2023/24 of £40,425,731.

This is the first of three in-year monitoring reports, and as such the appendices accompanying this report provide Members with the position as at 30 June 2023 on expenditure, along with an update on the progress of delivery of the individual schemes.

As part of this report, budget adjustments in year in the sum of £678,513 are proposed in addition to re-profiling £556,953 into 2024/25. Total adjustments therefore equating to a net reduction to the Capital Programme in 2023/24 of £1,235,466.

The net result is a newly revised Capital Programme for 2023/24 of £39,190,265.

5. Executive Summary

- a. **Expenditure monitoring – Appendix 1** provides a detailed breakdown of the revised capital budget, scheme by scheme, presented under each of the relevant service unit areas responsible for delivering the capital projects. It shows the recommended revised budget position and expenditure as at the end of June 2023. The expenditure to date is £6,146,555 which is 16% of the proposed revised budget, which is usual at this time of the year.
- b. **Revised budget and financing elements – Appendix 2** shows the revised budget of £39,190,265 along with identifying the recommended financing elements on a scheme by scheme basis. As above, this is a net reduction to the 2023/24 Capital Programme approved in July of £1,235,466 owing to reverse slippage on conclusion of the 2022/23 capital outturn position, budget adjustments in year, and re-profiling sums into 2024/25.
- c. Included within the in-year adjustments are additional items for approval in the 2023/24 Capital Programme and these are included at Appendix 2, in the sum of £295,950. These are to be financed from a mixture of resources: £35k (Climate Action Fund), £63k (revenue contributions), £65k (UK Shared Prosperity Fund) and £133k (capital receipts) and are summarised below.

Scheme	Funding Source	£'000
Vehicle & Machinery Replacement	Climate Action Fund/Revenue	98
Play Area Improvement Scheme	UKSPF	65
Towneley Hall Works	Capital Receipts	133
Total Additional Proposals		296

- d. More detail is also included within the narrative at Appendix 1.
- e. **Council resources position – Appendix 3** shows the latest position on capital receipts, section 106 monies and third-party contributions. As at the end of this round of budget monitoring the forecast level of surplus available local resources at 31 March 2024, after taking into account the 2023/24 capital commitments, is estimated at £3,769,351.

The resources are reducing each financial year. This is due to reduced opportunities to realise capital receipts, as the estate reduces, which will require prioritisation of future capital schemes in line with available resources.

Please note, the general receipts position requires a number of properties to be sold over the life of the medium-term Capital Investment Programme (CIP), some of which are considered high risk.

Asset disposals will be monitored throughout the year, with updates to Members included in these cyclical monitoring reports. Should these receipts not be received, we will need to source alternative financing.

f. **Building Infrastructure Works**

Towneley Hall

The contract to repair Towneley Hall is progressing on schedule. It is proposed to increase the repair budget by £133k to enable the fire and intruder alarm systems and climate control system to be replaced, taking advantage of financial savings of doing the work alongside the building repair contract. The existing fire and intruder alarm systems are old and unreliable, resulting in more frequent false activations. The new digital systems will be more reliable and facilitate more accurate identification of alarm activations when emergency services attend.

Town Hall

The main works to the Town Hall have been completed, including all roofing and stonework repairs and the structural issue above the main entrance. Structural repairs in the lightwell have been also completed with only the cosmetic works to the toilets to be done and external cladding to be installed in due course. Unfortunately, the dry rot works in the Council Chamber have proven to be more extensive than first anticipated however these are now well under way and are estimated to be completed during the Autumn of 2023. Progress is being made on accessibility and audio-visual equipment upgrades and work will commence once the dry rot works have been completed.

Nicholas Street

Outbreaks of dry rot continue to arise and are in the process of being treated. The building continues to be monitored pending its disposal or redevelopment.

6. **Revenue Implications**

a. **Revenue Contributions / Reserves 2023/24**

b. The Capital Programme includes Revenue Contributions / Reserves of £2,350,202:

Scheme	Funded	£'000
Vehicle & Machinery Replacement	Transport Reserve	143
Vehicle & Machinery Replacement	Revenue	63
Worsthorne Recreation Ground Improvements	Revenue Support Reserve	22
Refill Fountains	Revenue Support Reserve	5
Building Infrastructure	Revenue Support Reserve	2
Lower St James Street Historic Action Zone	Growth Reserve	170
Audio & Visual Upgrade to Facilitate On-line Meetings	Covid-19 Recovery Reserve	100
Pioneer Place	Transformation Reserve	665
Charter Walk Refurbishment	Charter Walk Reserve	1,180
Total Revenue Contributions		2,350

c. Prudential Borrowing 2023/24

The MRP cost is the charge to revenue for the repayment of the principal amount borrowed based on the estimated life of the asset and is not incurred until the year after the schemes are completed.

The interest cost will be dependent on the timing of the borrowing and is subject to the interest rate at the time the borrowing is undertaken. The full year costs will be included within the revenue budget for 2023/24.

The original capital budget for 2023/24 of £41,357,215 included a planned borrowing requirement of £15,223,050. The revised Capital Programme for 2023/24, including proposed budget adjustments and re-profiling schemes into 2024/25 now estimates the planned borrowing requirement for the year to be £13,661,817.

The revenue implications of borrowing £13,661,817 are a Minimum Revenue Provision (MRP) of £1,710,208 and an interest charge, assuming 3% on the borrowing, of £410k for a full year.

The above MRP estimate will apply to future years from 2024/25 where appropriate, in line with the Council's approved MRP Policy and regulations, to allow MRP to be charged in the year following practical completion of the asset.

The approved MRP charge for 2024/25 will be determined as part of the Council's annual budget setting process.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

- 7. A net reduction to the approved 2023/24 Capital Programme, including re-profiling schemes into 2024/25, of £1,235,466, to give a revised budget of £39,190,265.

POLICY IMPLICATIONS

- 8. None arising directly from this report. Any prudential borrowing will be undertaken in accordance with the Council's approved Treasury Management Strategy Statement (TMSS) as approved by Council in February 2023, for 2023/24. This includes the approved MRP policy and Capital Financing Requirement (CFR).

DETAILS OF CONSULTATION

- 9. None.

BACKGROUND PAPERS

- 10. None.

FURTHER INFORMATION

PLEASE CONTACT: **Craig Finn – Principal Accountant**

This page is intentionally left blank

2023/24 CAPITAL BUDGET CYCLE 1 MONITORING - UPDATE

Scheme Name	Budget Council 22/02/23	Slippage from 2022/23	Budget per Exec 12/07/23	Adjustments Per This Report		Changes to be approved in this report	Revised Budget	Total Spend as at 30/06/23	% Schemes Spend	Financed by External Funding	Narrative provided by Project Officers/Heads of Service
				Budget Adjustments	Reprofiled into Future Years						
				A	B	A + B					

GREEN SPACES & AMENITIES

Play Area Improvement Programme	90,000	32,261	122,261	65,000		65,000	187,261	21,918	12%	125,116	Schemes from the 22/23 PAIP at Healeywood, Clifton Street, Park Road and Queens Park will be completed by mid-September 2023. This is predominantly tendered work with additional support from our own staff and other contractors. Consultation for the three 23/24 PAIP schemes at Barden Lane/Disraeli Street, Underley Street and Piccadilly Gardens will be undertaken during summer with a view to these being completed by the end of March 2024. £65,000 UKSPF has been added to existing Capital budgets. £20,000 of this is for pump track development and the Town Centre Skate Park development.
Vehicle and Machinery Replacement	165,000	2,760	167,760	97,950		97,950	265,710	119,493	45%	60,000	Replacement of Vehicle & Machinery will be completed as per the transport fleet and grounds maintenance programme. Additional vehicles and equipment are due to be procured for Streetscene and Green Spaces which will be funded from revenue contributions and the Climate Action Fund.
Playing Pitch Improvements	298,300	8,478	306,778		(281,778)	(281,778)	25,000	-	0%	25,000	Work at Lockyer Avenue and Queens Park will now be carried out in May/June 2024 so the majority of the budget can be rolled forward to 2024/25. £25,000 is needed for 23/24 for ongoing study and consultant work associated with getting the drainage and pitch improvement schemes together and for going out to tender in early 2024. Work has been delayed due to issues with UU regarding surface water drainage from Lockyer Avenue in to the public sewer.
Wheeled Sports Area	250,000	175	250,175		(250,175)	(250,175)	-	-	0%	-	This is to be moved to 2024/25 Capital Programme, due to more urgent projects being progressed over the next 12 months.
Towneley Hall Works	2,130,491	64,671	2,195,162	133,000		133,000	2,328,162	138,392	6%	323,868	The contract to repair Towneley Hall is progressing on schedule. It is proposed to increase the repair budget by £133K to enable the fire and intruder alarm systems and climate control system to be replaced, taking advantage of financial savings of doing the work alongside the building repair contract. The existing fire and intruder alarm systems are old and unreliable, resulting in more frequent false activations. The new digital systems will be more reliable and facilitate more accurate identification of alarm activations when emergency services attend.
Play Zones - NEW	165,000		165,000			-	165,000	-	0%	135,000	Awaiting information from the Football Foundation regarding progress on this and when we can expect to apply for funding. An update on whether any action will be forthcoming in 2023/24 will be provided in Cycle 2.
Thompson Park Restoration - NEW	82,000	2,766	84,766			-	84,766	30	0%	84,766	Provision of a modular changing places toilet in Thompson Park car park to complete the Thompson Park restoration project.
Crematorium Improvements	132,000		132,000			-	132,000	90,939	69%	-	Work to redecorate and refurbish the interior of the crematorium chapel and waiting room is complete and design work for improvements to access and car parking is progressing with Streetscene engineers.
Memorial Park Improvements	96,042	47,100	143,142			-	143,142	91,458	64%	104,142	The Wheeled Sports Area has been completed and an official opening event took place on 7th July. Final invoice to the contractors to be paid after opening. Refurbishment of the tennis courts has also been completed. Remaining money to be attributed to MUGA and youth shelter improvements.
Worsthorne Rec Grd Improvements		46,995	46,995			-	46,995	-	0%	25,084	Refurbishment of the changing rooms has been delayed due to the connection of water, electricity and sewerage but work to refurbish the interior and exterior of the changing rooms should commence soon.
Extension of Burnley Cemetery		25,000	25,000			-	25,000	-	0%	-	Intend to use the capital monies set aside this financial year to appoint a consultant who specialises in the development of new Cemeteries and Cemetery extensions.
Refill Fountains		5,000	5,000			-	5,000	-	0%	-	Bottle fillers have been delivered. Currently working with Streetscene engineers to progress installation.
Scott Park HLF		25,000	25,000		(25,000)	(25,000)	-	-	0%	-	This scheme will be deferred to 2024/25 because funding from a proposed housing development S106 contribution is not yet confirmed and this is needed to provide match funding for a proposed National Lottery Heritage Fund application.
Changing Places (Towneley Hall)		43,469	43,469				43,469	-		43,469	To install fully accessible Changing Place toilet and changing facility
Brun Valley Forest Park		13,570	13,570				13,570	-		13,570	Seeding of wildflower meadows has taken place at Bank Hall Park, with the remaining sites at Bank Hall and Lydgate to be seeded by contractors in Quarter 3.
	3,408,833	317,245	3,726,078	295,950	(556,953)	(261,003)	3,465,075	462,230	13%	940,015	

STREETSCENE

River Training Walls	60,000	77,258	137,258			-	137,258	-	0%	-	Following successful recruitment to vacant posts, Officers have undertaken inspection works and continue to liaise with key stakeholders such as the Environment Agency (EA) to outline more detailed plans around spend and timing. Given the lead-in time to obtain the necessary permits for works and time restrictions to access main water sources, this budget may be re-profiled into future periods.
Alleygate Programme	25,000	320	25,320			-	25,320	-	0%	-	The election process has begun to identify new schemes. The current pool of applications stands at 80 and this year's roll out will be in conjunction with a review and potential removal of some existing schemes where gates are no longer the appropriate intervention. Selection and consultation will take place in Q3, while installation and completion will be in Q4.
Electric Vehicle Charging Points		35,907	35,907			-	35,907	-	0%	34,818	The balance of spend carried forward from 2022/23 represents final works to make charge points fully operational. It is anticipated that this will be achieved at Q2/Q3 followed by final grant claim for agreed funding.
	85,000	113,485	198,485	-	-	-	198,485	-	0%	34,818	

2023/24 CAPITAL BUDGET CYCLE 1 MONITORING - UPDATE

Scheme Name	Budget Council 22/02/23	Slippage from 2022/23	Budget per Exec 12/07/23	Adjustments Per This Report		Changes to be approved in this report	Revised Budget	Total Spend as at 30/06/23	% Schemes Spend	Financed by External Funding	Narrative provided by Project Officers/Heads of Service
				Budget Adjustments	Reprofiled into Future Years						
				A	B	A + B					
	£		£	£	£	£	£	£	£		
ECONOMY & GROWTH											
Lower St James Street Historic Action Zone	1,177,737	(83,496)	1,094,241	(338,043)		(338,043)	756,198	3,578	0%	236,627	Three building schemes have been completed with 3 in the process and a further 2 at application stages. Public realm works are complete and the community engagement and training programme continues throughout year 4.
Levelling Up Fund	19,511,226	(2,193,298)	17,317,928			-	17,317,928	2,701,060	16%	16,557,928	Redevelopment works continue to Newtown Mill, the current programme shows completion in June 2024. Works also continue on site for the Town 2 Turf public realm scheme with excavation, paving and works to the aqueduct. Further ground investigations are being undertaken to Manchester Rd station in conjunction with development of the detailed design.
Town Centre & Weavers Triangle Project Work	169,492		169,492			-	169,492	-	0%	-	Council funding to assist in bringing forward key projects identified in the emerging Town Centre and Weavers Triangle Masterplan.
Padiham Townscape Heritage	110,000	517,930	627,930	(336,420)		(336,420)	291,510	25,997	9%	246,974	Twelve building schemes have been completed and the final two building schemes have/are commencing on site. Public realm works are complete and the community engagement and training programme has been delivered.
Pioneer Place	10,412,902	(635,817)	9,777,085			-	9,777,085	2,185,332	22%	-	The redevelopment of the Curzon Street site in the town centre will supplement the existing thriving retail and service centre with a wider leisure, cultural and social experience during the day and into the evening that will underpin Burnley as an attractive place to live work and visit. The site provides an opportunity for a major leisure-led development, bringing a cinema and new restaurants and shops into the town centre.
Former Open Market & Former Cinema Block	57,738		57,738			-	57,738	-	0%	-	For remediation works to the parapet. Works delayed due to LCC works on Bankfield.
Vision Park		24,506	24,506			-	24,506	-	0%	17,853	Signage works installed and project completed.
Sandygate Halls (Commercial Units & Car Parking)		190,588	190,588			-	190,588	248	0%	-	The Halls were completed in September 2021. There is still one commercial unit that requires some fit out works subject to tenant requirements. Works are planned to complete the car parking on Wiseman Street.
Burnley-Pendle Growth Programme		300,000	300,000	(300,000)		(300,000)	-	-	0%	-	The scheme was delivered by LCC and is now complete. The Capital sum represents the Council's agreed contribution to works, funded from the Growth Reserve, to be released when the contribution becomes payable.
	31,439,095	(1,879,587)	29,559,508	(974,463)		-	28,585,045	4,916,215	17%	17,059,382	

FINANCE & PROPERTY

IT Upgrades	12,000	3,350	15,350			-	15,350	-	0%	-	This is a rolling replacement programme. The first tranche of devices was issued in 2022. The remainder will follow during 2023/24 as required
Burnley Leisure Improvements	307,450	8,067	315,517				315,517	8,430		-	Delivery of condition survey related capital based works to ensure continuity of business, compliance with undertakings and improvement in appearance in order to continue to attract patronage.
Building Infrastructure Works	1,018,989	501,975	1,520,964			-	1,520,964	93,139	6%	5,543	Contribution towards larger scale works arising out of the building condition surveys currently being undertaken, across a range of Council owned buildings.
Carbon Reduction Measures	286,220	(6,262)	279,958			-	279,958	-	0%	-	This budget will provide funding to progress initiatives included within the Council's Climate Change Strategy.
Audio & Visual Upgrade to Facilitate On-Line Meetings	100,000		100,000			-	100,000	-	0%	-	The upgrade of the system is linked to the Council Chamber works which are due to be completed by the autumn. Site visits and discussions with suppliers are taking place to inform the council's specification prior to going out to tender and coincide installation with the Chamber coming back into use.
Charter Walk Refurbishment	1,169,628	10,243	1,179,871			-	1,179,871	-	0%	-	The Council purchased Charter Walk Shopping Centre in October 2021. This budget has been identified for any landlord capital works required to facilitate lease renewals, expansion/rationalisation of retail space and energy efficiency works. The expenditure will be funded from surpluses generated from the operation of the shopping centre.
	2,894,287	517,373	3,411,660			-	3,411,660	101,569	3%	5,543	

Page 34

Scheme Name	Budget Council	Slippage from	Budget per Exec	Adjustments Per This Report		Changes to be	Revised Budget	Total Spend as at 30/06/23	% Schemes Spend	Financed by External Funding	Narrative provided by Project Officers/Heads of Service
	22/02/223	2022/23		Budget	Reprofiled into	approved in					
	£	£		Adjustments	Future Years	this report					
				A	B	A + B					
				£	£	£					
HOUSING & DEVELOPMENT CONTROL											
Emergency Repairs	180,000		180,000			-	180,000	42,154	23%	180,000	Emergency Repairs is a discretionary grant that is made available to owner-occupiers to remedy repairs where there is a serious and imminent risk to the health and safety of the occupants. The grant is eligible to owner-occupiers in receipt of income-related benefits and aged 60 or over, or a disabled person who is in receipt of income related benefits. In addition to the grants completed there is a further £32,087.80 committed to an additional 10 grants that have been approved and a further 5 applications. There is a tendency for applications to increase in the winter months. It is anticipated the full budget will be spent.
Better Care Grant	2,000,000		2,000,000			-	2,000,000	474,265	24%	2,000,000	The funding is allocated by the Government through the Better Care fund. It enables grants to be provided to disabled/vulnerable people, to adapt their house so that they can remain living as independently as possible in the home of their choice. An addition to the grants completed there is currently a further £806,000 committed for disabled facilities grants. Along with another 47 applications. We are aiming to complete over 200 DFGs this year. It is anticipated that a further £8752 will be utilised for the safe and secure grants, £9,246 for the declutter grant as well as £5,000 for dwelling dementia grants. LCC have approved 3 social projects under the better care fund at a cost of £587,475. With the current spend and current commitment it is anticipated that the full £2,000,000 budget will be spent.
Energy Efficiency	50,000		50,000			-	50,000	10,000	20%	50,000	The Council's Energy Efficiency Programme allows the Council to achieve its strategic objective of reducing carbon emissions and reducing fuel poverty in the most vulnerable households. We are still predicting to complete 125 grants this year and looking at introducing new energy efficiency grants. There is £8,000 committed and we have 8 applications waiting approval and this is likely to increase as we move into the autumn and winter months.
Empty Homes Programme	1,300,000		1,300,000			-	1,300,000	140,123	11%	-	The Empty Homes Programme brings long term empty properties back in to use in the borough of Burnley. We are aiming to acquire a maximum of 20 properties and complete 25 renovations. In addition the face-lifting schemes on Winsor and Ivory street will have completed along with the Piccadilly Road area. Subsequently it is anticipated that the full budget will be spent.
	3,530,000	-	3,530,000	-	-	-	3,530,000	666,541	19%	2,230,000	
	41,357,215	(931,484)	40,425,731	(678,513)	(556,953)	(1,235,466)	39,190,265	6,146,555	16%	20,269,758	

This page is intentionally left blank

Scheme Name	Revised Budget £	FINANCING ELEMENTS						Total Revised Budget £
		Prudential Borrowing £	Revenue Cont'n / Reserves £	Capital Grants £	Capital Receipts £	Vacant Property Initiative Receipts £	3rd Party Contribution / Section 106 £	
Green Spaces & Amenities								
Play Area Improvement Scheme	187,261			65,000	62,145		60,116	187,261
Vehicle and Machinery Replacement	265,710		205,710	35,000			25,000	265,710
Changing Place	43,469						43,469	43,469
Crematorium Improvements	132,000	132,000						132,000
Extension of Burnley Cemetery	25,000	25,000						25,000
Memorial Park Improvements	143,142				39,000		104,142	143,142
Playing Pitch Improvements	25,000						25,000	25,000
Towneley Hall Works	2,328,162	1,871,294	-	323,868	133,000			2,328,162
Brun Valley Forest Park	13,570						13,570	13,570
Worsthorne Recreation Ground Improvements	46,995		21,911				25,084	46,995
Thompson Park Restoration	84,766			2,766			82,000	84,766
Refill Fountains	5,000		5,000					5,000
Play Zones - NEW	165,000				30,000		135,000	165,000
	3,465,075	2,028,294	232,621	426,634	264,145	-	513,381	3,465,075
Streetscene								
River Training Walls	137,258				137,258			137,258
Alleygate Programme	25,320				25,320			25,320
Electric Vehicle Charging Scheme (Council Match Funding)	35,907			34,818	1,089			35,907
	198,485	-	-	34,818	163,667	-	-	198,485
Economy & Growth								
Padiham Townscape Heritage Initiative	291,510			215,056	4,935	39,601	31,918	291,510
Pioneer Place	9,777,085	9,111,616	665,469					9,777,085
Lower St James Street Historic Action Zone	756,198	349,427	170,144	170,517			66,110	756,198
Vision Park	24,506			17,853	6,653			24,506
Town Centre & Weavers Triangle Project Work	169,492	169,492						169,492
Levelling Up Fund	17,317,928	760,000		12,522,928			4,035,000	17,317,928
Sandygate Halls (Commercial Units & Car Parking)	190,588	190,588						190,588
Former Open Market & Former Cinema Block	57,738	57,738						57,738
	28,585,045	10,638,861	835,613	12,926,354	11,588	39,601	4,133,028	28,585,045
Finance & Property								
Leisure Centre Improvements	315,517	242,000			73,517			315,517
Building Infrastructure	1,520,964	472,704	2,098		1,040,619		5,543	1,520,964
Carbon Reduction Measures	279,958	279,958						279,958
IT Upgrades	15,350				15,350			15,350
Audio & Visual Upgrade to Facilitate On-line Meetings	100,000		100,000					100,000
Charter Walk Refurbishment	1,179,871		1,179,871					1,179,871
	3,411,660	994,662	1,281,969	-	1,129,486	-	5,543	3,411,660
Housing & Development Control								
Emergency Repairs	180,000			180,000				180,000
Better Care Grant	2,000,000			2,000,000				2,000,000
Energy Efficiency	50,000			50,000				50,000
Empty Homes Programme	1,300,000					1,300,000		1,300,000
	3,530,000	-	-	2,230,000	-	1,300,000	-	3,530,000
TOTAL OF ALL SCHEMES	39,190,265	13,661,817	2,350,203	15,617,806	1,568,886	1,339,601	4,651,952	39,190,265

