



SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Tuesday, 21st January, 2020 at 6.30 pm

PRESENT

MEMBERS

Councillors A Tatchell (Chair), H Baker, T Commis, D Ferrier, A Fewings, B Foster, G Lishman, S Lone, P McCann, L Mehanna, A Newhouse, L Pate and M Townsend

OFFICERS

Gerard Vinton	– Chief Executive, Burnley Leisure
Kate Ingram	– Strategic Head of Economy and Growth
Elizabeth Murphy	– Planning Policy Manager
Imelda Grady	– Democracy Officer

48. Apologies

Apologies were received from Councillors Marcus Johnstone and Ann Royle.

49. Minutes

The minutes of the meeting held on 9th December 2019 were approved as a correct record and signed by the Chair.

50. Leisure Trust Annual Report

The Chief Executive of the Leisure Trust gave a presentation on Towneley Golf Club and showed a promotional video highlighting the varied cultural and sporting activities that the Trust provided. He then presented the Trust's annual accounts 2018/19 for members' scrutiny.

Members asked the following questions:

Q. Is the pricing for Towneley Golf competitive? Does it break even or does it contribute to other elements of the Trust's activities?

A. Yes it breaks even, but that aim is to increase profitability .

Q. Does the golf club figures take into account management time?

A. There are dedicated managers across the services and apportioning time would be unproductive.

Q. Does the Trust provide a diversity of cuisine at its food outlets?

A. The food offer is determined by the suppliers but provides a comprehensive menu with vegan and gluten free options. There are issues around allergens and cross contamination that have to be factored in order for the outlets to operate safely and adhere to environmental health standards. The Trust continues to work with its partners to improve diversity in the offer.

Q. How does the Trust incorporate social values and make venues and activities accessible for all?

A. The Trust undertakes price matching with competitors and the charges for swimming is the cheapest in the area. The Trust is also hosting a dementia conference at the Mechanics. The Trust treats all its customers as individuals and will always listen to them.

Q. What is the future for the Up and Active service?

A. The funding for this project was withdrawn by Lancashire County Council in June 2019. Pennine Lancashire, with Blackburn as the lead authority, is running a Together and Active Futures programme and it is hoped to access funds from this stream in order to provide a similar project to the Up and Active project in Burnley.

Q. How strategic is the Trust in taking feedback from various groups.

A. The Trust has operational managers at all sites to take feedback and there are customer feedback points. The Trust is open to suggestions and will discuss them with the Board.

Q. What strategy does the Trust have to deal with the pension deficit?

A. The pensions have been inherited from the Council and are still part of the Local Government Pension Scheme. There is a tri-annual evaluation of the deficit and the Trust is working to close the gap.

Q. Was there any specific commitment for pensions from the Local Authority when the Trust was set up?

A. The transfer agreement with the Council includes a shared responsibility. The external auditors write to the Council each year regarding liabilities

Q. What is the breakdown of resources between sports and cultural services? When will there be a strategy for Arts and Culture?

A. Seventy-five percent of resources come from sports and physical activities and this helps to support the cultural programme. Very few theatres break-even but there is a £2.5m Heritage Lottery Bid in for the Mechanics. The Trust had brought a considerable amount of cultural funding to the town and Burnley is the only trust to have a Cultural Services Officer. Whilst this post is currently vacant it is hoped to recruit to the position within the next two months and a Strategy would follow as soon as possible.

Q. Some information is commercially sensitive but is there a comparative analysis which could allow any movement on pricing?

A. Some elements are commercial sensitive, but the Trust has monthly meetings with the Council where these are disclosed. The accounts are laid out in the same way each year unless there is a requirement to change how figures are reported. The Council subsidy has reduced over time and the Trust is always looking for opportunities to generate more income whilst keeping pricing competitive.

Councillor Foster asked that the Trust considers diversity in all it does across the board.

Councillor Townsend expressed his outrage at LCCs withdrawal of funding for the Up and Active project but acknowledged that the Blackburn led project might mitigate some of this.

The Chair thanked Gerard for his attendance and commented that the Trust has improved year on year and standards had improved during that time.

It was agreed

That the annual accounts of Burnley Leisure be noted.

51. Contributions Supplementary Planning Document (SPD)

Elizabeth Murphy presented a report on the Developer Contributions Supplementary Planning Document (SPD) which had been approved by the Executive to go out for consultation. The report was being brought to Scrutiny as part of that consultation.

The document would supplement the Local Plan and set what developers would have to provide in order to get planning permission. There would be ceilings on contributions but would this signal to developers what Burnley's expectations were.

The SPD covered contributions towards:

- Infrastructure;
- Affordable Housing; and
- Other matters.

Councillor Townsend asked where arbitration would lie on the viability measure and whether the SPD have to be reissued if there were fluctuations in market values. Elizabeth Murphy explained that the viability measure had a ceiling and the developer would have to explain if they couldn't meet it, it would still be negotiable. The figures were indexed linked to account for build cost inflation, but they would always be under review.

Members expressed concerns about the consultation process and that a multi-paged document was not the way to engage with residents. Members represented the residents of the Borough and should see the responses and officer comments in order to add in the view of residents. It was proposed that a small scrutiny working group be set up to consider the responses and officer comments, and report back to the main Scrutiny Committee before the document went forward to the Executive.

It was agreed

That a scrutiny working group be established to consider the responses and officer comments to the document and report its findings back to the main Scrutiny Committee prior to a report being taken to the Executive.

52. Dog Fouling Working Group Recommendations

Members consider a report on the recommendations of the Dog Fouling Working Group that had been commissioned by the Executive in July 2019.

The Democracy Officer informed members that an action plan had been set to cover each of the recommendations and a project officer assigned to oversee its implementation and delivery. It was still early days of implementation but the Head of Service would be happy to attend a future meeting to provide an update.

The following comments were made:

- Wildlife cameras could be used to identify times and places where dog fouling was a problem and used to direct patrols to these areas to carry out enforcement. This hadn't been covered in the review
- The recommendations do not contain a timeline
- The reporting procedure for dog fouling needs to be made easier
- The hotline is not publicised enough but will have inherent inefficiencies due to officer time manning the phones and responding
- There is a focus on fines, if £70 was not working previously would the increase to £100 make any difference

- There should be more focus on education, use of biodegradable sprays, putting signs on the black waste bins to indicate that dog waste can be put in them
- The report indicates that the costs would be delivered via operational budgets, but there are no streetscene budgets that underspend – how is this effecting other services? Resources and ongoing sustainable investment are required.
- Not all areas of the Borough have community groups and parishes to report figures back to.

The Chair expressed concern that scrutiny had been by-passed in the process. He asked that the Executive and Management Team be informed that Scrutiny would want to look at the action plan.

It was agreed:

That the Executive and Management Team be informed that Scrutiny needs to look at the action plan for its input.