This page is intentionally left blank

CAPITAL RECEIPTS AND CONTRIBUTIONS ANALYSIS FOR 2023/24 + CIP 2023-28

APPENDIX 3

	<u>General Capital Receipts</u> £	<u>Vacant Property Initiatives Receipts</u> £	<u>Section 106 Money</u> £	<u>3rd Party Cont'ns</u> £	<u>Total</u> £
Capital Resources Brought Forward on 1 April 2023	2,351,468	1,345,239	870,220	562,455	5,129,382
Add					
Resources Received as at 30 June 2023	-	89,898		11,000	100,898
Further Resources Estimated to be Received during 2023/24:	250,000	1,200,000	-	4,640,952	6,090,952
Potential Resources Available during 2023/24	2,601,468	2,635,137	870,220	5,214,407	11,321,232
Less					
Required to Finance Capital Programme	(1,568,886)	(1,339,601)		(4,651,952)	(7,560,439)
Earmarked for Revenue Expenditure	-	-	-	8,558	8,558
Earmarked for Delivery By Outside Bodies	-	-	-	-	-
Estimated Surplus / (Shortfall) of Resources as at 31st March 2024	1,032,582	1,295,536	870,220	571,013	3,769,351
Add					
Resources Estimated to be Received during 2024/25	100,000	1,300,000	-	976,045	2,376,045
Less					
2024/25 Capital Budget	(487,232)	(1,150,000)	-	(976,045)	(2,613,277)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2025	645,350	1,445,536	870,220	571,013	3,532,119
Add					
- Resources Estimated to be Received during 2025/26	100,000	1,300,000	-	715,360	2,115,360
Less					
- 20245/26 Capital Budget	(162,370)	(1,150,000)	-	(715,360)	(2,027,730)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2026	582,980	1,595,536	870,220	571,013	3,619,749
Add					
- Resources Estimated to be Received during 2026/27	100,000	1,300,000	-	30,000	1,430,000
Less					
- 2026/27 Capital Budget	(204,581)	(1,150,000)	-	(30,000)	(1,384,581)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2027	478,399	1,745,536	870,220	571,013	3,665,168
Add					
- Resources Estimated to be Received during 2027/28	100,000	1,300,000	-	32,000	1,432,000
Less					
- 2027/28 Capital Budget	(221,350)	(1,150,000)	-	(32,000)	(1,403,350)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2028	357,049	1,895,536	870,220	571,013	3,693,818

This page is intentionally left blank

REPORT TO EXECUTIVE



DATE	20 September 2023
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Craig Finn
TEL NO	01282 475811
EMAIL	CFinn@burnley.gov.uk

2023/24 Treasury Management Report – Quarter 1 (April-June)
--

PURPOSE

1. To report treasury management activity for the first quarter of 2023/24 covering the period 1 April to 30 June 2023.

RECOMMENDATION

2. The Executive is requested to;
 - Note the treasury management activities undertaken during the period 1 April to 30 June 2023, and;

Recommend that Full Council;

- Endorse the quarterly update on the Treasury Management Strategy 2023/24 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy’s (CIPFA) Code of Practice on Treasury Management.

REASONS FOR RECOMMENDATION

3.
 - To inform members of the treasury management activity in the first quarter of 2023/24 and to fulfil statutory and regulatory requirements.

SUMMARY OF KEY POINTS

4. **Background**
 The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. The first main function of treasury management

operations is to ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering maximising investment return.

The second main function of the treasury management service is to ensure the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending commitments. This management of longer term cash may involve arranging long or short term loans, or using cash flow surpluses, and, on occasions, any current debt may be restructured to meet Council risk or cost objectives.

Treasury management is defined as:

“The management of the organisation's borrowing, investments and cash flows, including its banking, money market and capital market transactions, the effective control of the risks associated with those activities, and the pursuit of optimum performance consistent with those risks.”

The monitoring requirements for treasury activity were set out in the Treasury Management Strategy Statement (TMSS) which included the Prudential and Treasury Indicators for 2023/24 – 2025/26, approved by Full Council on 22 February 2023.

5. **Introduction**

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (2021).

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Strategy which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by Full Council of an annual Treasury Management Strategy - including the Annual Investment Strategy and Minimum Revenue Provision Policy for the year ahead, a Mid-year Review Report and an Annual Report (stewardship report) covering activities during the previous year.
4. **Additionally from 2023/24, quarterly reports for scrutiny to the Executive, to include updated Treasury/Prudential Indicators (this report). These are included at Appendix 1.**
5. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
6. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is Scrutiny Committee.

This quarterly report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first quarter of 2023/24;
- A review of the Treasury Management Strategy and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Council's investment portfolio for 2023/24;
- A review of the Council's borrowing strategy for 2023/24;
- A review of any debt rescheduling undertaken during 2023/24;
- A review of compliance with Treasury and Prudential Limits for 2023/24.

6. **Economic Update (Provided by Link Asset Services)**

- The first quarter of 2023/24 saw:
 - A 0.2% m/m rise in real GDP in April, partly due to fewer strikes;
 - CPI inflation falling from 10.1% to 8.7% in April, before remaining at 8.7% in May. This was the highest reading in the G7;
 - Core CPI inflation rise in both April and May, reaching a new 31-year high of 7.1%;
 - A tighter labour market in April, as the 3myy growth of average earnings rose from 6.1% to 6.5%;
 - Interest rates rise by a further 75bps over the quarter, taking Bank Rate from 4.25% to 5.00%;
 - 10-year gilt yields nearing the “mini-Budget” peaks, as inflation surprised to the upside.
 - The economy has weathered the drag from higher inflation better than was widely expected. The 0.2% m/m rise in real GDP in April, following March's 0.3% m/m contraction will further raise hopes that the economy will escape a recession this year. Some of the strength in April was due to fewer strikes by train workers and teachers in that month. Moreover, some of the falls in activity in other areas in April were probably temporary too. Strikes by junior doctors and civil servants contributed to the fall in health output (0.9% m/m) and the meagre 0.1% m/m increase in public administration.
 - The 0.3% m/m rise in retail sales volumes in May was far better than the consensus forecast of a 0.2% m/m decline and followed the robust 0.5% m/m rise in April. Some of the rise was due to the warmer weather. Indeed, the largest move was a 2.7% m/m jump in non-store sales, due to people stocking up on outdoor-related goods. But department stores also managed to squeeze out a 0.6% m/m rise in sales and the household goods sub-sector enjoyed a reasonable performance too. Overall, the figures were far better than analysts had expected. In addition, the GfK measure of consumer confidence rebounded from -27 to a 17-month high of -24 in June.
 - The recent resilience of the economy has been due to a confluence of factors including the continued rebound in activity after the pandemic, households spending some of their pandemic savings, and the tight labour market and government handouts both supporting household incomes. That said, as government support fades, real household incomes are unlikely to grow rapidly. Furthermore, higher interest rates will mean GDP is likely to contract later this

year. Our central assumption is that inflation will drop to the 2.0% target only if the Bank triggers a recession by raising rates from 5.00% now to at least 5.5% and keeps rates there until at least mid-2024. Our colleagues at Capital Economics estimate that around 60% of the drag on real activity from the rise in rates has yet to bite, and the drag on the quarterly rate of real GDP growth over the next year may be about 0.2ppts bigger than over the past year.

- The labour market became tighter over the quarter and wage growth reaccelerated. Labour demand was stronger than the consensus had expected. The three-month change in employment rose from +182,000 in March to +250,000 in April. Meanwhile, labour supply continued to recover as the size of the labour force grew by 303,000 in the three months to April. That was supported by a further 140,000 decline in inactivity as people returned to work from retirement and caring responsibilities (while inactivity due to long-term sick continued to rise). But it was not enough to offset the big rise in employment, which meant the unemployment rate fell from 3.9% to 3.8%
- The tighter labour market supported wage growth in April, although the 9.7% rise in the National Living Wage on 1st April (compared to the 6.6% increase in April last year) probably had a lot to do with it too. The 3myy rate of average earnings growth reaccelerated from 6.1% to 6.5% (consensus 6.1%) and UK wage growth remains much faster than in the US and the Euro-zone. In addition, regular private sector wage growth increased from 7.1% 3myy to 7.6%, which left it well above the Bank's forecast for it to fall below 7.0%. Overall, the loosening in the labour market appears to have stalled in April and regular private sector wage growth was well above the Bank's forecast.
- CPI inflation stayed at 8.7% in May (consensus 8.4%) and, perhaps more worryingly, core CPI inflation rose again, from 6.8% to a new 31-year high of 7.1%. The rise in core inflation built on the leap from 6.2% in March to 6.8% and means it is accelerating in the UK while it is slowing in the US and the Euro-zone (both fell to 5.3%). A further decline in fuel inflation, from -8.9% to -13.1%, and the second fall in food inflation in as many months, from 19.3% to 18.7%, explained why overall CPI inflation didn't rise. And the scheduled fall in the average annual utility price from £2,500 to £2,074 on 1st July means overall CPI inflation will probably ease in the coming months. But the problem is that the recent surge in core inflation and the reacceleration in wage growth shows that domestic inflationary pressures are still strengthening.
- This suggests the Bank may have more work to do than the Fed or ECB. Indeed, the Bank of England sounded somewhat hawkish in the June meeting. This came through most in the MPC's decision to step up the pace of hiking from the 25bps at the previous two meetings. The 7-2 vote, with only two members voting to leave rates unchanged at 4.50%, revealed support for stepping up the fight against high inflation.
- That said, the Bank has not committed to raising rates again or suggested that 50bps rises are now the norm. What it did say was that "the scale of the recent upside surprises in official estimates of wage growth and services CPI inflation suggested a 0.5 percentage point increase in interest rates was required at this particular meeting". Moreover, the Committee did not strengthen its forward guidance that any further rate hikes would be conditional on the data. However, it looks highly probable, given the on-going strength of inflation and employment data, that the Bank will need to raise rates to at least 5.5% and to keep rates at their peak until the mid-point of 2024. We still think it is only a matter of time

before the rise in rates weakens the economy sufficiently to push it into recession. That is why instead of rising to between 6.00%-6.25%, as is currently priced in by markets, we think rates are more likely to peak between 5.50-6.00%. Our forecast is also for rates to be cut in the second half of 2024, and we expect rates to then fall further than markets are pricing in.

- Growing evidence that UK price pressures are becoming increasingly domestically generated has driven up market interest rate expectations and at one point pushed the 10-year gilt yield up to 4.49% in late June, very close to its peak seen after the “mini-budget”. Yields have since fallen slightly back to 4.38%. But growing expectations that rates in the UK will remain higher for longer than in the US mean they are still more than 70 bps above US yields. While higher interest rates are priced into the markets, the likely dent to the real economy from the high level of interest rates is not. That’s why we think there is scope for market rate expectations to fall back in 2024 and why we expect the 10-year PWLB Certainty Rate to drop back from c5.20% to 5.00% by the end of this year and to 4.20% by the end of 2024.

7. Interest Rate Forecast (Provided by Link Asset Services)

The Council has appointed Link Group as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates.

The latest forecast on 26th June 2023 sets out a view that both short and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy, against a backdrop of a stubbornly robust economy and a tight labour market.

You will note that our forecasts have steadily increased during the quarter (when compared to previous rate forecasts) as the data continued to spring upside surprises, and the Bank of England continued to under-estimate how prevalent inflation is, and how tight the labour market is. The Government has also noted that despite immigration increasing markedly, high levels of ill-health amongst the workforce has led to wage demands remaining strong until such time as there is a loosening in demand for business services.

The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View	26.06.23											
	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26
BANK RATE	5.00	5.50	5.50	5.50	5.25	4.75	4.25	3.75	3.25	2.75	2.75	2.50
3 month ave earnings	5.30	5.60	5.50	5.30	5.00	4.50	4.00	3.50	3.00	2.70	2.60	2.50
6 month ave earnings	5.80	5.90	5.70	5.50	5.10	4.60	4.00	3.50	3.00	2.70	2.60	2.60
12 month ave earnings	6.30	6.20	6.00	5.70	5.30	4.80	4.10	3.60	3.10	2.80	2.70	2.70
5 yr PWLB	5.50	5.60	5.30	5.10	4.80	4.50	4.20	3.90	3.60	3.40	3.30	3.30
10 yr PWLB	5.10	5.20	5.00	4.90	4.70	4.40	4.20	3.90	3.70	3.50	3.50	3.50
25 yr PWLB	5.30	5.40	5.20	5.10	4.90	4.70	4.50	4.20	4.00	3.90	3.80	3.80
50 yr PWLB	5.00	5.10	5.00	4.90	4.70	4.50	4.30	4.00	3.80	3.60	3.60	3.50

8. Treasury Management Strategy update

The Treasury Management Strategy (TMS) for 2023/24, which includes the Annual Investment Strategy, was approved by this Council on 22 February 2023. There are no policy changes to the TMS included in this report.

9. **The Council's Capital Position**

The table below shows the financing of the Original Capital Budget approved by Full Council on the 22 February 2023 and the latest Revised Capital Budget as per the established Budget Monitoring Cycle and included elsewhere on the agenda. The net reduction is due to a combination of in year budget monitoring adjustments and reprofiling of capital expenditure into future years.

Capital	2023/24 Original Estimate £'000	2023/24 Revised Estimate £'000
Total Budget	41,357	39,190
Financed by:		
Capital receipts	2,547	2,908
Capital grants	22,525	20,270
Revenue	1,062	2,350
Total financing	26,134	25,528
Borrowing need	15,223	13,662

10. **Investment Portfolio 2023/24**

The Treasury Management Strategy Statement (TMSS) for 2023/24, which includes the Annual Investment Strategy, was approved by the Council on 22 February 2023. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs and avoid high borrowing costs where possible (internal borrowing), but also to seek out value available in periods up to 12 months with high credit rated financial institutions where cashflow projections are considered robust, using the Link suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information. As per the approved Investment Strategy, longer-term investments will be carefully assessed.

Investment Counterparty criteria

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

CDS prices

It is noted that sentiment in the current economic climate can easily shift, so it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances

The average daily level of funds deposited during the financial year to date is £2.6m with an average rate of return of 4.46%. Excluding longer-term property funds, the long-term loan to Burnley College and the Council's 'Sweep' account, the actual value of surplus funds under investment as at 30 June was £13m. These funds have been

available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the Capital Programme.

There were 7 investments carried forward from 2022/23 totalling £17.8m, of which £3.8m was in a mixture of notice and call accounts with our bank HSBC, £4m was in a notice account with Santander, £8m was in fixed term deposits, and £2m was the loan made to Burnley College.

There have been two new fixed investments made during the period 1 April to 30 June 2023 totalling £6m. The table below shows the amount invested as at 30 June 2023, and the rate of return against the market benchmark.

Counterparties	Date of Investment	Investment As at 30 June 2023 £m	Current Return	Benchmark (average return)*
HSBC (31 Day Notice)**	12/08/2020	2.0	5.00%	4.614%
Santander (31 Day Notice)**	04/05/2023	1.0	4.03%	4.407%
LCC SIS Instant Access**	08/06/2023	4.0	4.75%	4.614%
Lloyds Bank Corporate Markets – 3 mth fixed	17/05/2023	4.0	4.67%	4.407%
Goldman Sachs – 3 mth fixed	08/06/2023	2.0	4.93%	4.614%
Burnley College Loan – 15 years fixed	28/03/2022	2.0	4.45%	NA

* Benchmark: SONIA Compounded Backward Looking rate for date of investment

** Rate is linked to movement in Bank Rate

The Council has an approved list of counterparties which governs treasury management investment activity. This list is a restricted list taking into consideration the credit rating of the institution concerned and there are also limits on the amount which can be invested with any particular institution from a particular sector e.g. building society, bank etc. and also any group of institutions within an overall banking group. As part of the daily operations of the treasury management dealings, in consultation with guidance from Link Asset Services and the money market brokers, decisions are taken by the Head of Finance & Property Services, temporarily suspending/revising operations with individual counterparties. The latest deposit counterparties list was approved by the Full Council on 22 February 2023.

Within the approved list of counterparties is scope to invest sums with other Local Authorities, up to a maximum of £8m, and not to exceed £6m per Local Authority. The Council has reinstated the Shared Investment Scheme (SIS) facility with Lancashire County Council to provide instant access to sums on deposit as an alternative to the 'Sweep' account. The SIS rate is linked to movement in the Bank Rate (unlike the Sweep account), and thus provides an improved return on sums deposited plus is instantly accessible to provide improved liquidity should this be necessary when compared to current notice account arrangements (31 day notice required).

The table below shows the maximum amount invested with any of the counterparties at any one time during the period April 2023 to 30 June 2023 against the maximum limits approved in the 2023/24 Treasury Management Strategy.

Counterparties	Maximum Limits £m	Highest level of Investment 2023/24 (£m)
HSBC*	50.0	12.0
Santander	4.0	4.0
Lloyds Bank Corporate Markets	4.0	4.0
Goldman Sachs	4.0	4.0
Lancashire CC SIS	6.0	4.0

*Includes Sweep Account balance

11. **Property Funds**

The council made two investments totalling £2m in property funds in 2018/19 for the purpose of increasing and diversifying our risk in investment income receivable and to help alleviate future revenue budget pressures. At the time of this report no dividends had been received as these tend to be receivable in the month following quarter end. An update will be provided as part of the Q2 monitoring cycle (Mid-Year Review).

12. **Borrowing**

The Council's capital financing requirement (CFR) for 2023/24 is £80,097m. The CFR denotes the Council's underlying need to borrow for capital purposes. Below is a summary of the Councils' external indebtedness, as at 1 April 2023, and as at 30 June 2023.

Borrowing	1 Apr 23 £'000	30 June 23 £'000	Change Apr – June £'000
Public Works Loan Board	59,510	59,290	(220)
Temporary Market Loans	13	13	-
Total	59,523	59,303	(220)

PWLB Loans – No maturity loan repayments made during the period 1 April to 30 June 2023. One scheduled annuity repayment was made during the period totalling £220k.

Temporary Market Loans – The Council entered into a temporary loan for cashflow purposes during the period as below:

Loan	Loan Advanced £'000	Date From	Date To	Interest Rate	Total Interest Payable £'000
London Borough of Havering	3,000	21/04/2023	05/05/2023	4.15%	4.78
Total	3,000				4.78

13. **Debt Rescheduling**

Debt rescheduling opportunities have been very limited in the current economic climate and following the various increases in the margins added to gilt yields recently linked to increases in the Bank Rate. No debt rescheduling has been undertaken to date in the current financial year. Only prudent and affordable debt rescheduling will be considered.

14. **Compliance with Treasury & Prudential Limits**

It is a statutory duty for the Council to determine and keep under review its affordable borrowing limits. The Council's approved Treasury and Prudential Indicators (affordability limits) are included in the approved Treasury Management Strategy.

During the financial year to date the Council's treasury management activities operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy in compliance with the Council's Treasury Management Practices.

An extract of the Prudential and Treasury Indicators are shown in Appendix 1.

15. **Interest Payable on External Borrowing / Interest Receivable**

Provision is made in the revenue budget to meet the net interest payable on external borrowing. The figure in the original budget for 2023/24 was set at £2,068,168 and remains unchanged.

The total interest receivable for temporary deposits placed in the first quarter is £189k, excluding dividends due for the period. The budget for the year for interest and dividend receipts was approved at £575k. On current projections, owing to a rising bank rate environment, additional interest from temporary surplus monies on deposit, is forecast to exceed the budget by £100k,. This will support the Council's Revenue Account and ensure a balanced financial position.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

16. None arising as a direct result of this report.

POLICY IMPLICATIONS

17. Compliance with the revised CIPFA Code of Practice on Treasury Management and the Council's approved Treasury Management Strategy Statement (TMSS).

DETAILS OF CONSULTATION

18. None.

BACKGROUND PAPERS

19. None.

FURTHER INFORMATION
PLEASE CONTACT: **Craig Finn – Principal Accountant**

FORECAST PRUDENTIAL AND TREASURY INDICATORS 2023/24 - 2025/26

TABLE 1 - PRUDENTIAL INDICATORS	2021/22 Actual £' 000	2022/23 Revised Estimate £' 000	2023/24 Estimate £' 000	2023/24 Revised Estimate £' 000	2024/25 Revised Estimate £' 000	2025/26 Revised Estimate £' 000
Capital Expenditure	33,504	21,810	41,535	39,527	18,679	7,133
Ratio of financing costs to net revenue stream	12.9%	21.5%	21.5%	23.5%	21.4%	25.0%
Net borrowing requirement brought forward 1 April			88,107	88,231	92,605	92,224
Capital Financing Requirement as at 31 March	63,913	67,128	80,097	80,210	84,186	83,840
Liability Benchmark	61,146	64,067	78,214	77,655	82,200	82,547

TABLE 2 - TREASURY MANAGEMENT INDICATORS	2021/22 Actual £' 000	2022/23 Revised Estimate £' 000	2023/24 Estimate £' 000	2023/24 Revised Estimate £' 000	2024/25 Revised Estimate £' 000	2025/26 Estimate £' 000
Authorised Limit for external debt - <i>For 2023/24, this is the Council's statutory limit for debt as determined under section 3(1) of the Local Government Act 2003. Limits have also been provisionally set for the following two financial years. These limits include provision for "unusual cash movements" as referred to in the Code.</i>			96,918	97,054	101,866	101,446
Operational Boundary for external debt - <i>This is lower than the authorised limit by the additional headroom provided for "unusual cash movements". It equates to the maximum level of external debt projected in estimates.</i>			88,107	88,231	92,605	92,224
Actual/Estimated external debt at year end	61,146	59,523				
Upper limit for fixed interest rate exposure expressed as :- Net interest re fixed rate borrowing / investments			100%	100%	100%	100%
Upper limit for variable rate exposure expressed as :- Net interest re variable rate borrowing / investments			25%	25%	25%	25%
Upper limit for total principal sums invested over 364 days	0	4,000	4,000	4,000	4,000	4,000

TABLE 3 - Maturity Structure of fixed rate borrowing during 2023/24		lower limit	upper limit
This indicator limits the period to repayment of overall expected debt outstanding and shows five bands. There are minimum and maximum proportions of overall debt within each band. This means that the amount of debt in each band will fall within this range as a proportion of overall debt.	under 12 months	0%	20%
	12 months - within 24 months	0%	20%
	24 months - within 5 years	0%	25%
	5 years - within 10 years	0%	30%
	10 years and above	0%	90%

This page is intentionally left blank

REPORT TO THE EXECUTIVE



DATE	20 September 2023
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Amy Johnson
TEL NO	(01282) 425011 ext 4569
EMAIL	ajohnson@burnley.gov.uk

Revenue Budgets 2024/2027 – Latest Position and Savings Proposals

PURPOSE

1. To update The Executive on the latest position regarding balancing the Council's 2024/27 revenue budgets.
2. To outline proposed savings for recommendation to Full Council.

RECOMMENDATION

3. The Executive are asked to -
 - a) note savings approved at previous Full Council meetings totalling £23k (see Section 7 below) to assist in balancing the 2024/25 revenue budget - see Appendix 1
 - b) recommend for approval at Full Council further proposed savings totalling £255k to assist in balancing the 2024/27 revenue budgets - see Appendix 1

REASONS FOR RECOMMENDATION

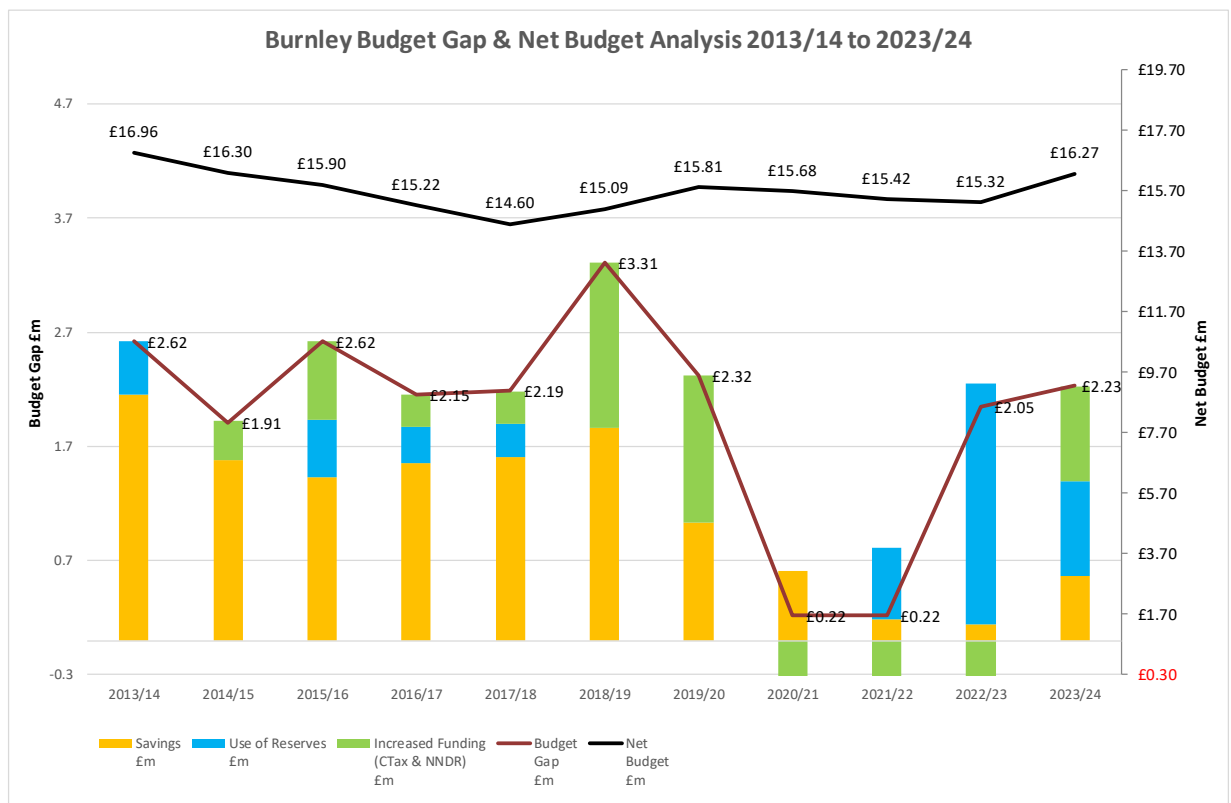
4. To progress the preparation of the Council's 2024/25 revenue budgets.

SUMMARY OF KEY POINTS

5. **Background**

The Council’s Medium-Term Financial Strategy (MTFS) is regularly assessed and updated to provide an indication of budget pressures over the next three financial years.

Since 2010 the Government has reduced settlement funding for Local Government, with the Council’s settlement funding reducing 61% (£10.1m) from 2010 to 2023. During this period of austerity, to balance the budget the Council has delivered savings of £28.22m, as shown below:



6. **MTFS Position as at February 2023**

The 2024/27 strategy was approved at the meeting of Full Council on 22 February 2023 and indicated that the cumulative budget gap for 2024/25, 2025/26 and 2026/27 was estimated to be £1.5m, equivalent to 9.8% of the 2022/23 net revenue budget of £15.322m (£15.153m excluding parish precepts).

The Councils MTFS for 2024/27 reported in February 2023 was based upon the assumptions known at that date. The estimated budget gap at that point in time is shown in the table below:

Table 1: MTFS position before saving proposals as at February 2023

MTFS	2024/25 £m	2025/26 £m	2026/27 £m	Total £m
Continuation estimate	1.0	0.9	0.8	2.7
Funding	(0.9)	(0.2)	(0.1)	(1.2)
Budget Gap	0.1	0.7	0.7	1.5

The assumptions underpinning the figures above are as follows:

- i) Council Tax will increase by 2.99% for 2024/25, reverting back to 1.99% for 2025/26 onwards;
- ii) No increase has been factored in for non-inflationary changes in business rates or additional New Homes Bonus;
- iii) Core Spending Power will increase by 4.4% in 2024/25, as indicated in the Government's December 2022 budget policy statement, falling to a 2% reduction for 2025/26 onwards (with Core Spending Power defined as Revenue Support Grant, Business Rates, Council Tax, New Homes Bonus and one-off general grants);
- iv) Transitional funding to replace any potential future loss of Revenue Support Grant (RSG) and New Homes Bonus (NHB);
- v) Pay award assumed at 3% (5% 2023/24);
- vi) Fees and charges income at 2% per annum; and
- vii) Inflation assumed at between 2-5% dependent upon the contract.

7. Revised MTFs Position as at September 2023

The MTFs is a fluid document which is regularly reviewed and assessed. The latest review has resulted in a reduction to the estimated budget gap of £0.5m, with the cumulative budget gap now estimated at £1.0m, equal to 6.1% of the 2023/24 revenue budget of £16.267m (£16.094m excluding parish precepts).

The current high levels of inflation and the proposed pay award for 2023/24 will result in additional spending pressures for the Council as well as potential reductions in fees and charges income as the cost-of-living crisis impacts on residents of the borough. It is however anticipated that additional Central Government funding will be provided to Local Authorities (rather than the previous forecast average 2% reduction in Core Spending Power) to help mitigate the impact of the current high levels of inflation and the proposed pay award for 2023/24.

A multi-year spending review was proposed for the 2021/22 – 2023/24 financial years, however in October 2020 the Government announced that this spending review was to be delayed a further year until 2022/23 and replaced with a shorter one-year spending review for 2021/22 only. Further delays to the multi-year spending review meant that the Council received 'one year' settlements in each of the 2021/22 and 2022/23 financial years. The 2023/24 settlement was a one-year settlement with high level indicative figures for 2024/25. No details around settlement figures have been provided for 2024/25 leaving a great deal of uncertainty.

As part of the much-delayed spending review, the Government had proposed to revise the methodology for allocating funding to Councils. This included changes to the current business rates system and a Fair Funding Review, however no further details or indicative allocations have been received.

The latest estimate of the budget gap for the period 2024/27 can be seen below:

Table 2: MTFS position before saving proposals as at September 2023

MTFS	2024/25 £m	2025/26 £m	2026/27 £m	Total £m
Continuation estimate	1.3	0.8	0.5	2.6
Funding	(0.9)	(0.3)	(0.4)	(1.6)
Budget Gap	0.4	0.5	0.1	1.0

The assumptions underpinning the figures in Table 2 are as follows:

- i) Council Tax will increase by 2.99% in 2024/25, reverting back to 1.99% in 2025/26 onwards;
- ii) An increase to the council tax base of £100k per annum (equivalent to 1.3%);
- iii) No changes have been assumed regarding changes in Council Tax Support numbers or to scheme contribution levels;
- iv) Inflationary increase in business rates of 6% in 2024/25 reducing to 3% 2025/26 onward (based on assumed September CPI figures);
- v) An assumed average 4% increase for all other elements of Core Spending Power for 2024/25, decreasing to 2% in 2025/26 onwards;
- vi) It has been assumed that we will continue to be members of the Lancashire Business Rates Pool and benefit from the scheme as we retain an element of business rates growth. It is understood at this moment that all constituent members of the Pool are intending to confirm their membership for 2024/25;
- vii) Pay award has been assumed at 5% in 2024/25 and 3% in 2025/26 and 2026/27;
- viii) An increase to fees and charges at 3% in 2024/25 (with the exclusion of car parking charges which were increased in 2023/24), remaining at 3% in 2024/25 and 2025/26; and
- ix) Contractual and general inflationary increases of 6% in 2024/25, dropping to an average 3% in 2025/26 onwards;

8. **Savings Proposals**

The Council's financial plan considers the national and regional context and the need to re-balance the economy. However, at the heart of the Council's financial planning is a savings plan aligned to strategic intent. In considering opportunities for future savings, the Council has ensured that they are aligned to each of the themes contained within its strategic intent.

Appendix 1 shows details of proposed total net savings of £229k for 2024/25. No savings proposals involve a reduction in staffing.

In addition, £23k of savings were approved at previous Full Council meetings in respect of the 2024/25 financial year.

Total savings identified for 2024/25 will therefore be £252k.

All the proposals have been assessed in relation to equalities legislation, and it has been established that there is no disproportionate impact on people with protected characteristics. See Appendix 2 for details.

9. **Latest 2024/27 Revenue Budget Position**

It can be seen in table 2 at paragraph 7 above that there is an overall savings requirement of £1.0m over the period 2024/27.

The savings recommended for approval in Appendix 1 total £255k which, together with the £23k of savings already approved, leaves a balance of savings required over the period 2024/27 at this stage of £0.7m, as shown in table 3 below.

The budget gap of £0.7m is based on the assumptions around Core Spending Power contained within paragraph 7 above. However, table 3 also demonstrates how the budget gap could change should the Government agree to either a 2% or 0% increase of Core Spending Power.

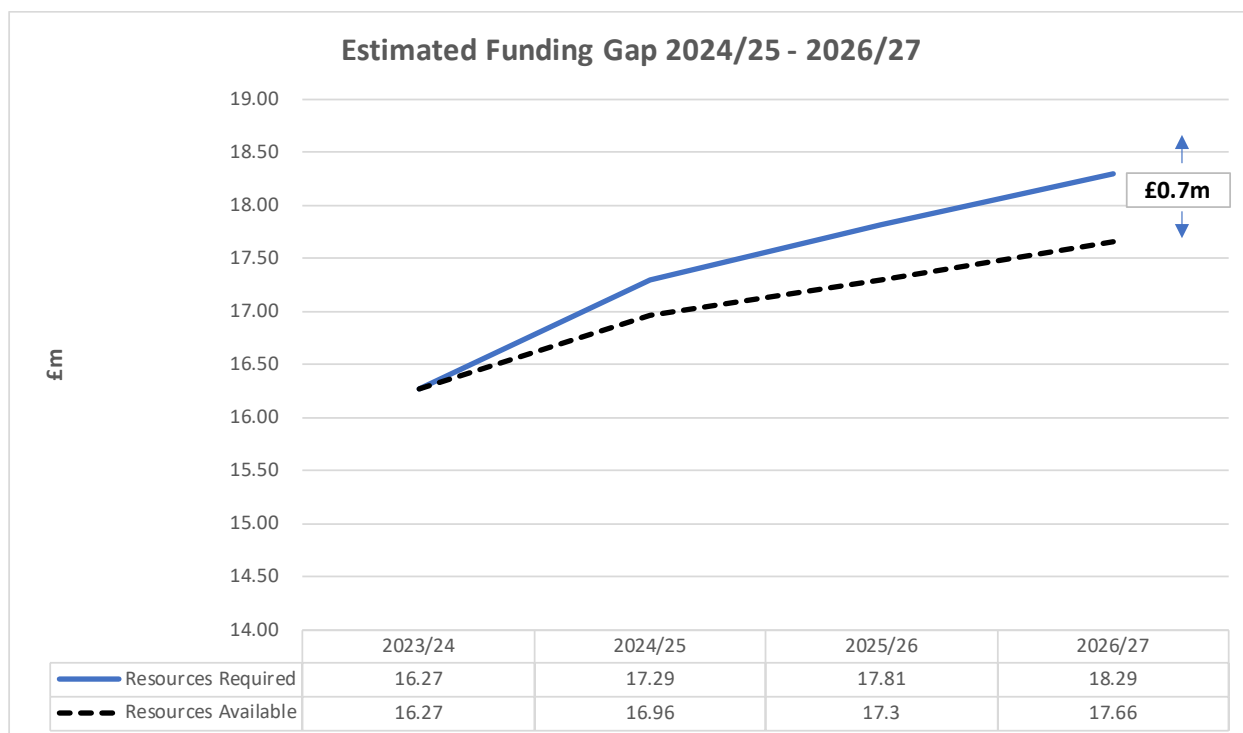
Table 3: MTFS position after savings proposals as at September 2023

MTFS	2024/25 £m	2025/26 £m	2026/27 £m	Total £m
Continuation estimate	1.3	0.8	0.5	2.6
Funding	(0.9)	(0.3)	(0.4)	(1.6)
Savings	(0.3)	(0.0)	(0.0)	(0.3)
Budget Gap	0.1	0.5	0.1	0.7
2024/27 Funding Scenarios				
Funding – 2% increase in core spending power (all years)	(0.8)	(0.3)	(0.4)	(1.5)
Budget Gap	0.2	0.5	0.1	0.8
Funding - 0% increase in core spending power (all years)	(0.8)	(0.3)	(0.3)	(1.4)
Budget Gap	0.2	0.5	0.2	0.9

Budget gaps of £0.1m for 2024/25, £0.5m for 2025/26 and £0.1m for 2026/27 remain.

Proposals to meet the 2024/25 balance of savings required will be taken to Full Council for approval in February 2024.

The chart below shows the estimated budget gap between the Council's spend requirement and assumed funding over the period 2024/27:



Risks and Sensitivity

10. A sensitivity analysis of some of the assumptions made in paragraph 7 can be seen below:

Assumption	Sensitivity Analysis	2024/25 Financial Impact
Council tax will increase by 2.99% (2024/25 only)	+/- 1%	+/- £77k
An increase to the council tax base of 1.3%	+/- 0.25%	+/- £19k
Pay award has been assumed at 5% per annum (Burnley BC, Liberata, Burnley Leisure & Urbaser)	+ 1%	+ £159k
Contractual and general inflationary increases of 6%	+ 1%	+ £59k

- a) Funding changes – It is uncertain at this stage how changes to Local Government funding will impact on the Council's funding in future years. The 2023/24 settlement was a one-year settlement with high level indicative figures for 2024/25. No detail around settlement figures have been provided for 2024/25.

The funding settlement is usually based on September's CPI which is published in October each year. CPI is currently 6.8% (July 2023). Due to the uncertainty around the budget settlement, we have assumed an average 4% increase in core

spending power for 2024/25 as the budget settlement for Burnley is usually below the England average, as can be seen in the table below:

TABLE A SPENDING POWER REDUCTION / (INCREASE)		
Year	Burnley (%)	England Average (%)
2016/17	4.4	2.1
2017/18	3.9	(1.3)
2018/19	3.3	(1.8)
2019/20	1.5	(2.5)
2020/21	(3.5)	(6.0)
2021/22	(2.6)	(2.8)
2022/23	(5.9)	(6.9)
2023/24	(4.5)	(9.2)

- b) Salary costs – the 2023/24 pay award is currently under negotiation with the employer’s side offering a one year pay agreement of £1,925 across all pay points, with the exception of Chief Officers where the offer of a 3.5% pay award has been accepted. This equates to an average 5.04% increase. It has been assumed for the purpose of the MTFs that this pay award will be agreed. An annual pay increase of 5% has been factored into the budget assumptions for 2024/25 reducing to 3% from 2025/26 onwards.
- c) Capital projects – any projects under consideration require funding. If there is a shortfall in capital finance for these projects, then pursuing them and using borrowing will significantly increase the revenue budget. The revenue implications will be considered as part of the monitoring of the Capital Programme.
- Work is currently ongoing on the Pioneer Place and Manchester Road development which represents significant long-term costs for the Council and will require a significant amount of borrowing over 50 years, with payback very dependent on the successful income levels of the scheme. This carries significant financial risk for the authority and is an important element of the financial horizon of this Council.
- d) Budget preparation – The preparation of the 2024/25 budget is currently being undertaken. Issues may arise from the exercise that could have an impact on the 2024/25 budget and future years.
- e) Public demand on commercial risks – An element of the savings proposals has arisen in response to the change in the Council’s commercial risk appetite. Fees and charges are a significant element of the Council’s funding and can be subject

to fluctuations between years due to competition, weather and the performance of the economy. This risk will be closely monitored during the year to ensure that income targets are being achieved.

- f) Inflation – inflation is expected to reduce to around 6.1% by the end of the calendar year. An increase of 6% has been factored into the Council’s current contract costs, however any increases in excess of those forecast will result in further spending pressures.
- g) Cost of living – the current cost of living crisis may have an impact on income collection, specifically around fees and charges, council tax and business rates. Income monitoring is currently ongoing in 2023/24 and any potential shortfalls will be factored into the 2024/25 budget.
- h) Energy costs – the Council pre-buys its energy in October each year for use over the following 12 months (April to March) as part of the Crown Commercial Services energy framework. All central government departments are also part of this framework. Due to the increasing costs of energy, it has made a major impact on the revenue budget. An additional £700k was built into the 2023/24 budget to help mitigate the impact of the increases in costs, £250k of which was a temporary increase funded from reserves.
- i) Interest rates – interest rates have been at a historical low for the last few years, with the bank rate remaining at 0.25% from early 2020 until February 2022. However, in an attempt to slow the increasing rates of inflation the Bank of England has increased the bank rate by 5% in 13 tranches over the period March 2022 to August 2023, from 0.25% to 5.25%. Any increase has implications on the Council’s revenue budget in future years where there is a requirement to finance future capital schemes from borrowing.
- k) Brexit – Uncertainty around the impact of Brexit and whether the UK invokes article 16 around the trading arrangements in Northern Ireland which has the potential to result in a no-deal Brexit.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

- 11. As shown in the body of the report and appendices.

POLICY IMPLICATIONS

- 12. The revenue budget determines the extent to which the Council’s strategic objectives can be pursued and achieved.

DETAILS OF CONSULTATION

13. Scrutiny Committee.

BACKGROUND PAPERS

14. None

FURTHER INFORMATION

PLEASE CONTACT:

Howard Hamilton-Smith – Director of Resources

ALSO:

Amy Johnson – Finance Manager

This page is intentionally left blank

	2024/25 £'000	2025/26 £'000	2026/27 £'000	TOTAL £'000
Budget Gap (a)	370	475	145	990
Savings Approved				
Income generation/savings approved at previous council meetings	23	-	-	23
	23	-	-	23
Proposed Savings (see below)				
Staffing Savings	-	-	-	-
Non-Staffing Savings	229	18	8	255
	229	18	8	255
Total Savings (b)	252	18	8	278
Remaining Budget Gap - Savings to be identified (a-b)	118	457	137	712

Proposed Savings (detail)

Staffing Savings						
Nothing to report			-	-	-	-
Non-Staffing Savings			-	-	-	-
Growth of the commercial waste service - Streetscene	To continue to grow the commercial waste service by gaining new customers eg Pioneer Place, Charter Walk and Vision Park alongside the active alignment and gain of businesses that are ending agreements with other providers.		30	10	-	40
Grave Search Fee - Green Spaces & Amenities	To charge a fee for grave searches requested by genealogist's researching family history etc. It is proposed that a fee of £35 is introduced (fees currently charged by neighbouring authorities vary between £17 - £50).		7	-	-	7
Towneley Park Concession Income - Green Spaces & Amenities	The income that the Council receives from the Rotunda has increased following a retendering process.		13	-	-	13
Crematorium Burden Share Income - Green Spaces & Amenities	The Council has completed a burden share agreement with Hyndburn Borough Council which will generate new income from offsetting non-abated cremations at Hyndburn Crematorium.		17	-	-	17
Treasury Investment Income - Finance & Property	To increase treasury management investment interest income by an additional £150k due to the increases in base rate. The increase in income takes into account expected base rate decreases in 2024/25.		150	-	-	150
Reduction in postage budgets - Finance & Property	To reduce the corporate postage budget by £10k to reflect reduced expenditure for the past three years.		10	-	-	10
Reduction in Grant to Burnley & Pendle Citizens Advice Bureau - Policy & Engagement	Funding for services is provided through other grant mechanisms. This proposal is to reduce the general grant to the Citizens Advice Bureau by £6k gradually over a 3 year period. The grant in year 3 will be equivalent to neighbouring authorities who contribute to the service.		2	2	2	6

Reduction in Grant to Council for Voluntary Service - Policy & Engagement

Funding for services is provided through other grant mechanisms. This proposal is to reduce the general grant to the Council for Voluntary Services gradually over a 2 year period. The grant will be equivalent to neighbouring authorities who contribute to the service.

2024/25 £'000	2025/26 £'000	2026/27 £'000	TOTAL £'000
-	6	6	12
229	18	8	255
229	18	8	255

Total Savings Proposals

APPENDIX 2 - SUMMARY OF EQUALITY IMPACT ASSESSMENT

REVENUE BUDGET SAVINGS PROPOSALS 2024/25

1.	Title of EIA	Equality Impact Assessment – Revenue Budget Savings Proposals 2024/25
2.	Person responsible for the assessment	Rob Dobson
3.	Contact details	01282 475842 rdobson@burnley.gov.uk
4.	Date of assessment	17/08/2023

An equality impact assessment has been carried out in respect of the proposals presented to Full Council in September 2023. This document summarises the results of this work. A further equality impact assessment in relation to the impact of the detailed proposals on the workforce will be presented to a future meeting of the Executive, once these are drawn up, and before decision making on that issue.

The outcome of this equality impact assessment is that all proposals being currently considered for savings in 2024/25 – 2026/27 are neutral in terms of their impact on people with protected characteristics under equalities legislation.

OBJECTIVE

1.	What is the main purpose of the project?	To set a budget for the council in 2024/25 that: <ul style="list-style-type: none"> • is in line with the agreed Medium Term Financial Strategy; • responds to the financial challenges facing the council; • enables the council to continue its focus on agreed priorities.
2.	Who are the main stakeholders?	Stakeholder analysis showed that the main stakeholders are Burnley Council's: <ul style="list-style-type: none"> • service users • residents/Council tax payers • Councillors; and • Council employees.

3.	How are they expected to benefit?	Through the council ensuring a sustainable future for its services through good financial management and transparent decision making to determine priorities.
4.	How will the change be implemented?	The budget will be agreed through decision making structures and processes in line with the council constitution. The agreed budget in 2024/25.
6.	Is the responsibility for the proposed function shared with another department or authority or organisation?	The decisions on council budget rest with the council.

A. DATA COLLECTION

1.	Approach and background to EIA analysis, including data collection	Budget proposals drawn up by service managers.
2.	What monitoring data do you have on the number of people (from different equality groups) who are using and could be impacted upon by the change in function?	Various data sources are held, including: <ul style="list-style-type: none"> • Analysis of workforce profile • Analysis of services • Census data.

B. COMMUNICATION AND INVOLVEMENT

1.	What information has assisted in completing this EIA?	Guidance including information contained on the Equalities and Human Rights Commission website has been considered.
2.	What communications activities have assisted in completing this EIA?	There has been consultation on the principles underlying the council's Medium Term Financial Strategy, and comments from that consultation have been considered during the EIA work.

Group	Area/s of impact	Positive impact	Negative impact – specified as high, medium or low	Neutral impact	Reason
Age	All areas of impact ¹			X	All impacts in respect of people in this group were identified as neutral.
Disability	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Gender reassignment	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Marriage and civil partnership	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Pregnancy / and maternity	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Ethnicity	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Religion and belief	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Sex (gender)	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Sexual orientation	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.

¹ 'All areas of impact' refers to the detailed list of proposed revenue budget savings proposals 2024/25

Equality impact assessment action plan

No significant change to front line services. Therefore, it is not anticipated that there will be a negative impact on people with protected characteristics. No mitigating actions arising therefore.

Report to Executive



DATE	September 20 th 2023
PORTFOLIO	Leisure
REPORT AUTHOR	Simon Goff
TEL NO	07971 0331907
EMAIL	sgoff@burnley.gov.uk

Climate Action Fund: Burnley Green Activities Project

PURPOSE

1. To accept grant funding from Burnley Leisure and Culture for a climate action project.

RECOMMENDATION

2. The Executive is recommended to:
 1. Approve the acceptance of grant funding of £330,000 over 4 years from Burnley Leisure & Culture for the Burnley Green Activities Project.
 2. Authorise the Head of Legal & Democracy Services to complete Deeds of Dedication for Council owned land where micro woodlands will be planted.
 3. Recommend that Full Council approve establishment of the budgets outlined in this report.

REASONS FOR RECOMMENDATION

3. To enable the Council to accept grant funding.

SUMMARY OF KEY POINTS

4. Burnley Leisure & Culture has secured funding of £380K from the National Lottery Community Fund's Climate Action programme which focuses on the link between nature and climate and aims to fund projects that encourage community-led climate action.
5. BLC will act as the accountable body and will work in partnership with the Council to deliver the project as part of the 'Burnley and Outdoor Town' initiative.
6. The Council will receive £330K from BLC over a four-year period and will use the funding to organise and deliver volunteer activities involving people of all ages and abilities in Burnley's parks and greenspaces across the borough.

7. Volunteer activities will include tree and woodland planting, creation of wildflower meadows and other environmental activities and improvements. The budget will employ a Green Activities Coordinator, provide EV transport and pay for materials and equipment including trees and wildflower seed, etc.
8. The Executive is requested to approve acceptance of the £330K funding.
9. The project plan identifies that 15 new micro woodlands will be planted on Council owned green spaces. The funding agreement requires the Council to complete a Deed of Dedication which obliges the Council to maintain each site as woodland in future. (Similar Deeds of Dedication were completed for the lottery funded Forest of Burnley woodland schemes).
10. The Executive is requested to authorise the Head of Legal and Democracy Services to complete Deeds of Dedication in respect of the 15 woodland sites.
11. The £50K that BLC retains will provide funding for future editions of Beat the Street and project management.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

12. The project is fully funded by the payments received from BLC. The Council is not required to make any financial contribution.

13. Expenditure:	23/24	24/25	25/26	26/27	Total
salaries	40,000	40,000	40,000	40,000	160,000
training	1,000	1,000	1,000	1,000	4,000
wrapping van	2,500				2,500
tools	2,000				2,000
workshops	1,250	1,250	1,250	1,250	5,000
trees & wildflower supplies	19,500	25,000		25,000	69,500
interpretation boards		6,000		6,000	12,000
operational budget	10,000	10,000	10,000	10,000	40,000
vehicle costs	35,000				35,000
Total Expenditure	111,250	83,250	52,250	83,250	330,000

POLICY IMPLICATIONS

14. The project will help the Council to delivery on commitments made in the Climate Change Strategy.

DETAILS OF CONSULTATION

BACKGROUND PAPERS

FURTHER INFORMATION **Simon Goff**

CONSTITUTIONAL REPORTING AND APPOINTMENTS TO COMMITTEES

FULL COUNCIL



DATE	27th September 2023
PORTFOLIO	Leader
REPORT AUTHOR	Alison McEwan/ Carol Eddleston
TEL NO	01282 477259 / 475973
EMAIL	democracy@burnley.gov.uk

PURPOSE

1. To consider a report on waivers of call-in.
2. To note the impact on the political balance of the Council and approve consequential appointments to the membership of committees following the recent disbanding of the Burnley and Padiham Independents Party and Group, the resignation of Councillor Fewings and the decision of Councillor Briggs to join the Labour Group.
3. To consider the following amendments to the Constitution Part 3, the Scheme of Delegation
 - i) 1. Council Functions – b) Licensing Committee
Add Pollution Prevention and Control Act 1990 and Environmental Permitting (E&W) Regulations 2016 to the list of delegations to the Head of Street Scene at paragraph 1, and consequently
 - ii) 2. Executive Functions
Remove Pollution Prevention and Control Act 1990 from the list of delegations to the Head of Street Scene relating to Environmental Protection at paragraph 30.

RECOMMENDATION

4. That Council note the call-in waivers relating to an urgent Executive decision taken by the Chief Executive and urgent Executive decisions (Appendices 1 to 3).
5. That Council note the change in the Political Balance of the Council following the disbanding of the Burnley and Padiham Independent group, the resignation of Councillor Fewings, and the decision by Councillor Briggs to join the Labour Group; AND approve consequential changes to committees. (Appendix 4 (to follow)).

6. That Council agree to the following amendments to the Constitution Part 3, the Scheme of Delegation
- i) 1. Council Functions – b) Licensing Committee
Add Pollution Prevention and Control Act 1999, Environmental Permitting (E&W) Regulations 2016 to the list of delegations to the Head of Street Scene at paragraph 1.
 - ii) 2. Executive Functions
Remove Pollution Prevention and Control Act 1999 from the list of delegations to the Head of Street Scene relating to Environmental Protection at paragraph 30.

REASONS FOR RECOMMENDATION

- 7. To ensure that the requirements of the Constitution are upheld, and transparency is maintained.
- 8. To ensure that committee seats are politically balanced as required by the Local Government and Housing Act 1989, and appointments are up to date.
- 9. To ensure the most appropriate route for decision making related to these functions.

SUMMARY OF KEY POINTS

10. Part 4.5 of the Council's Constitution requires that any waiver of call-in be reported to Full Council. Since the last meeting of Full Council the Chair of the Scrutiny Committee agreed to call-in being waived in relation to the following decisions:
- Acquisition of Properties for Temporary Accommodation - Urgent Executive Decision taken by the Chief Executive on 14th August 2023 (see Appendix 1).
 - Levelling Up Fund – Newtown Mill – Urgent Executive Decision taken by the Executive on 16th August 2023 (see Appendix 2).
 - Nicholas Street Redevelopment – Urgent Executive Decision taken by the Executive on 16th August 2023 (see Appendix 3).
11. The Chief Executive was notified on 17th August that the Burnley and Padiham Independents Party and Group had been disbanded and that they would now sit on the Council as standalone Independent members. On 9th September the Chief Executive received notification of Councillor Fewings' resignation as a borough councillor with immediate effect. On 16th September the Council received notification that Councillor Briggs had become a member of the Labour Group.
12. Accordingly the political balance and resulting changes to committee places have been calculated. Group Leaders have been asked to submit the details of nominations and removals from Committees to give effect to the calculation. Details

will be shared as a supplement once groups have had the opportunity to consider. (Appendix 4 (to follow)).

13. Schedule 2 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 sets out a limited number of ‘functions which may be (but need not be) the responsibility of an authority’s Executive’.
- i. Paragraph 11 of Schedule 2 sets out that ‘the discharge of any function relating to the control of pollution or the management of air quality’ falls within this category.
 - ii. This function is currently allocated as an Executive Function in Part 3 of the Constitution – Scheme of Delegation, and delegated to the Head of Streetscene.
 - iii. Any Officer is permitted to decline to exercise their delegations. In this situation the power reverts back to the parent committee (the Executive in this case).
 - iv. Officers propose that the functions related to the Acts set out in para 6i be re-classified as Council Functions, delegated to the Head of Streetscene under the Licensing Committee. Should the Head of Streetscene decline to exercise the delegation the Licensing Committee could make any determination required.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

14. None.

POLICY IMPLICATIONS

15. None.

DETAILS OF CONSULTATION

16. Member Structures and Support Working Group.

BACKGROUND PAPERS

17. None.

FURTHER INFORMATION

**PLEASE CONTACT:
Alison McEwan / Carol Eddleston**

This page is intentionally left blank



URGENT EXECUTIVE DELEGATED DECISION BY THE CHIEF EXECUTIVE

BURNLEY TOWN HALL

PRESENT

OFFICERS Alison McEwan - Democracy Officer

1. Acquisition of Properties for Temporary Accommodation

Purpose To seek approval to acquire six residential properties for the continued use of temporary accommodation for homeless households and for the Afghan Resettlement Programme.

Reason For Decision

1. To continue to use the three properties for temporary accommodation which have proven to be in good locations and popular with homeless families until permanent settled accommodation is found.
2. To reduce the ongoing revenue cost of temporary accommodation as the Council will no longer pay the annual lease cost to the property owners.
3. To have control of the temporary accommodation to ensure the properties are maintained to a good standard, well managed for homeless families and remain in use as temporary accommodation for as long as the Council determines there is a need.
4. To support the Government's Afghan resettlement programme by providing homes for those people who risked their lives alongside the British Armed Forces.
5. Immediately increase the number of Council owned temporary accommodation properties by three and over time an additional three as the Afghan families are re-housed into permanent social accommodation.

Decision That the Chief Executive using urgency powers under Part 3 of the Constitution (Executive Functions) and following consultation with the Executive Member:

1. Delegates authority to the Head of Housing and Development Control in consultation with the portfolio holder to enter into negotiations to acquire three occupied properties from accredited landlords for continued use as temporary accommodation.
2. Authorises the Head of Legal and Democratic Services to agree terms for the acquisition of the properties, in this report by agreement as an

alternative to compulsory purchase in accordance with the terms of delegation.

3. Authorises the Head of Legal & Democratic Services enter into an agreement with the Home Office to deliver the Local Authority Housing Fund 23-24 (Round 2) for the purposes of acquiring the three occupied properties for temporary accommodation as detailed in paragraph 2 and to acquire a further three empty properties to use as temporary accommodation for Afghan families.

In accordance with, and following the requirements set out in Paragraph 16 of Part 4.2 of the Constitution regarding the agreement of the Chair of the Scrutiny Committee, it is stated that in the opinion of the Chief Executive, this decision is an urgent one to ensure external funding is secured and is therefore not subject to call-in.

Decision made by: Lukman Patel, Chief Executive



Date: 14th August 2023

Decision Published on: 14th August 2023



EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 16th August, 2023 at 6.30 pm

30. Levelling Up Fund - Newtown Mill

PURPOSE

To seek approval of the payments set out in the report in advance of the Agreement for Sale with UCLAN being completed, to avoid incurring further costs.

REASON FOR DECISION

To ensure that the project is delivered on schedule and within budget in advance of the finalisation of the Agreement for Sale with UCLAN.

DECISION

The Executive resolved to:

1. Approve the payment set out in paragraph 10 of the report.
2. Note that the Chair of Scrutiny has agreed to waive call-in to avoid the risks of incurring delays in the construction programme and potential additional costs.

In accordance with, and following the requirements set out in Paragraph 16 of Part 4.5 of the Constitution regarding the agreement of the Chair of the Scrutiny Committee, it is stated that in the opinion of the Executive, this decision is an urgent one to avoid the risks of incurring delays in the construction programme and potential additional costs and is therefore not subject to call-in.

This page is intentionally left blank



EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 16th August, 2023 at 6.30 pm

31. Nicholas Street Redevelopment

PURPOSE

To seek approval to proceed with proposals for the re-development of Nicholas Street, through the Council's Housing Partnering Agreement with Barnfield Investment Properties.

REASONS FOR DECISION

1. The redevelopment of Nicholas Street is identified as a key project in the Burnley Town Centre and Canalside masterplan.
2. The building is surplus to requirements and no alternative viable uses have been found leaving the Council with on-going maintenance and management costs.
3. The Council has been awarded a grant of £416,312 to bring forward the site for residential development.

DECISION

The Executive resolved to:

1. Approve the proposals set out in paragraphs 12 to 14 of the report.
2. Approve match funding, as set out in paragraphs 18 to 22 of the report.
3. Delegate authority to the Director of Resources, in consultation with the Director of Economy and Development and the Executive Member for Resources and Performance Management to agree the Site Business Plan as set out in Part 1 Schedule 3 of the Housing JV Partnering Agreement.
4. Delegate authority to the Director of Resources to enter into the Grant Funding agreement as set out in paragraph 18 of the report.

5. Delegate authority to the Director of Resources in consultation with the Director of Economy and Development and the Executive Member for Resources and Performance Management to agree terms and dispose of the building on completion of the works to a Registered Social Landlord.
6. Delegate authority to the Head of Housing and Development Control to agree the terms of the instruction to Barnfield Investment Properties to authorise the remainder of the upfront design work to be instructed at risk to enable the completion of the Site Business Plan and Development Agreement.
7. Delegate authority to the Head of Legal and Democratic Services to appoint solicitors via the NW Legal Consortium Framework to draft the documents necessary to give effect to the decision.
8. Delegate authority to the Head of Housing and Development Control to accept tenders and appoint a consultant to undertake a benchmarking and monitoring role.
9. Delegate authority to the Head of Legal and Democratic Services to execute all documents necessary to give effect to this decision.
10. Note that the Chair of Scrutiny has agreed to waive call-in to allow the council to enter into the Grant Funding Agreement no later than the deadline of 16th August.

In accordance with, and following the requirements set out in Paragraph 16 of Part 4.5 of the Constitution regarding the agreement of the Chair of the Scrutiny Committee, it is stated that in the opinion of the Executive, this decision is an urgent one to meet deadlines to sign a funding agreement and deliver the project within timescales.

Constitutional Reporting-Substitute Scheme for Disabled Members

REPORT TO COUNCIL



DATE	27/09/2023
PORTFOLIO	Leader
REPORT AUTHOR	Alison McEwan
TEL NO	01282 477259
EMAIL	amcewan@burnley.gov.uk

PURPOSE

1. To consider a scheme to allow the appointment of substitute members to Committees by disabled members.

RECOMMENDATION

2. To consider approval of a limited substitute scheme to Committees as set out at Appendix 1.
3. Subject to approval of the scheme, to approve the additions to the Constitution required to give effect to the decision – set out at Appendix 2.

REASONS FOR RECOMMENDATION

4. To respond to a request from Cllr Hurt to consider allowing the limited appointment of substitute members to committees by disabled members in order to maximise attendance at meetings where that members absence is as a result of their disability.

SUMMARY OF KEY POINTS

5. At the MSSWG meeting held on 6th July 2023, Members considered whether they agreed in principle that a limited substitution scheme related to disability might be appropriate.
6. Members agreed with the principle, and requested that a scheme be drafted and brought back to the group for consideration. Members considered the scheme at their meeting on 13th September and agreed that the scheme should be considered by Full Council.
7. The scheme set out proposes use of the definition of the term 'disability' taken from the Equality Act 2010:

"P has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day to day activities".
8. Appendix 2 to this report shows the proposed amendments into the Council Procedure Rules, Part 4.1 of the Constitution (pages 1 and 18-19).
The Scheme set out at Appendix 1 will be inserted in its entirety as Section 25, points 1 – 11. Section 23 Application to Committees and sub-Committees will be amended to read:
 23. All of the Council Rules of Procedure apply to meetings of full Council. Only Rule 9 applies to meetings of the executive. Only Rules 4-9, 10.5, 14.1, 14.2, 14.4, 14.6, 14.7, 14.8, 14.10, 14.11, 14.12 and 14.13, 16-21 **and 25** (but not Rule 20.1 and 20.2) apply to meetings of committees and sub-committees.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION
--

24. None.

POLICY IMPLICATIONS

25. None.

DETAILS OF CONSULTATION

26. Member Structures Working Group, People & Development, Cllr Martyn Hurt.

BACKGROUND PAPERS

27. None.

FURTHER INFORMATION
PLEASE CONTACT: Catherine Waudby X7198



This page is intentionally left blank

Appendix 1

Substitute Scheme for Members with a disability

The Scheme

1. This is a limited scheme to allow the use of substitutes at committee meetings so that elected members who are not able to attend a particular meeting due to their disability are represented at that meeting.
2. The definition of the term 'disability' is taken from the Equality Act 2010:
"P has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day to day activities".
3. Members will be required to declare their disability in writing to the Head of Legal and Democratic Services, and request approval of their participation in the scheme. Each request will be dealt with on its own merits, and the Head of Legal & Democratic Services will have the final decision.
4. The Head of Legal and Democratic Services (or the Democracy Team on their behalf) will maintain a register of those members participating in the scheme.
5. Substitute members will be permitted on the following Committees:
 - Audit & Standards
 - Development Control
 - Licensing and related sub-committees
 - Scrutiny
6. A member taking part in the scheme will be entitled to nominate one named substitute to each committee of which they are a member. Appointments Council will formally appoint substitutes, with any in-year changes requiring approval from Full Council.
7. The substitute must ensure they have taken part in all relevant training for that committee prior to taking part in a meeting on behalf of the substantive member. This includes in-year committee appropriate sessions.
8. It is the responsibility of the substantive committee member to notify the Democracy Team, Committee Chair and the substitute member that they are unable to attend a meeting no later than 3.30pm on the day of the meeting. The absence must also be due to the registered disability. Any other sickness, work or holiday absence is not eligible.
9. Substitute members will not be entitled to attend a meeting without advance notice to the Democracy Team.
10. Substitute Members will be added to the agenda distribution list for the relevant committees in order that they have sufficient time to familiarise themselves with the information.
11. The substantive committee member should be mindful that at all meetings but particularly in relation to Regulatory Committees (Development Control & Licensing) although the substitute is present to represent them, the substitute having reviewed the information provided may take a different view to the substantive member. Decisions should not be made either on a party political basis or as a result of the use of political 'whipping'.

This page is intentionally left blank

4.1-~~proposed changes substitute scheme~~

Deleted: 19072023

Council Procedure Rules

CONTENTS

Rule

1. Annual meeting of the Council
2. Ordinary meetings
3. Extraordinary meetings/Special meetings
4. Time and place of meetings
5. Notice of and summons to meetings
6. Chair of meeting
7. Quorum
8. Duration of meeting
9. Questions by the public
10. Questions and Observations by Members
11. Motions on notice
12. Motions on Expenditure
13. Motions without notice
14. Rules of debate
15. Previous decisions and motions
16. Voting
17. Minutes
18. Motions Affecting Council Employees
19. Exclusion of public
20. Members' conduct
21. Disturbance by public
22. Suspension and amendment of Council Procedure Rules
23. Application to committees and sub-committees
24. Attending development control training prior to determining development control application.

25. Substitute Scheme for members with a disability

Deleted: 25.

1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and business

In a year when there is an ordinary election of Members, the annual meeting (Mayor making) will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in May.

The annual meeting will:

- (i) elect a person to preside if the chair of Council is not present;
- (ii) elect the chair of Council (Mayor); in doing so will have regard to the protocol in Part 5.5 of the Constitution.
- (iii) elect the vice chair of Council (Deputy Mayor); in doing so will have regard to the Protocol in Part 5.5 of the Constitution.
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the chair;

1.2 Selection of Councillors on Committees and Outside Bodies

The council will at a meeting, i.e. Appointments Council, currently held on the same day and following on from the Annual Meeting:

- (i) elect the Leader, and at any subsequent Appointments Council Meeting held on the date on which the Leader's term of office as Leader ends i.e up to 4 years, in accordance with Article 7.
Election of the Leader will take place at the Appointments Council or at any subsequent Appointments Council held on a day when the Leader's term of office is to end by virtue of Section 44 of the Local Government Act 2000 (as amended i.e. The first Appointments Council after the Leader's normal day of retirement as a Member.)
- (ii) if before the expiry of the Leader's term of office, the Leader resigns the office of Leader, or ceases to be a Member, or is removed from the Office of Leader by a resolution of the Council under Article 7.03 (d) in Part 2 of the Constitution, then the Council will elect a new Leader as soon as is reasonably practicable.
The Leader will appoint between 2 and 9 Members to the Executive (one of whom will be appointed by the Leader to act as Deputy Leader).
- (iii) approve a programme of ordinary meetings of the Council for the year if not previously agreed; and

- (iv) decide which committees and sub-committees to establish for the municipal year
- (v) decide any changes to the size and the terms of reference for those committees set out in the Constitution
- (vi) decide the allocation of seats to political groups in accordance with the political balance rules;
- (vii) receive nominations of Members to serve on each committee and outside body; and
- (viii) appoint at least one scrutiny committee, a Standards Committee and any other committees/sub-committees the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 3 of this Constitution);
- (ix) appoint the Chairs and Vice Chairs of those Committees
- (x) appoint to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive.
- (xi) consider any other business set out in the notice convening the meeting.

2. **ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided by the Council (currently every 10 weeks). Ordinary meetings will:

- (i) elect a person to preside if the Mayor or Deputy Mayor are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Mayor, leader or members of the Executive;
- (v) receive questions or petitions in accordance with the Council's right to speak provisions or the petition scheme
- (vi) receive reports from the executive and the Council's committees and receive questions and answers on any of those reports;
- (vii) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (viii) consider motions; and
- (ix) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the scrutiny committees for debate or questions under Rule 10.2

3. **EXTRAORDINARY MEETINGS/SPECIAL MEETINGS**

3.1 **Calling extraordinary meetings/special meetings.**

Those listed below may request the Head of Legal and Democratic Services to call Council meetings in addition to ordinary meetings and must specify the business to be conducted at that meeting.

- i) the Council by resolution-a special meeting;
- ii) the Mayor
- iii) the Monitoring Officer or the Head of Finance and Property (section 151 officer); and
- iv) any five members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

3.2 **Business**

The business to be conducted will be that specified by those calling the meeting. The Head of Legal and Democratic Services may, after consulting the Mayor, include additional items of business on the agenda.

4. **TIME AND PLACE OF MEETINGS**

The time and place of meetings will be determined by the Head of Legal and Democratic Services and notified in the summons. Ordinary meetings of the Council will normally be held on Wednesday at 6.30 pm.

5. **NOTICE OF AND SUMMONS TO MEETINGS**

The Head of Legal and Democratic Services will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Head of Legal and Democratic Services will send a summons signed by him or her by post or other appropriate means to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

6. **CHAIR OF THE MEETING**

The person presiding at the meeting may exercise any power or duty of the chair. Where these rules apply to committee and sub-committee meetings, references to the chair also include the chair of committees and sub-committees.

7. **QUORUM**

The quorum of a Council meeting will be one quarter.

For all other meetings the quorum will be one third of the membership of the meeting (rounded up or down to the nearest whole figure where this would result in a fraction). During any meeting if the chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. DURATION OF MEETING

- 8.1 Unless the majority of Members present vote for the meeting to continue, any meeting that has lasted for three hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

9. PUBLIC QUESTION TIME

9.1 At Council meetings

'Public Question Time' will be held during the first 30 minutes of the meeting.

Members of the public may ask a question, make a statement or present a petition, in accordance with the petition Scheme, at a Council meeting provided notice in the prescribed form (including receipt by fax or e-mail) has been received by the Head of Legal and Democratic Services by 5.00 pm on the day before the meeting.

A person asking a question, making a statement or presenting a petition will be allowed a maximum of 5 minutes to speak.

The relevant Executive Member or the Chair (or if absent the Vice Chair) of the appropriate Committee or Sub-Committee will reply initially.

The Executive Member, Chair (or Vice Chair) will have a final right of reply.

Where there is more than one speaker on the same issue the Mayor may, in the interests of the efficient conduct of the meeting, restrict those speaking to one speaker for and one speaker against a proposal or a reduced period of time so that not more than 10 minutes is taken up by speakers on that issue.

If it has not been possible to deal with all the questions or statements received during the time allowed, arrangements will be made to send a written reply as soon as possible.

A record of all people making representations will be included in the Minutes of the meeting

The Mayor will have discretion to disallow any representations especially those which seem defamatory or discriminatory, vexatious, frivolous or otherwise not within the spirit of the Council's right to speak policy in the opinion of the Mayor/chair of the meeting.

Where the person (or nominee of that person) asking a question, making a statement or presenting a petition is a party to a complaint or proceedings against the Council which are currently before a Court, Tribunal, Inquiry or the Ombudsman, or any matter which is awaiting determination by the Council acting under its regulatory powers, then that person or nominee is

excluded from these provisions, whether the subject of their request to speak is related to the complaint, proceedings or determination.

Public question time shall not be used to raise any matter which has been raised within the previous 6 months, unless it can be shown that the Council has not delivered on an undertaking given in response to the previous question, or that the circumstances have changed significantly since the original question was asked.

Questions relating to individual decisions made by the Council, Executive or any of its Committees may only be raised within 12 months of the decision being made

Not more than 10 minutes will be allowed for debate.

9.2 **At Executive/Committee/Sub-Committee meetings**

'Public Question Time' will be held during the first 30 minutes of the Executive meeting and during the first 15 minutes of Scrutiny Committees/Sub Committees, except in the case of Appeals Committees

for arrangements see procedure rule 9.1 above, requests to speak shall relate to items within the remit of the Executive.

9.3 **Different arrangements apply to meetings of the Licensing Committee and the Development Control Committee.**

(1) Licensing Committee

Members of the public may ask a question, make a statement or present a petition relating to any matter within the remit of the Committee except those matters relating to Private Hire and Hackney Carriage licence applications and any convictions relating to individuals.

A person who has given the required notice will normally be heard at the beginning of the meeting (after the signing of the Minutes of the previous meeting) or at the discretion of the Chair, immediately prior to the discussion of the item on which the representation is being made.

If the agenda item is listed for consideration after the exclusion of the public the person will be heard at an appropriate point in the public part of the meeting at the discretion of the Chair.

Where there is more than one speaker on the same issue the chair may, in the interests of the efficient conduct of the meeting, restrict those speaking to one speaker for and one speaker against a proposal or a reduced period of time so that not more than 10 minutes is taken up by speakers on that issue.

If the number of requests to make representations on a number of issues is so large that the business of the meeting is not likely to be completed in the time available, the Chair may restrict the total time available for representations to not more than 30 minutes.

Notice in the prescribed (green) form must be given by no later than 5.00 pm three days before the day of the meeting.

(2) Development Control Committee

Notice in the prescribed (yellow) form must be given by no later than 5.00 pm three days before the day of the meeting.

The notice must include a summary of the points to be raised.

A person who has given the required notice on any matter within the remit of the Committee will normally be heard at the beginning of the meeting (after the signing of the Minutes of the previous meeting) or at the discretion of the Chair, immediately prior to the discussion of the item on which the representation is being made.

If the agenda item is listed for consideration after the exclusion of the public the person will be heard at an appropriate point in the public part of the meeting at the discretion of the Chair.

Where there is more than one speaker on the same issue the chair may, in the interests of the efficient conduct of the meeting, restrict those speaking to one speaker for and one speaker against a proposal or a reduced period of time so that not more than 10 minutes is taken up by speakers on that issue.

If the number of requests to make representations on a number of issues is so large that the business of the meeting is not likely to be completed in the time available, the Chair may restrict the total time available for representations to not more than 30 minutes.

A person making representations will be allowed to speak for no more than 5 minutes.

10. **QUESTIONS AND OBSERVATIONS BY MEMBERS**

- 10.1 On reports of the Executive Members a Member of the Council may ask the Leader or the relevant Member of the Executive a question and make an observation. On reports of the Chairs of Committees a Member of the Council may ask the relevant Chair a question and make an observation.. In normal circumstances the relevant Executive Members will respond directly to any questions or observations on Executive Member reports,

with the Leader responding if the issue covered more than one portfolio area. In normal circumstances the relevant Chair (or Vice chair if absent) will respond directly to any questions or observations on a Committee Chair's report. Wherever practicable the Member shall give prior notice to the Leader, Executive Member or Chair of their intention to refer to the matter.

10.2 Questions on notice at full Council

Subject to Rule 10.3, a member of the Council may ask:

- a member of the Executive
- the chair of any committee or sub-committee
- the Council's representative on any outside body

a question on any matter in relation to which the Council has powers or duties or which affects the Borough.

10.3 Notice of questions

A member may only ask a question under Rule 10.2 if either:

- (a) they have given at least two working days notice in writing before the day of the Council meeting of the question to the Head of Legal and Democratic Services; or
- (b) the question relates to urgent matters, they have the consent of the chair to whom the question is to be put and the content of the question is given to the Head of Legal and Democratic Services by 10.00 am on the day of the meeting

10.4 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

10.5 Members Right to speak at Executive, Committee or Sub-Committee Meetings.

Meetings or Parts of Meetings Open to The Public

A Member of the Council may attend meetings of the Executive, Committee and Sub-Committee (other than the Appeals Committee) of which they are not a Member and speak. They will be subject to the same procedure as applies to Members of the Public under Rule 9.

Meetings or Parts of Meetings Not Open to the Public

Members of the Council do not have an automatic right to attend meetings

or parts of meetings of the Executive, Committees or Sub-Committees of which they are not a Member where those meetings or parts of meetings are not open to the public. Members can however, following the procedure set out in Rule 9, request to attend and speak in the private part of a meeting. The Chair of the meeting may consent to attendance and the Members of the meeting may consent to the Member speaking by a simple majority.

11. **MOTIONS ON NOTICE**

Except for motions which can be moved without notice under Rule 13, written notice of every motion, signed by at least one member, must be delivered to the Head of Legal and Democratic Services not later than seven working days before the date of the meeting. These will be entered in a book open to public inspection.

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

Motions must be about matters for which the Council has a responsibility or which affect the Borough. The Mayor, after consulting the Head of Legal and Democratic Services, may exclude from the Notice, any Motion which does not meet this requirement.

12. **MOTIONS ON EXPENDITURE**

Any motion which is moved at a Council meeting (otherwise than in pursuance of a recommendation or report of the Executive, or of a Committee after the recommendation or report has been considered by the Executive) and which if carried would materially increase the expenditure or reduce the revenue of any service which is managed by the Council, or would involve capital expenditure, shall when moved and seconded stand referred to the Executive without discussion and considered at a future meeting of the Council.

13. **MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) to appoint a chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting;
- (f) to withdraw a motion;
- (g) to amend a motion;
- (h) to proceed to the next business;
- (i) that the question be now put;
- (j) to adjourn a debate;

- (k) to adjourn a meeting;
- (l) that the meeting continue beyond 3 hours in duration
- (m) to suspend a particular council procedure rule;
- (n) to exclude the public and press in accordance with the Access to Information Rules;
- (o) to not hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4; and
- (p) to give the consent of the Council where its consent is required by this Constitution.

14. **RULES OF DEBATE**

14.1 **No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

14.2 **Right to require motion in writing**

Unless notice of the motion has already been given, the chair may require it to be written down and handed to him/her before it is discussed.

14.3 **Seconders' speech**

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

14.4 **Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the chair.

14.5 **When a member may speak again**

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.
- (g) to speak on behalf of another member who is present at the meeting but as a result of incapacity is unable to speak (either on a temporary or permanent basis), the other member may read out from the incapacitated members own written representations.

14.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.as long as the effect of (ii) to (iv) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

14.7 Alteration of motion

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

14.8 Withdrawal of motion

A Member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

14.9 Right of reply

- a) The mover of a motion has a right to reply at the end of the debate on that motion before it is put to the vote.

- b) If an amendment is moved, the debate then occurs on the merits of the amendment, during which the mover of the original motion may speak.
- c) The mover of the amendment shall exercise their right to reply to the debate on the amendment immediately before the mover of the motion exercises their right of reply to the debate on the amendment. Immediately after the reply by the mover of the original motion, the amendment shall be put to the vote.
- d) Once the vote on the amendment has been taken, a further amendment may be moved, or the debate on the original motion resumes.
- e) If the amendment is carried the debate can resume on what is then the substantive motion.
- f) A Member exercising a right of reply shall not introduce new matter.
- g) After every reply to which this procedure rule refers a decision shall be taken without further discussion.

14.10 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that the meeting continue beyond 3 hours in duration
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4.

14.11 Closure motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another member:
 - (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.

- (b) If a motion to proceed to next business is seconded and the chair thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote. If it is passed the meeting will proceed to the next item on business without further debate.
- (c) If a motion that the question be now put is seconded and the chair thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply
- (e) Apart from any other provision of this Council Procedure Rule relating to the termination of debates a ruling by the Chair that a matter has been sufficiently debated shall be final and, subject to the exercise of any right of reply, the matter shall be put to the vote immediately.

14.12 Point of order

A Member may raise a point of order at any time. The chair will hear them immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The Member must indicate the Rule or law and the way in which he/she considers it has been broken. The ruling of the chair on the matter will be final.

14.13 Personal explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the chair on the admissibility of a personal explanation will be final.

15. PREVIOUS DECISIONS AND MOTIONS

15.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least one third of the Members on the Council.

15.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least one third of the Members on the Council. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16. VOTING

16.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

16.2 Chair's casting vote

If there are equal numbers of votes for and against, the chair will have a second or casting vote. There will be no restriction on how the chair chooses to exercise a second or casting vote.

16.3 Show of hands

Unless a recorded vote is demanded under Rules 16.4 and 16.5, or the Mayor requests a roll-call under 16.6, the Chair will take the vote either by affirmation of the meeting if there is no dissent; by show of hands or by the use of an electronic voting system..

16.4 Recorded vote

If one quarter of the Members (rounded up or down to the nearest whole figure) able to be present at the meeting demand by standing the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

16.5 Right to require individual vote to be recorded

Where any Member requests it immediately after the vote is taken by show of hands, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

16.6 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person. In the case of a multi-member vacancy the Mayor may ask for a roll-call of those members present. Where the Mayor asks for a roll-call each member shall respond by calling out the names of those candidates they wish to cast their votes for (up to the maximum number of votes allowed). These votes will be tallied by the Democracy Officer and the results announced. Any candidate with a clear majority will be appointed to available positions. In the case that any positions should not have a clear majority of votes for any candidate, the candidate with the least number of votes will be eliminated and the process repeated with the appropriate reduction in the number of eligible candidates and votes per member.

16.7 Recorded votes at budget meetings

Immediately after any vote is taken on a budget decision at the budget decision meeting of the Council, there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting. This will include a recorded vote on any amendment proposed at the meeting. For the purposes of this Rule:

(a) “budget decision meeting” means a meeting of the Council at which it -
(i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992(a); or
(ii) issues a precept under Chapter 4 of Part 1 of that Act, and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting; and
(b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.”

17. MINUTES

17.1 Signing the minutes

The chair will sign the minutes of the proceedings at the next suitable meeting. The chair will move that the Minutes of the previous meeting be signed as a correct record.

17.2 No requirement to sign minutes of previous meeting at extraordinary meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

18. MOTIONS AFFECTING COUNCIL EMPLOYEES

Any question arising at a meeting of the Council, the Executive or of a Committee or Sub-Committee to which the public are admitted, about the appointment, promotion, dismissal, salary, superannuation, conditions of service or the conduct of any Council employee, shall not be discussed until the Council, Executive Committee or Sub-Committee has considered whether to exclude the public under Section 100 A (4) of the Local Government Act 1972.

The Officers present at the meeting shall be entitled to respond to personal criticism of them or any other employee named by Members.

19. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 21 (Disturbance by Public).

20. MEMBERS' CONDUCT

20.A Declaration of Interests

All members present at a meeting of the Council, the Executive, or any committee, sub-committee, joint committee or joint sub-committee of the authority shall comply with the requirements of the Code of Conduct in relation to the declaration of Disclosable Pecuniary Interests and Other Interests. The provisions relating to non-participation at meetings shall also apply to all members present at those meetings.

As stated in the Code of Conduct you should also leave the room where the meeting is held while any discussion or voting takes place, except when it applies to Strategic Progress Reports at Full Council due to the various subject matters involved in those reports

This Rule will also apply to Executive Members when discharging a function alone. They must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

20.1 Standing to speak

When a Member speaks at full Council they must stand and address the meeting through the Mayor. If more than one Member stands, the Mayor will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

20.2 Mayor standing

When the Mayor stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

20.3 Member not to be heard further

If a member persistently disregards the ruling of the chair by behaving irregularly, improperly or offensively or deliberately obstructs business, the chair or any other member may move that the member be not heard further during the remainder of the item. If seconded, the motion will be voted on without discussion.

20.4 Member to leave the meeting

If the Member continues that misconduct after a motion under 20.3 is carried, the chair or any other member may move that the member leaves the meeting. If seconded, the motion will be voted on without discussion.

20.5 Meeting to be adjourned

If the Member concerned refuses to leave the meeting after a motion under 20.4 has been carried the chair shall adjourn the meeting for a specified period that he or she considers appropriate.

20.6 General disturbance

If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary.

4.1-proposed changes substitute scheme,

Deleted: 19072023

21. DISTURBANCE BY PUBLIC

21.1 Removal of member of the public

If a member of the public interrupts proceedings, the chair will warn the person concerned. If they continue to interrupt, the chair will order their removal from the meeting room. The Mayor may adjourn the meeting to allow the member of the public to be removed, either by officers or the police.

21.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared.

22. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

22.1 Suspension

All of these Council Rules of Procedure except Rules 1-8, 12, 16-23 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

Any Notice of Motion under Rule 11 regarding Removal of Leader as set out in Part 2 Article 7.03 (d) cannot have relevant Standing Orders suspended e.g. Rule 15.

22.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

23. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the Council Rules of Procedure apply to meetings of full Council. Only Rule 9 applies to meetings of the executive. Only Rules 4-9, 10.5, 14.1, 14.2, 14.4, 14.6, 14.7, 14.8, 14.10, 14.11, 14.12 and 14.13, 16-21 and 25, (but not Rule 20.1 and 20.2) apply to meetings of committees and sub-committees.

Deleted:

24. ATTENDING DEVELOPMENT CONTROL TRAINING PRIOR TO DETERMINING DEVELOPMENT CONTROL APPLICATION

All Members on Full Council determining a development control application and all Members appointed to the Development Control Committee must attend annual training on planning law and procedure. This training must take place within 1 month of the Annual Appointments Council or being appointed to the Development Control Committee before they can determine any development control application, and failure to do so may be a breach of the Code of Conduct. However a Councillor could not be prevented from taking part in a development control decision at Full Council if they hadn't attended training, but could be prevented at Development Control Committee.

Deleted: 19072023

25. SUBSTITUTE SCHEME FOR MEMBERS WITH A DISABILITY

25.1 This is a limited scheme to allow the use of substitutes at committee meetings so that elected members who are not able to attend a particular meeting due to their disability are represented at that meeting.

Formatted: Font: (Default) Arial, 12 pt

Formatted: Indent: Hanging: 1.34 cm, Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.27 cm + Indent at: 2.1 cm

25.2 The definition of the term 'disability' is taken from the Equality Act 2010:

Formatted: Font: (Default) Arial, 12 pt

"P has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day to day activities".

Formatted: Indent: Left: 2.1 cm

25.3 Members will be required to declare their disability in writing to the Head of Legal and Democratic Services, and request approval of their participation in the scheme. Each request will be dealt with on its own merits, and the Head of Legal & Democratic Services will have the final decision.

Formatted: Indent: Hanging: 1.34 cm, Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.27 cm + Indent at: 2.1 cm

25.4 The Head of Legal and Democratic Services (or the Democracy Team on their behalf) will maintain a register of those members participating in the scheme.

25.5 Substitute members will be permitted on the following Committees:

Formatted: Font: (Default) Arial, 12 pt

- Audit & Standards
- Development Control
- Licensing and related sub-committees
- Scrutiny

Formatted: Indent: Hanging: 1.34 cm

25.6 A member taking part in the scheme will be entitled to nominate one named substitute to each committee of which they are a member. Appointments Council will formally appoint substitutes, with any in-year changes requiring approval from Full Council.

Formatted: Indent: Hanging: 1.34 cm, Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.27 cm + Indent at: 2.1 cm

Formatted: Font: (Default) Arial, 12 pt

25.7 The substitute must ensure they have taken part in all relevant training for that committee prior to taking part in a meeting on behalf of the substantive member. This includes in-year committee appropriate sessions.

25.8 It is the responsibility of the substantive committee member to notify the Democracy Team, Committee Chair and the substitute member that they are unable to attend a meeting no later than 3.30pm on the day of the meeting. The absence must also be due to the registered disability. Any other sickness, work or holiday absence is not eligible.

Formatted: Font: (Default) Arial, 12 pt

25.9 Substitute members will not be entitled to attend a meeting without advance notice to the Democracy Team.

25.10 Substitute Members will be added to the agenda distribution list for the relevant committees in order that they have sufficient time to familiarise themselves with the information.

25.11 The substantive committee member should be mindful that at all meetings but particularly in relation to Regulatory Committees (Development Control & Licensing) although the substitute is present to represent them, the substitute having reviewed the information provided may take a different view to the substantive member.

4.1-proposed changes substitute scheme

Deleted: 19072023

Decisions should not be made either on a party political basis or as a result of the use of political 'whipping'.

Formatted: Font: (Default) Arial

This page is intentionally left blank

Parental Leave Policy for Elected Members**REPORT TO COUNCIL**

DATE	27/09/2023
PORTFOLIO	
REPORT AUTHOR	Alison McEwan
TEL NO	01282 477259
EMAIL	amcewan@burnley.gov.uk

PURPOSE

1. To consider the adoption of a parental leave policy for elected members.

RECOMMENDATION

2. To approve the inclusion of the Parental Leave Policy as part of the Members Allowance Scheme (Part 6 of the Constitution).

REASONS FOR RECOMMENDATION

3. To ensure that the elected member role is as accessible as possible to all sections of the community, enhancing the diversity and representativeness of candidates and those elected.
4. Adoption of a parental leave policy will provide clarity to elected members, candidates for election and those considering standing for election on what to expect in the event of the birth or adoption of a child during an elected member's term of office.

SUMMARY OF KEY POINTS

5. The position of elected members is not considered employment, so there is no legal right to 'parental leave' of any kind for those holding public office. This applies to MPs as well as Councillors. Subject to meeting certain minimum criteria, elected members are entitled to continue to hold elected office and to receive their basic allowance.
6. One of the minimum criteria mentioned above is the 'six-month rule'. The Local Government Act 1972 states that when a Council Member fails to attend any meeting for six consecutive months from the date of their last attendance, they cease to be a member of the authority, unless the Council accepts a reason for the failure to attend before the six months period expires.
7. It is recognised that elected members may become parents during their term of office, and may need or wish to take a period of leave from their duties as a result.
8. Some local authorities have drawn up parental leave policies which recognise the position of elected councillors is different to that of employees.
9. Following review of a range of policies in place at other local authorities and information provided by the Local Government Association (LGA), it is proposed that Burnley Council adopts the model policy provided by the LGA – adapted version attached at appendix 1. This policy has been adopted or adapted by a number of other authorities and the LGA indicates that it has taken legal advice on the policy, and that it conforms with current requirements. The policy is underpinned by recognition that the position of elected members is different to that of employees. The policy therefore focuses on providing clarity on expected leave periods, and arrangements in relation to special responsibilities.
10. The LGA policy does not provide any guidance on cover for local member responsibilities, for example casework. An addition (section 5 of appendix 1) has been made to the standard LGA policy to reference the need for a member planning to take a period of leave to make appropriate arrangements for an alternative member point of contact for residents in their division. This recognises that the specific arrangements will be dependent on individual circumstances and that flexibility should be retained.
11. At paragraph 3.2 of the draft policy a clarification regarding the process to appoint replacement members has been added to the LGA model: ***Any replacements will be appointed in the usual way: Executive appointed by the Leader; Committee Chairs and Vice-Chairs by a meeting of Full Council.***

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

12. Appointment of cover for Special Responsibility positions would result in additional cost. This would be managed through the budget monitoring process.

POLICY IMPLICATIONS

13. The Parental Leave Policy will sit within Part 6 of the Constitution – Members Allowance Scheme.

DETAILS OF CONSULTATION

14. Director of Resources, Strategic HR Manager, Member Structures Working Group

BACKGROUND PAPERS

15. None.

FURTHER INFORMATION PLEASE CONTACT Alison McEwan

This page is intentionally left blank

Parental Leave for Members of the Council

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six-month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six-month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment. ***Any replacements will be appointed in the usual way: Executive appointed by the Leader; Committee Chairs and Vice-Chairs by a meeting of Full Council.***

3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

5. Local Member Responsibilities

5.1 Any Member intending to take maternity, paternity, shared parental or adoption leave should ensure that they make arrangements for an alternative Member point of contact to be available to local residents in their division for the purposes of casework and other local Member enquiries.

This page is intentionally left blank

REPORT TO FULL COUNCIL



DATE	27th September 2023
PORTFOLIO	None
REPORT AUTHOR	CJ Walmsley/Carol Eddleston
TEL NO	01282 475973
EMAIL	democracy@burnley.gov.uk

REVIEW OF KEY DECISIONS DEFINITION AND LIMITS

PURPOSE

- | | |
|----|---|
| 1. | To review the Borough Council's definition of Key Decisions and the associated financial thresholds of Key Decisions and Individual Member Decisions. |
|----|---|

RECOMMENDATION

- | | |
|----|---|
| 2. | <ol style="list-style-type: none"> 1. That the financial threshold for Key Decisions be raised to £125,000, in line with the Standing Orders for Contracts. 2. That the corresponding changes to the relevant parts of the Constitution outlined in Appendix 2 be approved. |
|----|---|

REASONS FOR RECOMMENDATION

- | | |
|----|---|
| 3. | The financial limit relating to what qualifies as a key decision was last reviewed by the Borough Council in 2016. It is important that it is periodically reviewed to ensure that it is not out of date and reflects the current economic climate. |
|----|---|

SUMMARY OF KEY POINTS

- | | |
|----|--|
| 4. | The Council's Constitution is a public document which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that it is efficient, transparent, and accountable to local people. Constitutions provide the foundations for any local authority that aspires to be effective, progressive, and successful, and therefore require regular review. |
| 5. | Following the constitutional amendment to the Standing Order for Contracts (SOC) approved at Full Council on 22 nd February 2023, a proposed increase to the Council's Key Decision threshold, from £100,000 to £125,000, in line with SOC, would recognise general price increase in the marketplace and inflation. |
| 6. | As a result of the proposed new key decision threshold, the financial limit for Individual Member Decisions would also be raised to up to £125,000. |
| 7. | A benchmarking exercise of Lancashire Authorities has been undertaken which provides information on current definition/limits and review dates where available and is appended to this report at Appendix 1. |

8.	Council officers who take Executive decisions under delegated authority already do so in compliance with the requirements of the Executive Procedure Rules set out in Part 4 of the Constitution and it is considered that clarifying this in the relevant sections of the Constitution will provide even greater confidence and transparency in the authority's decision making processes.
----	---

FINANCIAL IMPLICATIONS AND BUDGET PROVISION	
8.	None arising directly from this report.

POLICY IMPLICATIONS	
9.	As set out in the report.

DETAILS OF CONSULTATION	
10.	Member Structures & Support Working Group.

BACKGROUND PAPERS	
11.	None.

FURTHER INFORMATION PLEASE CONTACT: CJ Walmsley/Carol Eddleston	
--	--

Appendix 1 - Notice of key decisions benchmarking table

Name of Local Authority	Type of Local Authority	Key decision definition/limit	Date definition last reviewed
Blackburn with Darwen Borough Council	Unitary	<p>The law says that a "key decision" means an Executive decision which, is likely – (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.</p> <p>Decision makers will have regard to Guidance issued by the Secretary of State and Guidance approved by Full Council which set out in Part 5 of this Constitution when determining whether or not a proposed decision should be regarded as a key decision. A decision maker may only make a key decision in accordance with the requirements of the Executive Board Procedure Rules set out in Part 4 (Section 4) of this Constitution.</p> <p>Key Decision Threshold >£250,000</p>	
Blackpool Borough Council	Unitary	<p>An Executive decision will be a key decision if it comes within any of the following categories:</p> <p>a) It involves expenditure or savings (including receipt of or loss of income) of £250,000 or over in relation to the budget for the service or function to which it relates, but excludes any decision:</p> <ul style="list-style-type: none"> · taken as a consequence of the Council's Treasury Management Strategy for the current financial year · taken as a direct consequence of an earlier key decision · involving the purchase of property or land unless the amount is £500,000 or over and only then if it is at market valuation · involving the grant of loans, including those under the Blackpool Investment Fund, unless the amount is £500,000 or over · identified within the Council's agreed budget for the current financial year where there is a clear intention of the decision to be taken. 	Feb 2021

		<p>b) It is likely to have a significant positive or negative impact on the people living or working in an area comprising two or more wards.</p> <p>c) It makes recommendations on the Council's Policy and Budget Frameworks.</p> <p>d) If the decision is to approve a 'plan or strategy', reserved for Executive approval only, as set out in the constitution.</p>	
Burnley Borough Council	District	<p>Key decisions</p> <p>(i) Key decision means an Executive decision which is likely:</p> <p>(a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant i.e £100,000 having regard to the local authority's budget for the service or function to which the decision relates; or</p> <p>(b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough</p> <p>(ii) A decision taker may only make a decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of this Constitution.</p>	2016
Horley Borough Council	District	<p>A key decision means a decision that is likely: (a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough.</p> <p>A key decision means :</p> <p>Any executive decision (as opposed to a regulatory decision) which is likely to result in the Council incurring significant expenditure or the making of savings where there is: (a) A change in service provision that impacts upon the service revenue budget by £100,000 or more, or (b) A contract worth £100,000 or more, or (c) A new or unprogrammed capital scheme of £100,000 or more, or</p> <p>Any executive decision which will have a significant impact in environmental, physical, social or economic terms on communities living or working in two or more electoral wards-this includes any plans or strategies which are not included within the meaning of the Council's</p>	

		Policy Framework set out in Article 4 of the Council's Constitution to be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the Borough.	
Hyndburn Borough Council	District	A key decision is one which: (i) results in the Council incurring expenditure which is, or making savings which are, significant having regard to the Council's budget for the service or the function to which it relates (and currently significant expenditure is taken to be revenue expenditure over £150 000 and capital expenditure over £200 000); or (ii) is likely to be significant in terms of its effect on communities in two or more wards of the Council.	
Lancashire County Council	County	(1) A key decision means an executive decision which is likely: (a) to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function which the decision relates; or (b) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the council. For the purposes of paragraph (1) (a), the threshold for "significant" is £2M.	
Lancaster City Council	District	Executive decisions usually involving expenditure of over £250,000 by the Leader, Cabinet, or a Cabinet member and affecting two or more Wards	
Pendle Borough Council	District	A Key Decision is defined as an executive decision which is likely to result in significant expenditure/saving where there is: <ul style="list-style-type: none"> • a virement of £100,000 or more; or • a change in service provision that impacts upon the service revenue budget by £100,000 or more, or • a contract worth £100,000 or more; or • a new or unprogrammed capital scheme of £100,000 or more; or • those which will have significant effects on communities living or working in two or more wards through a material positive or negative impact in environmental, physical, social or economic terms. 	
Preston City Council	District	(i) Any capital or revenue budget decision (contract or scheme approval) in excess of £100,000 and/or (ii) Any decision which is likely to have a significant positive or negative impact (e.g. in environmental, physical, social or economic terms including the discontinuance of any service) on the people living or working in communities in two or more wards except	

		that matters will not be key decisions simply because that work would be carried out in two or more wards e.g following the approval of a Council wide programme of work.	
Rossendale Borough Council	District	<p>The whole Constitution has been reviewed recently; however no changes were made to the key decisions:</p> <p>1. A “key decision” means an executive decision which is likely:</p> <p>a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates, or</p> <p>b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.</p> <p>2. For the avoidance of doubt, the Council would regard any of the following as “significant”:</p> <ul style="list-style-type: none"> · Any decision by the Cabinet in the course of developing proposals to the full Council to amend the policy framework. · Any single item of in-budget expenditure or savings in excess of £100,000. · Any decision which is likely to have a permanent or long term (more than five years) effect on the Council and the borough. 	2022
Ribble Valley Borough Council	District	Committee System, therefore, no key decision limits.	
South Ribble Borough Council	District	A key decision is defined as any decision relating to a Cabinet function which is either: (a) Significant in terms of expenditure or savings. The financial threshold above which a matter becomes “significant” has been set at £ 100,000 and this figure is applicable to both revenue and capital budgets OR (b) Significant in terms of its effect on the communities living in an area comprising two or more Council wards. Significant in this context means important or far reaching.	
Wyre Borough Council	District	A key decision means an Executive decision which is likely: (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates; or (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the local authority.	Approx 2017

		The sum of £100,000 has been agreed as the definition of “significant” for the purpose of paragraph (a).	
West Lancashire Borough Council	District	Key decisions. (i) These are: decisions in relation to a Cabinet function which results in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Councils budget for the service or function to which the decision relates; or decisions, which are significant in terms of its effects on communities living or working in an area comprising two or more wards of the Council; or proposals by the Cabinet to amend the policy framework; or amendment by the Cabinet of any aspect of the policy framework. N.B. The Council has decided the limit above which items are significant is £100,000 (ii) A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4 of this Constitution.	

This page is intentionally left blank

Article 3 Citizens and the Council

3.01 Citizens' Rights

Citizens have the following rights in relation to the business of the Council. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

a) Voting and petitions. Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of local governance.

(b) Information. Citizens have the right to:

(ii) find out from the Notice of Key Decisions and Private Meetings plan what key decisions will be taken by the Executive or an Officer of the Council and when;

Article 13 Decision Making

13.03 Types of Decisions

(b) Key decisions.

(i) Key decision means an Executive decision which is taken either by the Executive itself, or by an Officer of the Council either by an express delegation from the Executive or a committee of the Executive, or by a general delegation in accordance with Part 3 Scheme of Delegation (Executive Functions), which is likely:

(a) to result in the local authority incurring expenditure or awarding a grant to an external party which is, or the making of savings which are, significant i.e greater than ~~£12500~~ £125,000 having regard to the local authority's budget for the service or function to which the decision relates; or

(b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough

(ii) A decision taker may only make a decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of this Constitution.

Part 3 Scheme of Delegation

2 Executive Functions

Chief Executive

16. To deal with grant applications above the value of £50,000 in consultation with the Executive Member for Economy and Growth.

All grant offers of a value of £10,000 or more to be signed by the Section 151 Officer or other delegated financial responsible person together with the Executive Member for Economy and Growth.

All grant offers at or above the Key Decision threshold to be dealt with in accordance with Rules 13 to 23 of Part 4 Access to Information Rules.

Part 4.2 Access to Information Procedure Rules

13 Procedure Before Taking Key Decisions

Subject to Rule 15 (general exception) and Rule 16 (special urgency), a key decision may not be taken unless:

- (a) a notice (called here the Notice of Key Decisions) has been published in connection with the matter in question;
 - (b) at least 5 clear days have elapsed since the publication of the Notice of Key Decisions; and
 - (c) where the decision is to be taken at a meeting of the Executive or its committees, notice of the meeting has been given in accordance with Rule 4 (notice of meetings) in particular Private Part of the Executive meeting, or
- (d) where the decision is to be taken by an Officer of the Council either by an express delegation from the Executive or a committee of the Executive, or by a general delegation in accordance with Part 3 Scheme of Delegation, notice of the decision being made has been given in accordance with Rule 4 (Notice of meetings).

Part 4.4 Executive Procedure Rules

1.9 How are decisions to be taken by the Executive?

- (a) Executive decisions which have been delegated to the Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Rules in Part 4 of the Constitution.
 - (b) Where Executive decisions are delegated to a Committee of the Executive, the rules applying to Executive decisions taken by them shall be the same as those applying to those taken by the Executive as a whole.
- (c) Where Executive decisions are delegated to an Officer of the Council either by an express delegation from the Executive or a committee of the Executive, or by a general delegation in accordance with Part 3 Scheme of Delegation (Executive Functions), the rules applying to Executive decisions taken by them shall be in accordance with Rules 13 to 23 of the Access to Information Rules in Part 4.

Scrutiny Chair Report to Council

Since the last report to you at July's Full Council, the Scrutiny Committee met on 10th August and 14th September.

At its meeting on 10th August, the Committee received a presentation from Knight, Kavanagh and Page on the Playing Pitch and Outdoor Sports Strategy (PPOSS). The shortfall in 3G pitches was highlighted and it was explained that options were being explored. The Committee requested to be kept updated.

This is an ambitious strategy, with provision and growth factored in. In terms of the social infrastructure, there appeared to be good relationships with sports clubs in terms of collaborative working, with them and governing bodies.

The Committee also received a presentation from Lancashire Constabulary on the new Target Operating Model (TOM). Figures were provided that specifically focussed on Burnley and the presentation also highlighted Operation Defender, Warrior and Centurion which targeted the whole of Lancashire.

The Committee sought clarification in respect of who was responsible for dealing with antisocial behaviour in the Town Centre. It was reported that this was joint responsibility of the Police and the Council. The Police had the responsibility to enforce the Public Space Protection Order (PSPO), but would try to assist people in the first instance. People are moved on if they are in contravention of the PSPO and Criminal Behaviour Orders are taken out for repeated breaches. It was stressed that if reporting ASB, it was important to be clear on the details of the incident to allow police to respond appropriately.

The Committee also received a report on Q4 and Year End 22/23 Performance and the Review Groups, of which the Liberata voicebot Review Group had had the opportunity to try out a test version of the voicebot, and give feedback with regards to voice clarity and speed. It has been agreed with Liberata that the Retain Position in the Queue and voicebot feature should be implemented as soon as possible, with changes being kept under review. Usage will be monitored to ensure the changes deliver a better experience for residents, and the Committee will continue to receive updates.

At the meeting on the 14th September, the Committee received a presentation from Liberata which outlined what we have achieved together so far; information on service line delivery for Revs & Bens, Customer Services, Transformation Shift, ICT and Property; key initiatives for people, growth and transformation; and beyond 2023. Plans for the future include working with us to identify transformation initiatives to assist in meeting both financial and operational challenges; identify further opportunities to work with LCC; and have a successful chat and web BOT solution which can provide Burnley with support in areas beyond Liberata's current range of services.

The Committee also received finance reports on Revenue and Capital Monitoring 23/24 Q1, Treasury Management 23/24 Q1, and Revenue Budgets 24-27 – latest position and savings proposals, along with a report on Council Tax Support Scheme 24/25 and 25/26.

Finally, we welcomed the report on Article 4 Direction: Houses in Multiple Occupation, which recommended the making of a non-immediate Article 4 direction to remove permitted development rights for changes of use from individual dwelling houses to smaller houses in multiple occupation, with 12 months' notice.

Councillors Gail Barton and Bill Horrocks, Scrutiny Committee Chair and Vice Chair - September 2023

This page is intentionally left blank

Chair of Audit and Standards Committee Report to Full Council

Meeting Date 27th July 2023

Standards Complaints Updates

The Head of Legal and Democracy provided an update on the complaints made about the conduct of members of the Borough, Parish and Town Councils during 2022/23. The complaints had increased from 6 complaints for 2021/22 to 18 for 2022/23.

External Auditor's Annual Report on Burnley Borough Council 2021/22

The External Auditor from Grant Thornton. Arrangements were assessed under three areas, namely Financial Sustainability; Governance; and Improving Economy, Efficiency and Effectiveness, and the report highlighted improvement recommendations. The Finance Manager reported that all recommendations had been responded to although this was recently published so would be implemented.

Informing the Audit Risk Assessment for BBC 2022/23

The External Auditor reported on the key areas of the auditor risk assessment and included a series of questions on each area and the response received from management. The Committee considered whether the responses were consistent with its understanding and whether any further comments needed to be made and the Committee felt the responses were adequate, although more detail could have been included.

Strategic Risk Register 2023/24

A report was submitted which updated Members on the current Strategic Risk Register. It was reported that the major change was the inclusion of updates on actions taken to reduce the risk or relevant to risk. This had expanded to register details from the main officers or actions which had occurred to reduce the risk. No updates had been made to the Triggers or Causes, or the Risk Scores within the register. Issues were discussed that could impact on the Town Centre and the nature of risk covered in 'Malicious Attacks.' The register was recommended to the Executive.

Internal Audit Opinion 2022/23

Internal Audit Manager gave their opinion on the Internal Controls of the Council for the 2022/23 financial year. Sufficient assurance work had been carried out to provide an opinion, and overall, the effectiveness of the organisation's governance, risk management and control processes was adequate. The controls of the Council continued to operate effectively, which included compliance with policy, separation of duties, authorisation, monitoring and internal checks. Where during audits, control weaknesses had been identified, these had been addressed as part of the agreed Action Plan

Internal Audit Plan 2023/24

The Internal Audit Manager presented the Internal Audit Plan for the current year and detailed the process to achieve the risk-based plan. The Plan was approved.

External Review Report

An update on the actions taken in response to the External Review of Internal Audit was presented by the Internal Audit Manager.

This page is intentionally left blank

Chair of Development Control Report to Council 27.09.23

The Development Control Committee (DC) has met twice since the last meeting of Full Council, on 17th August and 7th September.

The agenda for both meetings was very light, with the meeting on 17th August approving the change of use from a café to office and three self-contained apartments on Halstead Street, and the meeting on 7th September approving an application for Listed Building Consent for Towneley Hall, in order to replace decayed timber windows to the west elevation of the West Wing with new, and to introduce maintenance access hatches to the West Wing roof and tower roofs.

As the agendas were very light, we took the opportunity to discuss at the August meeting what topics of development control and planning members would like to explore in more detail at bite-size training sessions that would be held immediately before future DC meetings.

Members suggested a number of topics, including Public Access, Planning Enforcement, Section 106 monies and the Local Plan. The first of these sessions was held immediately prior to the September meeting and members received a helpful demonstration of Public Access which is the area of the Council's website which holds planning applications and associated documentation.

Cllr Chaudhary, Chair of DC Committee, September 2023.

This page is intentionally left blank

Chair of Licensing Report to Council 27.09.23

- A meeting of the council's licensing sub-committee has agreed to revoke the premises licence for Mode nightclub.

This followed an application by Lancashire Police for a review of the premises licence following concerns around the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm.

The committee found that there was a persistent pattern of behaviour that showed a lack of compliance. The committee also found that a consistent disregard of rules, together with the undermining of licensing objectives, clearly suggested that those managing the premises were unable to do so properly and safely.

The Premises Licence Holder has the right to appeal this decision at the Magistrates Court.

- Licensing Committee Members will shortly be accompanying officers on visits across a range of day-time and night-time licensing functions. This will be an opportunity to talk to licence holders, take part in premises & vehicle inspections and provide some insight into the day-to-day issues that impact on the trade and licensing officers.
- The next edition of the Taxi Trade Newsletter is being drafted for release to all driver and operator licence-holders next month.
- Officers have completed a survey of hackney carriage ranks in the Borough and are liaising with County Council colleagues about improvements to signage and lining of bays.

This page is intentionally left blank



BURNLEY BOROUGH COUNCIL STRATEGIC PLAN PROGRESS REPORT TO THE FULL COUNCIL

27 September 2023

COUNCILLOR AFRASIAB ANWAR, LEADER OF THE COUNCIL.....	2
COUNCILLOR SUE GRAHAM, DEPUTY LEADER AND EXECUTIVE MEMBER FOR RESOURCES AND PERFORMANCE	5
COUNCILLOR LUBNA KHAN, EXECUTIVE MEMBER FOR COMMUNITY, HEALTH AND ENVIRONMENTAL SERVICES	9
COUNCILLOR JOHN HARBOUR, EXECUTIVE MEMBER FOR HOUSING AND LEISURE.....	13
COUNCILLOR MARK TOWNSEND, EXECUTIVE MEMBER FOR ECONOMY AND GROWTH	18

COUNCILLOR AFRASIAB ANWAR, LEADER OF THE COUNCIL

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PR1- We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment.</p>	<p>County Combined Authority</p> <p>At the last Full Council meeting, Members agreed with my disappointment that the three upper tier authorities had contacted the Government to consider forming a non-Mayoral Combined Authority for Lancashire without consulting with district councils.</p> <p>I understand that the three upper tier authorities are having formal discussions and developing the text for the draft deal for the non-Mayoral Combined Authority for Lancashire. It appears likely that the three upper tier authorities will want to agree a draft deal with DHLUC before our next Full Council meeting for a non-Mayoral Combined Authority.</p> <p>A high-level “capital ask” has been shared with me that I have shared with Burnley Council Group Leaders and the Executive who generally agreed that it is underwhelming (put mildly). I am meeting with Lancashire Leaders on 21st September 2023, and I shall put forward my views that it does not represent Burnley’s ambitions or consider Burnley’s challenges. I will not be supporting this proposal and I have heard similar sentiments from fellow Burnley Council Group Leaders. I shall also provide a verbal update to Full Council after the Lancashire Leaders meeting.</p> <p>Members will be aware that this Council’s position has consistently supported a Mayoral Combined Authority. The Government has also made it clear that a Mayoral Combined Authority secures the largest devolution. This Council also did not support local government re-organisation as a precursor to the establishment of a Combined Authority.</p> <p>Regeneration</p> <p>Along with fellow Members, and partners, it was an absolute pleasure to attend the official opening of the Reel Cinema and Pioneer Place Development. This flagship development demonstrates what we can achieve through partnership, with a clear vision and with hard work. I would like to thank all officers and partners (past and present) who have helped the Council deliver this strategic priority.</p>

	<p>You will also note from the updates from my fellow Executive Members that we continue to strengthen strategic relationships and partnerships to drive investment into the Borough to allow Burnley to continue to develop as a major force across the region.</p>
--	--

Strategic commitment	Progress update
<p>PE1- PE1- We will continue to work with partners to make the borough a place of aspiration and pride. This will include supporting efforts to increase education attainment and skills development.</p>	<p>HAF The summer holiday activities with food (HAF) programme was a great success with 31 holidays clubs offering free places for children eligible for benefits related free school meals. We had our first ever Burnley young MasterChef's training at Down Town with 30 children learning essential cooking skills, all ending in them serving a celebratory meal to their friends and families. Other new clubs included Basically Cheer and Fitness, and Rookie lifeguards. In addition, the CR8 programme, for 12 to 16 years gave young people the opportunity to enjoy a range of activities independently, such as mini golf, swimming, bowling and trampolining.</p> <p>Primary Engineer 10 teachers from 6 schools took part in the Primary Engineer Construction Project, to inspire the next generation of engineers in Burnley, and benefit from a one-day CPD training course, supplied kit and resources to build up to 30 projects across two classrooms in each school and a celebration event to bring the schools together and celebrate the power of engineering. This project provides a fantastic opportunity to engage with engineering, meet and work with engineering professionals and develop engineering skills. Thanks to our partnership, we worked with local Burnley companies such as VEKA and Futaba Manufacturing. In June, we hosted the Celebration Event at Burnley Mechanics. 5 schools and 54 pupils attended the day engaging with the engineering professionals and testing their built vehicles.</p> <p>Our partnership also facilitated 5 schools to take part in The Primary Engineer Early Years Programme, raising awareness of engineering in our youngest learners.</p> <p>Exam Results I was pleased to see Burnley College's students record an overall pass rate in A Levels of 99%, 85% of students receiving at least one A*-C grade, and 60% of students receiving at least one A*-B grade.</p>

The college has also seen learners achieve 100% high grade pass rates in Further Mathematics, Statistics, Classical Civilization, Dance, Polish and Textiles.

Burnley College Students have been awarded places at some of the world's leading Universities to study Dentistry, Medicine, Politics, Mathematics and more.

It was also great to attend Burnley College's Award for Excellence evening to hear more about and recognise our student's achievements as well attending the graduation ceremony for the various university courses that the College runs.

I also had the pleasure of attending one of UCLan's Graduation Ceremonies in Preston, which included many students who had studied in Burnley.

I would also like to take this opportunity to congratulate our high performing GCSE pupils, who performed well despite impact of the pandemic on their education. As soon as they are available, I will give an update on the official results at a future meeting.

COUNCILLOR SUE GRAHAM, DEPUTY LEADER AND EXECUTIVE MEMBER FOR RESOURCES AND PERFORMANCE

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PL5- We will implement our Climate Change Strategy.</p>	<p>Following the Climate Change Strategy Updates and Carbon Budget report, work is progressing on the Council’s ‘Roadmap to Net Zero’ to outline the costs and timeframes for each climate action. This piece of work will help to identify if an earlier net zero target can be achieved for the Council, or if 2050 remains the most feasible target.</p> <p>Research is being carried out across departments to identify potential costs for each main area of climate actions, and realistic timeframes for actions, this includes decarbonisation of buildings, transition to fully electric fleet, and transition to renewable energy tariffs.</p> <p>Work is also being carried out to incorporate further scope 3 emissions into the Council’s carbon budget including procurement, waste, and staff commuting.</p> <p>The first Climate Change Scrutiny Review Group was held at the end of July, members of the group will review the Revised Action Plan 2023 and identify any areas that they would like to bring to the group for discussion and review. The group also agreed to consider the prioritisation of actions and how this is expressed in the strategy.</p> <p>The council is set to receive £330K from a grant that was awarded for Burnley Leisure from the National Lottery Community Fund’s Climate Action programme. This focuses on the link between nature and climate and aims to fund projects that encourage community-led climate action. The Council will deliver the project as part of the ‘Burnley and Outdoor Town’ initiative over a four-year period and will use the funding to organise and deliver volunteer activities, including tree and woodland planting, creation of wildflower meadows and other environmental activities and improvements. The budget will employ a Green Activities Coordinator, provide EV transport and pay for materials and equipment including trees and wildflower seed, etc.</p>

Strategic commitment	Progress update
<p>PF1- We will manage our contract with Liberata robustly, so it delivers value for money and good services.</p>	<p>Liberata have again achieved their key targets in the benefits service.</p> <p>Against a target of 9 days, the Q1 result for the average number of days to process benefits new claims and change of circumstances was 2 days, which is lower than the same period last year.</p> <p>The latest available data for comparison with other areas is from Q4 22/23 (this measures housing benefit processing only) and shows that Burnley’s housing benefit processing time overall was 2 days. The district average in the North West is 3 days.</p> <p>In the contact centre, 76% of calls were answered within time. The target is 80% but there has been a strong improvement from the same quarter last year (58%). The caller abandonment rate remains within target at 3%. Performance to date in Q2 suggests that the target will be achieved by the end of this quarter. All other KPIs in Q1 were achieved.</p>

Strategic commitment	Progress update
<p>PF2- We will adopt a Medium Term Financial Strategy that will put the Council on a sustainable financial footing. This strategy will set the framework for preparing annual budgets, ensuring the annual budget strategy is set within the context of the longer-term outlook.</p>	<p>Revenue Budget</p> <p>The Council is reporting a projected net overspend of £243k at the end of quarter 1 for the 2023/24 financial year. This is in line with the position in previous financial years. We expect to balance the books by the end of the financial year.</p> <p>The Medium-Term Financial Strategy for the period 2024/27 has been updated and is included elsewhere on the agenda. The updated MTFs has identified a potential budget gap of up to £1.2m over the 3-year period. A number of savings proposals have been put forward for approval with the remainder, required to balance the 2024/25 revenue budget, to be recommended for approval in February 2024 once the outcome of the provisional budget settlement is announced in December 2023.</p> <p>Statement of Accounts</p> <p>The Council published its draft Statement of Accounts by the extended deadline of 30th June 2023. Grant Thornton, the Council’s external auditor, are finalising the completion of their audit and plan to present their audit findings to the September 2023 meeting of the Audit and Standards Committee for approval. Grant Thornton is continuing their</p>

	<p>annual Value for Money review of the Council which will be reported to the following meeting of the Audit and Standards Committee in January 2024.</p> <p>Council Tax and Business Rate Collection Rates</p> <p>It is estimated that business rates collection rates for 2023/24, up to the 31st August, are on target to achieve 97.5% for the year. Council tax collection rates are 0.3% below the target of 94.5% for the year. As at the 31st August, collection rates for council tax and business rates were 43.33% and 48.68% against targets of 43.65% and 46.60% respectively.</p>
--	--

Strategic commitment	Progress update
<p>PF3- We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.</p>	<p>In September the Executive is being asked to consider an investment in building control systems. This investment will deliver a new customer portal to improve customer self-service options, and mobile and remote working functionality will increase back office efficiency.</p>
<p>PF4- We will deliver our Organisational Development strategy, ensuring we plan for the structures and capabilities that the organisation needs, and empowering our workforce to deliver the objectives of the Strategic Plan.</p>	<p>We held a successful Team awards event on 20th July at which a number of employees were recognised for their excellent performance and commitment to our values. The Council's learning plan for this year has been finalised and the programme starts from September. The plan is developed from the training needs identified through our Performance Development review process as well as corporate need identified by Senior Managers.</p>
<p>PL6- We will invest in our heritage assets for the benefit of this, and future, generations.</p>	<p>Council Chamber Works</p> <p>The restoration works in the Council Chamber, due to extensive issues of dry rot, are due to be completed during the Autumn of 2023. Progress is being made on accessibility and audio-visual equipment upgrades that will commence once the restoration works have been completed.</p>

COUNCILLOR LUBNA KHAN, EXECUTIVE MEMBER FOR COMMUNITY, HEALTH AND ENVIRONMENTAL SERVICES

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PE4- We will continue to work on the wider determinants of poor health. This will include reducing food insecurity and responding to the cost of living crisis with practical support. We will work closely with the Integrated Care Board and ensure that the Borough Council plays an active role on the proposed placed based partnerships.</p>	<p>The Down Town community grocery has 715 new members with 4085 shops undertaken since opening. The shop is supported by 27 volunteers. In addition, there were 131 paid on shops used during July.</p> <p>There have been nearly 700 shops for school uniform at Down Town and as we move into the colder months the Winter Warmer shop will open.</p> <p>A wide range of partners are providing support sessions from Down Town including health checks, mental health groups, budgeting and debt advice and employment support.</p> <p>The number of emergency food parcels provided by the BFCitC food bank, which is supported by the council, was 522 in April, going down to 404 in July. At the start of the cost of living crisis and end of the pandemic, the monthly average was around 600.</p> <p>A Burnley food network has also recently been established to enable those tackling food insecurity to support one another and share resources.</p> <p>By the end of September, the council will launch a discretionary fund for households that have savings of less than £2000, and that are struggling with the cost of living but are not necessarily on benefits. Members can find details by searching for “HSF Burnley.”</p>
<p>PL1- We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include community engagement and cleansing in ‘hotspot’ areas</p>	<p>Waste & Cleansing Update: I am pleased to update that with the opening of the Pioneer Place development, Urbaser, the Council’s waste and cleansing contractor will be supporting the scheme, in undertaking regular cleansing duties to ensure that the high standard across the whole of the town centre is maintained.</p> <p>Enforcement Update: The Council’s Enforcement Officers continue to work across the borough with residents and local businesses to promote the Council’s waste and cleansing service. I am pleased to announce that the recently established Education & Enforcement Team have been shortlisted for the Best Team in the UK Award at the Annual LARAC (Local Authority Recycling Advisory Committee) Conference. The Team have been recognised for their innovative approach to tackling</p>

waste & recycling issues particularly their community outreach and engagement work with local residents and businesses within the Borough.

Environmental Enforcement

During June - August 2023, the Enforcement Team along with the Council's litter enforcement contractor issued 137 FPN's (Fixed Penalty Notices) for litter and dog foul offences and 18 FPN's for fly tipping and commercial waste offences. They have also served over 289 legal notices and warning letters to residents and businesses regarding correct waste management.

Community Safety performance update

Compared to July in 2022, in July 2023 there was a 2.7% reduction in all crime in the borough. Comparing month on month during this summer, the Borough has seen a slight 0.4% increase from June 2023 to July 2023. However, this is marginal in comparison to the Lancashire average of +8.5% and is the best performance in the County.

These successes can be attributed to the strong partnership and thematic approach forged via the Burnley Council led MATAC, that ensures that partners are responsive quickly to emerging trends and threats. The culture of multi-agency, partnership working encourages a focus on initiative and collaboration. This local partnership is recognised across the county as an example of good practice in a partnership approach. This has been born out in the way local partners have come together to address youth issues in the town centre, and more recently an initiative to address 'cost of living' associated shoplifting working with businesses to promote the food bank and alternative means of support with individuals.

July 2023 also saw a 27.4% reduction in ASB reports to the police compared to June 2023 – this includes a 7% reduction in the Town Centre. Furthermore, there is a 30.9% reduction from July 2022.

Looking at Youth related ASB specifically, July saw a 32.5% drop from June this year, and a 48% reduction from July 2022. The proportion of ASB that is youth related now sits at 17.9% having been 24% last July, and as high as 35% earlier that year.

Looking at issues in the town centre, the police have recently held a day of action to tackle the issue of e-scooters. On the day officers seized 7 e-scooters from a range of individuals. Police will continue to monitor the issue and there will be signage going up to advise people that it is illegal to ride e-scooters on a public highway – including the pedestrianised areas of the town centre – or on private land without the permission of the landowner. This initiative is supported by

the Council and work is undertaken with the identified individuals.

Partners are also continuing to work together to address issues around begging, shoplifting, and anti-social behaviour around street drinking. Attempts will always be made to ensure all opportunities for support are offered, and colleagues from support services work hard to engage with individuals. Where that support and engagement is present, priority is given to improving behaviour and working with these individuals however, where support is refused and there is a long history of non-engagement and offending, partners will develop individual enforcement plans to use all available powers to stop the behaviour. There are currently three priority targets who meet these criteria, and Streetscene Officers are putting together prosecution files to take them to court.

Operation Centurian

The Home Office funded operation to tackle ASB hotspots has been running in Padiham for the past month with positive results. Police patrols are out and about in the area for 4 nights of the week, targeting the locations and times where increased ASB is common, and engaging with young people. Feedback from the community has been positive, and to date the following activity has taken place:

- 200 stakeholder visits
- 22 intel entries
- 2 youth referrals
- 20 incidents deployed to within the hotspot area
- 41 stop checks and searches
- 2 FPNs issued

PCC Safer Lancashire Neighbourhoods Fund

To date, with the support of Burnley Council, the PCC has funded project work, to be delivered by partners such as Burnley Leisure, Participation Works, BFC In The Community, and The Flowhesion Foundation, totalling £40k in Burnley and Padiham, with the aims of addressing local community safety priorities. All the projects funded are aimed at working with young people to address behaviour and prevent ASB.

The PCC's Community Fund remains open to community groups and can be accessed via <https://www.lancashire-pcc.gov.uk/grant-funding/safer-lancashire-neighbourhoods-fund/>

Electric Vehicle Charge Points

Charging points at eight car parks within the borough have now been installed and the electrical connections to the charging units are currently taking place. These units are to be provided with the aim of encouraging the use of more energy efficient vehicles by the general public.

Pavement Café Licences

The Engineering team are currently working with LCC Highways to ensure that premises apply for and adhere to the terms and conditions of their pavement café licences. This has involved speaking directly to businesses to explain the importance of compliance and the risks associated with unlicensed items on the highway. These activities will continue to be monitored and where businesses do not comply, LCC Highways will seek to utilise their enforcement powers to take further action.

COUNCILLOR JOHN HARBOUR, EXECUTIVE MEMBER FOR HOUSING AND LEISURE

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PL2- We will improve the management and condition of rented accommodation in the private and social sectors and enforce standards in a robust way.</p>	<p>Selective Licensing</p> <p>Selective Licensing: Trinity, Queensgate with Duke Bar, Gannow and Daneshouse & Stoneyholme areas 2019-2024</p> <p>The total number of properties that are required to be licensed is 2644 across all four areas. We have received 2,787 applications since the start of these designations. 87% of licensable properties are currently licensed; a further 147 applications are being processed by the licensing team.</p> <p>Final reports have been published on the selective licensing area of our website for the completed audits in parts of Gannow and Queensgate which took place from May to July 2023.</p> <p>Audits were also undertaken in August in parts of Trinity and Stoneyholme; identifying external disrepair, dirty back yards and ensuring all properties have valid documentation in place. Full reports on the outcomes of these audits will be published in October.</p> <p>Selective Licensing: Burnley Wood with Healey Wood and the Leyland Road area 2022-2027</p> <p>The designations for the above areas came into force on 21st July 2022. Since this date we have received 759 applications. 61% of those properties that require a licence have been licensed, with the team currently progressing a further 135 applications.</p> <p>The first area audit took place in August in part of the Leyland Road area. A full report of the outcomes of this audit will be published in October. In addition, following monitoring by one of our officers, we will be undertaking a mini audit of Pine Street in the Burnley Wood area; this area is not due to be audited until November, however we have concerns about the condition of some of the properties, so we are prioritising this street ahead of schedule.</p> <p style="text-align: center;">Page 144</p>

Civil Penalties/Prosecutions

The priority for all six licensing areas is securing applications for all properties that are required to be licenced and enforcing the conditions of the licence. During the current designations we have prosecuted landlords in respect of four properties and issued eight civil penalties where landlords were operating without a licence. We have recently reviewed the outcome of the area audits to prioritise further cases for legal action, focusing on properties which have been unlicensed for long periods, or where we have concerns about the condition of the properties.

Landlord and Agent Training Days

The first training day in our new contract with the National Residential Landlords Association (NRLA) was held on Monday 11th September for managing agents in the borough. We will be holding further events throughout the autumn aimed at landlords as well as bespoke training on damp and mold.

Private Rented Disrepair

Since the start of April 2023, the Council has received and dealt with 152 new disrepair complaints from private rented sector tenants. The Housing Standards Team has a current caseload of 160 open/ongoing private rented sector disrepair/proactive inspection cases. Since April 2023, the Housing Standards Team have served 9 formal improvement notices requiring owners to complete specified repairs within a given timescale, as well as 2 emergency remedial action notices, and 5 prohibition orders that prevent the occupation of a dwelling, or part of a dwelling, due to serious disrepair.

Strategic commitment	Progress update
PL3- We will work with partners to improve quality and choice in the borough's housing stock, and reduce the blight of empty properties	<p>Calico Homes are pressing ahead with their affordable housing programme and remain on schedule to deliver 93 units of Extra Care Housing at the Dovestone Gardens development next to Burnley Hospital by late summer 2024. The development of 61 houses at Kinross Street is due for completion and occupation in March 2024. This year has also seen Calico embark on phase 7 of their empty homes programme working in partnership with the council's empty homes team to help offer good quality affordable homes in our inner urban neighbourhoods.</p> <p>McDermott Homes housing site Valour Park, built on the former Hambleton School site, is nearly complete with just</p>

the last few properties remaining before the site is sold out. Gleeson's site at Canal Walk in Hapton has been another very popular development and is also down to the last few properties for sale on site. Miller Homes site at Red Lees Road is selling well with 64% reserved or sold and Barratt Homes development Brun Lea Heights is now on site bringing further new homes to the market giving residents a choice of properties and strengthening the housing market in our borough.

Empty Homes Programme

The compulsory purchase programme is progressing with several further CPOs programmed to start in the next few weeks. We are also pursuing several acquisitions by agreement with the owners, with one already underway with legal.

Renovations are underway at six properties with tenders expected to go out for another five properties shortly. Two of these properties are nearing completion and will be on the market soon. Sales are progressing on two properties, and another has just gone on the market.

The facelifting scheme is nearing completion at the rears of Windsor and Ivory Streets. The Piccadilly Road scheme will commence before the end of September.

Enquiries for the loans scheme are slow at the moment despite information going out in the recent Selective Licensing newsletter.

PL4- We will implement our 2015-25 Green Space Strategy.

Bereavement IT System

A new IT system called Plotbox has been installed to facilitate management of burials and cremations. Plotbox has been installed following the COVID pandemic which illustrated the need for more robust on-line management system that can be accessed remotely. Funeral directors will now be able to make out of hours bookings using an on-line diary, which will benefit bereaved families by reducing the time spent arranging funeral dates.

Towneley Hall

Work is progressing well, with the re-roofing of the Great Hall (west wing) nearing completion. The scaffolding will then be transferred to the South wing (overlooking the flower garden), before work starts on the North wing in 2024

A programme of engagement activities took place during the heritage open weekend (8th – 10th September) included demonstrations of different stonework and roofing techniques on the front lawn and lectures on the history of the Hall and on the

hexifoil markings (more popularly known as witch markings) that have been discovered on furniture and architectural features. Volunteers are vital to the operation of Towneley Hall and I'm pleased to report that Towneley Hall has secured funding from the Art Fund for a part time Volunteer Coordinator who will be able to support to our 25 current volunteers and develop opportunities to increase the diversity volunteers.

Stables Café

A firm that specialises in restaurant design and fit out has been contracted to undertake the extensive work needed to refurbish the interior of the café with the aim of opening before Christmas.

Towneley Park Masterplan

Extensive consultation is currently taking place with user groups and the public, with over 1,000 people taking time to complete an online and paper survey. As the consultation phase ends, the consultants will use the data to inform the development of the masterplan which aims to ensure that the heritage, ecology, recreational and economic potential of the park is developed over the next 10 years.

Play Strategy

The refurbishment of Clifton Street, Healey Wood and Memorial Park (Park Rd) play areas have been completed and the new play areas are open. Design and consultation on the schemes at Piccadilly Gardens, Barden Lane/Disraeli St and Underley St is getting underway.

Tennis Court Improvements

The programme of tennis court improvements, funded by a grant from the Lawn tennis Association has been completed> Scott Park and Memorial Park courts have been resurfaced/painted and smart phone operated pay and play gate access systems installed on these and Queens Park and Ightenhill Park courts. There have been good levels of use at Queens and Memorial Park but some vandalism particularly at Scott and Ightenhill parks. The tennis coaching programme did not take place due to a shortage of coaches and it is hoped that this will start from easter 2024.

Strategic commitment	Progress update
<p>PE2- We will continue to develop the leisure and cultural offer in partnership with Burnley Leisure.</p>	<p>Gym Equipment Replacement Full Council is being asked to agree to the establishment of the new budget in the Capital Programme to purchase brand-new gym equipment for both St Peter's and Padiham leisure centres together with refurbishment of the gym areas. If approved, the new equipment will be installed by Christmas ensuring that the 5,200 gym members continue to enjoy use of the very latest equipment as well as benefiting from free support from expert instructors.</p>

Gym membership has continued month on month growth throughout the year despite the economic headwind and increased competition and is significantly higher than pre-COVID levels. Golf membership has also steadily increased and is currently at an all-time high of 478 and the swim academy now has more than 970 members.

Beat the Street

The end of game report has been completed for this year's edition of Beat the Street which ended in June. Over the 6-week game phase, 12,364 children and adults from across the town took part and walked and ran a cumulative total of 155,121 miles which is equivalent to five times round the world! 32% of adults and 45% of children self-reported as being inactive or less active at registration. 58% of registered participants were living in the top 20% deprived areas in Burnley and 20.6% were from ethnically diverse communities. These groups are all more likely to experience health inequalities.

Post game data demonstrated that 38% of adults and 40% of children were lifted out of inactivity (adults) or low levels of activity (children). There was an 8% increase in the number of adults reporting meeting the CMO recommended guidelines for physical activity. There was also a 10% decrease in child inactivity and participants reported a significant improvement in their wellbeing.

BLC were also successful in achieving high participation levels with all 33 primary schools taking part.

Watch the [BTS video](#)

The next edition of BTS will take place in 2025. In the meantime, many other activities will be promoted through the emerging 'Burnley an Outdoor Town' initiative.

Burnley Nature Festival

As part of the Outdoor Town initiative, Burnley Leisure is working with the Council to deliver the first Burnley Nature Festival in Towneley Park on Sunday 29th October. The festival will encourage people to explore and learn about nature and being active in the beautiful autumnal surroundings of Towneley Park.

Mechanics

The funding application to the Arts Council's Capital Investment Programme reported to the last Council meeting was unfortunately not successful as it did not fully meet the

	criteria for grant funding. Alternative sources of funding including the National Lottery Heritage Fund are being explored.
--	---

COUNCILLOR MARK TOWNSEND, EXECUTIVE MEMBER FOR ECONOMY AND GROWTH

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PR2- We will proactively support the borough's businesses to innovate and expand, and make the borough a natural choice for business relocation.</p>	<p>Business Support</p> <p>During this week the Business Support Team have delivered its 11th annual Business Week in partnership with UCLan. The team have worked with several different partners and industry experts to make sure our businesses are being provided with the best support available to help them. The week delivered 27 free workshops, seminars and drop-in sessions on a range of topics to support all types and all sizes of businesses. Business week is only possible due to the generosity of our partners who deliver high quality workshops free of charge. We would like to thank the following organisations for their support:</p> <ul style="list-style-type: none">- UCLan- East Lancashire Chamber of Commerce- Burnley Leisure and Culture- Advance Performance- Awakening Horizons- Bellyflop TV- Community Foundation for Lancashire- Cube HR- Customer Love- Door4- Edge Hill University- Profit Optimiser- Hays- Lancaster University- Root Fifty-Two- Burnley College- PM+M- +24Marketing- Six Connections- Forbes Solicitors <p>The business support team recently received some very positive feedback from DWP on the work the Council does to support our businesses and the relationship between DWP and the Council and our joined-up approach to supporting our residents. At a recent meeting with DWP's Lancashire, Cumbria and Merseyside senior management</p>

team they were impressed at all the work we do and have requested more information on our activities. They were not aware of any other local authority doing what we do here in Burnley to support businesses.

The Business Team are currently working with 25 businesses looking to relocate into the borough or expand within it. Some enquiries are for significant requirements exceeding 50,000 Sq Ft. The team recently helped a security company relocate into the area bringing their existing 20 staff whilst also providing space to continue their growth aspirations.

Work has now begun on the new Frontier Park Business Park adjacent to Network 65. The development will see 5 new units constructed providing commercial space from 39,000 – 159,000 Sq Ft. This will provide much needed space for growing businesses in the area and will help attract new businesses. The business team are in contact with one large local operator who have shown strong interest in the site to help with their continued growth and the agents also have strong interest from an out-of-town party.

Vision Park

Vision Park remains at 100% occupancy with a waiting list should any units become available.

Padiham Town Hall

The fixed office space remains at full occupancy with leases recently renewed and a waiting list for the offices.

UK Shared Prosperity Fund – Support Local Business Theme

Following a County wide tender exercise by Lancashire County Council for the delivery of BOOST across Lancashire, Growth Lancashire has been appointed to deliver the initial business diagnostic service together with general business advice. The business support element for growth businesses was won by The Growth Company, and the start-up support provision was won by Selnet. Freshfield have again secured the contract to market the BOOST offer and to develop and maintain the BOOST website. The service will be operational from the beginning of October.

The Regional Technology Centre (RTC) has been appointed to deliver a specialist manufacturing support programme in Burnley, particularly focused on supporting the sustainment, growth and innovation of businesses and assisting businesses to adopt the governments Made Smarter initiative. Businesses

will be able to access the service from October, RTC also deliver the national innovation agency programme -Innovate UK.

Burnley Brand and Burnley Bondholders

Since last full council there have been 22 pieces of positive news on Burnley.co.uk. Burnley has featured in 697 pieces of online, print and broadcast news with a combined AVE of £505,000 and reach of 161 million.

Burnley Lifestyle Magazine will now be published twice a year – spring/summer and autumn/winter, allowing for increased advertising revenue and more seasonal content. On September 12th, 8,500 copies were distributed across the country.

On September 22nd, 200 people attended the 10 Enterprising Years bondholder event to celebrate the ten-year anniversary of Burnley being named most enterprising area in 2013. Alastair Campbell and Gary Neville have partnered with the Burnley Brand team to give away football tickets on social media to promote the 10 Enterprising Years milestone.

On September 29th, there was an exclusive Burnley Bondholders event during Burnley Business Week to discuss retaining and developing young talent in the borough.

Strategic commitment	Progress update
<p>PR3- We will deliver the Town Centre and Canalside Masterplan, and strategic projects in Padiham Town Centre.</p>	<p>Pioneer Place Further to the opening of the Icaro Lounge, previously reported, Starbucks have also been open for a few weeks. REEL cinema opened on Friday 8th September with a VIP opening on the 12th September.</p> <p>Nandos have completed a very high quality fit out and opened for trade on the 20th September.</p> <p>Unit 6 has been let to Heavenly Desserts and they have already completed their fit out. Staff training is due to finish soon ready for opening.</p> <p>Maple Grove and Eric Wright have continued to carry out snagging and defects work whilst mobilising to commence works on the Manchester Road Site.</p> <p>We continue to liaise with LCC to try to manage the impact of the works on Curzon Street.</p>

Town 2 Turf Public Realm Transformation

Works to Harry Potts Way are complete and we have had positive feedback from the public and the football club. Works to the culvert, including stone cleaning and re-painting have been completed over the summer. The roundabout/Yorkshire St roundabout has been removed in readiness for works to create the new four way junction with pedestrian crossings.

The overall program remains approx. 8 weeks behind schedule with a projected completion of September 24.

Lower Saint James Street Heritage Action Zone

Restoration works to 156 are now completed excluding signage. Externally the building has benefited from a new traditional shopfront, reinstatement of the original bay windows to the upper floors, rainwater goods, repair of architectural features to the facades.

Restoration work to 158 Lower St James Street is underway including the reinstatement of a traditional shop front, bay windows, rainwater goods, Doff cleaning and architectural repairs. This is due to be completed at the end of October. The Property owner is investing internally with a change of use from taxi office to retail unit and two apartments to the upper floors.

Works have commenced to 123-125 St James Street the HSHAZ Exemplar building. The chosen contractor was Halestone Restoration. This project includes stained glass window restoration to the upper floors, new roof and rainwater goods, stone cleaning, architectural and structural repairs along with internal conversion works. Once this building is completed in early 2024, Creative Spaces Burnley CIC will take over the lease, Mid Pennine Arts will occupy the ground floor as the anchor tenant with artist studios to the upper floors.

In celebration of Heritage Open days between 8th – 17th September the HSHAZ has delivered 4 memory workshops, gathering and sharing people's memories of Burnley making collages and soundscapes. A very successful Always Look Up Heritage Trail took place around the Conservation Area encouraging people to appreciate our beautiful historic buildings. Public tours took place inside the Empire Theatre which tickets sold out within minutes, along with giving out to the public and business owners, a how to maintain your heritage property pocket guide and a free HSHAZ pocket bag.

Footfall figures increased in the HSHAZ area throughout Junes Words Festival Events to 81417, an increase of 34621 based on June figures the previous year.

The Chair of Historic England Sir Laurie Magnus visited Burnley on the 1st of August and was delighted with the progress that has been made in the High Street Heritage Action Zone and the Conservation Areas. The Council was commended and its contractors on the quality of the work in the area.

The HSHAZ Social media pages continue to see a significant increase in new followers and interactions with 7.1K reach within the last 90 days and 5% new followers.

Burnley Market

Burnley Market continues to offer retail premises to rent with a package of support for new commodities to the market.

Recent additions to the market are Pasta Blends, Discount Den and Cave of Treasures (bespoke, unique jewellery out of resin). Pieaze has moved to larger premises within the market and is doing extremely well. An existing tenant, Time Piece Electricals, has moved to a more prominent stall and is already benefitting from this. In Stitches continues to expand and has taken on additional space. These new leases and business expansions have increased occupancy rate to 62%.

During the week beginning the 7th August 2023 Burnley Market hosted Re-Fashion Challenge which is a collaborative project run by Gawthorpe Textiles collection, Uclan and the British Textile Biennial.

Burnley Market continues to host a popular Bi-Monthly Record Fair. On average footfall increases by 17% on these dates.

Padiham Town Centre

In celebration of Heritage Open Days between 8th and 17th September. The town centre officer has been working with partners Padiham Library and The National Trust Gawthorpe Hall to create a High Street Heritage Trail which will take place within the conservation and town centre area, encouraging people to find and appreciate heritage features whilst browsing the shops and businesses. Participants can ride the free vintage bus or collect a shop local bag, with the chance to win a Padiham shop local prize voucher.

Other successful Padiham events include the Padiham Duck Race & Summer Fair and Party in the Park delivered by Padiham Town Council and supported by the town centre officer.

Padiham Townscape Heritage

Works continue at No. 25 & 27 Burnley Rd (Woof & Tumble and Party Glitz) including general repairs to roof, stonework/pointing and rainwater goods. New timber sliding sash windows have been installed to upper floors and repair and redecoration to the existing shop frontages is underway. Works due to complete within 4 weeks.

Works have also commenced at No. 12-14 Burnley Rd (vacant, formerly Timeless) with re-rendering of gable and reroofing of stone slate roof. The scheme will include a comprehensive package of external repair and restoration works. Current programme sees completion in March 2024.

These will be the final two building schemes to utilise remaining capital funds.

Exemplar Project – Tenants have been secured for the retail units. No. 35 will be occupied by 'Hugs for Free', a charity organisation that also operate 'The Hub'. The unit will be for retail use, primarily pre-loved clothing. Heads of terms have been agreed and signed. The tenants are fitting out and signage design is being agreed.

No. 33 will be occupied by a Millie & Ruby's Doggy Bakery, selling luxury dog treats and accessories. The tenant has operated previously in Great Harwood and will be a nice addition to Padiham's specialised retail offer. Head of terms are being agreed.

As the programme nears completion, the TH Officer in partnership with an independent consultant is developing a project evaluation (a requirement of the funders). A written report and evaluation video will be produced.

Under our current agreement with the Heritage Fund, the programme is due to complete by end of Sep-2023, however a further extension has been granted up to June 2024 to allow for completion of final building works, snagging/defects periods, financial completion, and completion of the project evaluation.

Strategic commitment	Progress update
<p>PR4- We will implement the Local Plan, delivering new housing, employment sites, and infrastructure.</p>	<p>Local Plan Review and Local Development Scheme</p> <p>The 5-year statutory review of Burnley's Local Plan was considered by Executive on 12 July 2023, following consideration by Scrutiny Committee on 5 July 2023. Executive resolved that an update of Burnley's Local Plan 2012- 2032 was not required at the present time. The Local Development Scheme (LDS) was updated accordingly.</p> <p>Allocated Housing Sites:</p> <p><i>Sites Under Construction:</i></p> <p>Site HS1/1 Former Hambleton School site (Valour Park, McDermott Homes) is nearly complete with all but 7 properties reserved or sold). Site HS1/3 Former Blythe's Site (Canal Walk, Gleeson) is also nearing completion with all remaining plots released and only 7 remaining for sale. Site HS1/8 Red Lees Road (The Calders, Miller Homes) has over 64% reserved or sold and the on-site affordable housing (discounted sales) is now being marketed. Amended plans and elevational details have been approved for some plots (NMA/2023/0264). Site HS1/4 Rossendale Road (Barratt Homes - Brun Lea Heights) is well under construction with 6 properties sold. There has been a slowing of the sales rates at most sites, due at least in part, to the increase in mortgage rates.</p> <p><i>Applications and Approvals:</i></p> <p>An appeal against the non-determination of the full planning application for site HS1/2 Hollins Cross Farm for the erection of 200 dwellings has been made, and a public inquiry is scheduled for October 2023 (FUL/2022/0149). Amended plans have been submitted for the reserved matters application for 73 affordable homes at site HS1/29 Lodge Mill (REM/2023/0169). Amended plans have also been submitted for the southern part of site HS1/4 Rossendale Road (Seddon Homes).</p> <p>Allocated Employment Sites:</p> <p><i>Sites under Construction</i></p> <p>Following the outline approval in September 2022 at site EMP1/5 Land South of Network 65 ('Burnley Bridge South') (OUT/2020/0366), and the approval of a reserved matters application for Phase 1 of the site (REM/2022/0568), construction commenced. Two further reserved matters applications for phases 2a and 2b have been approved and</p>

	<p>the final application for Phase 3 has also now been received (REM/2023/0565).</p> <p>Following the dismissing of the appeal against the refusal of an earlier planning application (REM/2021/0735), a revised application the erection of 3 industrial units (Use Classes B2/B8/E(G)) has been received for site EMP1/2 (Burnley Bridge) (FUL/2023/0445).</p>
--	--

Strategic commitment	Progress update
<p>PR5- We will support UCLan’s expansion, transforming Burnley into a University Town</p>	<p>Newtown Mill Work is progressing well with all the internal steel framework in place. To the SW part of the building the roofing has been completed along with concrete floors and internal wall partitions, and windows, allowing some of the external scaffolding to be dismantled. Construction of the retaining wall to the rear is now well underway as is the roofing on the NW portion of the building.</p> <p>Sandygate Halls Repair works and deep cleans have taken place over the summer ready for the start of the new academic year. Two commercial units have been occupied by Ridgewood School who are a Special Educational Needs school. One unit will be used as a classroom facility and the second will be converted into a high-quality coffee shop providing real life work experience and on the job training for pupils. The coffee shop with its Sandygate square frontage will be a welcome addition to the amenities for students, and residents and businesses located in the area.</p> <p>Expansion Plans The Burnley Brand team continue to support UCLAN to market the Burnley Campus and on the 29th September had a stand at the UCLan freshers fair to promote studying, living, exploring and working in Burnley.</p>
<p>PR6- We will work with partners to ensure that residents are able and ready to participate in the workforce.</p>	<p>Burnley Employment & Skills Group (BSEG) Representatives have met with the team from the Lancashire Skills Hub/LEP to ensure that local provision is aligned to wider initiatives across Lancashire and the wider region. They will also attend future Steering Group meetings to provide additional wider strategic direction.</p> <p>Thrive Youth Hub The summer period has been fairly quiet, as is usual at this time of year. The current caseload at Thrive is 236, compared to 216 in July.</p>

We are With You, a charity providing support for those with drug, alcohol, or mental health issues, have started a weekly presence in the hub, with private facilities available given the nature of what they do.

The DWP have had a reduced presence in the hub over the summer given staff holidays/absences.

UK Shared Prosperity Fund – People & Skills Theme

2 UKSPF participants have signed onto the HATCH programme delivered by BFC in the Community – both working at KFC. HATCH is an employability project, in partnership with KFC which provides workshops and work experience to those aged 16 -25 who are not in education or employment. The HATCH programme currently has a 50% conversion rate into work.

36% of the current UKSPF caseload are aged 16-25.

Delivery partners such as Burnley College, The Princes Trust & BPRCVS are gearing up to delivery as the new academic year starts.

Claimant Count

The claimant count rate in Burnley as of July 2023 was 5.6% compared to 4.2% for Lancashire and 3.7% GB. These figures are fairly static since the last figures up to March 2023. The economic inactivity rate in Burnley to March 2023 was 28%, Lancashire 24.8% and GB 21.6%. These remain fairly static since the last figures up to Dec 22.

The Office for National Statistics reports that nationally there has been an increase in the number of people classed as NEET, entirely driven by young men. Something we will keep an eye on at local level and discuss with Lancashire County Council.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 16th August, 2023 at 6.30 pm

29. Replacement of Fitness Equipment at St Peter's and Padiham Leisure Centres

PURPOSE

To seek approval for funding to replace the fitness equipment and refurbish the associated fitness areas at St Peter's and Padiham leisure centres.

REASONS FOR DECISION

The main income stream for Burnley Leisure & Culture comes from gym memberships and it is essential that the Trust continues to offer high-quality, up to date fitness equipment in a modern environment to retain customers and develop the business.

DECISION

The Executive resolved to:

1. Approve the replacement of fitness equipment and refurbishment of fitness areas at St Peter's and Padiham leisure centres.
2. **Recommend to Full Council the establishment of a new budget in the 2023/24 Capital programme of £563,000.**
3. Approve the part financing of the capital borrowing from the client contingency budget, with the remainder being funded by Burnley Leisure & Culture as set out in paragraph 13 of the report.
4. Note that the equipment will be owned by Burnley Council.

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank