

SCRUTINY COMMITTEE

Monday, 7th December, 2020
6.30 pm





SCRUTINY COMMITTEE

Monday, 7th December, 2020 at 6.30 pm

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm on the day before the meeting. . Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, 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 meetings are currently being held remotely. Members of the public wishing to address the meeting should submit their request in the usual way, and will then be invited either to join the meeting by video conference or to make a submission in writing which will be shared with the Committee.

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

AGENDA

1) Apologies

To receive any apologies for absence.

2) *Minutes of the previous remote meetings held on 9th October 2020, 19th October 2020, 22nd October 2020 and 11th November 2020* 5 - 26

To approve as a correct record the minutes of the previous remote meetings held on 9th October 2020, 19th October 2020, 22nd October and 11th November 2020.

3) *Additional Items of Business*

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

4) *Declarations of Interest*

To receive any declarations of interest from Members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.

5) *Exclusion of the Public*

To determine during which items, if any, the public are to be excluded from the meeting.

6) *Public Question Time*

To consider questions, statements or petitions from Members of the Public.

PUBLIC ITEMS

- | | |
|--|-----------|
| 7) <i>Notice of Key Decisions and Private Meetings</i> | 27 - 32 |
| To consider the list of future Key Decisions. | |
| 8) <i>Developer Contributions Supplementary Planning Document</i> | 33 - 148 |
| To consider the Developer Contributions Supplementary Planning Document (SPD) report. | |
| 9) <i>The Safer Streets Project</i> | 149 - 152 |
| To consider the Safer Street Project Report. | |
| 10) <i>Covid-19 Community Recovery Plan</i> | 153 - 170 |
| To consider the Covid-19 Community Recovery Plan report. | |
| 11) <i>Resident Satisfaction Survey 2020</i> | 171 - 182 |
| To consider the Resident Satisfaction Survey 2020. | |
| 12) <i>Quarter 2 Performance Report 2020-21</i> | 183 - 186 |
| To consider the Quarter 2 Performance Report 2020-21. | |
| 13) <i>Revenue Monitoring Report 2020/21 - Quarter 2 (to 30 September 2020)</i> | 187 - 206 |
| To consider the Revenue Monitoring Report 2020/21 – Quarter 2 (to 30 September 2020). | |
| 14) <i>Capital Monitoring Report 2020/21 - Quarter 2 (to 30 September 2020)</i> | 207 - 218 |
| To consider the Capital Monitoring Report 2020/21 – Quarter 2 (to 30 September 2020). | |
| 15) <i>Fees & Charges Tariff 2021/22</i> | 219 - 278 |
| To consider the Fees and Charges Tariff 2021/22. | |
| 16) <i>2020/21 Treasury Management Mid-Year Report</i> | 279 - 290 |
| To consider the 2020/21 Treasury Management Mid-Year Report. | |
| 17) <i>Scrutiny Review Groups</i> | |
| To receive a verbal update on the work of any active Scrutiny Review | |

Groups.

18) Scrutiny Work Programme 2020/21 291 - 292

To consider any amendments to the Work Programme.

PRIVATE ITEMS

19) Burnley Market Recovery Support Review 293 - 298

To consider the Market Recovery Support Review Report.

20) Towneley Hall - Repair Works Update 299 - 550

To consider the Towneley Hall – Repair Works Update report.

MEMBERSHIP OF COMMITTEE

Councillor Andrew Tatchell (Chair)
Councillor Marcus Johnstone (Vice-Chair)
Councillor Howard Baker
Councillor Paul Campbell
Councillor Tom Commis
Councillor Dale Ferrier
Councillor Andy Fewings
Councillor Beatrice Foster
Councillor Shbana Khan

Councillor Gordon Lishman
Councillor Margaret Lishman
Councillor Sehrish Lone
Councillor Tony Martin
Councillor Lorraine Mehanna
Councillor Andrew Newhouse
Councillor Ann Royle
Councillor Cosima Towneley

PUBLISHED

Friday, 27 November 2020



SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Friday, 9th October, 2020 at 6.00 pm

This meeting was a remote meeting held under the
Coronavirus Act 2020

PRESENT

MEMBERS

Councillors A Tatchell (Chair), M Johnstone (Vice-Chair), H Baker, P Campbell, T Commis, D Ferrier, A Fewings, B Foster, S Khan, G Lishman, S Lone, T Martin, L Mehanna, A Newhouse, E Payne and A Royle

OFFICERS

Lukman Patel	– Chief Operating Officer
Rob Dobson	– Head of Policy and Engagement
Catherine Waudby	– Head of Legal and Democratic Services
Alison McEwan	– Democracy Officer
Imelda Grady	– Democracy Officer
Chris Gay	– Governance Manager
Andrew Leah	– Property Services Manager

IN ATTENDANCE

15. Apologies

There were no apologies received.

16. Minutes

The minutes of the meeting held on 1st July 2020 were approved as a correct record.

17. Additional Items of Business

COVID-19 Community Response- Grant Agreement

Decision

In accordance with the provisions of Section 100 (B)(4)(b) of the Local Government Act 1972 the Chair decided that this should be considered at item 7 on the agenda, the reason being to enable the Council to enter into an agreement with Lancashire County Council to receive a grant that will fund the local response to the COVID outbreak and for the grants to be made available at the earliest opportunity.

18. Declarations of Interest

There were no declarations of interested received.

19. COVID-19 - Community Response - Grant Agreement

Consideration was given to a proposal for the Council to enter into an agreement with Lancashire County Council to receive a grant that would fund the local response to the COVID outbreak.

The grant would be for the delivery of local test and trace and emergency assistance to residents. It was noted that the Head of Policy and Engagement would prepare a broader community recovery plan for implementation once the borough was out of the response phase.

Members were also asked to note that the Head of Legal and Democratic Services would use delegated powers to enter into the agreement so that the grants could be made available within the borough at the earliest opportunity. In view of this the Chair of Scrutiny agreed to waive call-in in respect of this matter.

The Committee endorsed the Chair of Scrutiny's decision to waive call-in.

Decision

- (1) That the report be noted;
- (2) That the need for urgency be recognised and that the Head of Legal and Democratic Service would use delegated powers to enter into the agreement with Lancashire County Council;
- (3) The Chair of Scrutiny agrees to waive call-in in respect of this matter; and
- (4) The Committee endorse the Chair of Scrutiny's decision to waive call-in.

20. Exclusion of the Public

That the public be excluded from the meeting before discussion takes place on the item relation to minute 21 because in view of the nature of the business to be transacted if the public was present there would be a disclosure to them of exempt information within the meaning of Paragraph 12A of the Local Government Act 1972.

The Chief Operating Officer joined the meeting at this juncture.

21. Former Contact Centre, Parker Lane

Consideration was given to the final settlement in respect of the outstanding repair and reinstatement obligations following the surrender of the Council's lease of the former Contact Centre at the end of December 2019.

Members noted that the settlement was now time sensitive and that the Head of Legal and Democratic Services would use delegated powers to agree and make the final payment to the Council's former landlord and complete all necessary legal documentation on this matter.

The Chair agreed to waive call-in due to the urgency stated.

The Committee endorsed the Chair of Scrutiny's decision to waive call-in in respect of this matter.

Decision

- (1) That the report be noted:
- (2) That the need for urgency be recognised and that the Head of Legal and Democratic Service would use delegated powers to agree and make a final payment to the Council's former landlord in settlement of all outstanding repair and reinstatement obligations at the former Contact Centre and complete all necessary legal documentation to record the formal agreement on this matter;
- (3) That the Chair of Scrutiny agrees to waive call-in in respect of this matter; and
- (4) The Committee endorse the Chair of Scrutiny's decision to waive call-in.

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SCRUTINY COMMITTEE

THIS WAS A REMOTE MEETING HELD IN ACCORDANCE WITH THE CORONAVIRUS ACT 2020.

Monday, 19th October, 2020 at 6.30 pm

PRESENT

MEMBERS

Councillors A Tatchell (Chair), M Johnstone (Vice-Chair), H Baker, P Campbell, T Commis, D Ferrier, A Fewings, B Foster, S Khan, G Lishman, S Lone, T Martin, L Mehanna, A Newhouse and A Royle

OFFICERS

Lukman Patel	– Chief Operating Officer
Richard Brown	– Community Safety Officer
Chris Gay	– Governance Manager
Howard Hamilton-Smith	– Head of Finance and Property
Kate Ingram	– Strategic Head of Economy and Growth
Wilma Waddingham	– Housing Needs Manager
Christine Wood	– Democracy Officer

ALSO IN ATTENDANCE

COUNCILLORS

Mark Townsend	– Leader of the Council
Afrasiab Anwar	– Executive Member for Community & Environmental Services
Sue Graham	– Executive Member for Resources & Performance
John Harbour	– Executive Member for Housing
Lian Pate	– Deputy Leader & Executive Member for Health & Wellbeing
Asif Raja	– Executive Member for Economy & Growth

22. Apologies

Apologies were received from Mick Cartledge, Chief Executive.

23. Additional Items of Business

There were no additional items of business.

24. Declarations of Interest

Councillor Andy Fewings declared another interest (Prejudicial) in agenda items 8 (2019/20 Final Capital Outturn Report), 9 (Revenue Monitoring Report 2020/21 Quarter 1), 10 (Capital Monitoring Report 2020/21 Quarter 2), 13 (Licensing Act 2003 Burnley Borough Council Licensing Policy) and 15 (Air Quality Management: Protecting Health and Addressing Climate Change Supplementary Planning Document (SPD) and left the meeting prior to discussion and determination of the items.

Councillor Dale Ferrier declared another interest (Prejudicial) in agenda item 13 and left the meeting prior to discussion and determination of this item.

25. Exclusion of the Public

There were no items of business requiring the public to be excluded from the meeting.

26. Public Question Time

No requests to speak had been received.

27. Notice of Key Decisions and Private Meetings

IT WAS AGREED

That the 28 day Notice of Key Decisions and Private Meetings be noted.

28. Annual Treasury Management Report Review of Activity

Howard Hamilton-Smith, Head of Finance and Property presented a report to the Committee that had previously been presented to the Executive at a meeting held on 11th August 2020.

The report advised of the Council's treasury management activity during 2019/20.

The Committee was advised that the decision of the Executive had been to recommend that Full Council note the annual treasury management activity for the year ended 31st March 2020.

IT WAS AGREED

That the report be noted.

29. 2019/20 Final Capital Outturn Report

At this point Councillor Andy Fewings left the meeting.

Howard Hamilton-Smith presented a report to the Committee that had been previously been presented to a meeting of the Executive on 11th August 2020. The report to the Executive had:

- a) Reported on the performance of the 2019/20 capital investment programme; and
- b) Presented the financing of capital expenditure incurred during 2019/20; and
- c) Sought approval from the Executive of a revised 2020/21 capital budget after incorporating net carry forward commitments (slippage) from 2019/2020.

The Committee was advised that the Executive had also been requested to recommend that Full Council approve the following:

- a) The final position on capital spending and financing of £14.026m for 2019/20 as shown in appendices 1 and 2 as attached to the report which equated to 90% of the final resources position; and
- b) The revised capita budget for 2020/21 totalling £20.874m as outlined in appendix 3 also attached to the report (including net carry forward of £1.406m).

Grounds for the recommendations to the Executive were outlined within the report. The Committee was also advised that the Executive had recommended approval of the recommendations as detailed above to Full Council.

Councillor Bea Foster enquired regarding the remaining funds in the Ward Opportunities Fund. Howard Hamilton-Smith advised that there had been a small amount of funds remaining at the end of the financial year that had not been able to be allocated, which had slipped into the current financial year, but had since been allocated.

IT WAS AGREED

That the report be noted.

30. Revenue Monitoring Report 2020/21 Quarter 1

Howard Hamilton-Smith presented a report to the Committee that had previously been presented to a meeting of the Executive on 11th August 2020.

The report to the Executive had been to:

- a) Report to the Executive the forecast outturnposition for the year as at 31st March 20201 based upon actual spending and income to 30th June 2020; and
- b) To request that the Executive note the financial impact of the Coronavirus pandemic as detailed in paragraph 5 of the report.

The report had also advised the Executive that in view of the current exceptional times, the revenue monitoring position was uncertain.

The Executive had been requested to:

- a) Note the projected revenue budget forecast position of a net overspend of £2.7m, as summarised in table1 and detailed in Appendix 1; and
- b) Note that Officers were continuing to work on several options to mitigate the potential financial impact and bring forward options for decision as appropriate; and
- c) Note that the Council, along with other District Council`s and industry groups continue to lobby Central Government for additional funding; and
- d) Note that further income compensation is to be received. Where these income losses are more than 5% of a Council`s planned income from sales, fees and charges, the government will cover them for 75p in every pound lost. Full details of this were outlined in paragraph 11 of the report.

It was reported that the Executive had also been recommended to seek approval from Full Council for:

The latest revised net budget of £15.693m (as shown in Table 1); and
The net transfers to earmarked reserves of £1.703m (as shown in Appendix 2).

Grounds for the above recommendations which were approved by the Executive were outlined within the report.

The Committee was advised that since publication of the report, further guidance had been received in relation to the central government support scheme and the Council would be able to claim £1.1m through the scheme which would reduce the net over spend to £1.6m. Included within the £1.6m overspend was a £1.2m predicted deficit relating to business rates and council tax.

The Committee was also advised that the government had recently announced that the deficits could be received over the following three financial years which would effectively reduce the underspend for 2021, to be funded this year to £0.4m which would be required to be met from reserves.

Councillor Tony Martin expressed concerns that the Council may become insolvent due to insufficient funds to cover reserves and incur unsustainable debts.

Haward Hamilton-Smith advised that the government had recently announced that a further £1 billion for Local Authorities would be made available and that details would be reported to future meeting and the situation would continue to be monitored throughout the year.

Howard also reminded that assurance had also been received from the government for authorities placed in Tier 3 restriction; that it would ensure that there would be no budget deficit in the current financial year and that a legal budget would be able to be set in the following year, which would reduce the deficit to 0.4 million which would be covered by reserves.

Councillor Bea Foster requested information in relation to the Community Recovery Strategy as Burnley had now been placed under Tier 3 restrictions.

Lukman Patel advised that the Economic Recovery Strategy was an item on the Special Executive meeting agenda scheduled on Monday, 26th October 2020. Lukman also

advised that the Community Recovery Strategy required more time and detail and would be brought forward soon. Lukman further advised that urgent key items of spend had been processed via the urgent decisions process.

Lukman also advised around current initiatives continued to protect the most vulnerable via the Burnley Together project which had remained open throughout the pandemic. Burnley Together was continuing to work with official, voluntary and partner organisations to identify and proactively engage with the most vulnerable residents to ensure they had access to essential supplies such as medication, fuel, and flu vaccinations. The Emergency Assistance Grant had also been invoked which had resulted in food for the most vulnerable.

Lukman also confirmed that Council staff were also being offered the flu vaccination. For staff working from home, a voucher had been issued which could be used at a pharmacy of choice.

Councillor Foster also referred to page 42 of the report (Green Spaces and Amenities) which stated that a salary saving of £16k would be made in relation to the post of Community Engagement Ranger because the position was not going to be replaced. Councillor Foster stressed the importance of the position of Community Engagement Ranger because it ensured that face to face relationships with residents were maintained. Councillor Foster also stressed the value and importance of local parks during the current situation and requested that the role of Community Engagement Ranger be maintained.

IT WAS AGREED

That the report be noted.

31. Capital Monitoring Report 2020/21 Quarter 1

Howard Hamilton-Smith presented a report to the Committee that had previously been presented to a meeting of the Executive on 11th August 2020.

The Executive had been requested to approve the following recommendations:

1. Recommend to Full Council, approval of a net budget changes totalling a decrease of £1,758,987 giving a revised capital budget for 2020/21 totalling £19,115,145 as detailed in Appendix 1 of the report; and
2. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £19,115,145 as detailed in Appendix 2 of the report; and
3. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £946,774 at 31st March 2020 as detailed in Appendix 3 of the report.

Grounds for the above recommendations were outlined within the report.

The Committee was advised that the Executive had approved the recommendations as detailed above.

IT WAS AGREED

That the report be noted.

32. Final Revenue Outturn Position 2019/20

At this point Councillor Andy Fewings returned to the meeting.

Howard Hamilton-Smith presented a report to the Committee which was also to be presented to a meeting of the Executive on Tuesday, 20th October 2020 to report the provisional position on the Council's revenue accounts for 2019/20.

The Committee was advised that the Executive would be requested to recommend that Full Council approve the following:

1. The provisional final position on the Council's revenue account for 2019/20 shows a net deficit of £93k which had been funded from the Transformation Reserve. Of the £93k net deficit, £66k was due to Covid-19 related budget pressures incurred in March 2020 which reduced the true in year net deficit to £27k. The projected overspend from the outturn position estimated during quarter 3 budget monitoring was £140k; and
2. The transfer to/from Earmarked Reserves totalling a net £0.888m increase to reserves (as detailed in Appendix 2); and
3. The approval of additional revenue budget carry forward requests from Heads of Service totalling £0.047m (as detailed in Appendix 3).

Grounds for the above recommendations were outlined within the report.

IT WAS AGREED

That the report be noted.

33. Single Use Plastics - Executive Response to Council Motion

Chris Gay, Governance Manager presented a report to the Committee which was also to be presented to the meeting of the Executive on 20th October 2020.

The report requested that the Executive consider several recommendations as outlined within the report; in response to a motion, also outlined in the report, that had been presented to a meeting of the Full Council on 18th December 2019 from the Green Group on single use plastics (SUP).

Grounds for the recommendations were outlined within the report.

Councillor Andy Fewings expressed frustration at the period taken for the motion to be responded to and the lack of communication between officers and Members who had proposed the motion.

Councillor Fewings also expressed disappointment at the recommendations to be presented to the Executive. Whilst acknowledging the immediate urgency to the Council to

address the difficulties of the Covid-19 situation, Councillor Fewings stressed the importance of other emergency issues that the Council should address alongside the pandemic. Councillor Howard Baker supported Councillor Fewings in relation to these concerns.

Councillor Paul Campbell reminded the Committee of the recent changes to the Leadership/administration and stressed that although other issues were important, Covid-19 was the immediate issue.

IT WAS AGREED

That the report be noted.

34. Licensing Act 2003 Burnley Borough Council Licensing Policy

At this point Councillors Dale Ferrier and Andy Fewings left the meeting.

John Clucas, Licensing and Compliance Officer presented a report to the Committee which had previously been presented to the meeting of the Licensing Committee on 16th September 2020 and was also to be presented to the meeting of the Executive on Tuesday, 20th October.

John advised that following a formal consultation period, the draft Licensing Act 2003 Statement of Licensing Policy, 7th January 2021 to 6th January 2026 had been amended to incorporate comments received and presented to the meeting of the Licensing Committee on 16th September, requesting that the Committee recommend the draft policy to Full Council for approval.

The Committee was advised that the Licensing Committee had approved the draft policy for recommendation of approval at a meeting of the Full Council.

John also advised that at the Licensing Committee meeting held on 16th September 2020, that subject to clarification of legislation, it had been agreed to recommend that subject to approval at Full Council, the policy be implemented with immediate effect and not from 7th January 2021 as previously recommended.

Councillor Bea Foster expressed thanks to John Clucas for his hard work and involvement in the revision of the policy.

IT WAS AGREED

1. That the Scrutiny Committee endorse approval of the Draft Licensing Act 2003 Statement of Licensing Policy 7th January 2021 to 6th January 2026; and
2. Endorse the recommendation that the policy be implemented with immediate effect if approved at the meeting of the Full Council subject to clarification of legislation.

35. Draft Homelessness and Rough Sleeping Strategy 2020/25

At this point Councillors Dale Ferrier and Andy Fewings returned to the meeting.

Wilma Waddingham, Housing Needs Manager presented a report to the Committee which was also to be presented to a meeting of the Executive on Tuesday, 20th October 2020.

The report would be seeking approval from the Executive to consult on a draft Homelessness and Rough Sleeping Strategy 2020-2025 which was attached to the report at Appendix 1.

Councillor Bea Foster complimented on the very thorough report and of the work of the small working group in relation to `A bed every night` in which it had been identified that the role of an Outreach Worker was required to work with vulnerable people at risk of becoming homeless.

Councillor Foster also raised issue with the `Bed every night` action plan of short to medium term to be implemented at the end of April 2022.

Wilma advised the Committee that it was anticipated that the `Bed every night` scheme would be implemented by the end of November 2020.

Councillor Dale Ferrier enquired around involvement with the Ministry of Defence seeking to assist ex-military veterans return to civilian life.

Wilma advised of the new supported housing project at the former Elizabeth Street hostel that was linking in to Help for Heroes to work with ex-military veterans.

Councillor Ferrier also enquired around working with schools and in particular high school children.

Wilma advised that work had taken place with year 5 students and first year college students but that it could be difficult to engage with this group.

Councillor Foster was congratulated and thanked for her work and involvement in the `Bed every night` project.

IT WAS AGREED

That the Scrutiny Committee approve the consultation of the draft Homelessness and Rough Sleeping Strategy 2020-2025 to the Executive.

36. Air Quality Management: Protecting Health and Addressing Climate Change Supplementary Planning Document (SPD)
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At this point Councillor Andy Fewings left the meeting.

A report was presented to the Committee which was also to be presented to the meeting of the Executive on Tuesday, 20th October 2020 seeking approval of adoption of the Draft Air Quality Management Supplementary Planning Document which was attached to the report at Appendix 1.

Councillor Howard Baker referred to the lack of time to ensure thorough scrutiny of the document and requested that this item be removed from the Executive Agenda on 20th October 2020.

IT WAS AGREED

That the Chair of the Scrutiny Committee would liaise with Democratic Services to plan for the draft policy to be scrutinised prior to submission to a meeting of the Executive**.

**** An additional meeting of the Scrutiny Committee has subsequently been scheduled on 11th November 2020 to consider the draft policy prior to submission to the Executive on 8th December 2020.**

37. Gating Public Space Protection Order

At this point Councillor Andy Fewings returned to the meeting.

A report was presented to the Committee by Richard Brown, Community Safety Officer which was also to be presented to a meeting of the Executive on Tuesday, 20th October 2020 requesting approval to enact a Borough-Wide Public Spaces Protection Order (PSPO) covering all alley gate schemes under s60 Anti-Social Behaviour, Crime and Policing Act 2014.

The Executive would be requested to grant authority:

1. To implement the PSPO to manage all current and future applicable alley gate schemes in the Borough; and
2. To implement the Order as soon as is practicable for the defined 3-year period.

Grounds for seeking approval of the above recommendations were outlined within the report.

IT WAS AGREED

That the report be noted.

38. Scrutiny Review Groups

Councillor Andy Tatchell advised that a Scrutiny Review Programme was normally in place at the current time of year but that due to Covid-19, had not been this year.

Councillor Tatchell referred to the current Homeless Working Group and suggested that this group could continue into 2021.

Councillor Marcus Johnstone advised that a meeting of the Calico Working Group was scheduled on 11th November 2020.

IT WAS AGREED

That the Homeless Working Group would continue to meet into 2021.

39. Work Programme 2019/20

The Work Programme was noted.



SCRUTINY COMMITTEE

THIS WAS A REMOTE MEETING HELD IN ACCORDANCE
WITH THE CORONAVIRUS ACT 2020

Thursday, 22nd October, 2020 at 6.30 pm

PRESENT

MEMBERS

Councillors A Tatchell (Chair), M Johnstone (Vice-Chair), H Baker, P Campbell, T Commis, D Ferrier, A Fewings, B Foster, S Khan, G Lishman, S Lone, T Martin, L Mehanna, A Newhouse and A Royle

OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Howard Hamilton-Smith	– Head of Finance and Property
Kate Ingram	– Strategic Head of Economy and Growth
Alison McEwan	– Democracy Officer
Christine Wood	– Democracy Officer
Chris Gay	– Governance Manager

IN ATTENDANCE

MEMBERS

Mark Townsend	– Leader of the Council
Lian Pate	– Deputy Leader & Executive Member for Health & Wellbeing
Afrasiab Anwar	– Executive Member for Community & Environmental Services
Sue Graham	– Executive Member for Resources & Performance
John Harbour	– Executive Member for Housing
Margaret Lishman	

1. Apologies

No apologies had been received.

2. Minutes

The Committee was advised that the minutes of the previous meeting would be considered at a future meeting due to the short time between meetings..

3. Additional Items of Business

There were no additional items of business.

4. Declarations of Interest

There were no declarations of interest.

5. Exclusion of the Public

IT WAS RESOLVED

That the public be excluded from the meeting before discussion took place on items 8 and 9 of the agenda 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 Part VA of the Local Government Act 1972.

Items 8 and 9 contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

6. Public Question Time

No questions had been received.

7. Economic Recovery & Growth Strategy

A report was presented by Kate Ingram, Strategic Head of Economy and Growth that was also due to be presented to a meeting of the Executive on Monday, 26th October 2020.

The report was requesting that the Executive consider and approve the Draft Economic Recovery and Growth Strategy as was attached to the report at Appendix 1, and related budgets.

Grounds for the request were reported as follows:

Burnley Borough Council has successfully pursued an ambitious economic growth strategy over the last decade, resulting in significant employment growth and investment. However, the recent COVID 19 pandemic is posing a serious threat to the economy locally and globally.

The Council and its partners need to respond to the immediate crisis whilst continuing to address some existing structural weakness in the economy and put in place the building blocks for more diverse, inclusive and resilient economic growth in the future.

A strategic approach will enable the Council and its partners to present a clear economic vision for the Borough to Government and Sub regional partnerships bodies such as the

LEP. The strategy will be the building block for lobbying for resources and delivering the Government's "levelling" up agenda.

The establishment of the Economic Recovery Budget will enable the Council to work with partners to support businesses.

The Employment Partnership post will be key to the work of the Employment and Skills Partnership and in co-ordinating the work of the Youth Employment and Skills Hub ensuring the residents, particularly young people are supported to gain new skills and employment.

A Green Business Pilot/Demonstrator will assist businesses to adopt new green technologies and to diversify into low carbon supply chains.

The report also recommended that the Executive:

- I. Recommends to Full Council that it approve, subject to further consultation with key stakeholders, the Economic Recovery and Growth Strategy set out in Appendix 1 of the report; and
- II. Approves the establishment of an Economic Recovery Board as set out in the Strategy and paragraphs 15-19 of the report; and
- III. Recommends to Full Council the approval of a first tranche increase of £350,000 to the Business Growth Fund to be funded through Business Rates Pool and delegates authority to the Strategic Head of Economy and Growth to agree with the Leader, the Executive Member for Resources and the Executive Member for Economy and Growth a detailed plan for the use of the fund; and
- IV. Approves the establishment of a full time Employment Partnership post to support the Employment and Skills Hub to be funded from the budget established in recommendation iii; and
- V. **Recommends to Full Council to approve**** the use of £25,000 from the Climate Change Initiatives Budget to support a Green Business Demonstrator Project; and
- VI. That the Strategic Head of Economy and Growth to be authorised by the Executive to make any minor changes, either typographical or as a result of stakeholder feedback prior to its publication.

Councillor Andy Fewings thanked officers and Councillor Margaret Lishman for the hard work that had gone into the Strategy.

Members made the following points and received the following responses:

Should the Strategy be referred again to Scrutiny following the consultation as it has spanned two different administrations.

Part of the funding would be used for recommendation 4 which needs to be progressed quite urgently. How information is presented to the Scrutiny Committee will be reviewed and framed in a way that is set out in the Strategy and reports what is being implemented. The Scrutiny Committee will receive regular updates as things progress.

There is no reference to the Community, faith and voluntary sector. Please do not forget the 3rd sector who play a very important role.

Burnley Together Hub has set up a service to support young unemployed people. The DWP has also become involved. We are working with a range of services including the voluntary sector to look at how we respond and provide services to the unemployed.

A Steering Group meeting has taken place with key partners to look at how to continue in terms of progression in going forward with the Burnley Together Hub. A report will be presented to a future Scrutiny Committee meeting on this issue.

IT WAS AGREED

That the report be noted.

** Lukman Patel advised of the amendment to recommendation v).

8. Burnley College Loan

At this point, Councillor Tom Commis joined the meeting.

Howard Hamilton-Smith, Head of Finance and Property presented a report which was also to be presented to a meeting of the Executive on Monday, 26th October 2020. The report was requesting that the Executive consider an application from Burnley College for a loan of £4m over a period of 15 years.

The report recommended that the Executive consider the application of a loan by Burnley College and if approved to:

- I. Authorise the Head of Finance and Property to agree the terms of the loan agreement in consultation with the Chief Operating Officer and Executive Member for Resources and Performance Management; and
- II. Authorise the Head of Legal and Democracy to complete all necessary Legal documentation for the loan agreement and any charge against the property.

Grounds for the recommendations were highlighted as follows:

To ensure that the loan agreement is financially viable and contains appropriate safeguards to protect the Council's interest in this matter.

The delivery of this project would have benefits to both the College and the wider district. The loan would generate additional income for the Council over the 15 years which made the proposal both positive financially and for economic growth.

The implications for not providing the loan to the College would be to turn away over 800 16-18 year old students, stop plans to deliver a sport therapist degree and a strength and conditioning degree, reduce the number of elite athletes that study at Burnley College and limit the growth of the College's university, apprenticeship, and business training courses due to the knock on impact on the available capacity of the existing buildings.

To enable the College to continue to undertake work to support local businesses around upskilling and their requirements to aid the economic recovery and future developments.

To maintain the retention rates of 16-18 year old students and to achieve increasingly higher grades year on year.

That the College will look to employ local labour and apprentices in the construction of these buildings.

In response to a question raised by Councillor Tom Commis, Lukman Patel confirmed that if approved by the Executive, it would be recommended by the Executive to Full Council. Full Council would then approve the budget.

Howard Hamilton-Smith referred to the due diligence of the college and advised that it was one of the best performing financial colleges in the country.

IT WAS AGREED

That the report be noted.

9. Pioneer Place - Development of Land at Curzon Street and Manchester Road

Kate Ingram presented a report to the Committee that was also due to be presented to a meeting of the Executive on Monday, 26th October 2020.

The report was seeking approval from the Executive for a revised development proposal at Curzon Street (Pioneer Place) and Manchester Road.

The report advised the Executive of the two recommended options available:

Option A: Approve the proposal and financial business case as set out in the report and:

- I. Recommend to Full Council to approve the funding of the development including the acceptance of grant funding from Lancashire County Council and the Lancashire Enterprise Partnership as detailed in the Financial Implication Section of the report; and
- II. Recommend to Full Council that the revised capital programme is approved as set out in the Financial Implication Section of the report; and
- III. Delegate authority to the Strategic Head of Economy and Growth to negotiate and agree terms of variations to existing agreements and agree new agreements (as necessary) to give effect to this decision; and
- IV. Approve an additional £65,000 of "upfront" funding to meet the costs of a revised planning application with funding to be met from the Capital Programme Burnley Town Centre and Canalside Masterplan Budget; and
- V. Authorise the Head of Legal and Democratic Services to complete all legal documents necessary to give effect to this decision (including appropriation of any land under Section 122 of the Local Government Act 1972, to enable disposal pursuant to section 233 of the Town and Country Planning Act 1990)

Or Option B:

Refuse the proposal and financial business case set out in this report and instruct the Council's Head of Legal and Democratic Services to terminate the Development Agreement by mutual agreement or issue a notice to terminate the Development

Agreement as set out in paragraphs 31 and 32 of the report if the End User clause is not satisfied by 16th March 2021.

Grounds for the recommended options were outlined as below:

The Council and its development partner Maple Grove Developments has invested a considerable amount of time and resource into bringing the scheme to this stage, including securing the REEL cinema as an anchor occupier and securing £3m of funding from LCC and £3.6m from the LEP for "shovel ready" schemes to be delivered by March 2022. The Council now needs to make a decision as to whether or not to proceed with the scheme.

As set out to Members previously, the opportunity for a major Leisure based development in the Town Centre will bring new visitors to the town centre during the day and evening time, retain footfall, deliver new jobs and support the growth of the UCLAN campus. The development will diversify the town centre from a primarily retail lead offer and consolidate its leisure and evening economy offer. The development is a major strategic intervention in Burnley's Town Centre and Canalside Masterplan and has gained much support from strategic partners and the Business Improvement District.

However, the scheme is not without its risks which were set out clearly in the report.

Members raised several issues in relation to the risks associated with the development. Members also recognised the benefits to the town of the proposal. Kate Ingram agreed to provide a full response to issues raised prior to the proposal to be presented to the meeting of the Full Council on 4th November 2020.

Prior to a vote on options A and B, Councillor Howard Baker advised that he would not be voting on the issue.

IT WAS AGREED

That the Scrutiny Committee recommend the choice of Option A to the Executive.



SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Wednesday, 11th November, 2020 at 6.30 pm

This was a remote meeting held under the Coronavirus Act 2020

PRESENT

MEMBERS

Councillors A Tatchell (Chair), M Johnstone (Vice-Chair), P Campbell, T Commis, D Ferrier, A Fewings, B Foster, G Lishman, M Lishman, S Lone, T Martin, L Mehanna and A Royle

OFFICERS

Kate Ingram	– Strategic Head of Economy and Growth
Joanne Swift	– Head of Streetscene
Pete Milward	– Principal Planner
Imelda Grady	– Democracy Officer
Paul Barlow	– Graphic Designer

IN ATTENDANCE

Councillors Mark Townsend, John Harbour, Afrasaib Anwar and Asif Raja.

40. Minutes

Due to the short time-scale between meetings, the minutes of the previous meeting would be considered at the next meeting.

41. Declarations of Interest

There were no declarations of interest made.

42. Air Quality Management: Protecting Health and Addressing Climate Change Supplementary Planning Document (SPD)

Consideration was given to the Air Quality Management Supplementary Planning Document which has been prepared to support the implementation of Burnley's Local Plan.

The Principal Planning Officer outlined the key elements of the document and responded to questions and observations from members on various issues including emissions reduction

measures, species of trees, flow of traffic at traffic lights, electric charging points and infrastructure to support them, taxis and any future increased demand for electric charging points, footpath/cycleways project and public transport.

Members also questioned how effective the measures would be in practice and which elements would carry the most weight when considering planning applications. The Principal Planning Officer said that the document was supplementary to the local plan and would be taken into account by officers in development management when making recommendations to the development control committee.

A further concern was raised about the increased use of wood burning stoves in various wards in the town and whether existing air quality legislation was being enforced. The Principal Planning Officer said that he would take this issue back to environmental health colleagues for a response. In response to a question about walking/cycling projects he agreed to arrange for an update to be provided directly to the member concerned.

The Strategic Head of Economy and Growth thanked members for their comments and added that the local plan was the main material factor when determining planning applications and this spd would add detail to NE5 in asking for an air quality assessment. It set out clearly what Burnley's expectations were with regard to air quality and would provide members with the full information when determining planning applications.

RESOLVED

That the Air Quality; Protecting Health and Addressing Climate Change Supplementary Planning Document (SPD) be recommended to the Executive for approval.

BURNLEY BOROUGH COUNCIL NOTICE OF KEY DECISIONS AND PRIVATE MEETINGS

This Notice contains:

- a) A list of Key Decisions to be taken by the Executive (unless otherwise stated) during the month of **February 2021** and onwards, published by **15th January 2021**. Due to current circumstances, these decisions could also be taken by Officers using urgency powers.
- b) Details of dates of meetings of the Executive during the same period at which decisions may be taken in private or partly in private
A Key Decision is an Executive decision that is likely:
 - (i) 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 a decision relates. The Council has said that Capital or Revenue spending over £100,000 will be a Key Decision; or
 - (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough;

A private meeting is a meeting or part of a meeting of the Executive during which the public must be excluded whenever:

- a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence;
- b) the Executive passes a resolution to exclude the public during that item where it is likely, in view of the nature of the item of business, that if members of the public were present during that item, exempt information would be disclosed to them; or
- c) a lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Developer Contributions Supplementary Planning Document (SPD)	To consider the adoption of the SPD following public consultation and consideration by Scrutiny Committee	Yes	December 2020	Public	Report setting out the key issues	Kate Ingram Strategic Head of Economy and Growth Executive Member for Economy & Growth
Air Quality Management: Protecting Health and Addressing Climate Change Supplementary Planning Document (SPD)	To consider the adoption of the SPD following public consultation	Yes	December 2020	Public	Report setting out the key issues	Kate Ingram Strategic Head of Economy and Growth Executive Member for Economy & Growth

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Community Recovery Strategy	To consider an overarching strategy and action plan in response to COVID	Yes	December 2020	Public	Report Setting out the key issues	Rob Dobson Head of Policy and Engagement Council Leader
Towneley Report	To receive a presentation from the conservation architects on the findings of the Quinquennial Survey and costs of repairs and approve next steps	Yes	December 2020	The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972, Schedule 12A, Part I, Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Report Setting Out the Key Issues	Simon Goff Head of Green Spaces and Amenities Executive Member for Housing & Leisure

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Review of Burnley's Play Provision Strategy 2017 – 2026	Review of Burnley's Play Provision Strategy 2017 – 2026	Yes	December 2020	Public	Report setting out the key issues	Simon Goff Head of Green Spaces and Amenities Executive Member for Housing and Leisure
Revenue Budget 2021-24 – Latest Position and Savings Proposals	To consider the latest position on the Revenue Budget 2021-24 and approve savings proposals	No – Full Council Decision	February 2021	Public	Report setting out the key issues	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance
Fees & Charges Tariff Report 2021/22	To approve the Fees and Charges Tariff for 2021/22	No – Full Council Decision	December 2020	Public	Report setting out the key issues	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Food Safety Delivery Plan	To consider an updated Plan for 2021	No (Full Council Decision-Policy Framework)	February 2021	Public	Report setting out the key issues	Joanne Swift Head of Streetscene Executive Member for Community and Environmental Services
Health & Safety Delivery Plan	To consider an updated plan for 2021	No (Full Council Decision-Policy Framework)	February 2021	Public	Report setting out the key issues	Joanne Swift Head of Streetscene Executive Member for Community and Environmental Services
Safer Streets Initiative	To approve the scheme delivery and tender of works	Yes	December 2020	Public	Report to set out key issues	Joanne Swift Head of Streetscene Executive Member for Community and Environmental Services

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Anti-Social Behaviour Policy	To approve the revised policy for the Borough	Yes	Feb 2021	Public	Report to set out the key issues	Joanne Swift Head of Streetscene Executive Member for Community and Environmental Services

Meetings of the Executive will be held on the following dates: and 15th February 2021. Meetings normally start at 6.30pm but times can change so please check the council website nearer the date of the meeting. All meetings are currently being held remotely and can be viewed on the Council's [Youtube channel](#)

This Notice will be further updated by the following dates: 15th January 2021, 23rd February 2021 and **18th March 2021**.

A further Notice will be given 5 clear days before each meeting listed above if the meeting or part of the meeting is to be held in private. If you wish to make any representations about why any meeting or part of a meeting proposed to be held in private should be open to the public please send them to:

Catherine Waudby,
Head of Legal and Democratic Services,
Town Hall,
Manchester Road,
Burnley BB11 9SA.
E-mail: cwaldby@burnley.gov.uk

Published: By 15th January 2021

DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)

REPORT TO THE EXECUTIVE



DATE	8 December 2020
PORTFOLIO	Economy and Growth
REPORT AUTHOR	Kate Ingram/Elizabeth Murphy
TEL NO	Ext 7286
EMAIL	kingram@burnley.gov.uk emurphy@burnley.gov.uk

PURPOSE

1. The purpose of this report is to seek the adoption of the Developer Contributions Supplementary Planning Document (SPD).
2. The amended draft SPD (attached at Appendix A) has been prepared to support the implementation of Burnley's Local Plan. It has been the subject of formal statutory consultation and consideration by Scrutiny Committee. Once adopted, it will become a material consideration to be used in the determination of relevant applications.

RECOMMENDATION

3.
 - (1) That Executive adopt the Developer Contributions SPD attached at Appendix A.
 - (2) That the Strategic Head of Economy and Growth be authorised by the Executive to make any minor typographical corrections to the draft SPD required prior to its publication.

REASONS FOR RECOMMENDATION

4. To meet the Council's commitment to prepare a Developer Contributions SPD as set out in Burnley's Local Plan and the Council's Local Development Scheme (LDS).

SUMMARY OF KEY POINTS

Overview of the SPD

5. The SPD covers contributions towards:
 - Infrastructure;
 - Affordable Housing; and

- Other matters.
6. Policy HS2 of the Local Plan sets out the policy on affordable housing provision for sites of over 10 dwellings. The SPD is intended to provide supplementary guidance on this policy, including indicative percentages of affordable housing required for mainstream housing sites by type and location.
 7. Policy IC5 of the Local Plan requires the provision of new social and community infrastructure where a development would increase demand for it beyond its current capacity or generate a newly arising need. Policy IC4 sets out the policy for seeking planning contributions. It lists a number of matters for which contributions may be sought; but makes clear that the list is not exhaustive. It requires development to provide or contribute towards the provision of the infrastructure needed to support it. It sets out that planning contributions will be sought where development creates a requirement for additional or improved services and infrastructure and/or to address the off-site impact of development so as to satisfy other policy requirements. It sets out that contributions may be sought to fund a single item of infrastructure or to fund part of an infrastructure item or service; and that contributions may be sought for the initial provision and/or ongoing running and maintenance costs of services and facilities. It sets out that viability may be considered.
 8. The SPD is underpinned by the Local Plan Viability Assessment of March 2017 which has been used to set both the percentages of affordable housing required and a series of contribution 'ceilings' above the levels of which schemes would generally not be viable. The ceilings would only take effect where appropriate requests for contributions exceeded the ceiling. Should an applicant wish to demonstrate that a particular scheme could not make provide affordable housing at the level set and/or make infrastructure contributions (if required) up to the ceiling, they would need to make policy compliant adjustments to improve viability, explain why the assumptions underpinning the ceilings did not apply in their case and/or submit their own viability assessment in line with Policy IC4 clause 7).
 9. The SPD divides contributions into the categorises:
 - **Necessary and critical** - these are contributions which must be provided for a scheme to be approved. Viability cannot be taken into account.
 - **Necessary and important** (including affordable housing and education contributions) - these are contributions which must be provided for a scheme to be approved if viable. Viability can be taken into account.
 - **Desirable** - these are contributions which can weigh in favour of a scheme in the planning balance but are not essential in terms of specific Local Plan policy requirements. Viability can be taken into account.

(For fuller explanation see Table 1, page 17 of the draft SPD)

10. The SPD also takes account of recent changes to legislation and national policy including the key change which means that Section 106 Agreement contributions from any number of schemes may once again be pooled towards the cost of a piece of infrastructure, subject still to all each satisfying the relevant statutory and national policy tests as set out in the SPD (Section 4) and reflected in the Local Plan.

Planning Reforms

11. The SPD is written to support the current adopted local plan and current national policy. It does not take account of the proposed planning reforms set out in the government's consultation documents 'Changes to the current planning system' or the 'White Paper: Planning for the future'. Should the changes set out in these documents be implemented, particularly the White Paper, the SPD content would need to be reviewed or withdrawn. It would need to be kept under review in any event as set out within the SPD itself.

Consultation

12. Following consideration by the Council's previous Executive at its meeting on the 10 December 2019, the draft SPD was issued for consultation. Under the Town and Country Planning (England) Regulations 2012 there is a requirement for a minimum of four weeks public consultation on all SPDs. The Council's adopted Statement of Community Involvement (SCI) however, extends this period to six weeks. Due to the complexity of the issues within the SPD, this was extended to an 8-week period from 17 January to 13 March 2020.
13. 23 duly made responses were received of which 21 included detailed comments. A schedule of the comments made and the suggested responses are attached at Appendix B.
14. Following the closure of the consultation, a further opportunity for the NHS to respond was offered via the East Lancashire Hospitals Trust. No comments were received.
15. In the light of the Department for Education (DfE) response (see Appendix B comment 16b pages 12-13), Lancashire County Council (LCC) was also contacted for its view on a possible change to the methodology in respect of secondary school contributions, and to seek further information on the Lancashire school place provision strategy. LCC responded on 12 October 2020. These comments are also attached at Appendix B (see comment 24i pages 46-49) and are discussed in the conclusion section below.
16. During the consultation period, on the 21 January 2020, the draft SPD was considered by Scrutiny Committee for its views. The Committee resolved to establish an informal Working Group to consider the consultation responses in due course and report back to Scrutiny Committee. Councillors Bea Foster, Lian Pate and Howard Baker were appointed to the Group. The Group met on the 22 of September 2020 and was attended by Councillor Bea Foster. Prior to the meeting members were provided with a brief report, a copy of the responses and a copy of the SPD. The group were advised that a further response was awaited from LCC on the subject of secondary education contributions.
17. Kate Ingram, Strategic Head of Economy and Growth and Elizabeth Murphy, Planning Policy Manager attended the meeting to present the consultation responses and to address questions. The notes of the meeting are attached at Appendix C.

Conclusion

18. A number of minor changes to the SPD were made to address the matters raised in the responses and the ceilings have been updated to 2020 values. The most difficult matter to resolve has been in relation to secondary education construction requests from LCC.
19. As can be seen from LCC's further response, no agreement could be reached at officer level on adopting a more flexible distance for assessing the need for additional secondary school places than the 3 miles radius currently used or in getting LCC officers to recognise the borough's the viability challenges. The response indicates that the Lancashire school place provision strategy is currently being updated. Without access to this up-to-date information (the current strategy is dated 2017 and covers the period to 2019/20) borough council officers are reliant on website information via DfE/Ofsted and need to piece together individual planning application responses from LCC to try to understand the current strategy for school places to meet the borough and adjoining borough's population growth (including through any net in-migration to meet the various local plan targets and commitments).
20. Officers remain concerned that LCC's current education contributions methodology, which restricts the assessment to 3 miles, is too rigid and does not accommodate that fact that there may be school places available elsewhere in the borough. The result is that substantial secondary school contributions being requested and if met in full these will adversely affect other contribution requests e.g. affordable housing and/or scheme quality – or prejudice delivery entirely. However, impact on or lack of school places is a material consideration and the borough council needs to have, or be able to obtain, sufficient information at the planning application stage to understand the wider school capacity issues and likely sustainability impacts to inform its decisions. Officers have therefore considered three options to move this matter forward:
- a) The first option is for the borough council to do its own assessment for each application of 10 or more units using aspects of the LCC methodology i.e. the pupil yield formula, cost per place but using a `reasonable distance` of the greater of the borough boundary or 3 miles. Whilst this is the preferred option, there are some practical difficulties with this approach. LCC may not provide the information on existing and planned capacity to enable this calculation to easily be made i.e. the LCC response is likely at least in the short-term stick to its existing methodology.
 - b) The second option is to put secondary contributions in a separate new lower priority category within the SPS i.e. '2d)' meaning that contributions would still need to be paid if viability allows, but would not be paid (or would not be paid in full) if other necessary and important contributions were requested including affordable housing, primary school places, biodiversity offsetting, cycleways etc. There are two difficulties with this option. Firstly, this may not adequately recognise the situation where capacity of all secondary schools within the borough and within a three-mile distance of the site becomes exhausted; and secondly, any payments would not be properly justified if the methodology for calculating them is not considered robust. Legislation requires that (*inter alia*) any contributions must be 'necessary to make the development acceptable in planning terms'.
 - c) The final option is that no requests for secondary education contributions are accepted on the basis that the methodology being used by LCC is not appropriate. This would also fail to recognise a situation in future where the capacity of all secondary schools within the borough and within a three-mile distance of the site

becomes exhausted and developers could have afforded to contribute towards the provision of additional places within these distances.

21. On balance, it is considered that option a) is the most appropriate. If, however, officers are unable to obtain sufficient information to calculate the capacity/impact/payment, then any request for secondary education contributions would not be accepted. This would be equivalent to option c). It is hoped that LCC will provide sufficient information to allow an assessment under option a) to be undertaken to avoid option c). This approach has been incorporated into the revised SPD (paragraph 10.2.12 to 14 page 39).
22. This does not affect requests for primary school contribution requests which would be accepted as per the LCC's current education contributions methodology.
23. Whatever approach the borough council takes, is likely to need to be reviewed in due course as the government White Paper 'Planning for the future' sets out proposals to completely change the system of developer contributions to introduce a new 'Infrastructure Levy' payable on scheme occupation and based on values. Whilst the details of the scheme are not set out in the White Paper, it does set out that there will be a minimum threshold for payment of the Levy and that even if schemes are above the threshold, lower contributions are likely in areas with lower house prices.
24. A revised SPD taking into account the above recommendation and the other officer recommended responses is attached at Appendix A.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

25. The production work will be completed within existing budgets.
26. Whilst the SPD provides guidance on the collection and spending of considerable sums of money, the money received will be spent on new or improved infrastructure, affordable housing and monitoring. The SPD does not introduce entirely new policy but instead supplements the policies of Local Plan. A small fee is proposed to cover the new monitoring duties to be implemented in 2020 (0.25%). This fee will only be payable for applications submitted after the adoption of the SPD and where the amount is within the ceiling set out. Any funding collected would be spent in the development control and planning policy teams where the new responsibilities for monitoring will fall.

POLICY IMPLICATIONS

27. Once adopted, the SPD will be a material consideration when considering relevant applications. Its production fulfils existing commitments in Burnley's Local Plan and the Council's LDS.

DETAILS OF CONSULTATION

28. As set out in the main body of the report.

BACKGROUND PAPERS

29. None

FURTHER INFORMATION

PLEASE CONTACT:

Kate Ingram

ALSO:

Elizabeth Murphy



Developer Contributions: Supplementary Planning Document (SPD)

Version: Adoption Draft for Executive Committee - December 2020

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1. Introduction

1.1 The Purpose and Scope of the SPD

1.1.1 This Supplementary Planning Document (SPD) has been prepared by Burnley Council as part of its planning policy framework. It supplements the policies of the Burnley's Local Plan 2012-2032 which was adopted on 31 July 2018. The text of the most relevant policies can be seen in Appendix A.

1.1.2 SPDs elaborate upon the policy and proposals in Local Plans but do not have their formal statutory 'Development Plan' status. They are, however, material considerations in the consideration of relevant development proposals. This SPD provides detailed guidance on the application of the Local Plan policies in respect of developer contributions.

1.1.3 The SPD was adopted by the Council on (*to be added*).

1.1.4 Policy IC4 of the Local Plan sets out the policy for seeking planning contributions and this SPD is intended to provide information on how this policy and other policies requiring affordable housing or specific infrastructure will be interpreted and applied.

1.1.5 The SPD covers contributions towards:

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

1.1.6 The Local Plan in Policy IC4 lists a number of matters for which contributions may be sought; but makes clear that the list is not exhaustive (See Appendix 1):

1.2 What is Infrastructure?

1.2.1 Section 216 of the Planning Act 2008 describes the types of infrastructure that can be supported through the Community Infrastructure Levy and this description can be used as a basis for the definition of infrastructure generally.

1.2.2 Affordable housing is not considered to be 'infrastructure' within this statutory definition and the CIL levy cannot be used to fund affordable housing. For the ease of reference, however, the term 'infrastructure' used in the SPD (unless stated otherwise) to include all matters for which contributions may be sought, including affordable housing.

1.3 What are Planning Contributions?

1.3.1 This term refers to any form of contribution made by a developer to directly deliver or pay towards (via sums of money or contributions in kind) new or improved affordable housing, infrastructure or services. There are several mechanisms that a Council can use to secure planning contributions from developers and these fall into three broad categories:

- Conditions
- Obligations
- CIL

1.3.2 The most common mechanisms is via [conditions](#) attached to a planning permission.

1.3.3 [Planning Obligations](#) are a specific type of planning contribution secured via a legally enforceable agreement such as a [Section 106 Agreement](#)¹, a Unilateral Undertaking, [S.111 Agreement](#)² or [Section 278 highway Agreement](#)³.

1.3.4 Contributions can also be secured by way of the [Community Infrastructure Levy](#) (CIL) - a legally binding tariff-style set of standardised charges. Burnley Council has not yet resolved to pursue CIL.

1.3.5 The Council will use the most suitable mechanism for each type of contribution, which may vary depending on the specifics of each planning application.

1.3.6 For further explanation see Section 4.

2. Policy Context Overview

2.1 National planning policy exists in the form of the National Planning Policy Framework (NPPF) and a small number of other policy documents and written ministerial statements, supported by an online practice guidance covering a series of themes (NPPG). It also exists in the provisions of relevant legislation. Local Plans are prepared to be consistent with national policy.

2.2 Planning law and national policy recognises that it is reasonable to expect that developers should contribute towards the costs of services, infrastructure or resources that would not have been necessary but for their development.

2.3 New development as set out and supported by the Local Plan can place a strain on existing infrastructure, but also has the potential to provide or help provide new infrastructure or improve existing infrastructure and services.

2.4 Where appropriate (i.e. where it is necessary to make the development acceptable in planning terms - including by mitigating impacts), the Local Plan policies state that developers will be required to provide the necessary infrastructure or contribute to its provision through Section 106 contributions and/or the Community Infrastructure Levy (CIL) should the Council introduce it.

2.5 The Local Plan sets out that planning contributions will be sought where development creates a requirement for additional or improved services and infrastructure and/or to address the off-site impact of development so as to satisfy other policy requirements.

2.6 Infrastructure can be provided directly by developers or via financial sums paid to other bodies to pay for or contribute towards the cost of new or improved infrastructure.

2.7 Contributions may be sought to fund a single item of infrastructure or to fund part of an infrastructure item or service, and contributions may be sought for the initial provision and/or ongoing running and maintenance costs of services and facilities.

Planning Reform

2.8 This SPD does not take account of the proposals for the reform of the current system of development contributions set out in the White Paper 'Planning for the Future' issued for consultation in August 2020 or the changes to the government's affordable housing policy set out in the consultation document 'changes to the current planning system' also issued in August 2020.

¹ Town and Country Planning Act 1990

² Local Government Act 1972

³ Highways Act 1980

3. Infrastructure Requirements

3.1 Identifying Infrastructure Requirements

3.1.1 The known infrastructure requirements to support the specific allocations in the adopted Local Plan (at the time of its preparation) are identified both within the individual site allocation policies and in other policies which set out specific provision standards e.g. public open space requirements for new housing developments. Revised infrastructure requirements may result as the detail of schemes is developed over time.

3.1.2 For windfall developments that are supported by the Local Plan, infrastructure requirements and any associated contributions required will need to be assessed as schemes are drawn up on a site-by-site basis.

3.1.3 There are a number of strategies and studies that identify and inform infrastructure requirements and standards in relation to planning contributions. The key documents are outlined below.

3.2 The Infrastructure Delivery Plan (IDP)

3.2.1 An IDP was prepared to support the Local Plan. The IDP reviews and evaluates the social, environmental and economic infrastructure that will be required to support the development and growth set out in the Plan. The IDP is a 'living document' which will be updated from time to time. The most recent version is Version 2 of July 2017.⁴ The IDP is currently being updated and a new version will be issued in late 2020.

3.3 Lancashire County Council's 'Infrastructure and Planning' document

3.3.1 Burnley Borough has a two-tier local authority structure. Lancashire County Council provides services such as highway maintenance, education, minerals and waste planning and social care. Burnley Borough Council provides services such as local planning and building control, environmental health and domestic waste collection.

3.3.2 Lancashire County Council (LCC) has produced a non-statutory [Infrastructure and Planning](#) policy document setting out and its approach to seeking planning contributions and how it will engage with the planning process to ensure the impacts of proposed developments on the infrastructure and services that it provides are recognised.

3.3.3 The current document of September 2017 can be downloaded from LCC's website: <https://www.lancashire.gov.uk/council/planning/planning-obligations-for-developers/>

[Planning and infrastructure](#)

[Annex 1 Highways](#)

[Annex 2 Education contribution methodology Revision September 2020](#)

[Annex 3 Drainage and Flood Risk Management](#)

⁴ <https://www.burnley.gov.uk/residents/planning/planning-policy/burnleys-local-plan/burnleys-infrastructure-delivery-plan>

3.3.4 Further information to support Annex 2 setting out how Lancashire County Council calculates its pupil projections, please see the [pupil forecast methodology](#).

3.3.5 The County Council provides the borough Council with a full response to any relevant planning application relating to the impact of the development and with any consequential requirement for developer contributions; but acknowledges that it for the Borough Council to consider the site viability and the overall benefits brought by the proposed development in reaching a decision and the requirement for or amount of any contribution.

3.4 Burnley Green Spaces Strategy

3.4.1 Burnley Borough Council's [Green Spaces Strategy 2015-2025](#) recommends standards for open space provision. These informed the development of the Local Plan and in particular Policy HS4. It also identifies priorities for improvements for:

- Parks and Gardens;
- Natural and Semi-Natural Greenspaces;
- Amenity Green Spaces;
- Provision for children and young people;
- Outdoor sport;
- Allotments;
- Cemeteries, and;
- Greenways.

3.4.2 The Council, where appropriate, may seek contributions from developers towards the provision, maintenance or enhancement of green spaces in line Policy HS4 of the Local Plan and the Green Spaces Strategy. This is discussed further in section 8 of this SPD.

4. Types of Contribution Explained

4.1 Conditions

4.1.1 Planning conditions are the most commonly used and simplest mechanism for securing the provision of on-site infrastructure e.g. roads, sewers, play areas; and ensuring a site is well-designed and appropriate for its intended use. They can also be used to secure the delivery of on or off-site affordable housing.

4.1.2 The long-term maintenance of on-site infrastructure is usually secured through adoption agreements between the developer and a suitable organisation; for example roads and street lighting with the highway authority (LCC); sewers with the utility provider (United Utilities); communal areas and open spaces with a residents' management company or the local council (Burnley Borough Council).

4.1.3 [Section 70\(1\)\(a\) of the Town and Country Planning Act 1990](#) enables the local planning authority in granting planning permission to impose "such conditions as they think fit". [Paragraph 54](#) of the National Planning Policy Framework states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions".

4.1.4 [Paragraph 55](#) of the National Planning Policy Framework states that planning conditions should only be imposed where they are:

- necessary;
- relevant to planning and
- (relevant) to the development to be permitted;
- enforceable;
- precise; and
- reasonable in all other respects.

4.1.5 No payment of money or other consideration can be positively required by a condition when granting planning permission. However, where the 6 tests above are met, it may be possible use a [negatively worded](#) condition to prohibit development or occupation until a specified action has been taken, for example, the entering into an agreement to secure a financial contribution towards the provision of supporting infrastructure or the delivery of a specify infrastructure project.

4.1.6 Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body will normally fail the tests of reasonableness and enforceability, unless the land or specified action in question is within the control of a local authority and there is clear evidence that it is enforceable within the time-limit imposed by the permission.

4.2 Obligations

4.2.1 Planning obligations can be secured through a Section 106 Unilateral Undertaking or Agreement. For more complex applications, an Agreement is normally required.⁵

⁵ Section 106 of The Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972

Section 106 Agreements

4.2.2 S106 Agreements are made under the provisions of [Section 106 \(S106\)](#) of the Town and Country Planning Act 1990.

4.2.3 The NPPF and the NPPG set out national planning policy and guidance and define planning obligations as being “A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.”

4.2.4 S106 Agreements can require a developer to provide affordable housing or other specific item(s) of infrastructure or on or off-site e.g. a new school or road improvement; or they can secure ‘tariff style’ contributions towards the provision of affordable housing or other infrastructure off-site by others. The latter is normally done by ‘pooling’ contributions from a number of developments intended to provide common types of infrastructure for the wider area.

4.2.5 Section 106 Agreements or Unilateral Undertaking are normally signed before the grant of planning permission and are legally binding. They can be signed afterwards where a negatively-worded condition requiring them to be signed e.g. “before development commences” forms part of the planning permission.

4.2.6 Planning contributions can only be sought where they are necessary to make a development acceptable in planning terms. A local planning authority must ensure that the obligation meets the relevant tests for planning obligations, i.e. they are:

- necessary to make the development acceptable in planning terms;
- directly related to the development, and;
- fairly and reasonably related in scale and kind to the development.

4.2.7 Planning obligations may only constitute a reason for granting planning permission if they meet the above tests.⁶

4.2.8 The NPPG states that policy for seeking planning obligations should be grounded in an understanding of development [viability](#) through the plan making process. Local Plan Policy IC4 relates to infrastructure and planning contributions. A Viability Assessment was commissioned to inform the production of the Local Plan and this should be used as a starting point when determining viability.

4.2.9 Applicants do not have to agree to a proposed planning obligation. However, this may lead to a refusal of planning permission. An appeal may be made against the refusal or non-determination or of an application.

4.2.10 The Act provides that a planning obligation may:

- Be unconditional or subject to conditions;
- Impose any restriction or requirement for an indefinite or specified period; and
- Provide for payments of money to be made, either of a specific amount or by reference to a formula, and require periodical payments to be paid indefinitely or for a specified period.

4.2.11 Legal agreements and any planning contributions they require run with the land in the same way that a planning permission does. This means that, once the permission is implemented, they are enforceable against the developer who originally entered into the agreement and any subsequent person acquiring an interest in that land. These legal agreements must be registered as a land charge

⁶ These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 (reg 122(2)) and as policy tests in the National Planning Policy Framework, paragraph 56.

and will form part of the planning register, available for public inspection. Where a planning permission expires, the planning obligation can be removed.

4.3 Section 278 Highway Agreements

4.3.1 Lancashire County Council (LCC) as the local highway authority may, if it is satisfied it will be of benefit to the public, enter into a legal agreement with a developer under [Section 278 of the Highways Act 1980](#) where a development requires works to be carried out on or to the highway.

4.3.2 This agreement can be either for the County Council to carry out the works at the developer's expense, or allow the developer to provide the works directly, subject to an approval and inspection process. A condition would be attached to the planning permission requiring the works to be agreed and carried out.

4.3.3 These agreements will normally be prepared separately from any Section 106 Agreement and the funding arrangements agreed directly between the developer and LCC.

4.3.4 Works associated with any planning proposal are not permitted within the limits of the publicly maintained highway until the agreement is completed and the bond (if applicable) is secured.

4.3.5 Highways England has similar powers in relation to the Strategic Road Network.

4.3.6 See Section 9 for further information.

5. How will contributions be determined?

5.1 Are contributions required?

5.1.1 Where appropriate i.e. where it is necessary to make the development acceptable in planning terms, including by mitigating impacts, the Local Plan policies state that developers will be required to provide the necessary infrastructure or contribute to its provision through Section 106 contributions and/or the Community Infrastructure Levy (CIL) should the Council introduce it.

5.1.2 For contributions secured through conditions, the conditions must pass tests of being:

- necessary;
- relevant to planning and
- to the development to be permitted;
- enforceable;
- precise; and
- reasonable in all other respects.

5.1.3 Conditions will normally relate to affordable housing or other infrastructure provision by the developer on-site.

5.1.4 However, for contributions towards off-site affordable housing or other infrastructure, and in complex cases; a Section 106 Agreement will normally be required.

5.1.5 Section 106 Agreements must meet the three tests that are set out as statutory tests in the [Community Infrastructure Levy Regulations 2010](#) and as policy tests in the [National Planning Policy Framework](#) i.e. Contributions must be:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind to the development

5.1.6 Contributions will be negotiated on a site-by-site basis and the Council will only seek contributions where a genuine need arising from the proposed development is generated.

5.2 How will contributions be determined and prioritised?

Prioritisation

5.2.1 All contributions required by or to achieve compliance with local or national policies will be assessed during the consideration of the application. There may be instances where due to viability considerations, all contributions sought cannot be afforded if the otherwise plan-compliant development is to go ahead. For certain matters, the adopted Plan specifically allows flexibility in its requirements to recognise viability challenges. In such cases, contributions may be prioritised and/or waived. The waiving of certain contributions on viability grounds would not necessarily be considered to make the development unacceptable.

5.2.2 However, where contributions are considered entirely necessary to make the scheme acceptable in planning terms such that its absence the scheme would be wholly unsatisfactory, and the applicants is unwilling to agree to these, **viability will not be relevant and applications will be refused**. In this SPD, such infrastructure is described as '**necessary and critical**' e.g. infrastructure to secure highway and pedestrian safety. These types of costs will have already been demonstrated to be

viable (by the Local Plan viability assessment) to ensure that the physical development is of an appropriate standard.

5.2.3 In cases of ‘**necessary and important**’ on and off-site other infrastructure required by local or national policy, viability can be factored in and failure to provide or contribute to certain infrastructure may or may not result in the refusal of the scheme based on the consideration of the scheme against the Local Plan read as whole; and whether material considerations indicate otherwise.

5.2.4 In recognition of the known viability constraints⁷ and to aid the interpretation of Local Plan policies HS2 and IC5 in decision making, a prioritising of different types of contributions is proposed.

Table 1: Prioritisation Categories

Priority Category	Category Description	Subject to Viability Considerations?	Examples
Priority 1	Necessary and Critical on and off-site infrastructure	No	On Site = Roads, sewers, recreational open space required by HS4, playing pitches Off Site = Junction/highway safety measures, pedestrian crossings, mitigation or compensatory habitat for protected species
Priority 2a	Necessary and Important on or off-site Affordable Housing (mainstream market residential developments only)	Yes	Affordable housing
Priority 2b	Necessary and Important on and off-site infrastructure (mainstream market and affordable residential developments only)	Yes	Necessary contributions for education provision
Priority 2c	Necessary and Important on and off-site infrastructure	Yes, insofar as it does not compromise achieving an acceptable form of development	On Site = Other Green Infrastructure Off Site = Contributions for pedestrian and cycleway provision/improvement, other open space, biodiversity offsetting, heritage assets
Priority 3	Desirable on and off-site infrastructure	Yes	Other specialist housing or infrastructure not specifically required by the Local Plan but reasonably requested by and infrastructure provider/consultee

Please note - the examples set out above are illustrative not definite or exhaustive, as in each case a piece of infrastructure may not be relevant to the scheme or may be more or less important to its acceptability. These are described in more detail in the themed sections 7-11.

⁷ See Section 5.3 of this SPD

Negotiation

5.2.5 Discussions about contributions and their prioritisation will take place as early as possible in the planning process, including at the [pre-application stage](#), and where relevant will involve infrastructure providers such as Lancashire County Council in its role as highways and education authority.

5.2.6 Where prioritisation has to take place due to likely impacts on viability, there may be a proportioning of the contributions across priorities 2a b and c with weighting in favour of 'a', 'b', then then 'c'. Priority 3 will only be relevant where Priorities 1-2 have been satisfied.

5.2.7 The adopted Local Plan and accompanying Infrastructure Delivery Plan (IDP) identifies a number of infrastructure requirements and standards and these will form the starting point in determining and prioritising the infrastructure required.

5.3 How will viability be assessed?

5.3.1 In order to inform the Local Plan, a Viability Assessment was undertaken.⁸ The purpose of the assessment was to ensure that the cumulative impact of the plan policies together with affordable housing and other planning obligation requirements would not compromise the viability of a typical scheme. It assessed viability across the borough using a number of development typologies. For housing schemes it assumed a 20% developer profit and assessed all costs i.e. land acquisition, site works and on-site infrastructure, construction costs, fees, abnormals (eg for miming legacy) and contingencies, interest and the sales values for each site type.

5.3.2 Not all of the emerging requirements tested in the Assessment were ultimately included in the adopted Local Plan.

Housing Development

5.3.3 For residential schemes, the Assessment concluded that whilst the delivery of affordable housing was likely to be challenging, the cumulative impact of the policies would not put development at serious risk. It noted that when considering brownfield sites, the Council should continue to work with developers to have the best possible understanding of activity on the ground and specific sites, and as appropriate, continue their flexible approach to the specific policy requirements.

5.3.4 It further noted that the Assessment was based on then current values and costs and whilst it would have been inappropriate (and contrary to national planning practice guidance) to take a different approach, it was notable that the borough of Burnley was a relatively low value area lying amongst some rather higher value areas and was well located in relation to Manchester and Preston. The price evidence used was informed by then recent sales, many of which were from sites that are distinctly different to those that are now identified for development in the 2018 Local Plan. The Assessment noted that if the Council can facilitate development that is of a high quality and different to the then currently available housing stock, this would be likely to generate higher values and thus improve viability. It recommended that viability be kept under review.

5.3.5 The Viability Assessment included in its residential base appraisals an assumed £500 contribution for each housing unit to allow for limited education contributions and other infrastructure. It did not factor in large-scale pooled contributions towards education provision in excess of this amount, partly in view of the limitations imposed by the pooling restrictions in place at the time, and the fact that this position will fluctuate across the plan period and can suddenly change,

⁸ www.burnley.gov.uk/sites/default/files/Burnley%20Local%20Plan%20Viability%20Assessment%20FINAL%202016.3.17.pdf

for example, with the closure of a Hameldon Community College – a secondary school with spare capacity - and of course with the exercise of parental choice. It is not therefore possible to predict with any certainty in advance at the plan-making stage, precisely where and how much education contributions would be sought or expected for each scheme, and thus the impact on viability.

5.3.6 The outputs of the Local Plan Viability Assessment have been used to set the thresholds, formulas, contribution ceilings and wider approach of this SPD and it will be used to inform any viability discussions with applicants. Where an applicant wishes to challenge these on the grounds of viability, either on an allocated or windfall site, Policy IC4 of the Local Plan requires applicants to provide viability evidence through an ‘open book’ approach to allow for the proper review of the evidence submitted and for reasons of transparency. Where this is done and relied upon, the indicative ceilings set out in Table 2 will not apply.

5.3.7 Each planning application is determined on its merits, and there may therefore be some variation to contributions required for similar developments taking into account the specifics of the site and the situation at the time the planning application is considered.

Non-residential schemes

5.3.8 The same principles and prioritisation will apply to non-residential schemes and specialist housing schemes, but contributions towards affordable housing, education contributions and the contributions ceilings will not be relevant.

5.3.9 The Local Plan Viability Assessment noted that “It is clear that non-residential development is challenging in the current market, but it is improving. We would urge caution in relation to setting policy requirements for employment uses that would unduly impact on viability.” (para 12.32) and that “Whilst some non-residential uses are not viable, they are not rendered unviable by the cumulative impact of the Council’s policies, rather by the general market conditions. The employment uses (office and industrial), town centre retail and hotel uses are unlikely to be able to bear additional developer contributions, however retail development is generally able to make significant contributions.” (Para 12.42)

5.3.10 Schemes would still have to fund any **necessary and critical infrastructure – priority 1**, but for **necessary and important infrastructure – priority 2c**, where the viability of otherwise plan-complaint development is in question, applicants should provide their own open book viability assessment to enable the Council to determine the upper limit of any contributions.

Contribution Ceilings

5.3.11 The results of the Viability Assessment have been used (indexed to 2020 using CIL indexation⁹) to determine both the affordable housing percentages (see also section 7.3) and contribution ceilings for mainstream housing developments, so that developers in designing schemes can be aware in advance of the likely maximum level of contributions that could be requested.

5.3.12 The ceilings are not a CIL-type levy that is automatically payable. The ceilings will only be triggered where the cumulative requests for contributions would exceed the ceiling amount. In many cases, contributions will be significantly less than the ceiling amounts.

5.3.13 The ceilings draw their assumptions of costs and values from the Plan Viability Assessment and have been calculated based on a set of ‘finer grained’ standardised assumptions about policy compliant housing sites, mixes and densities, sales values and affordable housing tenure mixes. Individual sites and schemes will of course vary from these the standard mixes and values etc and

⁹see Section 6.2 for further explanation

viability can be improved through policy compliant adjustments to the housing mix or changes to affordable housing tenure mix e.g. to add a greater proportion of intermediate tenure or discounted sales.

5.3.14 The ceilings are supplementary guidance not development plan policy and as such there may be instances where the circumstances of a particular site or development are such that a lower ceiling or higher ceiling should apply. All 'necessary and critical' infrastructure must be funded in full.

5.3.15 Where contribution requests include priority 2 necessary and important infrastructure and the cumulative requests would be above the viability ceiling, plan-compliant adjustments to the scheme may be negotiated to improve viability and thus allow a higher ceiling. This could be achieved in a number of ways e.g. where affordable housing is required, by allowing this to be off-site or if on-site by adjusting the affordable housing tenure; or by allowing an appropriate increase in the number of units. (See also paragraph 7.3.23.)

5.3.16 In order to agree a lower ceiling, in the first instance the applicant will be expected to explain why the assumptions used to set the ceiling would not apply in their case and where there is no agreement on this, undertake their own open book viability assessment - which any applicant is entitled to do in any event.

Table 2: Indicative Contribution Ceilings and Affordable Housing %

SPD Site code	Site Type	Location*	Value per m2 (2016 Prices)	Assumed Gross Density - dph	Allocations (where applicable)	Site Size Category	Affordable Housing % assuming standard tenure split (See Section 7)	Affordable Housing on or offsite	Contribution Ceilings at 2020 prices (£ per unit)
A1	Greenfield Type 1	Village/Urban fringe	2250	25	n/a	200 or more units	5%	On-site	2000
A2								Off-site	6500
B	Greenfield Type 1	Within Development Boundary B&P	2150	30	HS1/1	200 or more units	0%	n/a	2000
C1	Greenfield Type 1	Village/Urban fringe (higher value area)	2310	25	HS1/8	100 to 199 units	10%	On-site	500
C2								Off-site	9500
D1	Greenfield Type 1	Village/Urban fringe allocation	2250	25	HS1/2 HS1/4 HS1/9	100 to 199 units	10%	On-site	500
D2								Off-site	6000
E	Greenfield Type 1	Within Development Boundary B&P	2150	30	n/a	100 to 199 units	0%	n/a	1500
F1	Greenfield Type 1	Village/Urban fringe	2250	25	n/a	50 to 99 units	10%	On-site	500
F2								Off-site	6500
G	Greenfield Type 1	Within Development Boundary B&P	2150	30	n/a	50 to 99 units	0%	n/a	2500
H1	Greenfield Type 1	Village/Urban fringe	2250	30	HS1/23 HS1/25 HS1/30	11 to 49 units	15%	On-site	3000
H2								Off-site	17000
I1	Greenfield Type 1	Within Development Boundary B&P	2150	35	HS1/15 HS1/20 HS1/21 HS1/27	11 to 49 units	10%	On-site	3000
I2								Off-site	12500
J	Greenfield Type 1	Anywhere	2310	32		1 to 10 units	0%	n/a	23500

K1	Greenfield Type 2	Village/Urban fringe allocation	2250	25	n/a	200 or more units	5%	On-site	500
K2								Off-site	3000
L	Greenfield Type 2	Within Development Boundary B&P	2150	30	n/a	200 or more units	0%	Off-site	500
M1	Greenfield Type 2	Village/Urban fringe allocation	2250	25	n/a	100 to 199 units	5%	On-site	500
M2								Off-site	3000
N	Greenfield Type 2	Within Development Boundary B&P	2150	30	n/a	100 to 199 units	0%	N/A	500
O1	Greenfield Type 2	Village/Urban fringe allocation	2250	25		50 to 99 units	5%	On-site	500
O2								Off-site	3000
P	Greenfield Type 2	Within Development Boundary B&P	2150	30		50 to 99 units	0%	N/A	500
Q1	Greenfield Type 2	Village/Urban fringe allocation	2250	30	HS1/12	11 to 49 units	10%	On-site	3500
Q2								Off-site	13500
R1	Greenfield Type 2	Within Development Boundary B&P	2150	35	HS1/7	11 to 49 units	5%	On-site	4500
R2								Off-site	9000
S	Greenfield Type 2	Anywhere	2310	32	N/A	Up to 10	0%	n/a	19500
T1	Brownfield	Village/Urban fringe allocation	2250	40	HS1/3 HS1/5	200 or more units	5% (subject to the vacant building credit)	On-site	500
T2								Off-site	3500
U	Brownfield	Within Development Boundary B&P	1850	45	n/a	200 or more units	0%	Off-site	Not viable for housing without subsidy/mix of uses**
V1	Brownfield	Village/Urban fringe allocation	2250	40		100 to 199 units	5% (subject to the vacant building credit)	On-site	500
V2								Off-site	4000
W	Brownfield	Within Development Boundary B&P	1850	45	HS1/28 HS1/6	100 to 199 units	0%	N/A	Not viable for housing without subsidy/mix of uses**

X1	Brownfield	Village/Urban fringe allocation	2250	40	HS1/29 HS1/31	11 to 99 units	5% (subject to the vacant building credit)	On-site	500
X2								Off-site	4000
Y	Brownfield	Within Development Boundary B&P	1850	45	HS1/10 HS1/11 HS1/13 HS1/14 HS1/17 HS1/18 HS1/19 HS1/22 HS1/24	11 to 99 units	0%	N/A	Not viable for housing without subsidy/mix of uses**
Z	Brownfield	Anywhere	1900	45		Up to 10	0%	n/a	250

*Note: Village/Urban fringe in this context means a windfall site within and close to any development boundary and also includes allocations HS1/2, HS1/3, HS1/4, HS1/5, HS1/8, HS1/9, HS1/12, HS1/16, HS1/23, HS1/25, HS1/26, HS1/29, HS1/30, HS1/31 and HS1/32

** See para 5.3.10 – a bespoke viability assessment may be required

For the purposes of the proposed % and ceilings set out in Table 2, the definition of the site types is based on the predominant character/use of the site and is:

- Greenfield Type 1 – As per the NPPF Definition
- Greenfield Type 2 - As per the NPPF Definition but where it can be clearly shown that the site is partly developed for or was previously developed in the past for a non-domestic or non-agricultural use and the nature of the past use affects a large proportion of the site and is likely increase development costs and risks as for brownfield sites e.g. tipping, quarrying, mining.
- Brownfield – Previously developed land as per the NPPF definition

Sites HS1/16 HS1/26 and HS1/32 are party brownfield with the brownfield part being non-residential nature and will be apportioned accordingly between site types H and X

5.4 How will contributions be secured?

5.4.1 Likely conditions that deal with matters relating to contributions will be discussed with applicants before a decision is made. For pre-commencement type conditions, legislation now requires formal notification to applicants.¹⁰

5.4.2 S106 Agreements will normally be expected to signed before the grant of planning permission. This is to ensure that impacts can properly be assessed and the development approved can actually be delivered and done so in a satisfactory manner.

5.4.3 Although legally such agreements can be signed after the grant of planning permission by the use of a negatively-worded condition attached to the planning permission e.g. requiring an agreement to be signed before development commences; this route is less satisfactory as it makes the delivery of the development less certain and this can be critical in for example maintaining a 5-year housing land supply.

5.4.4 For Section 106 Agreements, negatively-worded conditions requiring agreements to be signed after development commences e.g. before occupation, will not normally be allowed¹¹ as failure to subsequently sign or agree on terms could result in uncompleted or unsaleable developments.

5.4.5 Agreements will specify the particular projects they are intended to fund and the monies will be `ring fenced` for this purpose.

5.4.6 Any payments due will normally be commuted until after commencement or completion of specific phases or units within the development. Agreements will include clauses stating when the local planning authority should be notified of specific relevant milestones e.g. commencement or completion, and when the funds should be paid.

5.4.7 Where the proposed development triggers a County Council requirement in terms of infrastructure, the County Council will likely request and will normally be allowed to be a signatory to the agreement so that relevant obligations on the developer are directly enforceable by the County Council and similarly, obligations on the County Council are directly enforceable by the signatories of the agreement.

5.5 Can an agreed planning obligation be changed?

5.5.1 Planning obligations can be renegotiated at any point where the local planning authority and persons against whom the obligation is enforceable agree to do so.¹² In 2020 the government issued guidance in response to the coronavirus pandemic urging local authorities to consider deeds of variation to allow for the deferral of payments to remove barriers and minimize the stalling of sites.

5.5.2 Where there is no agreement to voluntarily renegotiate, and the planning obligation predates April 2010 or is over 5 years old, an application may be made to the local planning authority to modify or discharge the obligation where it “no longer serves a useful purpose” or would continue to serve a useful purpose in a modified way.¹³

5.5.3 An appeal may be made against any refusal or non-determination of an application to discharge or modify (Section 106B).

¹⁰ Notice under Town and Country Planning (Pre-Commencement Conditions) Regulations 2018

¹¹ There be instances where this could be considered e.g. retrospective applications, or changes of use where occupation is the start of development

¹² 106A of the Town and Country Planning Act 1990

¹³ 106A of the Town and Country Planning Act 1990

6. Spending and Monitoring

6.1 Is information on planning contributions publicly available?

6.1.1 Regulations introduced from 1 September 2019¹⁴ require that from December 2020 information on planning contributions received and spent by the Borough and County Council be published through an annual ‘infrastructure funding statement’. The data specifications for the proposed statements are still under development. The information required will be included and/or cross referenced in future Authority Monitoring Reports (AMRs).

6.1.2 Local planning authorities are already required to keep a copy of any planning obligation together with details of any modification or discharge of the planning obligation and make these publicly available on their [planning register](#). Copies of Section 106 Agreements are made available the Council’s website.

6.2 Indexation

6.2.1 Whilst Section 106 contribution amounts are not governed by the CIL Regulations, the indexation that will be used where necessary to calculate the initial agreement amounts and any post-agreement changes prior to payment will reflect the approach contained within the CIL regulations to ensure that obligations provide for the actual costs of the infrastructure for which they are levied.

6.2.2 Regulation 40 of the Community Infrastructure Regulations 2010 required Local Authorities to obtain the All-in-Tender Price Index, as published by the Building Cost Information Service (BCIS) of the Royal Chartered Surveyors (RICS) on the 1st November each year to calculate the proportionate increase in contribution rates for the following year starting 1st January.

6.2.3 In 2019 a new ‘RICS CIL index’, a bespoke index for the Levy based on the Building Cost Information Service’s (BCIS) All-in Tender Prices Index was introduced to be used for planning permissions granted on or after that date. The current¹⁵ 2020 figure will apply from 1st January 2020 and is based on building prices in 2019.¹⁶

6.2.4 The index will be published on the fourth Monday in October each year. The Index, once published, will not normally be subject to revision. Should RICS feel it necessary to amend a published Index this will only be done with the agreement of MHCLG.

Matters that will be CIL Indexed

6.2.5 The CIL indexing described above will be used as follows:

6.2.6 The **contribution ceilings**¹⁷ set out in Table 2 will be:

- Index linked for inflation/deflation between 2020 (the year of adoption of this SPD) and the year an agreement relating to an application granted planning permission is signed; and then

¹⁴ The Community Infrastructure Levy (Amendment) (England)(No2) Regulations 2019

¹⁵ At the date of drafting this SPD

¹⁶ <https://www.rics.org/uk/products/data-products/rics-community-infrastructure-levy-index/>

¹⁷ CIL indexing has been used to calculate the ceilings to 2020. These draw their data from the 2017 Viability Assessment’s 2016 costs and values and have been indexed to 2020 using the formula ‘ceiling x 334/286’ i.e. ceiling x CIL Index for 2017/CIL Index for 2020

- Index linked for inflation/deflation between the date the agreement is signed and payment is made towards the actual delivery of the service or facility.

6.2.7 For **open space** contributions, the amounts set out in this SPD will be:

- Index linked for inflation/deflation between 2020 (the year of adoption of this SPD) and the year an agreement relating to an application granted planning permission is signed; and then
- Index linked for inflation/deflation between the date the agreement is signed and payment is made towards the actual delivery the service or facility.

6.2.8 Off-site contributions for **affordable housing** will be determined using the affordable housing calculator at the date of approval of the planning application based the latest information on rents (published October) and values and the agreement will specify that these amounts will be:

- Index linked for inflation/deflation between the date the agreement is signed and payment is made towards the actual delivery.

6.2.9 For **other** types of infrastructure where there is no rate or amount pre-set in this SPD, contribution amounts will be set out in the Agreement and clauses will be included to the effect that these will be:

- Index linked for inflation/deflation between the date the agreement is signed and payment is made towards the actual delivery of the service or facility.

Legal Fees

6.2.10 The Council will recharge the developer its reasonable legal costs incurred in agreeing planning obligations. The legal fee costs are payable for work done regardless of whether agreements are ultimately completed. These are reviewed annually and are currently set at:

- Legal Fee (minimum)= £550
- Sealing Fee = £65

6.2.11 Agreements with or which include the County Council will also incur separate costs to cover any legal costs the County Council incurs entering into the agreement.

6.2.12 These costs can be counted against the ceilings set out in Table 2.

Monitoring and Monitoring Fees

6.2.13 As stated earlier, local planning authorities are already required to keep a copy of any planning obligation on their planning register.

6.2.14 From 31 December 2020 Burnley Council and Lancashire County Council will have to produce their first annual infrastructure funding statement which will set out specific information on contributions. To help fund these new areas of work, local authorities will be able to use section 106 contributions to monitor and report on the planning obligations contained within those agreements. The Government proposes provide detailed guidance on this issue but the relevant regulation states that the sums must fairly and reasonable relate in scale and kind to the development and not exceed the estimated cost of said monitoring.¹⁸

¹⁸ Regulation 121A

6.2.15 These are proposed to be set at **0.25%** of the total sum agreed. These costs can be counted against the ceilings set out in Table 2. This sum will be paid alongside payment of the contribution, or where this is done in phases, the initial payment.

6.3 Payment of monies

6.3.1 By agreement, funds payable in relation to the County Council's requirements can be paid directly by the developers to the County Council. In other cases, the sums will be forwarded by the Borough Council to the County Council.

6.3.2 In certain cases, in particular relating to education contributions, there may be occasions where S106 monies will need to be transferred to other bodies.

Do local planning authorities have to pay back unspent planning obligations?

6.3.3 Local planning authorities are expected to use all of the funding received by way of planning obligation within a reasonable time frame. Agreements will normally include clauses stating when and how the funds will be used by and allow for their return, after an agreed period of time where they are not. This period is usually five years but may be longer or shorter if deemed appropriate. If the money is not spent within the agreed period, the developer will be reimbursed with the outstanding amount, together with any interest accrued; unless the agreement is varied.

7. Affordable Housing

7.1 Types of Affordable Housing

7.1.1 A revised version of the NPPF which amended national planning policy in respect of affordable housing provision and widened its definition, was issued shortly before the adoption of the Local Plan in July 2018.

7.1.2 The NPPF¹⁹ now defines affordable housing widely as being housing for sale or rent for those whose needs are not met by the market. Other than where marked*, it includes provisions for the housing to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

7.1.3 Affordable housing now includes: (See Appendix B for full definition)

Social Rent	From a Registered Provider (RP) e.g. Council or Housing Association
Affordable Rent	From a RP at least 20% below local market value
Discounted market sales housing	Sold at a discount of at least 20% below local market value
Starter Homes	As per any statutory definition to be introduced
Build to Rent	By anyone, at least 20% below local market value
Shared ownership	Part ownership/part rent
Shared equity	Ownership with third party loan for a deposit in addition to your mortgage e.g. Help to Buy
Other low cost homes for sale	At a price equivalent to at least 20% below local market value*
Rent to buy	Which includes a period of intermediate rent

7.1.4 Clearly, a 20% discount on market sale or rents may not actually be affordable to those whose needs are not met by the market who may instead rely on Social or Affordable Rented housing.

7.2 National policy for Affordable Housing

7.2.1 The NPPF paras 62-64 states that:

“62. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless:

a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

b) the agreed approach contributes to the objective of creating mixed and balanced communities.

¹⁹ Both the 2018 and current 2019 versions

63. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

64. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.”

7.2.2 The NPPF approach assumes that sites are generally viable and sufficiently profitable to enable developers to provide affordable housing in addition to market housing and at a greater rate than 10%; and that securing affordable housing through the development of market housing is the sole or main method for its provision. This is not necessarily the case and is not the case in Burnley.

7.2.3 The NPPF does not now support requiring affordable housing through residential development schemes that are not major i.e. schemes of less than 10 (up to 9) units²⁰. Policy HS2 of the adopted Local Plan does not require affordable housing for schemes of up to and including 10 units. It is the Local Plan higher threshold that will be used by the Council. The Local Plan policy was written before the revised NPPF was introduced and was consistent the then national policy set out in the [written ministerial statement](#) of 28 November 2014 which stated that contributions should not be sought from developments of 10-units or less and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area).

7.2.4 Local Plan Policy HS2 still supports provision for smaller sites, and any provision or contribution unilaterally proposed could weigh in favour of a scheme where a need for affordable housing or a specific type of affordable housing exists.

7.2.5 The national policy restriction on seeking planning obligations contributions does not apply to development on ‘Rural Exception Sites’.²¹

Starter Homes and First Homes

7.2.6 ‘Starter Homes’ were introduced in the Housing and Planning Act of May 2016, although the relevant provisions of the act are not yet in force. Starter Homes are ‘affordable housing’ according to

²⁰ NPPF Para 63 - [major development is defined in Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

²¹ Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.

the revised NPPF; and are, according to the Act text, homes for purchase for first time buyers, 23-39 years old, and sold at a 20% discounted rate - subject to a £250,000 price cap.

7.2.7 Whilst the Council's Local Plan Viability Study concluded that starter home provision in lieu of more traditional types of affordable housing would generally aid viability, it also concluded this could still be an issue on brownfield sites.

7.2.8 First Homes are a further discounted sales product (a 30% discount). The government consulted on its first homes proposals in February 2020 and published a response to this consultation in August 2020 and indicated an intention to pursue this through changes to the national planning policy framework. Consultation on some detailed aspects of the scheme were set out in 'Changes to the current planning system' published in August 2020.²²

7.3 Local Plan Policy HS2

Background

7.3.1 Influenced by the types of sites that were allocated in and supported by the 2006 Local Plan and by the concentration of housing market renewal activity, the NPPF approach of requiring private sector developers to provide a proportion of affordable housing on site or contribute monies through a section 106 Agreement for off-site provision was rarely successful in Burnley without public sector subsidy.

7.3.2 An alternative and successful approach for the delivery of affordable housing in Burnley has been to work directly with Registered Providers to build houses on sites made available by the Council from its landholdings, or through compulsory purchase. Affordable housing can also be acquired by Registered Providers (funded from central government via Homes England) to be upgraded or adapted and this method of provision has made a significant contribution to affordable housing delivery in the borough in recent years.

7.3.3 The 2017 Local Plan Viability Assessment demonstrates that a number of sites of the types allocated and supported by the 2018 Local Plan could now viably support modest affordable housing delivery/contributions without compromising other important policy requirements.

7.3.4 The 2016 Strategic Housing Market Assessment (SHMA) suggested an affordable housing split by tenure of: 80% Affordable Rent or Social Rent, and 20% Intermediate tenure. This reflected the national definition of affordable housing at that time. The recommendations on the split of affordable housing by type and size are discussed in Policy HS3.

General Interpretation of Policy HS2

7.3.5 Local Plan Policy HS2: Affordable Housing Provision, sets out the development plan policy in relation to seeking and supporting affordable housing. Policy HS2 is therefore the starting point for determining the requirement for affordable housing.

7.3.6 It requires that any housing development of over 10 units (i.e. 11 units or more) provides for affordable housing, unless it could be demonstrated that the site, which would otherwise be supported by the policies in the Local Plan and meets the requirements of policies SP4 and SP5, would not be viable with affordable housing provision on-site or off-site by way of a contribution.

7.3.7 Local Plan Policy HS2 clauses 1) to 5) were drafted to be sufficiently flexible to apply with or without the then planned change in the government's definition of affordable housing. Clause 5)

²² <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system>

however, needs to be read alongside the now confirmed (and any future) changes to national policy or legislation.

7.3.8 Burnley's circumstances are such that flexibility continues to be required in terms of the overall requirements, the requirement for on or off-site provision and the types and tenure of affordable housing provided. Policy HS2 therefore allows for affordable housing provision to be waived/varied where justified. This approach is consistent with the then and current national policy.

7.3.9 The NPPF sets an expectation that at least 10% of housing on major sites should be to be to its definition of 'affordable home ownership'. This appears to equate to the definition of affordable housing at in the revised NPPF glossary at d) which includes shared ownership and discounted homes for sale at 20% below market value.²³

7.3.10 Whilst the NPPF sees this minimum as part of the overall affordable housing %, in Burnley in most cases, 'affordable home ownership' provision could preclude the delivery of any affordable housing to rent or part rent/part buy. The NPPF does state that this policy applies unless amongst other things it would "significantly prejudice the ability to meet the identified affordable housing needs of specific groups." Specific groups are not defined but could arguably include those unable to purchase housing by virtue of their restricted income or the lack of mortgage availability.

7.3.11 As set out earlier at paragraph 7.2.8 National policy on affordable and discounted market sale housing is current under review with a new variant 'first homes' being proposed.²⁴

7.3.12 Local Plan Policy HS2 deliberately seeks to avoid a rigid approach to the provision of affordable housing, in part due to the stage of flux of national policy at its time of drafting, but also as such an approach would not recognise the viability challenges present and could be at odds both with efforts to prioritise the development of brownfield sites and efforts to ensure the delivery of modern adaptable affordable homes to rent.

7.3.13 Provision of and contributions towards affordable housing will be prioritised as **priority 2a – necessary and important**.

Findings of the Plan Viability Assessment

7.3.14 The Local Plan Viability Assessment modelled a number of scenarios with variable % of on-site affordable housing. It first modelled the affordable housing to be provided split at 80% Social Rent and 20% Intermediate to part rent/part buy. When the affordable housing type is Affordable Rent rather than Social Rent, viability reduces (See table 10.6 of Viability Study). The delivery of a greater proportion of intermediate housing or starter homes as all or part of the required mix, improves viability.

7.3.15 The Assessment appraisals also assumed certain mixes of housing types, which if adjusted, can improve or reduce viability significantly.

7.3.16 All the brownfield sites types modelled were in low value 'industrial urban areas' and were shown to be unlikely to support any affordable housing provision without public sector support - such as direct provision by registered providers or through other government funding initiatives. However, the low density medium and larger brownfield sites were found to remain profitable, although not to a level above the viability threshold which took into account a £400,000 per hectare alternative use value.

²³ NPPT 2019 Para 64

²⁴ <https://www.gov.uk/government/consultations/first-homes>

7.3.17 Not all brownfield sites are in low value industrial urban areas and given the ability of the housing mix to be varied to improve viability, it is considered that larger brownfield sites, which can create their own sense of place and thus attract good sales values, can and should make a modest contribution to affordable housing provision with or without public sector support. These sites may also be able to take account of the vacant building credit (see section overleaf).

7.3.18 A number of other (then emerging) plan requirements were also costed in the 2017 Viability Assessment, but e.g. the policy clauses requiring higher environmental and/or design standards on certain greenfield sites were removed by the Examination Inspector. Higher design standards are now clearly supported by the revised NPPF and where schemes propose very high quality standards or higher levels of energy efficiency (above the high quality expectation of the Local Plan), the negative effect on viability can be considered in the planning balance.

7.3.19 The government is also proposing staged uplifts to the Building Regulations which will increase construction costs and once these changes are confirmed and take effect, the ceilings will need to be revisited.

7.3.20 Given the guide tenure split set out in Policy HS2 and the delivery model/record for affordable housing providers in Burnley, an assumed split of 70% Affordable Rent, 10% Social Rent and 20% Intermediate is used in the SPD to calculate the affordable housing %, off-site affordable housing contributions and contribution ceilings. This does not necessarily mean this will be the required split on any given site.

Proposed Affordable Housing Percentages

7.3.21 To satisfy the requirements of Policy HS2 Clause 1) c) it is expected that the housing sites types set out earlier in Table 2 (page 17) will provide at least the indicated minimum percentage of units.

7.3.22 The units shall either:

- be constructed by the developer on-site; or
- be constructed by the developer off-site (where agreed to appropriate under Policy HS2 clause 3) ii); or
- be provided for by an equivalent commuted sum towards off-site provision where agreed to appropriate under Policy HS2 clause 3) ii).

Flexibility

7.3.23 In accordance with Policy HS2 clause 1) c) and 2) the required provision/contribution will only be waived or reduced in the following circumstances:

- A. Where requests for other contributions in addition to affordable housing (on or off site as applicable) exceed the ceilings set out in Table 2 of this SPD the Council:
 - i) Will determine the proportioning of contributions as set out in section 5.2 in discussion with the applicant.
 - ii) May, in addition to considering off-site affordable housing provision, ask the applicant to consider plan-compliant adjustments to the scheme or on-site affordable housing tenure, in order to improve viability; and
- B. Where, as set out in paragraph 5.3.16. the applicant wishes to agree a lower ceiling they must first explain why the assumptions used to set the ceilings and affordable housing percentages

would not apply in their particular case and when there is no agreement on this they would be expected to:

i) Submit their own national policy compliant Viability Assessment via an 'open book' approach clearly shows the scheme, which meets other policy requirements e.g. design and provides for all priority 1 contributions, to be unviable with the required affordable housing contributions or other priority 2 contributions;

7.3.24 Where affordable housing is required by policy HS2 the approach to its provision, including any reasons for provision off site as opposed to on site under the provisions of Policy HS2 clause 3) should be set out in an Affordable Housing Statement to accompany any relevant planning application. An affordable housing statement is a local validation requirement for all major housing applications. This statement can be incorporated into a more generalised planning statement where one is prepared.²⁵

Off-Site Contributions

7.3.25 Where the provision of affordable housing is proposed or required and a contribution towards off-site provision in lieu is agreed to be appropriate under Policy HS2, the amount of contribution will be calculated using the Off-site Affordable Housing Calculator (example overleaf).

7.3.26 The calculator assumes the following standard tenure split:

- 70% Affordable Rent
- 20% Intermediate
- 10% Social Rent

7.3.27 It uses the estimated open market value (OMV) of a typical three bedroomed house on site of the size and specification required for a typical Affordable Rent product. As this may not be actually provided on site, this figure will need to be agreed.

7.3.28 In respect of the rents, the Calculator uses data from the 'private sector registered provider social housing stock in England: statistical data return dataset' published in October each year. The Council will publish an updated version of the Calculator on its website following the issue of updated releases.

7.3.29 The type and tenure or the actual units subsequently provided or supported through acquisition and refurbishment by the off-site contribution, unless specified in the Agreement, will be determined by the Council in discussion with relevant Registered Providers having regard to the matters set below and the Council's Housing and or Empty Homes Strategy.

Location, Type and Tenure Mix

On-Site Provision

7.3.30 Where on-site provision of affordable housing is proposed or required, (or off-site direct provision by the developer is proposed), the mix of units will be assessed as part of:

- the overall mix sought across the plan area and plan period as set out in Policy HS3;
- any specific requirements set out in any relevant site allocation policy;

²⁵ <https://www.burnley.gov.uk/residents/planning/how-make-application/what-makes-valid-application>

- the policy set out in HS3 clause 4) including its location;
- the policy set out in HS2 clauses 2 and 3); and
- it will also informed by the affordable housing suggested mix set out in the 2016 SHMA (repeated as Table 3, page 85 of the Local Plan) and ongoing monitoring of types and tenures as set out in the AMR.

The vacant building credit

7.3.31 National policy states that where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.²⁶ The accompanying planning practice guidance states that where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought.

7.3.32 This will apply in calculating either the number of affordable housing units to be provided within the development or equivalent financial contribution where off-site provision is proposed.

7.3.33 The vacant building credit applies where the building still exists and its use has not been 'abandoned'.²⁷

7.3.34 The policy is intended to incentivize brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities are advised to have regard to the intention of national policy.

7.3.35 In doing so, it may be appropriate for authorities to consider:

- Whether the building has been made vacant for the sole purposes of re-development.
- Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

²⁶ NPPF 2019 Para 63

²⁷ <https://www.gov.uk/guidance/planning-obligations>

Table 3: Off-site Affordable Housing Contributions Calculator

Site Name	Example		Date		
Number of Units	140	Percentage of Affordable Housing	10%	Number of Affordable Units	14

Affordable Housing Type	Mix	Units	Onsite Units Provided	Offsite Units Required
Affordable Rented	70%	9.80	0	9.80
Social Rented	10%	1.40	0	1.40
Intermediate	20%	2.80	0	2.80
Check:	100%	14.00	0	14.00

Off-site Contribution Calculations

Affordable Rented									
Housing Mix/Type	Number of Units	OMV if on site (£)	Profit (%)	Net Total Cost (£)	Weekly Rent (£)	Mgt Charge	Yield	Capitalised Rent (£)	Contribution (£)
			20.00%			10.00%	6.00%		
1 Bed Flat			0	0		0	6.00%	0	0
2 Bed Flat			0	0		0	6.00%	0	0
3 Bed Flat			0	0		0	6.00%	0	0
2 Bed Hse			0	0		0	6.00%	0	0
3 Bed Hse	10	180,000	36,000	144,000	99.34	517	6.00%	77,485	665,148
4 Bed Hse			0	0		0	6.00%	0	0
5 Bed Hse			0	0		0	6.00%	0	0
Total	10							Total	665,148

Social Rented									
Housing Mix/Type	Number of Units	OMV if on site (£)	Profit (%)	Net Total Cost (£)	Weekly Rent (£)	Mgt Charge	Yield	Capitalised Rent (£)	Contribution (£)
			20.00%			10.00%	5.50%		
1 Bed Flat			0	0		0	5.50%	0	0
2 Bed Flat			0	0		0	5.50%	0	0
3 Bed Flat			0	0		0	5.50%	0	0
2 Bed Hse			0	0		0	5.50%	0	0
3 Bed Hse	1	180,000	36,000	144,000	87.39	454	5.50%	74,361	69,639
4 Bed Hse			0	0		0	5.50%	0	0
5 Bed Hse			0	0		0	5.50%	0	0
Total	1							Total	69,639

Intermediate - Shared Ownership										
Housing Mix/Type	Number of Units	OMV if on site (£)	Profit (%)	Net Total Cost (£)	Equity Rent	Mgt Charge	Yield	Capitalised Rent (£)	1st Tranche	Contribution (£)
			20.00%		2.75%	10.00%	5.00%		50.00%	
1 Bed Flat			0	0	0	0	5.00%	0	0	0
2 Bed Flat			0	0	0	0	5.00%	0	0	0
3 Bed Flat			0	0	0	0	5.00%	0	0	0
2 Bed Hse			0	0	0	0	5.00%	0	0	0
3 Bed Hse	3	180,000	36,000	144,000	2,475	248	5.00%	44,550	90,000	28,350
4 Bed Hse			0	0	0	0	5.00%	0	0	0
5 Bed Hse			0	0	0	0	5.00%	0	0	0
Total	3								Total	28,350

Total Units	14	Total Contributions	763,137
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Table 4: Table 10.5 from Local Plan Viability Study of March 2017

Table showing various affordable housing contributions (plus £500 S106 contributions, all open space requirements of Policy HS4) and 1.5% construction costs uplift for energy efficiency above the building regs, based on the affordable housing being made up of 80% social rent and 20% intermediate			Alternative Use Value	Viability Threshold	Residual Value						
				Affordable %	0%	5%	10%	15%	20%	25%	30%
Site 1	Large Green 200	Urban Fringe	20,000	274,000	284,247	205,390	126,514	47,624	-34,359	-117,136	-200,451
Site 2	Large Green 100B&P	Urban Fringe	20,000	274,000	283,664	201,240	118,816	35,081	-51,403	-137,888	-225,622
Site 3	LD Large Green 100B&P	Urban Fringe	20,000	274,000	414,127	337,501	260,876	184,251	107,626	29,941	-50,459
Site 4	Large Green 100e	Urban Fringe	20,000	274,000	539,609	445,754	351,898	258,043	164,187	70,197	-27,786
Site 5	Large Green 50B&P	Urban Fringe	20,000	274,000	274,548	192,287	108,868	22,927	-63,386	-149,698	-237,215
Site 6	LD Large Green 50B&P	Urban Fringe	20,000	274,000	447,382	369,152	290,922	212,693	134,463	53,831	-28,252
Site 7	Large Green 50e	Elsewhere	20,000	274,000	536,858	442,982	349,107	255,231	161,356	64,597	-33,903
Site 8	Medium Green 24B&P	Urban Fringe	20,000	274,000	712,576	613,814	515,052	416,289	317,527	216,047	112,982
Site 9	Medium Green 24e	Urban Fringe	20,000	274,000	712,576	613,814	515,052	416,289	317,527	216,047	112,982
Site 10	Medium Green 12B&P	Urban Fringe	20,000	274,000	582,195	491,720	401,244	309,503	217,245	124,987	32,728
Site 11	Medium Green 12e	Urban Fringe	20,000	274,000	606,350	515,874	425,399	334,134	241,875	149,617	57,359
Site 12	Large Brown 100	Urban Area	400,000	480,000	-476,433	-575,902	-675,476	-776,304	-877,132	-978,184	-1,080,429
Site 13	LD Large Brown 100	Urban Area	400,000	480,000	290,536	173,346	54,785	-68,178	-191,141	-315,845	-442,041
Site 14	Medium Brown 60	Urban Area	400,000	480,000	-443,653	-540,106	-636,559	-733,112	-830,912	-928,711	-1,026,511
Site 15	Medium Brown 60	Urban Area	400,000	480,000	427,154	308,211	189,268	66,893	-57,909	-182,711	-309,418
Site16	Medium Brown 20	Urban Area	400,000	480,000	-252,900	-361,099	-470,677	-580,255	-689,833	-799,411	-908,989
Site 17	Medium Brown 14	Urban Area	400,000	480,000	-248,859	-336,329	-425,609	-514,889	-604,169	-693,449	-782,908
Site 18	Urban Flats 35	Urban Area	400,000	480,000	-1,313,414	-1,457,005	-1,600,596	-1,744,186	-1,887,777	-2,031,368	-2,174,959
Site 19	Small Green 7	Generally	50,000	310,000	792,153	792,153	792,153	792,153	792,153	792,153	792,153
Site 20	Small Green 4	Generally	50,000	310,000	859,972	859,972	859,972	859,972	859,972	859,972	859,972
Site 21	Green Plot	Generally	50,000	310,000	-75,398	-75,398	-75,398	-75,398	-75,398	-75,398	-75,398

Site 22	Small Brown 6	Generally	400,000	480,000	-448,742	-448,742	-448,742	-448,742	-448,742	-448,742	-448,742
Site 23	Small Brown Flats 5	Generally	400,000	480,000	-1,347,505	-1,347,505	-1,347,505	-1,347,505	-1,347,505	-1,347,505	-1,347,505
Site 24	Small Brown 3	Generally	400,000	480,000	-891,195	-891,195	-891,195	-891,195	-891,195	-891,195	-891,195
Site 25	Brown Plot	Generally	400,000	480,000	-2,349,106	-2,349,106	-2,349,106	-2,349,106	-2,349,106	-2,349,106	-234,910

Colour Key:

Green = Viable – where the Residual Value per hectare exceeds the indicative Viability Threshold Value per hectare (being the Existing Use Value plus the appropriate uplift to provide a competitive return for the landowner).

Amber = Marginal – where the Residual Value per hectare exceeds the Existing Use Value or Alternative Use Value, but not Viability Threshold Value per hectare. These sites should not be considered as viable when measured against the test set out – however, depending on the nature of the site and the owner, they may come forward.

Red = Non-viable – where the Residual Value does not exceed the Existing Use Value or Alternative Use Value.

8. Open Space, GI and Social/Community Infrastructure

8.1 Green Infrastructure

8.1.1 Green Infrastructure (GI) refers to the network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

8.1.2 Burnley's Green Infrastructure and its importance in the borough is referenced throughout the Local Plan, but particularly in Policy SP6 which seeks to protect, enhance and extend the multifunctional green infrastructure network. The Council's Green Infrastructure Strategy (2013) informed the development of the policies within the Local Plan and will be used alongside the Local Plan and the Council's Green Spaces Strategy when determining the type of open space to be provided to meet the requirements of Policy HS4, and the requirements of Policies SP6 and IC5.

8.1.3 Contributions for GI required under Policy SP6 to will normally be prioritised as **priority 2c necessary and important** but may be **priority 1** e.g. where mitigation is required.

8.1.4 The Council's Green Space Strategy 2015–2025 identifies the Borough's public greens spaces, sets local quantity, quality and accessibility standards for each type of open space and use these local standards to identify surpluses or deficiencies and was used to inform the requirements for housing developments in Local Plan Policy HS4 and areas to be protected in situ under Policy NE2.

8.1.5 The [Burnley Play Area Strategy 2017-2026](#) (currently being updated) identifies the borough's existing play facilities, those to be maintained and where new provision may be required. This strategy will inform the requirement for and location of new or enhanced/safeguarded play space provision required under Policy HS4.

8.2 Open Space for housing developments

Policy HS4: Housing Developments

8.2.1 Policy HS4 of the Local Plan sets out the standards for open space provision in new housing developments, including equipped children's play space. The Policy also sets out when this should be provided on-site or when contributions towards off-site provision may or will be acceptable.

8.2.2 Whilst each scheme will be judged on its merits against the Local Plan as a whole, where contributions for open space are required under Policy HS4, this will normally be prioritised as being **necessary and critical** and thus **priority 1** such that lack of adequate provision will normally result in a scheme's refusal.

8.2.3 The cost of open space provision on site was partly factored into the Plan Viability Study's base appraisals (accounted for in the site density and in the £500 per dwelling base contribution).

8.2.4 All relevant greenfield site types were found to be viable with such contributions/provision and as such provision/contributions being 'necessary and critical' will not normally be waived on the grounds of viability.

8.2.5 Whilst the study found that such provision/contributions would be more challenging for brownfield sites, minimum provision/contributions will still be regarded as 'necessary and critical'.

8.2.6 Any new open space created in relation to Policy HS4 will, going forward, be protected under Policy NE2.

Off-site provision in lieu

8.2.7 Contributions for off-site provision in lieu, where agreed to be appropriate under Policy HS4, will be calculated as follows:

- **£350 per bedroom**

On-site provision and maintenance

8.2.8 Where open space is being provided on-site by a developer, the developer may wish to set up a management company to meet the ongoing costs of maintenance.

8.2.9 Alternatively, the Council will consider the adoption of suitable, well designed on-site open space for which contributions of commuted sums for maintenance will be calculated on a 15-year basis at guide cost of **£8 per m²**, which will be calculated and agreed for each development.

8.2.10 Sums will be index linked as set out in Section 6.

8.3 Social/Community Infrastructure

Policy IC5

8.3.1 Policy IC5 of the Local Plan identifies the importance of social and community infrastructure²⁸ and seeks to safeguard it where possible and appropriate and make new provision where a development would increase demand for it beyond its current capacity or generate a newly arising need. It is envisaged that any such requirements would be identified on a site-by-site basis and (other than education contributions – see section 10) will normally be prioritised for contributions as **priority 2c**, but may be **priority 1**.

Playing Pitches

8.3.2 The Rossendale, Pendle and Burnley Playing Pitch Strategy identifies where protection, enhancement and the provision of new sites for football (both adult and junior football), cricket, rugby union, rugby league, hockey, tennis, bowls and rounders should occur up to 2026. Full details of the recommendations can be found in the [Playing Pitch Strategy](#). Where Sport England raise an objection to the loss of any playing pitch of field or requires its provision and this is in accordance with its published policy/standards and national planning policy, this will be prioritised as being **necessary and critical** and thus **priority 1**.

Loss of Unprotected Open Space

8.3.3 Where a development proposal would result in the loss of existing unprotected open space.²⁹ The need for replacement provision will be assessed against the strategy and standards set out in the Green Spaces Strategy 2015 and the [Burnley Play Area Strategy 2017-2026](#) or [Playing Pitch Strategy](#). Contributions towards replacement provision may then be prioritised as **priority 1** or **priority 2c**.

²⁸ This includes public, private or community facilities including: community/meeting halls and rooms; health facilities; libraries; places of worship; bespoke premises for the voluntary sector; schools and other educational establishments; theatres, art galleries, museums, sport and leisure facilities; parks and other publicly accessible open spaces, public houses, cemeteries and youth facilities. This policy does not apply to specific sites or open spaces protected in situ by other policies e.g. NE1 and NE2.

²⁹ ie not including Policy NE1 2) 3) and 4) or NE2 which are required to remain in situ

9. Highways and Transport Infrastructure

9.1 Lancashire County Council's role

9.1.1 Management of the transport network in Burnley, including bus provision, is a function of Lancashire County Council in its role as Highway Authority. It is responsible for all adopted roads in Lancashire other than 'trunk roads' which are the responsibility of Highways England (these include most motorways). It is responsible for the safety, maintenance, management and development of the highway network, and determines whether to adopt a road (i.e. take responsibility for its ongoing maintenance).³⁰

9.1.2 Public funding for transport infrastructure comes from local and central government from various funding streams, including the Local Transport Plan capital programme and the Local Growth Fund. This funding will not usually address the specific impacts of new development on specific sites, but may address the wider borough impacts resulting from the overall growth set out in the Local Plan or specific large scale projects designed to deliver economic growth.

9.1.3 Other than for 'County Matters'³¹ and its own development on its own land, the County Council is not the determining authority for planning applications in the borough and its advice and any requests for contributions must be weighed as a material consideration by the borough Council in determining an application and any contributions to be made. The County Council cannot insist upon or enforce requests for contributions to its services where it is not the determining authority.

9.1.4 In order for the County Council to agree to adopt any new road, however, this will be required to be designed and constructed to its published standards.³²

9.2 Highways Contributions

9.2.1 The County Council can, where it deems necessary, request a Section 106 Agreement or Section 278 Agreement be put in place in respect of a planning application. These will apply to residential and non-residential schemes. In such instances, the County Council will need to provide Burnley Council with a reasoned and consistent response based on the adopted Local Plan. Responses will also be informed by the Local Transport Plan 2011-2021, the Highways and Transport Masterplan, 'Creating civilised streets' document and 'Specification for construction of estate roads'²¹ and will also have regard to the County Council's own non-statutory Infrastructure and Planning document (see Section 3.3).

Section 278 Agreements

9.2.2 The County Council normally requests S278 Agreements for works that are required to be carried out on or to a highway. These agreements can be either for the County Council to carry out the works at the developer's expense, or allow the developer to provide the works directly, subject to an approval and inspection process.

9.2.3 The requirement to enter such an agreement is normally secured by a condition attached to a planning permission granted by the borough Council which requires the agreement of the design of

³⁰ <https://www.lancashire.gov.uk/roads-parking-and-travel/roads/road-adoption/estate-road-adoption/>

³¹ 'County matters' are primarily defined within schedule 1 of the Town and Country Planning Act 1990 as being, amongst other things, those associated with mineral working and related development, and waste management and disposal developments.

³² <https://www.lancashire.gov.uk/roads-parking-and-travel/roads/road-adoption/estate-road-adoption/>

the works by the borough Council in consultation with the County Council, but also the signing of s278 Agreement setting out the funding arrangements directly between the County Council and developer. The condition will normally require the design of the works to be agreed and Agreement signed before any of the development approved commences. In any event, works associated with any planning proposal will not be permitted by the County Council within the limits of the publicly maintained highway until the Agreement is completed and the bond (if applicable) is secured.

9.2.4 The County Council sets its own fees for Section 278 Agreements.

9.2.5 Section 278 Agreements are also used to cover any developer-funded works to the Strategic Road Network (SRN), for which developers would enter a separate agreement with Highways England.³³

Section 106 Highways Contributions

9.2.6 Contributions towards other transport related projects and infrastructure and for Travel Plans would normally be requested to be included in a S106 Agreement to which the County Council would normally then be a co-signatory together with the Borough Council and developer.

Prioritisation

9.2.7 Contributions or measures necessary to achieve highway and pedestrian safety in the immediate vicinity of the site, including ensuring safe access and egress and the adoption of highways (where applicable) will be prioritised by Burnley Council as **necessary and critical - priority 1**.

9.2.8 Contributions necessary to achieve greater connectivity such as new or upgraded pedestrian or cycle routes or public transport access to services, or towards minimising development-related impacts such as traffic congestion³⁴ or providing or contributing towards capacity enhancement measures, will normally be prioritised for contributions as **priority 2c – necessary and important** but can be **priority 1** e.g. to avoid development-related impacts from new development which have the potential to contribute to the declaration of a new Air Quality Management Area (AQMA). Contributions for a number of schemes which impact on the same matter e.g. a particular road junction, may need to be ‘pooled’.

9.2.9 Where Travel Plans are required under Policy IC2, Lancashire County Council can provide advice and guidance on their development, promotion and monitoring. This is likely to be a charge for this assistance through a developer contribution or a through a normal service commissioning process.

³³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf

³⁴ Both in terms of public health benefits and congestion reduction effects

10. Education Provision

10.1 Lancashire County Council's role

10.1.1 Lancashire County Council is the Education Authority (LEA) responsible for primary and secondary education provision in the borough.

10.1.2 Under Section 14 of the Education Act 1996, Lancashire County Council has a statutory obligation to ensure that every child living in Lancashire is able to access a mainstream school place in Lancashire if they want one.

10.1.3 Other than for 'County Matters' and its own development on its own land e.g. for a new school, the County Council is not the determining authority for planning applications in the borough and its advice on education provision matters and any request for contributions towards education provision must be weighed as a material consideration by Burnley Council in deciding on an application and determining any contributions to be made. The County Council cannot insist upon or enforce requests for contributions to its services other than where it is the determining authority.

10.2 Education Contributions

10.2.1 For housing developments of 10 or more dwellings, where there is a projected shortfall of primary or secondary places at existing schools to accommodate the pupils from the development, the County Council may request new education provision be made on site, or more likely, may look to the expansion of existing schools.³⁵

10.2.2 The number of school places required by a development ('the pupil yield') is calculated by the LCC according to its [pupil projection methodology](#).³⁶ Where there are insufficient spare places to accommodate the calculated pupil yield, LCC will request that a contribution be made to address the shortfall via the expansion of existing schools.

10.2.3 The costs per place are based on the construction of accommodation to provide for the additional pupils. These costs are updated on the 1st April each year. These are available at <https://www.lancashire.gov.uk/council/planning/planning-obligations-for-> with the latest update being from April 2020.³⁷

10.2.4 National planning practice guidance introduced in March 2019 made significant changes to the guidance in respect of education contributions. It confirms that central government funding for schools via the LEA will be reduced to take account of developer contributions. The guidance allows for viability to be taken into consideration to the effect that for otherwise acceptable schemes, education contributions that would prejudice viability can be reduced or waived as not being critical and necessary (being instead funded by the government – see para 10.2.6).

10.2.5 In April 2019 the DFE also issued further non statutory guidance "Securing developer contributions for education" aimed at local education authorities – in this case LCC. This document states that "We are working on a detailed methodology for calculating pupil yields from housing development, to be published in due course."

³⁵ The County Council currently uses a 2 mile radius for primary schools and a 3 mile radius for secondary schools

³⁶ <https://www.lancashire.gov.uk/council/planning/planning-obligations-for-developers/>

³⁷ [developers/](#) https://www.lancashire.gov.uk/media/916775/annex_2_education_2020_update.pdf

10.2.6 Whilst it is clear that the required education provision will still be delivered in the absence of developer contributions, the places, at least in the short term may not be at a school within the reasonable distance and could be at a school where spare capacity exists further afield making the development less sustainable in the short-term. However, in the longer term, the County education strategy can re-focus provision where needs exist, and of course for allocated sites, the County Council is aware of these sites and their likely yields and the borough's housing trajectory is updated annually to enable the County Council to plan ahead.

10.2.7 Contextual information regarding Lancashire schools and the policy for expanding schools can be found within the County Council's 'School Place Provision Strategy' and 'Capital Strategy for Schools'. <https://www.lancashire.gov.uk/council/strategies-policies-plans/children-education-and-families/school-place-provision-strategy>

10.2.8 Any requirement for a new school (or school site) should have been identified at the Local Plan stage and no such requirement was identified, but this matter will need to be kept under review over the Plan period.

10.2.9 For all requests, the County Council will need to provide Burnley Council with a calculation and supporting justifying statement. The Borough and County Council have been unable to agree on a revised approach to secondary school provision to that set out in LCC's non-statutory Infrastructure and Planning document. Until such time as agreement is forthcoming, it is anticipated that requests from LCC will be will continue to be based on its own methodology and these requests will be dealt with as set out below:

Primary School Provision

10.2.10 Requests for primary school contributions will be accepted as per the LCC's current education contributions methodology. These will be treated as **priority 2b - necessary and important** but may be subject to viability considerations.

Secondary School Provision

10.2.11 LCCs current methodology in calculating its 'reasonable distances' is more restrictive than that recommended by the Department for Education, particularly at secondary school level. Given the viability challenges for development in Burnley, the closure a Burnley secondary school with significant capacity since the local plan was adopted and the fact that there is spare capacity at another Burnley secondary school, the borough Council intends to take a more flexible approach to the reasonable distance calculations in respect of secondary provision in Burnley.

10.2.12 Where a request for a secondary place contribution is received from LCC, the borough council will do its own assessment using aspects of the LCC methodology i.e. the pupil yield formula, cost per place, but using a revised 'reasonable distance' being the greater of the borough boundary or a 3 mile radius.

10.2.13 Where a contribution is determined to be appropriate, it will be treated as **priority 2b - necessary and important** but may be subject to viability considerations. LCC will be approached to confirm that they are willing to be a signatory to the Section 106 agreement.

10.2.14 If LCC does not provide, or officers are unable to obtain sufficient information to calculate the shortfall or payment, or if LCC refuse to be a signatory to the agreement, then the request for secondary education contributions will not be accepted as having been robustly made.

Spend

10.2.15 Whatever 'reasonable distance' is used by the Borough Council to calculate the projected shortfall, the Agreement will then require the contribution to be used to pay for additional places within the same reasonable distance used - and the contribution must be spent within a specified timeframe.

11. Other Matters

11.1 Drainage and Flood Risk Management

Flood Risk Assessment

11.1.1 The Council's Strategic Flood Risk Assessment (SFRA) 2017 draws on Environment Agency Flood Zone and Surface Water mapping data and data on local sources of flood risk supplied by the Council's Streetscene unit, Lancashire County Council and United Utilities.

11.1.2 The Level 1 SFRA assessed all the plan allocations and their reasonable alternatives against risks from all sources of flooding. A small number of sites that lie partly within Flood Zones 2 and 3 or identified as being at a significant risk of surface water flooding in the Level 1 SFRA were subject to a more detailed Level 2 SFRA. This provides advice as to how flood risk can be mitigated through design, layout and sustainable drainage and informs the overall assessment of the Sequential Test and where necessary, the Exception Test, required by national policy.

11.1.3 Applicants are required to undertake site specific Flood Risk Assessments (FRAs) for: proposals on sites of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3 or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and, where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding. These FRAs should, if necessary, apply the Sequential and Exception Tests. For minor development and for sites allocated in a Local Plan however, applicants do not need to apply the Sequential Test as, in effect, for the latter the Council has done this through its SFRA to support the allocation.

11.1.4 Local Plan Policy CC4: Development and Flood Risk requires that new development does not result in increased flood risk from any source, or other drainage problems, either on the development site or elsewhere; and that where mitigation is required to make any identified impacts acceptable, these will be secured through conditions and/or legal agreement, including where necessary through planning contributions.

11.1.5 Management of 'local' flood risk³⁸ and land drainage is a function of Lancashire County Council (LCC) in its role as Lead Local Flood Authority (LLFA). The LLFA investigates and publishes the results of incidents of significant flooding; it designates assets which have a significant effect on flood risk; it maintains a register of flood risk assets; it provides consent for works on ordinary watercourses and is a statutory consultee in the planning application process.

11.1.6 When consulted on planning applications, LCC will provide an assessment of the proposed development's potential impacts on the drainage network with regard to surface water discharge rates and volume, design standards and the continued safe operation and maintenance of the surface water drainage network - to ensure that flood risk is appropriately managed.

11.1.7 Central government funding for flood risk management comes from various sources, including DEFRA Support Grant, conventional capital settlements and the Local Growth Fund (Growth Deal). Typically, these funding sources do not address the specific impacts of individual new development. Instead, funds are directed at inherited drainage problems resulting from economic progress and previous development activity, or at large scale projects designed to deliver growth.

³⁸ Local flood risk refers to the risk of flooding from surface water, groundwater and flooding from ordinary watercourses

11.1.8 Conditions or developer contributions may therefore be requested by LCC or exceptionally the Environment Agency or United Utilities, to address flooding, drainage or water quality issues. Further information is set out in LCCs non-statutory policy on [Planning and Infrastructure](#) in particular, [Annex 3 Drainage and Flood Risk Management](#).

11.1.9 It is envisaged that any such requirements would be identified on a site-by-site and scheme-specific basis and works critical to the principle of the scheme being granted consent will be categorised as **necessary and critical - priority 1**. Other **necessary and important** contributions where these reflect the more generalised policy requirements of the Local Plan will be prioritised as **priority 2c**.

11.1.10 For schemes where major on or off-site flood defence works are required, requirements would normally have been factored in the Plan making stage e.g. HS1/5 Former Baxi Site, and contributions for schemes reliant on such works may need to be pooled.

11.2 Biodiversity Matters

11.2.1 To meet the requirements of legislation and the Local Plan, in particular Policy NE1, many of the impacts of development on biodiversity can be addressed through scheme design and by conditions attached to a planning permission. Occasionally, contributions to off-site mitigations (e.g. providing land for off-setting or funding enhancement works or the translocation of species) may be required via a Section 106 Agreement.

11.2.2 Works critical to the principle of the scheme being granted consent e.g. to address impacts on protected sites or species will be categorised as **necessary and critical - priority 1**. Other **necessary and important** contributions where these reflect the more generalised policy requirements of the Local Plan will be prioritised as **priority 2c**.

11.3 Heritage Matters

11.3.1 Many of the potential impacts of development on heritage assets can be addressed through scheme design and by conditions attached to a planning permission, for example the need to carry out surveys or excavation and recording.

11.3.2 In circumstances where the objectives of heritage protection may not be satisfactorily controlled by a condition, for example where impacts or public benefits are off-site or involve a particularly sensitive or complex programme of phased works, the Council may require implementation of these measures through a Section 106 Agreement. These could include, but would not be limited to:

- securing the investigation and protection of archaeological remains in advance of development;
- measures for preservation or investigation, recovery and interpretation of archaeological remains and sites.
- recording, removing, storing, displaying and maintaining specifically identified artefacts or remnants from demolition as part of a new development or in another location;
- drawing up of a conservation management plan;
- providing and implementing a restoration scheme for historic buildings and features to a set timescale and an agreed specification;

- reinstating and/or repairing historic features in the public realm (such as streetlights, bollards and surfaces) directly affected by the development and its construction impacts;
- undertaking and completing specified works to a heritage asset at risk prior to the construction or occupation of any 'enabling development' to secure the repair, restoration and maintenance of a heritage asset;
- repairing, restoring or maintaining a heritage asset identified as being at risk ;
- increased public access and improved signage;

11.3.3 Works critical to the principle of the scheme being granted consent e.g. securing the investigation and protection of archaeological remains, securing the public benefits which justify harm or in the case of enabling development works, securing the repair, restoration and maintenance of a heritage asset, will be categorised as **priority 1**. Other **necessary and important** contributions where these reflect the more generalised policy requirements of the Local Plan will be prioritised as **priority 2c**.

11.4 Health Infrastructure

11.4.1 The East Lancashire Clinical Commission Group (CCG) commissions local health services for Burnley, Hyndburn, Pendle, Ribble Valley (excluding Longridge) and Rossendale. CCG's are responsible for commissioning planned hospital care, rehabilitative care, urgent and emergency care, most community health services, and mental health and learning disability services. The CCG do not manage local NHS hospitals, however they commission many of the services they offer.

11.4.2 The East Lancashire CCG is split into five distinct localities, one of which is Burnley, and within Burnley there are two Primary Care Networks; Burnley East and Burnley West which are made up of approximately 30,000-50,000 patients each.

11.4.3 The East Lancashire Hospitals NHS Trust (ELHT) was established in 2003 and provides acute secondary healthcare for the people of East Lancashire and Blackburn with Darwen across five hospital sites and various community sites; including Burnley General Teaching Hospital.

11.4.4 In drawing up the Local Plan, consultation took place with the NHS, ELHT and CCG at all stages. Specific discussions were held with the CCG about the planned level of growth and proposed housing allocations and the likely impacts on the health services the CCG provide and its capacity to accommodate the sites and growth planned. The CCG accepted that the Borough cannot stand still and that the development of better-quality homes would have a positive health impact on residents. In addition, the CCG felt that the development of more attractive aspirational homes might assist in workforce recruitment within the health sector.

11.4.5 At that time, the CCG estimated that the growth proposed in the Local Plan may require an additional four whole-time equivalent GPs, with associated nursing and administrative staff. It was anticipated that this growth could be accommodated within existing practices and would not be required until later in the plan period.

11.4.6 The East Lancashire Hospitals Trust (ELHT) and the East Lancashire Clinic Commissioning Group were understood to both be looking at developing a policy for requesting developer contributions towards the cost of necessary additional health infrastructure, including the expansion of primary care (GP) services. Although the ELHT did comment on a planning application with a request for a contribution towards hospital funding³⁹, this request was not based on a published policy

³⁹ FUL/2020/0028

and was not considered by the Council to be lawful. The ELHT was invited to comment on the SPD and officers offered to discuss a draft ELHT/CCG policy but to date no response has been received. Should a robust and lawful policy be developed by the ELHT or the CCG, any requests would be considered **priority 2 – necessary and important**. Whether these would be priority 2b or 2c would depend on the policy ultimately developed and the availability of alternative funding.

12. Monitoring and Review

12.1.1 A monitoring framework has been established to assess the performance of the policies in the Local Plan to see if they are performing as intended towards delivering the Vision and Objectives set out and to trigger the need for a local plan review, new or updated SPDs, or other interventions. The monitoring framework is reported on in the Council's annual Monitoring Report (AMR). A number of these monitoring indicators are relevant to this SPD e.g. population projections, overall housing delivery, house prices, affordable housing completions by tenure, housing completions by type and the amount of contributions received and spent.

12.1.2 Monitoring may also indicate a need to update the Local Plan evidence base and the Infrastructure Delivery Plan (IDP).

12.1.3 New evidence or changes to national policy may also signal the need for a review of this SPD. For example, as noted in paragraph 5.3.4, the 2017 Local Plan Viability Assessment upon which this SPD draws, was based on then current values and costs and these and in particular the relationship between them, needs to be kept under review - particularly to reflect any significant changes to the building regulations or national affordable housing policy. Paragraph 10.2.8 also notes that the requirement for any new schools needs to be kept under review.

12.1.4 As noted in paragraph 11.4.6, the East Lancashire CCG and ELHT are both looking at developing a policy on developer contributions for health infrastructure and this work may trigger a need for this SPD to be updated.

12.1.5 This SPD does not take account of the proposals for reform of the current system of development contributions set out in the White Paper 'Planning for the Future' or the accompanying consultation document 'Changes to the current planning system' both issued for consultation in August 2020. Should the changes set out in the white paper be implemented then this SPD would need to be comprehensively reviewed or withdrawn.

12.1.6 As set out in Section 6.1, from December 2020 Burnley Council and Lancashire County Council will also have to produce their first annual 'infrastructure funding statements' which will set out in a prescribed form, information on contributions.

Appendices

Appendix A: Key Local Plan Policies

Policy IC4: Infrastructure and Planning Contributions

- 1) Development will be required to provide or contribute towards the provision of the infrastructure needed to support it.
- 2) The Council will seek planning contributions where development creates a requirement for additional or improved services and infrastructure and/or to address the off-site impact of development so as to satisfy other policy requirements. Planning contributions may be sought to fund a single item of infrastructure or to fund part of an infrastructure item or service.
- 3) Where new infrastructure is needed to support development, the infrastructure must be operational no later than the appropriate phase of development for which it is needed.
- 4) Contributions may be sought for the initial provision and/or ongoing running and maintenance costs of services and facilities.
- 5) Contributions will be negotiated on a site-by-site basis and will only be sought where these are:
 - a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 6) Appropriate matters to be funded by planning contributions include, but are not limited to:
 - Affordable housing
 - Public realm improvements and creation, including public art
 - Improvements to Heritage Assets
 - Flood defence and alleviation schemes, including SuDS
 - Biodiversity enhancements
 - Open space, including green infrastructure and allotments
 - Transport improvements, including walking and cycling facilities
 - Police infrastructure
 - Education provision
 - Utilities
 - Waste management
 - Health infrastructure
 - Sport, leisure, recreational, cultural and other social and community facilities
- 7) Where contributions are requested or unilaterally proposed and the viability of development proposals is in question, applicants should provide viability evidence through an 'open book' approach to allow for the proper review of evidence submitted and for reasons of transparency.

Policy HS2: Affordable Housing Provision

- 1) The Council will work with public and private sector partners to seek to ensure that there is a sufficient supply of good quality affordable housing, particularly in the areas of highest need by:
 - a) Supporting and facilitating the acquisition and adaptation of existing housing by registered providers;
 - b) Working proactively with registered providers to identify sites and deliver schemes to provide affordable housing; and
 - c) Requiring the provision of affordable housing through all housing developments of over 10 units, unless the applicant can demonstrate that a site, which would otherwise be supported by the policies in the Plan and meets the requirements of Policies SP4 and SP5, would not be viable with affordable housing provision on-site or off-site by way of a contribution.
- 2) The exact amount of financial contribution/number and tenure of affordable units will be determined by economic viability having regard to individual site and market conditions.
- 3) Any affordable housing required should be provided:
 - i) on-site where this can be achieved without compromising other important policy considerations⁴² or viability; or
 - ii) off-site where on-site provision has been satisfactorily demonstrated not to be justified under i) and where it can be demonstrated that the contribution would facilitate the delivery of affordable housing of an appropriate type at a suitable policy-compliant site.
- 4) All new affordable housing should be designed to minimise indications of its tenure in order to facilitate inclusive communities.
- 5) Where affordable housing is being delivered, the Council will seek to ensure an appropriate tenure mix using the following percentages as a guide (and sizes and types as set out in Policy HS3).
 - Affordable Rent or Social Rent: 80%
 - Intermediate tenure: 20%

Appendix B: NPPF Definition of Affordable Housing

NPPF 2019:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Appendix C: References

Legislation

Available at: <http://legislation.gov.uk>

National Planning Policy

National Planning Policy Framework:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

Infrastructure

The Burnley Infrastructure Delivery Plan (IDP):

<https://www.burnley.gov.uk/residents/planning/planning-policy/burnleys-local-plan/burnleys-infrastructure-delivery-plan>

Lancashire County Council non-statutory policy on planning obligations:

<https://www.lancashire.gov.uk/council/planning/planning-obligations-for-developers/>

Lancashire County Council Infrastructure and Planning – including

Annex 1: Highways

Annex 2: Education

Annex 3: Drainage and Flood Risk Management

<https://www.lancashire.gov.uk/media/909459/combined-document.pdf>

Viability

Burnley's Local Plan Viability Assessment 2017:

<https://www.burnley.gov.uk/residents/planning/planning-policy/burnleys-local-plan/evidence-base/local-plan-viability-assessment>

Green Spaces, Sport and other Community Facilities

Burnley's Green Space Strategy 2015 – 2025 and Appendices:

<https://www.burnley.gov.uk/sites/default/files/Green%20Spaces%20Strategy%20%202015%20-%202025.pdf>

<https://www.burnley.gov.uk/sites/default/files/Appendices%20for%20GSS%20Exec%20Report%2015.09.14.pdf>

Burnley Play Area Strategy 2017 – 2026:

<https://www.burnley.gov.uk/sites/default/files/Burnley%27s%20Play%20Provision%20Strategy%20%202017%20-%202026.pdf>

Rossendale, Pendle and Burnley Playing Pitch Strategy 2016 – 2026:

<https://www.burnley.gov.uk/sites/default/files/Rossendale%20Burnley%20Pendle%20Playing%20Pitch%20Strategy%202016%20-%202026%28published%29.pdf>

Burnley Green Infrastructure Strategy:

<https://www.burnley.gov.uk/residents/planning/planning-policy/burnleys-local-plan/evidence-base/burnley-green-infrastructure-strategy>

Indoor Sports Facility Review (2015) Burnley Borough Council:

<http://www.burnley.gov.uk/residents/planning/planning-policy/burnleys-emerging-local-plan/evidence-base/sports-studies>

Playing Fields Policy and Guidance (2018) Sport England

<https://www.sportengland.org/media/12940/final-playing-fields-policy-and-guidance-document.pdf>

Transport

Lancashire County Council Local Transport Plan 2011 – 2021

https://www.lancashire.gov.uk/media/191267/LTP3_through_full_council.pdf

East Lancashire Highways and Transport Masterplan (2014) Lancashire County Council and Blackburn with Darwen Borough Council:

<http://www.lancashire.gov.uk/council/strategies-policies-plans/roads-parking-and-travel/highways-and-transport-masterplans/east-lancashire-highways-and-transport-masterplan>

Burnley Highways Impact Assessment Jacobs for Lancashire County Council and Burnley Borough Council March 2017

www.burnley.gov.uk/residents/planning/planning-policies/burnleys-emerging-local-plan/evidence-base/transport-studies

Flood Risk

Strategic Flood Risk Assessment

<https://www.burnley.gov.uk/residents/planning/planning-policy/burnleys-local-plan/evidence-base/strategic-flood-risk-assessment>



Developer Contributions Supplementary Planning Document (SPD): Comments received and recommended responses

Appendix B to the Executive Report - 8 December 2020

Please note: The comments received and the recommended responses do not take account of the proposed changes set out in the government's consultation document 'Changes to the Current Planning System' or the White Paper 'Planning for the Future - August 2020'

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Ref:	Consultee	Comments	Recommended Response
1	Highways England	<p>Having considered the draft, we would comment that whilst Section 278 of the Highways Act 1980 is referred to as a funding / approval mechanism for developer-funded highway improvements clarification is needed within the SPD that for works involving the strategic road network (SRN), Section 278 is the only approval mechanism available to cover developer-funded works on the SRN – Section 106 and CIL are not legally recognised to covering works to the SRN. This means that in cases where works to the SRN are necessary, a developer would need to enter into a separate Section 278 agreement with Highways England and provide the funding required to us. We feel it may be useful to make this distinction within section 4.3 of the SPD.</p> <p>For further details on our approach to section 278 agreements and developer funded works, we'd recommend that the SPD references or links to the Highways England policy advice document 'The Strategic Road Network: Planning for the Future - A guide to working with Highways England on planning matters', which is publicly available online here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf</p> <p>This provides further details and contains useful information for developers preparing planning proposals and associated third party works.</p>	Noted. Section 4.3 and Section 9 have been amended to make this clear and the suggested link added.
2	Environment Agency	<p>Thank you for consulting with us on the above SPD, we have reviewed the document and can comment as follows:-</p> <p>In relation to our remit we support the following sections of the SPD:</p> <ul style="list-style-type: none"> - 1.1.6 Flood Defence and Alleviation Schemes inc SUDs - 11.1 Drainage and Flood Risk Management - Policy IC4 Infrastructure and Planning Contributions 	Support noted.
5	Sarah Williams	<p>Thank you for sending links to the draft SPD. My hope is that it safeguards & develops green spaces & greenways through the urban areas offering safe</p>	Whilst the comment does not address the specific content of the SPD, it is generally supportive of the policy approach of

Ref:	Consultee	Comments	Recommended Response
		usable routes for cyclists, pedestrians & horses. That cycleways are not token gestures that stop abruptly, are permanently full of parked cars or (unreasonably) expect the cyclist to dismount & become a pedestrian. That thought is given to these green routes connecting and that a cyclist on a green route has, wherever possible, a separate space from pedestrians. I hope too, that any new developments are required to work to very high standards of sustainability & energy efficiencies. I would also hope that there is a plan to plant another million trees, without waiting for the next millennium, & enrich the towns biodiversity. Perhaps the draft covered my 'Wishlist'? There is lots happening to the town and it has improved tremendously, thank you for all your efforts to make Burnley a lovely place to be. Keep up the good work :).	the Local Plan and SPD with regard to the provision of GI and other infrastructure, whilst allowing sufficient viability to enable a scheme to be of high quality.
6	Mrs Janet Richardson	Having received the above document, and, as to the best of my ability to make sense of "jargon" I feel that again, to the best of my ability and untrained eye, the proposed plans for the town, providing all and every safeguard regarding; flood alleviation, education, health, public spaces, play areas, and road infrastructure etc. are strictly monitored and implemented as set out in the document, with no favour, to any particular developer, or scheme, then it is my hope that, with particular regard to affordable housing, that the plans for the town are carried out with care and consideration.	Comments noted – no changes requested.
7	Mrs Carole Hales	Thank you for the Email, but it seems to me that even after spending a lot of time trying to understand it, I cannot. The layout is so convoluted and complex it is very difficult to make any sense of it. Is this a purposeful attempt to confuse the people who are trying to reply? and are interested in the towns wellbeing. Is there a simplified version of this that the normal people on the street could possibly understand.	Officers responded to the comment acknowledging that this particular SPD is a rather technical document, but inviting the respondent to ring them if she had any particular questions.
9	Burnley Wildlife Conservation Forum	I have studied this draft S.P.D on the council's website & especially in respect of wildlife habitats the contents of 3.4 Burnley Green Spaces strategy (page 10), 8.1 green infrastructure & 8.2 Open spaces for housing development (page 36) & 11.2 Biodiversity matters (page 44) Whilst there are no specific comments to make formally on behalf of B.W.C.F regarding this S.P.D, its contents have been noted & will be taken with consideration, alongside the Local Plan, with regard to planning applications, whenever appropriate, in respect of any losses of wildlife habitat features.	Comments noted.
10 a	CPRE	I am writing to you on behalf of CPRE Lancashire concerning the consultation for the Developer Contributions Supplementary Planning Document.	The role of CPRE and quotes from national policy noted.

Ref:	Consultee	Comments	Recommended Response
		<p>We welcome that the Council is progressing this SPD in light of changes to local authority funding. In future it is more vital than ever that developer contributions are appropriate and adequate for the quantum of development outlined in applications, as there is no alternative means of providing needed infrastructure. It should be the case moving forward that Burnley's planning decisions lead to a good standard of infrastructure and avoid deficits or gaps of any kind. Infrastructure deficits lead to community facilities becoming under strain, and operating at over-capacity, and this seriously erodes the quality of life of local communities.</p> <p>We are aware of recent planning application decisions that have frustrated local people when developers have negotiated the level of contribution to below a standard acceptable when considering local plan policies. Viability assessments have wrongly capped developer contributions, when developers have been able to afford more. This seems to be an odd situation. It may be the viability assessments need to be updated to better reflect today's land values. We hope the new SPD will make sure developers contribute properly to developments they bring forward.</p> <p>CPRE Lancashire The Campaign to Protect Rural England Lancashire (CPRE Lancashire) was established almost 90 years ago, and since then it has sought to ensure for a beautiful and thriving countryside that enriches all our lives.</p> <p>The Countryside sustains us in every way. Its beautiful landscapes provide the food we eat and a haven for the nature and wildlife we love. It is where many of us feel most alive. But it is under threat – from pollution, litter, irresponsible development and a host of other pressures. The countryside doesn't stand still. It is always adapting and evolving. If it is going to thrive, it needs our help now. Change in our countryside is necessary, but for it to be positive it must meet the needs of both rural and urban communities. We want a thriving countryside for everyone to enjoy – today and for generations to come. We're CPRE, and we stand up for positive progress.</p> <p>National Planning policy and Developer Contributions The Government sets out in the National Planning Policy Framework (NPPF) that Councils should ensure all new development is sustainable in the long term by guaranteeing an adequate level of developer contribution. This relies on the</p>	<p>Comments on the SPDs approach to viability are responded to below.</p>

Ref:	Consultee	Comments	Recommended Response
		<p>Council setting out the minimum requirements for infrastructure and planning contributions expected from developers when applications are submitted. The NPPF states:</p> <p>Paragraph 34. Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.</p> <p>Paragraph 57. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.</p> <p>Paragraph 62. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required (Applying the definition in Annex 2 to this Framework), and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.</p>	
10 b	CPRE	<p>Note that off-site provision is not the normal position. The normal position is on-site. This point needs to be highlighted and reiterated in the SPD.</p>	<p>The Local Plan has already been adopted following examination, and its policies, including the overall approach to affordable housing provision, were found to be consistent with national policy. The SPD is written to support these policies and explain in more detail how they will be applied. An SPD cannot introduce new policy or supporting guidance that is not consistent with the Local Plan.</p>
10 c	CPRE	<p>Unfortunately, the NPPF is focused on developer viability and all too easily allows developers to negotiate down or avoid contributions on the basis of viability and profit being lower than 25-20%. It is therefore very important that</p>	<p>Comments on viability:</p> <p>The legal case referred to does not say that viability</p>

Ref:	Consultee	Comments	Recommended Response
		<p>local plan policies clarify the position and tighten up the wording on what is expected as a minimum contribution.</p> <p>Developers are required to deliver housing types and tenures specified in Local Development Plans. The legal judgment in case of [2018] EWHC 991 (Admin) established that land value must be informed by policy, and consequently, it is not acceptable for the Council to grant permission for an application that is deficient in developer contribution. Therefore the policy must be right. If not, it would be contrary to the principle of plan-led sustainable development, and it would set a worrying precedent for Burnley's communities.</p> <p>Local Plan Policy IC4 for Infrastructure and Planning Contributions</p> <p>The Council has the following local plan policy concerning contributions:</p> <p>Policy IC4- Infrastructure and Planning Contributions – point 5) Contributions will be negotiated on a site-by-site basis and will only be sought where these are: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.</p>	<p>considerations cannot or should not be taken into account at the application stage. What it indicates is that developers buying sites should agree a price based on the knowledge of the planning requirements as set out in the Local Plan and where applicable, national policy; and cannot use any overpayment as a reason for paying less contributions or failing to meet planning requirements. Providing the price paid for the land is appropriate, developers can still ask the Council to take viability consideration into account for matters that are not 'necessary and critical' (as set out in the SPD) or could not have been foreseen at the time of the application or allocation. The SPD in setting the proposed ceilings has already assumed an appropriate land price which formed part of the already tested Plan Viability Assessment. If a developer wishes to argue for lower contribution based on higher price paid then such a request is likely to be refused. It is of course sometimes the case that land has been purchased under a previous policy regime and ultimately each application has to be considered on its merits.</p> <p>It is not entirely clear what CPRE suggesting. Either contributions need be standardised in some way, or they need to be bespoke, application by application. National policy and planning precedence on affordable housing contributions and mechanisms such as CIL, all adopt/encourage a formulaic approach which will by its very nature not capture every last penny of potential contributions or allow identical levels of developer profit. The alternative to having a formulaic approach such as that proposed in the SPD would be to assess viability through a bespoke assessment submitted with each application and have no set formulas or amounts.</p> <p>The approach taken in the SPD is considered to be the most appropriate one for Burnley and is consistent with higher-level policy in the Local Plan and with national policy. The precise way the formulas should be set is of course matter for debate. The SPD and the policies it supports do offer flexibility to vary the formulas where clearly justified.</p>

Ref:	Consultee	Comments	Recommended Response
			<p>It is not clear whether CPRE objects to the proposed contributions ceilings per se or just the amounts set. The local plan viability assessment which underpins the affordable housing percentages and contribution ceilings could be updated if this is what CPRE are suggesting, but this would delay the SPD production by up to a year. They may not ultimately change in any significant way. The assumptions used in the local plan viability assessment included 20% developer profit and with the proposed index-linking, the ceilings are still considered sufficiently robust to progress the SPD to adoption; but clearly it needs to be kept under review. CPRE do not state which assumptions they consider to be wrong? In the planning application case believed to be that referred to, the developer has been able to agree to offer amounts requested by infrastructure providers in excess of the ceiling, in part by varying the standard assumptions on affordable housing mix - as indeed the SPD allows.</p> <p>The Local Plan Viability Assessment followed the recommended approach set out in national policy and was tested as part of the plan-making process.</p> <p>At this point in time there are not considered to be any change in circumstances since the plan was brought into force that requires a different approach. There may be changes to the building regulations in 2020 to require higher energy efficiency measures and legislative changes to mandate biodiversity net gain for certain developments and these additional costs may be able to be built into the formulas. If they cannot, a new Viability Assessment may be required. Any such increases in development costs, unless matched by a proportionate greater increase in house prices, would clearly reduce the amounts available for other non-critical infrastructure.</p>
10 d	CPRE	<p>Developer Contributions SPD</p> <p>CPRE Lancashire is pleased that Paragraph 5.1.3 Conditions will normally relate to affordable housing or other infrastructure provision by the developer on-site.</p>	<p>Specific Comments on SPD:</p> <p>Para 5.1.3. It is not clear why CPRE consider that off-site housing via sums can be challenging? The categories in Table 1</p>

Ref:	Consultee	Comments	Recommended Response
		We understand that due to land availability providing off-site housing via sums can be challenging. Therefore we are a little concerned that Table 1: Prioritisation Categories only has one priority category that requires on-site provision.	all relate to on and off-site matters?
10 e	CPRE	In Paragraph 5.3.11 we recommend a more ambitious target for the contribution ceiling for its residential base appraisals at £750 contribution for each housing unit to include limited contributions for education and other infrastructure. As previously said the way Government funds local planning authorities is changing and the Council must make sure it covers costs associated with education arising from a new development. The Council will not be able to fund education from alternative sources of income.	Para 5.3.11. The £500 is the sum used in the residential base appraisals of the previously tested local plan viability assessment, but it does not affect the proposed ceilings. National policy does not state that developers must fund in full education contributions regardless of viability considerations. Alternative funding is available (See response to LCC/DfE comments).
10 f	CPRE	In Table 2: Indicative Contribution Ceilings and Affordable Housing %, we would expect to see the contributions for greenfield development in all locations to be higher than that of brownfield development, as to actively encourage a brownfield first approach and to comply with NPPF's 'Making effective use of land' as set out in NPPF Section 11. Burnley Council should do everything within its gift to prioritise vacant and underutilised brownfield land to be reused in advance of loss of greenfields. Making brownfield land more viable is a good start.	Table 2: The contribution ceilings are higher for comparable greenfield sites. The Local Plan and SPD, in allowing viability to be taken into account and adopting a flexible approach, is indeed allowing allocated and windfall brownfield sites to come forward.
10 g	CPRE	The Notice under Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 now ensures contributions are to be discussed with applicants before a decision is made. For pre-commencement type conditions, legislation now requires formal notification to applicants. 5.4.1 captures this new requirement.	Para 5.4.1. Noted.
10 h	CPRE	The Council will be required to monitor development contributions and it must make sure the SPD is workable in this regard. In Paragraph 6.3.3 we suggest the timescale be increased to 10 years as five years in development terms is not that long, and there can be genuine reasons why spending the money may take time. Resources of Councils have been reduced in recent years and it means the capacity of the Council will be limited. Thereafter, money that is not spent can be reimbursed to the developer. We do not agree the Council should be obliged to pay any interest accrued; it is not a bank.	Para 6.3.3. As the SPD states, the claw-back period for any unspent monies will be negotiated as part of the agreement e.g. to reflect the size and likely build-out rate of the development in question and the point at which the infrastructure is required, and may be longer than 5 years. If the infrastructure has been determined to be necessary to make the scheme acceptable, sufficient time must be allowed for it to be provided and it should of course actually be provided to support the development in question (which will need to start within 3 years (or less). Text has been added in response to points made by others to indicate that the time-period may also be shorter than 5 years where justified. Case

Ref:	Consultee	Comments	Recommended Response
			law has established that developers are entitled to a refund of unspent monies with interest whether or not the agreement actually states so. As funds should normally only paid by a developer at the point when they are required or likely to be spent, then paying back unspent monies should be a rare occurrence.
10 i	CPRE	<p>Affordable Housing</p> <p>We disagree with the Government’s definition of affordable housing, which has become completely meaningless. Inflated land prices, a rise in private house prices and a failure to build enough social rented homes have driven rental prices to a point where 80% of market rate is out of reach for so many people.’</p> <p>Instead, we’re calling on the government to change this definition and set affordable rent levels according to people’s net income, rather than market rates. Using the lower of these two indicators will help to even out the huge discrepancy in ‘affordable’ rent prices in different parts of the country while providing a boost to families in need of homes they can genuinely afford.</p> <p>Also, CPRE analysis of new government data on homelessness has revealed a worrying trend: the number of households classified as homeless in rural towns and villages across England has increased by 85% over the past year. Nationally, homelessness has seen a significant increase over the past year, rising by 45%. However, rural communities have experienced a surge in homelessness almost double the national increase, rising from 9,312 to 17,212 over that year. https://www.cpre.org.uk/news/new-cpre-research-shines-a-spotlight-on-the-rural-housing-crisis/.</p>	It is agreed that the current national policy definition of affordable housing is too wide and concerns in this regard were raised in the Council’s response to the 2018 NPPF consultation. Further changes in this area of national policy are proposed. Planning applications have to be determined in accordance with the development plan; but material considerations such as new national policy do have to be considered and weighed.
10 j	CPRE	<p>Summary</p> <p>In summary, CPRE Lancashire is pleased to see Burnley Council is progressing an up to date Developer Contributions SPD to ensure developments provide adequate infrastructure commensurate with the scale of a development. It is only by providing suitable and sufficient infrastructure that developments can be truly sustainable in the long term. Affordable housing, that is exactly what is needed in rural communities, and we hope the Council will keep this at the forefront of its mind when adopting this SPD.</p>	Overall support for a developer contributions SPD is noted.
11	Canal & River	Thank you for your consultation upon the draft Developer Contributions SPD.	What was para 8.2.12 has been moved to 8.1.3 and expanded

Ref:	Consultee	Comments	Recommended Response
	Trust	<p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.</p> <p>Our waterways are multi-functional assets providing multiple economic, social and environmental benefits. In addition to being a form of green and blue infrastructure, important for leisure, recreation and tourism uses, they can provide local and strategic sustainable transport routes.</p> <p>Having viewed the draft document, we wish to make representations with regards to part 8.1: Green Infrastructure.</p> <p>Development in the vicinity of the canal can have a significant impact on our infrastructure, for example as a result of increased use of the waterway and towpath by pedestrians and cyclists, and it is essential that this impact is mitigated into the future. Negative impacts from the erosion of our towpaths would, for example, need to be mitigated via contributions towards their improvement to accommodate additional usage brought by development.</p> <p>We generally welcome the general text of section 8.1, which recognises the need for improvements to meet deficiencies to Green Infrastructure. However, we do have concerns that the wording of section 8.1 could result in a situation where necessary improvements to mitigate against the impact of development on Green Infrastructure (which could be funded through direct contributions such as s106) are not sought if improvements to the Green Infrastructure network are undertaken elsewhere.</p> <p>We therefore advise that an additional paragraph is inserted in this section to make it clear that direct contributions will be sought where improvements are required to assets in proximity to the development in order to meet the needs of that development and to mitigate against any harm that could be caused to that asset from the demands of the new development.</p>	to clarify this point.

Ref:	Consultee	Comments	Recommended Response
		<p>This would make it clear to decision makers that the content of section 8.1 does not override the requirements of section 5.1 with regards to the provision of contributions required to mitigate against the impacts of development.</p> <p>I hope the above is of use. Please do not hesitate to contact me with any queries you may have.</p>	
12	Cliviger Parish Council	<p>Cliviger Parish Council wishes to endorse the attached document prepared by the Campaign for the Protection of Rural England. We agree with everything included in it.</p> <p>We would also like to add the following observation:</p> <p>"We are concerned over the developer's ability to mount a viability challenge to the amount of any previously agreed payment if the amount of same later placed the viability of the development at risk through some previously unforeseen circumstance or event. It would be an open invitation to any developer to see if such a challenge could be seen to be remotely successful."</p>	<p>See response to CPRE comments.</p> <p>The SPD sets out in Section 5.5 the legislation and national policy in relation to developers seeking to renegotiate contributions. There are limitations on the ability to renegotiate agreements in relation to existing planning permissions – and any variation would need to be justified; but a developer is free at any time to submit a new planning application and ask for all matters to be reconsidered – the failure to provide adequate contributions could be a reason for refusal.</p>
13	Habergham Eaves Parish Council	<p>Habergham Eaves Parish Council wishes to endorse the attached document prepared by the Campaign for the Protection of Rural England. We agree with everything included in it.</p> <p>We would also like to add the following observation:</p> <p>"The parish council feels it is only fair that any contributions made by a developer are for the benefit of the community affected by the development and not put in a pot to spread around the borough. We feel this would go some way to easing the pain of often unwanted developments and will allow a community to grow together, not just be developed without any thought to the existing community."</p>	<p>See response to CPRE comments.</p> <p>Section 106 contributions need to be justified in terms of addressing the impact of the specific development in question and spent on appropriate and specific infrastructure as set out in the legal agreement. Unlike CIL, S106 contributions do not go into a `pot` to be spent on wider infrastructure across the borough.</p>
14	Mrs Rebecca Hay	<p>I wish to endorse the attached document prepared by the Campaign for the Protection of Rural England. I agree with everything included in it.</p> <p>I would also like to add the following observation:</p> <p>It would be good to see the council be more forward thinking re renewable energy. In Scotland, it is policy for councils that developers have to provide adequate solar panels on all new homes and developers comply with this.</p>	<p>See response to CPRE comments.</p> <p>The comment regarding renewable energy is not directly relevant to the content of the SPD but rather the Local Plan and building regulations. The SPD is written to support the policies of the Local Plan and how they will be applied. It cannot introduce new policy or an interpretation thereof that is not consistent with the Local Plan.</p>

Ref:	Consultee	Comments	Recommended Response
		<p>In my opinion, the current contributions policy allows developers to provide as little as they can and the council just gives away sites without a thought for the existing community or infrastructure. The Red Lees Road site at Cliviger is a classic example. If the public had not protested, the council would have allowed a special area of landscape to go cheaply. In the end the extra concessions were not much and were down, I understand to the developer self imposing extra contributions, so the site was lucky to get more. But the point is, this was not down to the planners, who appear to have done little, until pressurised, to get the best deal for the site and the existing community. By doing this, the council creates apathy and mistrust in the existing community and this can not be healthy for our town.</p>	<p>This suggestion that the Council gives no thought for the existing community or infrastructure is not accepted. All relevant benefits, impacts and requests for contributions are carefully considered. At the site referred to, the developer has agreed to a contribution of £980,832.54 for education plus £396,355 for affordable housing – the highest contribution sum ever seen in the borough and this sum is in excess of the ceiling set out in the SPD. An increased sum was achieved in part by varying the standard assumptions on affordable housing mix - as indeed the SPD allows. A balance needs to be struck, e.g. as CPRE points out in its response, replacing social rented housing with discounted houses for sale (which are not affordable or attainable for some) allows increased amounts to be available for other contributions e.g. for education.</p> <p>Contributions are to be used to mitigate the specific impacts of development, not to solve existing problems or create a benefit for existing residents (though they may) and cannot be lawfully used to make good a deficit in public sector funding provided through general taxation. Developers may offer further mitigation than the Local Plan requires, but all contributions, whether required or offered unilaterally, must satisfy the statutory (Regulation 122) tests to avoid a situation where planning permission can be `bought`.</p> <p>The response to the CPRE comments set out the reasons for and limitations of adopting a formulaic approach to contributions rather than applicants doing individual site by site viability assessments. It has to be remembered that the requests themselves are formulaic. The main aim of the SPD is to provide greater transparency in how contributions are sought and spent to ensure robust decision making. Indeed, officers would assert that the very existence of the draft SPD and proposed ceilings has already better informed responses and discussions with regard to these matters at the planning application stage.</p>
15	Ribble Valley	Thank you for consulting Rubble Valley Borough Council on the 'Developer	Noted.

Ref:	Consultee	Comments	Recommended Response
	Borough Council	Contributions Supplementary Planning Document (SPD)'. I have considered the document at an officer level and can confirm that the Authority has no observations or comments to make.	
16 a	Department for Education	<p>1. The Department for Education (DfE) welcomes the opportunity to contribute to the development of planning policy at the local level.</p> <p>2. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and DfE is the delivery body for many of these, rather than local education authorities. However, local education authorities still retain the statutory responsibility to ensure sufficient school places, including those at sixth form, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. We have published guidance on education provision in garden communities and securing developer contributions for education, at https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth. You will also be aware of the corresponding additions to Planning Practice Guidance on planning obligations and viability.</p> <p>3. We would like to offer the following comments in response to the proposals outlined in the above consultation document.</p>	Introductory comments noted.
16 b	Department for Education	<p>Education provision</p> <p>4. We note that paragraph 10.2.1 highlights that the County Council is responsible for calculating the number of additional school places required. We would recommend that when education needs from very large developments are assessed and there are plans to utilise capacity in existing schools, instead of, or in addition to a new onsite school that you only consider the capacity of primary schools within the statutory walking distance. This ensures large developments are environmentally sustainable and promotes active and healthy lifestyles. The DfE guidance on securing developer contributions for education provides further advice on delivering schools in strategic developments and new settlements.</p>	<p>4. The approach suggested by DfE is less restrictive than that currently used by LCC (and BBC) in determining capacity and the requirement for any contributions. LCC use a 2 mile radius for primary schools and 3 for secondary schools and applies these to all developments of 10 units or more, whereas the statutory walking distance is 3 miles for children 8 and over (measured along a walking route). The DfE response only recommends the use of these statutory walking distances for primary provision (they do not comment on secondary provision) and also suggest that that these should only come into play for very large/large developments. Adopting the DfE approach would a wider catchment than LCC use and not necessarily one based on the statutory walking distance. This would significantly alter the amounts currently being sought towards secondary school places at some sites in the borough</p>

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			and greater flexibility would better reflect the capacity issues raised as a result of the decisions by DfE to open a free school and by LCC to close Hameldon Community College. There are no `very large` developments proposed in the Local Plan that could or should deliver an on-site schools (See also response to LCC comments).
16 c	Department for Education	<p>5. The approach set out within paragraphs 10.2.2 and 10.2.3 does not follow the recommended method for calculating the cost of providing new primary and secondary school places, as it is not based on the DfE's most recent school place scorecards. The latest scorecards published by the DfE are available on the DfE website, and can be accessed here. The table below provides the per pupil cost of provision based on the DfE's most recent scorecard, adjusting the national averages to reflect the position in the north west (and before adjusting for inflation).</p> <p>Type of provision: Primary - Secondary Permanent expansion £15,226 - £20,861 Temporary expansion: £7,228, - £8,155 New school: £17,922 - £21,983</p> <p>An assessment of costs based on the most recent scorecard available will help to provide the development industry with greater clarity over the cost of providing new school places. In addition, we recommend the use of index linking when developer contributions are discussed at planning application stage and in planning obligations, so that contributions are adjusted for inflation at the point they are negotiated and when payment is due. In addition, it would be helpful if these paragraphs could highlight the additional costs linked to providing special schools. We also recommend that developer contributions for special or alternative school places are set at four times the cost of mainstream places, consistent with the space standards in Building Bulletin 104. We understand that further guidance will also be provided by Lancashire County Council in the near future, in relation to this matter. The new methodology for calculating the per pupil cost of provision currently being developed by Lancashire County Council should also reflect the latest DfE guidance.</p>	<p>5. The approach set out at para 10.2.2 and 10.2.3 reflected LCC's approach and DfE highlighted a difference in how the amounts are calculated. LCC has been made aware of this comment and has now updated its or methodology (see 24 I)</p> <p>LCC suggested in its response that the specific figures be removed from the SPD and a link to LCCs document added instead. This seems to be the best approach and the SPD has been amended accordingly.</p> <p>The SPD already indicates that agreed sums will be appropriately index-linked and precisely how this is done in any given case will be set out in the Agreement.</p>
16 d	Department for Education	6. Paragraph 10.2.11 highlights that '...it is not clear at the time of drafting this SPD how the reductions in Central Government funding to take account of developer contributions will work in practice.' Paragraph 10.2.11 could be rephrased for clarity, to make it clear that in the first instance, where new	6. Section 10.2 has now been updated and amended, and addresses the points raised – although DfE's suggested wording does not address viability impacts. (See response to LCC comments).

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		<p>development generates the need for school places, that developer contributions are expected to meet the relevant need, through the provision of land and/or funding for land and construction. The County Council reports to DfE the number of school places funded by developer contributions and DfE Basic Need funding allocations are adjusted to take this into account.</p>	
16 e	Department for Education	<p>7. Paragraph 10.2.8 states that 'Local Plan Viability Assessment did not factor in large-scale pooled contributions towards education, partly in view of the limitations imposed by the pooling restrictions in place at the time, and as this position will fluctuate across the plan period.'. Viability assessments should always take account of education along with other forms of infrastructure, in accordance with Planning Practice Guidance on viability, so that informed decisions can be made about infrastructure funding priorities, deliverability of sites being considered for allocation, and the extent of developer contributions that can be supported and required. Burnley should provide an estimate of the expected need arising from housing and population growth over the plan period, assuming that no existing schools close. The five-yearly review of plans will provide a mechanism for providing updates on the changing levels of demand across the local authority area.</p>	<p>7. Burnley's Local Plan and its approach to viability, as informed by the Plan Viability Assessment, was adopted following independent examination by a government appointed Inspector and was found to be consistent with national policy as it existed at the time. Whilst further national guidance has now been issued in relation to education contributions and makes clear that these can be justified, and whilst pooling restrictions have been lifted, there has been no fundamental change in the national policy approach to viability which can still be taken into account. Burnley's Local Plan is a comprehensive one and was accompanied not only by a Plan Viability Assessment but an IPD and it included a detailed housing trajectory which is updated annually. The trajectory sets out how each site is expected to come forward. This comprehensive information allows the very decisions about infrastructure funding priorities that DfE are suggesting, to be made. The point about that assuming there are no school closures is an interesting one as one such school has closed since the Plan was adopted, despite there being a projected shortfall in secondary school places to accommodate the growth set out in the local plan and number of its specific sites.</p> <p>Burnley's planning framework is regularly reviewed to see if any updating is necessary (rather than waiting for the new style 5-yearly statutory 'review' i.e. a formal statement of whether an update is required). The IDP is also currently being updated in liaison with LCC and other key infrastructure providers. Burnley is more fortunate than most in having an up-to-date comprehensive adopted Local Plan and a 5-year land supply for housing, which gives the greatest clarity possible to education providers. In some areas where there is neither an up-to-date plan date or 5-year supply, major</p>

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			housing developments are being granted on a windfall/unplanned basis. (See also response to LCC's comments). There seems to be a lack of understanding of the viability constraints in areas like Burnley, even on greenfield urban fringe sites, and the need nevertheless to deliver the housing development required by the Plan in quantitative and qualitative terms.
16 f	Department for Education	<p>Developer contributions</p> <p>8. Considering the proposed development levels, the Council and developers may be interested in DfE loans to forward fund schools as part of large residential developments. Please see the Developer Loans for Schools prospectus for more information.1 Any offer of forward funding would seek to maximise developer contributions to education infrastructure provision while supporting delivery of schools where and when they are needed.</p>	<p>8. LCC did not identify the need for any new schools within any of the Local Plan's allocated sites. This would have had needed to be included in the allocation and would have necessitated a much larger site area. Given the recent closure of a secondary school and the continued availability of its modern buildings, it is presumed the construction of a new secondary school is neither necessary, nor could it be justified. The IDP that supported the Plan at the time of examination did indicate the possibility of requiring a new primary school, but LCC's preferred approach in the borough to date has been, where necessary, to expand existing schools. Contributions could be used towards a new school if necessary and preferred, but an appropriate site would need to be found.</p>
16 g	Department for Education	<p>Conclusion</p> <p>9. Finally, I hope the above comments are helpful in shaping the Burnley Developer Contributions SPD, with specific regard to the provision of land and funding for schools. Please advise DfE of any proposed changes to the emerging policies and/or evidence base arising from these comments.</p> <p>10. Please do not hesitate to contact me if you have any queries regarding this response. DfE looks forward to working with Burnley Council to aid in the preparation of sound policies for education.</p>	<p>9. No major changes to the approach set out in the draft SPD are proposed. The matters raised by the DfE response will be raised with LCC.</p>
17	Historic England	<p>Thank you for consulting Historic England on the above document. At this stage we have no comments to make on its content.</p>	<p>Noted.</p>
18	Burnley Civic Trust	<p>Burnley Civic Trust fully endorses the attached report prepared by The Campaign for the Protection of Rural England.</p>	<p>See response to CPRE comments.</p>
19	Mrs Ruth Ferguson	<p>Comments on document</p> <p>1. As an overview I believe new houses should only be built when there is an</p>	<p>1. Comment not relevant to SPD content.</p> <p>2. Whilst this comment is more of a comment on the Local</p>

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		<p>absolute need....need should be based on population trajectories of the area.</p> <p>2. It is imperative that brownfield sites are utilised by the planners and developers first...to encourage regeneration of our communities and ensure Burnley is an attractive place to live, and for our population to be proud. Derelict housing is never an attractive proposition, and it does not encourage the positive representation of our area. There are many brownfield areas in Burnley which can be developed, to upgrade the town and to not spoil our surrounding greenfield.</p> <p>3. Developers should be challenged on innovation with regard to provide more environmentally friendly housing which should be as self-sufficient as possible in terms of use of utilities - use sustainable materials and methods, solar roofing on all homes, insulation from recycled materials, fixtures and appliances that conserve water, use onsite water management including using a rain water in place of simply piping water off property and as a natural way of filtering runoff in your yard, energy star windows etc.... Nordic countries are very good at this. Developers should be awarded contracts on more bias towards this as opposed to the cheapest possible price.</p> <p>4. More social care housing is needed in particular to accommodate of our elderly ...totally inadequate at present.</p> <p>I appreciate that developers are asked to support education etc. through contributions. Although this is positive I believe it is too easy an option for developers to make a token financial gesture for these things. Money for education etc should be funded through other mechanisms. We should make sure developers use the equivalent of that 'financial contribution' in the construction of their houses - both materials and methods. This is their area of expertise and we should insist they do it. It ultimately helps house owners going forward for many years and helps the environment and the towns green credentials.</p>	<p>Plan strategy, the SPD, in setting out the approach to contributions that takes into account viability considerations and the particular challenges for brownfield sites, will help support their development.</p> <p>3. This comment is not directly relevant to the content of the SPD, but rather the Local Plan and building regulations. The SPD is written to support the policies of the Local Plan and how they will be applied. It cannot introduce new policy or an interpretation thereof that is not consistent with the Local Plan. However, the SPD, in setting out the approach to contributions that takes into account viability considerations ensures that the design and environmental quality standards of a scheme as required by the Local Plan are still able to be given full weight in the planning balance.</p> <p>4. Whilst this comment is not directly relevant to the content of the SPD but rather the Local Plan, the SPD in prioritising affordable housing over other noncritical infrastructure does support its provision. Any benefits from the provision of other specialist forms of housing would be balanced in any decision and with contribution requests made.</p> <p>National policy requires developers to make education contributions where justified and viability allows. It is agreed that non-critical contributions should not be made at the expense of a scheme`s quality.</p>
20	Sport England	<p>Thank you for consulting Sport England on the above planning document.</p> <p>We want to help the planning system provide formal and informal opportunities for everyone to take part in sport and be physically active. As part of this effort, we've produced the Planning for Sport Guidance. The downloadable document below is ideal for anyone involved in, or looking to engage with, the planning</p>	<p>General comments noted.</p> <p>Support for the high priority given (Priority 1) for any site where Sport England has objected to the loss of an existing site and support for Paras 8.3.2 and 8.3.3 noted.</p>

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		<p>system in England.</p> <p>This includes local authority officers and councillors, planning inspectors, developers and consultants, through to parish/town councils, neighbourhood forums, public health leads, sports clubs/organisations, community groups and individuals.</p> <p>The document can be downloaded here: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport</p> <p>We have also produced guidance to help assess the needs for sport through new housing development, entitled 'CIL and Planning Obligations Advice Note' (November 2018) which gives detailed guidance on how to make provision for sport and physical activity as part of new housing developments. This document can be downloaded here: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/community-infrastructure-levy-and-planning-obligations-advice-note</p> <p>Sport England supports the inclusion of 'sport, leisure, recreational, cultural and other social and community facilities' within the type of facilities for which contributions may be sought within Policy IC4 of the Local Plan.</p> <p>Sport England supports the use of the Green Spaces Strategy 2015-2025 to identify priorities for funding in relation to outdoor sport and amenity green spaces, in line with Policy HS4.</p> <p>Sport England supports the use of the Rossendale, Pendle and Burnley Playing Pitch Strategy to identify priorities for protection, enhancement and new provision for outdoor sport, up to 2026, and we support the high priority given (Priority 1) for any site where Sport England has objected to the loss of an existing site, or where new provision is a high priority (Paras 8.3.2 and 8.3.3).</p> <p>We hope these comments are helpful, please contact the writer below if you have any further queries. We would be happy to assist in the development of the guidance with regard to sites for outdoor/indoor sport and physical activity.</p> <p>We look forward to further consultation in due course.</p>	

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21 a	Barratt David Wilson	<p>We write on behalf of BDW Trading as Barratt Homes (“BDW/the Representor”) to set out its representations on Burnley Borough Council’s (“the Council”) Developer Contributions Supplementary Planning Document Supplementary Planning Document – Consultation Draft (January 2020 (“DCSPD”).</p> <p>ABOUT BDW</p> <p>BDW is one of the UK’s largest, most successful and best-known national house builders. Annually the business builds many thousands of high-quality homes throughout the UK including in the North West of England.</p> <p>WHY IS BDW MAKING REPRESENTATIONS?</p> <p>BDWH is making representations because of its core business activities and experience of delivering housing developments of all types, on large and small sites and in all circumstances. It hopes its experience of working within the UK’s planning systems, including the implications of having to fund a wide range of contributions through obligations, and the implications of these for development viability, will assist the Council strike the right balance with the guidance and advice it hopes to provide through the DCSPD to developers like it.</p> <p>A key message that BDW wishes to make in connection with the representations it makes, is that it is keen to invest and build in the Borough, and in making the comments it has it is confident that there will greater prospects of this happening.</p> <p>Given its role in building large numbers of quality homes across the UK, BDW, in addition to making the representations it has through this letter, would be happy to meet the Council to contribute further knowledge and information to assist it get the DCSPD right.</p> <p>REPRESENTATIONS OF BDWH</p> <p>The representations of BDW are set out below. We confirm paragraph and page numbers to assist in referencing to which part of the DCSPD specific comments relate to.</p>	<p>BDW’s interest in investing and building in the borough in the future is noted. The response to the consultation is appreciated as it is important to have a view from the development industry perspective and BDW was the only private sector housebuilder to respond.</p>
21 b	Barratt David Wilson	General Comments	General Comments:

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		<p>BWDHL is of the view that the DCSPD is too long, detailed, overly complex and in parts difficult to follow.</p> <p>While it fully understands the scope of the document will need to be extensive given the topic range it needs to cover, each topic is covered in detail, in part because there is a considerable amount of background information that simply isn't needed. It is appreciated that this might be seen as being helpful to parties like BDW when responding on the consultation exercise, but it is of the view that the DCSPD should be as short and to the point as it can be.</p> <p>BDW is also keen to see an acknowledgement at the outset of the DCSPD that development contributions, i.e., planning obligations, are to assist in mitigating the impact of unacceptable development, this so as to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:</p> <ul style="list-style-type: none"> - necessary to make the development acceptable in planning terms; - directly related to the development; and - fairly and reasonably related in scale and kind to the development. <p>These tests are set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework ("NPPF"). These tests apply whether or not there is a CIL charging schedule for the area.</p> <p>These points are important and should be made clear.</p>	<p>With regard to the length and complexity of the SPD - this is a highly complex area of the planning system and there is no suggestion from BDW as to which parts should be removed or simplified – elsewhere additional text is also suggested. The document is not considered to be unnecessarily lengthy for an SPD. The SPD is not only aimed at a professional audience who may already understand the law and national policy around contributions, but also for the public, to allow more effective engagement in planning applications. As such, the background information is considered helpful. Any text that was primarily to inform the consultation and is no longer necessary is proposed to be removed.</p> <p>The SPD clearly acknowledges and makes clear that development contributions, i.e. planning obligations, are to assist in mitigating the impact of development so as to make it acceptable in planning terms and are required to meet the relevant statutory tests.</p>
21 c	Barratt David Wilson	<p>A matter that is covered in more detail and at several points throughout the representations is viability. This is a very key and often serious issue for a developer like BDW when promoting a development, i.e., the ability to hone a development proposals so that it meets policy tests and general land use considerations and delivers the likes of affordable units at the expected policy level but still makes an acceptable level of profit. This topic should be covered at the outset of the DCSPD to confirm that the Council understands its importance and relevance and that weight needs to be given to it in planning decisions.</p>	<p>To add reference to viability in the introduction (without explanation) is not considered appropriate.</p>
21 d	Barratt David Wilson	<p>A further related point, is that BDW feels that it would assist consideration of this matter if the DCSPD provided some guidance on the many types and wide ranging nature of topics and factors that can be regarded as genuine when</p>	<p>The `topics and factors` referred to by BDW that were and are relevant to assessing viability are included in the assumptions set out in detail in the Local Plan Viability Assessment and</p>

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		<p>viability matters are being considered. For example, while a site might appear eminently developable it could, for example, be affected by hidden issues like mineshafts, which impact foundation design and cost. This is an example but of one such matter. Clearly, it would be difficult to cover all possible areas in detail but the bones of a basic but comprehensive list would be helpful.</p>	<p>these include e.g. abnormals for potential mining legacy. There is no wish to add to the length of the SPD to cover matters set out in the Plan Viability Assessment which was tested as part of the Local Plan Examination process. However, further cross reference to the study and indications of the factors considered has been added to para 5.3.1. At para 5.3.16, the SPD also makes clear that if applicant feels a lower ceiling is justified, in the first instance they will be expected to explain why the assumptions used to set the ceiling would not apply in their case, and where there is no agreement on this, undertake their own open book viability assessment - which an applicant is entitled to do in any event.</p>
21 e	Barratt David Wilson	<p>BDW is conscious that the DCSPD relates mainly to Policy IC4. Other Local Plan policies, for example, Policy SP5, can also impact upon viability; and related to this the Council is also keen to investigate and impose controls which might look to achieve more than Building Regulations related controls do regarding, for example, energy/renewables. This can also seriously challenge delivery and viability but strictly speaking is outside of the gambit of planning and the DCSPD. It would be useful if this is addressed through the DCSPD, i.e., the effect of other non-planning controls on affecting the viability of development, and as such that this should be given weight as another materials consideration to be given weight in planning decisions, possibly to allow a more lenient approach with some planning policy driven requirements.</p>	<p>With regard to the comments on Policy SP5, as Para 7.3.18 (was 7.3.17) of the SPD notes, a number of other (then emerging) plan requirements were also costed in the 2017 Viability Assessment, but e.g. the policy clauses requiring higher environmental and/or design standards on certain greenfield sites were removed by the Inspector, so these have not been factored into the assumptions used to calculate the ceilings. Higher design standards are now clearly supported by the revised NPPF and where schemes propose very high quality standards or higher levels of energy efficiency (above the high quality expectations of the local plan), the negative effect on viability can be considered in the planning balance. Reference has been added to a new para 7.3.19 to the government proposing staged uplifts to the Building Regulations which will increase construction costs. Once these changes are confirmed and take effect, the ceilings may need to be revisited.</p>
21 f	Barratt David Wilson	<p>BDW's Specific Comments and Representations</p> <p>DCSPD Introduction (paragraph 1.1+, page 5+)</p> <p>At paragraph 1.1.1 to 1.1.3 the Representor notes that the DCSPD supplements policies of the Burnley Local Plan 2012-2032 adopted in July 2018. However, in similar vein to the point made above, the elaboration of some of the policies is more detailed and complex than the specific policies themselves, and there are instances where the Representor takes the policies beyond the position their</p>	<p>Specific Comments:</p> <p>Introduction and Coverage:</p> <p>SPDs by their very nature elaborate on Local Plan policies. Whilst it is acknowledged that some Local Plans will include specific affordable housing percentages, the reason for Burnley's Local Plan not doing this is explained in the Local Plan and was justified at its Examination. The SPDs notes at its</p>

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		<p>wording suggests they should be.</p> <p>Given the DCSPD will be a SPD it can be no more than a material consideration in planning decisions, which is another reason why it should properly reflect policies of the Local Plan it refers to. This is an important point and one that BDWH feels should be defined early in the document.</p> <p>Coverage of DCSPD (paragraph 1.1.6+, page 5+)</p> <p>Regarding coverage of the DCSPD, the document confirms it covers contributions towards Infrastructure, affordable Housing and other matters. While Local Plan Policy IC4 lists several items for which contributions may be sought, it also suggests that the list is not exhaustive. For the reasons covered earlier, the Representor is of the view the DCSPD should be simplified and shortened.</p> <p>While BDW can see the benefit of the list as set out in the draft document and referred to above, it requires clarification in the DCSPD that the list is not to be applied universally in all instances, by which it means contributions should only be sought for those items justified by reference to the proposed development, the location and profile of the site and reference to policy; and that applications should be dealt with on their merits and the list is no more than a ready reckoner of items covered under the DCSPD.</p>	<p>second para that it is not formal development plan policy and in particular that the ceilings (para 5.3.14) are supplementary guidance only and not development plan policy, and as such there may be instances where the circumstances of a particular site or development are such that a lower ceiling or higher ceiling should apply. All 'necessary and critical' infrastructure must however be funded in full. The SPD does not conflict with any of the Local Plan policies and supports the Plan's flexible approach to affordable housing provision and non-critical infrastructure that is particularly important in some cases to bringing forward development at all and in ensuring it is of high quality design and construction.</p> <p>The list of possible contribution matters referred to is an extract from Local Plan Policy IC4 which is on reflection unnecessary as Policy IC4 is reproduced in the SPD's Appendix. It is proposed to be deleted from the introduction.</p>
21 g	Barratt David Wilson	<p>What is a developer contribution and related matters (paragraph 1.3.1+, page 6+)</p> <p>This covers the question what is a developer contribution? The DCSPD confirms that it refers to any form of contribution made by a developer to directly deliver or pay towards (via sums of money or contributions in kind) new or improved affordable housing, infrastructure or services etc. BDW is of the view this should be refined to confirm that contributions can be sought, which in themselves might not directly pay for a desired objective, rather they will contribute towards the overall costs. This is the 'war chest' approach.</p> <p>In addition, and building on the same point, there might be instances where a developer is agreeable to pay the full cost of a piece of infrastructure, which by reference to the level of contribution provided outstrips what is justifiable by reference to planning policy and other relevant tests applying to contributions</p>	<p>Para 1.3.1 confirms that contributions can pay towards as well as pay for in full or directly deliver infrastructure. This is explained in more detail at para 4.2.4. The situation described by BDW where a developer agrees to pay the full cost of a piece of infrastructure when this is beyond the level that can be justified for its scheme and so should be part funded by another developer, whilst possible, will be very rare and so it is not considered that this needs to be specifically referenced in the SPD.</p> <p>The brief reference to CIL at para 1.3.4 of the SPD is considered helpful and is proposed to be retained.</p> <p>Regarding Unilateral Undertakings, Para 1.3.3 is only a brief introduction. These are explained at Section 4.2. Both</p>

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		<p>(covered later). In this scenario, it is fair and reasonable to work out what the developer should have paid and for the Council to seek similar contributions from developers of other developments that will benefit from the same piece of infrastructure, which are then paid back to the first developer. This involves a clawback procedure which can be managed through a s106 agreement. JFP has knowledge and experience of this approach and would be happy to share this with the Council.</p> <p>On appropriate mechanisms (paragraph 1.3.2), there are several mechanisms that the Council can use to secure contributions from developers and these fall into three broad categories: planning conditions, planning obligations and CIL.</p> <p>As the Council does not operate a CIL scheme then there is no need for CIL to be referred to. Indeed, it is confusing for it to be referred to at all in the DCSPD. If at some point in future the Council commits to introduce CIL, then the DCSPD will need to be comprehensively overhauled. Indeed, the charging schedule that would be introduced through CIL, and the linked 123 Schedule, will cover items that might otherwise be covered through a s106 agreement.</p> <p>It would be helpful to provide clarification in this part of the DCSPD that a s106 agreement, which is usually progressed post the determination of a planning application and once a resolution to grant permission has been secured, thus allowing the decision notice to be issued/planning permission granted, can be offered in the form of a s106 unilateral undertaking. These have the same effect and obligate a developer but can be offered in an agreed and signed form (by the developer who obligates himself) prior to determination. These can speed up the process and create certainty as decision notices can be issued immediately after determination.</p> <p>Clarification should also be provided that where an obligation involves the paying of monies to secure delivery of a benefit or item of work, this will need to involve use of a s106 agreement, since planning conditions are usually regarded as inappropriate where a direct financial contribution is required.</p> <p>In a similar vein, planning conditions are appropriate if a developer needs to deliver new highway and/or transportation infrastructure, since these obligate the developer to enter into a s278 agreement (under Highways Act 1980) with the highway authority as its authority is required regarding mechanisms to be agreed for delivery of the new infrastructure.</p>	<p>Unilateral Undertakings and Agreements are normally signed before planning permission is granted so no change to the text is considered necessary. It is also considered that Section 4 adequately explains the limited circumstances when conditions can be used to secure monetary contributions e.g. via a subsequent Section 106 or 278 Agreement.</p>

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21 h	Barratt David Wilson	<p data-bbox="390 214 953 240">Policy context overview (paragraph 2.1.1+, page 6+)</p> <p data-bbox="390 276 1268 594">The DCSPD confirms at paragraph 2.1.3+ that the Local Plan requires development to provide or contribute towards the provision of the infrastructure that is needed to support it. It sets out that planning contributions will be sought where development creates a requirement for additional or improved services and infrastructure and/or to address the off-site impact of development, to satisfy other policy requirements. This paragraph should be expanded to confirm that obligations can only be sought where they satisfy relevant tests and can be fully justified by reference to the actual impacts and effects of the proposed development. This is to ensure that whatever obligations are sought are fair, reasonable and fully justified.</p> <p data-bbox="390 634 1268 980">At para 2.1.5 the DCSPD confirms that contributions may be sought to fund a single item of infrastructure or to fund part of an infrastructure item or service; and that contributions may be sought for the initial provision and/or ongoing running and maintenance costs of services and facilities. The Representor asks that clarification be provided that when such a contribution is sought this will be made clear. Also, that when a contribution is sort to part fund say an item of infrastructure that this is also made clear. It should also be made clear, and appropriate measures put in place, that this contribution will be ringfenced to pay for this item of infrastructure and none other. Also, what the residual amount is and how this will be sought, for example, from other developers promoting schemes elsewhere but which will benefit.</p> <p data-bbox="390 1021 1268 1240">At paragraph 2.1.5 the DCSPD confirms that contributions will be negotiated on a site-by-site basis. This is supported by the Representor as it would be unacceptable, for example, to use other precedents as an example unless they are directly compatible. As such any contribution sought, regardless for what it is required for, should be unequivocally directly related to the proposed development; and obviously fair and reasonable in terms of its scale and kind to the development.</p> <p data-bbox="390 1281 1268 1463">At paragraph 2.1.6 the DCSPD confirms that planning obligations are to assist in mitigating the impact of development and/or to make it acceptable in planning policy and/or land use terms. The Representor supports the statement in this paragraph that planning obligations should only constitute a reason for granting planning permission if they meet the above tests. Conversely, the Council should avoid refusing a planning application if what are regarded as desired and policy</p>	<p data-bbox="1285 214 1541 240">Policy context overview</p> <p data-bbox="1285 276 1963 464">Section 2 is proposed to be amended to remove unnecessary repetition of text elsewhere and has absorbed 3 paragraphs from the introduction so that it sets out an overview of the Local Plan context. The first sentences of para 2.1.5 and para 2.1.6 are proposed to be moved to a new para 5.1.6 where these important points are better placed.</p> <p data-bbox="1285 505 1963 693">It is not clear whether the additional clarification requested at what was para 2.1.5 relates to the SPD or at the application stage. A further para at 5.4.5 has been added to make clear that Agreements will of course specify the particular projects they are intended to fund and that the monies will be 'ring fenced' for this purpose. (This is also indicated at para 6.3.3.)</p>

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		supported obligations cannot be met if this would render the proposed development unviable.	
21 i	Barratt David Wilson	<p>At paragraph 3.2.1 the DCSPD refers to the Infrastructure Delivery Plan (“IDP”) which was prepared to support the Local Plan. This document reviews and evaluates social, environmental and economic infrastructure that will be required to support new development and levels of growth set out in the Plan. The DCSPD refers to it as a ‘living document.’ If this statement is to be given weight it is clear that from the point of approvals of the DCSPD the IDP will need to be up to date and thereafter regularly updated. The most recent version is Version 2 dated July 2017. It is already three years old. The Representor requests that a timetable for review forms part of the DCSPD and that this is adhered to.</p> <p>The Representor is conscious, as is confirmed at paragraph 3.3.1, that the Council has a two-tier local authority structure. Lancashire County Council (“LCC”) provides services such as highway maintenance, education, minerals and waste planning and social care. The Borough Council provides services such as local planning and building control, environmental health and domestic waste collection.</p> <p>LCC has produced a non-statutory Infrastructure and Planning policy document setting out and its approach to seeking planning contributions and how it will engage with the planning process to ensure the impacts of proposed developments on the infrastructure and services that it provides are recognised. The current document is dated September 2017 and covers highways, education contribution methodology and drainage and Flood Risk Management. The fact there are two similar DPDs is bound to cause confusion. It is critical that the DCSPD makes it clear what will be asked for by way of contributions and which authority will be doing the asking and will benefit from the contribution. This is to guaranteed clarity and probity and minimise scope for what it terms ‘double requests’ which it has experience of.</p>	<p>Section 3</p> <p>Para 3.2.1 - The IDP is currently being updated and para 3.2.1 has been amended accordingly.</p> <p>The added complexity of the two-tier local authority structure in Burnley is acknowledged and the resulting separate documents. Burnley Council has sought to actively engage with LCC on the production of the SPD to seek to align the approaches and has cross-referenced all relevant documents. Ultimately, other than for County matters, the borough Council is the determining authority for planning applications and can therefore ensure all requests are properly justified, considered and balanced. The SPD will assist greatly in this regard.</p>
21 j	Barratt David Wilson	<p>Types of Contribution Explained (chapter 4, page 11)</p> <p>The Representor’s only comment is a basic one and that is to ask for clarification that in most cases planning conditions cannot be used to deliver financial obligations. In this case a s106 agreement is regarded as the appropriate approach.</p>	<p>Section 4</p> <p>The SPD makes clear the limited circumstance where a condition can be used to deliver a financial payment.</p>
21 k	Barratt David	Are Contributions Required (chapter 5, page 14)	Section 5

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	Wilson	<p>The Representor agrees that, as is set out at paragraph 5.1.1 of DCSPD, where appropriate, i.e. where it is necessary to make the development acceptable in planning terms, including by mitigating impacts, developers will be required to provide the necessary infrastructure or contribute to its provision through Section 106 contributions. However, it is critical that any contributions asked for must pass planning condition related tests of being: necessary; relevant to planning and to the development to be permitted; enforceable; precise; and reasonable in all other respects. This is a critical approach that has to influence any consideration of whether a planning condition related contribution is justifiable.</p> <p>Similarly, as covered at paragraph 5.1.5, s106 Agreements must meet the three tests that are set out as statutory tests in the Community Infrastructure Levy Regulations 2010, and as policy tests in the National Planning Policy Framework. These require contributions to be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.</p> <p>The Representor takes comfort from the point made at paragraph 5.1.6 of the DCSPD, that the Council will only seek contributions where a genuine need arising from the proposed development is generated. This is also a critical point. The Representor asks for how the DCSPD/the Council will deal with situations where another party asks for a contribution that does not satisfy relevant tests. The DCSPD needs to clarify that in this instance the Council will intervene on the developer's behalf, since it is the Council and only the Council that can do this in its role as local planning authority.</p> <p>At paragraph 5.2.1 on page 14, the DCSPD confirms that all contributions required by or to achieve compliance with local or national policies will be assessed during the consideration of a planning application. There may be instances where due to viability considerations, all contributions sought cannot be afforded if the otherwise plan-compliant development is to go ahead, which the Representor is pleased to see acknowledged. For certain matters, the adopted Plan specifically allows flexibility in its requirements to recognise viability challenges. In such cases, contributions may be prioritised and/or waived. The waiving of certain contributions on viability grounds would not necessarily be considered to make the development unsustainable in planning terms. This is also an important point to see in the DCSPD.</p>	<p>Section 5.1 sets out the separate legal tests for conditions and contributions. The tests are slightly different but do have some wording in common to fulfil similar purposes.</p> <p>Para 5.1.6 - As set out above, other than for County matters, the borough Council is the determining authority for planning applications and can therefore ensure all requests are properly justified, considered and balanced. The SPD will assist greatly in this regard with its categorisation, prioritisation and ceilings. Paras 5.2.5-5.2.7 set out that negotiation will be undertaken where necessary. This will be led by the Borough Council's case officer.</p> <p>Para 5.2.1 - Support for the overall approach to viability is noted.</p> <p>Para 5.2.2 - It is not considered that this point is contradictory. This is an important point to make in the SPD and one which is fully consistent with its overall approach i.e. that necessary and critical Priority 1 infrastructure must be provided and will not be subject to viability considerations. These types of costs will have already been demonstrated to be viable (by the Local Plan viability assessment) to ensure that the physical development is of an appropriate standard. The SPD makes clear the assessment of what is necessary and critical on any given scheme will vary – see footnote to Table 1. The SPD does not state that all necessary infrastructure has to be in place at the outset; this will be determined on a scheme by scheme basis and in the light of the plans of external infrastructure providers – and as para 5.4.5 (now 5.4.6) states, any payments due will normally be commuted until after the commencement or completion of specific phases or units within the development.</p>

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		<p>At paragraph 5.2.2 on page 14 of the DCSPD, however, the above point is contradicted. It confirms that, where contributions are considered entirely necessary to make the scheme acceptable in planning terms, such that in their absence, the scheme would be wholly unsatisfactory, and the applicants is unwilling to agree to these, viability will not be relevant and applications will be refused. In the DCSPD, such infrastructure is described as ‘necessary and critical,’ for e.g. infrastructure to secure highway and pedestrian safety. While this might be the case, the DCSPD also needs to confirm that there might be instances where necessary contributions might be delivered through other means or can be brought forward and secured at a later date, but in a way that makes the development acceptable, and/or the benefits of the development are such that the Council agrees to accept a less form of provision, perhaps on a temporary basis.</p> <p>Accordingly, while prioritisation is a point that needs to be covered, further information and guidance is required to assist consideration of situations where a different approach to determining priorities might be given. In this regard while the table of priorities on page 15+ of the DCSPD is useful, it should not be seen as being cast in stone, as it will in certain instances need to be interpreted with some flexibility.</p>	
21	Barratt David Wilson	<p>Indexation (Chapter 6, page 23+)</p> <p>As we have also acknowledged, the suggested approach to collecting contributions and related amounts set out in the DCSPD are not governed by CIL Regulations, nevertheless the DCSPD confirms that the indexation that will be used to both calculate the initial agreement amounts and any post- agreement changes prior to payment, will reflect the approach contained within the CIL regulations. This is said so as to ensure that obligations provide for the actual costs of the infrastructure for which they are levied.</p> <p>Building on the point the DCSPD confirms that Regulation 40 of the Community Infrastructure Regulations 2010 required Local Authorities to obtain the All-in-Tender Price Index, as published by the Building Cost Information Service (BCIS) of the Royal Chartered Surveyors (RICS) on the 1st November each year to calculate the proportionate increase in contribution rates for the following year. And the Government has asked the Royal Institution of Chartered Surveyors to produce a bespoke index for the Levy, based on the Building Cost Information</p>	<p>Indexation</p> <p>It is not entirely clear what the representor`s concern is here, but the mechanism for the delivery of infrastructure and the contribution amounts are all subject to negotiation and of course, being agreements, have to be satisfactory to both parties. The SPD makes clear that developers can choose to deliver the required infrastructure directly.</p> <p>Para 6.3.3 - Support for repayment of unspent monies noted. As the SPD states, the claw-back period will be negotiated as part of the agreement e.g. to reflect the size and likely build out rate of the development in question and the point at which the infrastructure is required. If the infrastructure has been determined to be necessary to make the scheme acceptable, sufficient time must be allowed for it to be provided. Text is proposed to be added to indicate that the</p>

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		<p>Service's (BCIS) All-in Tender Prices Index, to be known as the 'RICS CIL index'. The DCSPD confirms that this new index will be produced annually, be made publicly available and will not change through the year.</p> <p>The DCSPD goes onto confirm how contributions for affordable housing will be calculated by using the rates set out in this SPD, adjusted as set out in the DCSPD; it is also the same for open space contributions, and similar approach is to be followed for other types of infrastructure.</p> <p>An issue that the Representor has with indexation, and the standard approach set out in the DCSPD, is that this does not take account of situations where a developer, like the Representor, is able to deliver the required piece of infrastructure for a sum of money that is less than the level of contribution required or defined through the application of other aspects of the DCSPD.</p> <p>Accordingly, while the Representor isn't saying that indexation isn't acceptable or the approach proposed to calculate it also isn't acceptable, it is of the view that the starting point in all assessments is defining what is required to make a development acceptable. This is the correct policy driven approach. Then an assessment is needed on what is the cost of delivering this. This should lead to a broad budget assessment of what level of contributions need to be secured through the planning permission (through s106 agreement). But if the actual item can be delivered for less than the defined budget then this should be sum sought.</p> <p>On the subject of whether local planning should authorities have to pay back unspent planning obligations, which is covered at paragraph 6.3.3 on page 25, the Representor is very much of the view that this should be the case. As such, if an obligation is sought and secured through a planning permission but what it was required for is not delivered as per the scope and within an agreed timeframe, then the value of the obligation should be paid back to the developer, with interest accrued.</p> <p>Accordingly, it is important that Council guidance on s106 agreements includes a section with appropriately worded clauses stating when and how the funds will be used by and which makes provision for their return, with interest accrued, after an agreed period of time, where they are not.</p> <p>The Representor notes from the DCSPD that this period is usually five years,</p>	<p>time-period may also be shorter than 5 years where justified.</p>

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		<p>which it agrees with, but it is also concerned to note that this might be longer if deemed appropriate. It does not regard this as acceptable. There will be few instances where a period in excess of five years can be regarded as acceptable, especially when, in the case of the Representor and the types of development it is involved in, this could fall several years after the development, which delivered the contribution, was completed.</p> <p>It would only be in exceptional circumstances that a time period in excess of five years could be regarded as acceptable, and this would have to be with the full and tacit agreement of the developer, and measures should be put in place to ensure that the need for the obligation and delivery of whatever it is designed to deliver, is reviewed regularly and the position monitored. Indeed, one also has to question whether in this situation the seeking of such an obligation would satisfy relevant guidance and policy on the use of obligations.</p>	
21 m	Barratt David Wilson	<p>Affordable housing (Chapter 7, page 26+)</p> <p>The need for affordable housing is defined in the latest edition of NPPF, which also defines what affordable housing is, which in summary is housing for sale or rent, for those whose needs are not met by the market, and other than where identified as such, includes provisions for the housing to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.</p> <p>The Representor is a major national housebuilder and as such it is fully aware of the need for and the benefits of providing affordable housing through developments, and the many different approach that are used to deliver it through planning permissions. As such it agrees with the inclusion of the broad table at paragraph 7.1.3, which lists different types of affordable housing, which is then defined in greater detail at Appendix B of SDSPD.</p> <p>Regarding starter homes, this is dealt with at paragraph 7.2.6 of the DCSPD. The origin of this initiative is the Housing and Planning Act of May 2016. However, the relevant provisions of the Act have yet to be fully enacted, which the Representor notes. However, as is acknowledged in the DCSPD, the Representor is keen to point out that starter homes fall within the definition of 'affordable housing' according to the latest edition of NPPF. According to the Act they are homes for purchase for first time buyers, now defined as people in the 23-39 year old age range, and are properties to be sold at a 20% discounted rate, albeit</p>	<p>Affordable Housing</p> <p>It is not agreed that the provision of starter homes should be the norm for all affordable housing requirements. Policy HS2 and the evidence that underpins it recognises the substantial need for more affordable housing to rent and a need for intermediate housing. Starter homes - which are likely to be replaced by First Homes nationally - are very restrictive e.g. they can only be bought by people under 40. The Local Plan needs to address the housing needs of all. Policy HS2 and the SPD make clear the flexibility over affordable housing provision and tenures generally to ensure viability and successful delivery. Section 7.3 sets this out and para 7.3.7 (and the Local Plan itself) explains the changes to national policy and how these affect the interpretation of Policy HS2 which remains the starting point for the determining of applications.</p> <p>Support for the flexibility of Policy HS2 and towards viability is noted. No further changes/flexibility is considered necessary.</p> <p>Site HS1/4 – This site is considered to be a greenfield Type 1 site. BDW do not explain or offer any evidence as to why this should be greenfield Type 2. It is open to any applicant to</p>

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		<p>subject to a £250,000 price cap.</p> <p>According to the DCSPD, the Council's Local Plan Viability Study, specifically on this subject, concluded that starter home provision in lieu of more traditional types of affordable housing would generally aid viability, which the Representor is pleased to see acknowledged, however, it also concluded this could still be an issue on brownfield sites. The Representor is of the view that while this might be the case, this also applies to all forms of affordable housing, i.e., the effect of providing affordable housing, in all cases, reduces viability because of impact on profitability. As such, consideration of the provision of starter homes in all developments which require the provision of affordable housing should be regarded as the norm rather than the exception; indeed, in some instance it might actually assist in reaching a point of viability.</p> <p>In the context of Burnley, and affordable housing and approaches to delivery of it, of great relevance is Local Plan Policy HS2, which is covered at paragraph 7.3.1+ on page 28+.</p> <p>The DCSPD notes that, influenced by the types of sites that were allocated in and supported by the 2006 Local Plan, and by the concentration of housing market renewal activity, the NPPF approach of requiring private sector developers to provide a proportion of affordable housing on site or contribute monies through a section 106 Agreement for off-site provision, were rarely successful in Burnley, least if this was without public sector subsidy.</p> <p>However, as is confirmed at paragraph 7.3.2, an alternative and successful approach for the delivery of affordable housing in Burnley was to work directly with Registered Providers to build houses on sites made available by the Council from its landholdings, or through compulsory purchase. The Representor notes this and understand why this is the case, and confirms that this can, and should, remain a potentially useful approach to delivery of such housing, including through a financial contribution to enable provision elsewhere.</p> <p>Linked to this point, the Representor notes that, at paragraph 7.3.4, the DCSPD points out that the 2016 Strategic Housing Market Assessment (SHMA) suggested an affordable housing split by tenure of: 80% Affordable Rent or Social Rent, and 20% Intermediate tenure. This reflected the national definition of affordable housing which prevailed at this time, but as already pointed out this this has been overtaken by new policy in the latest NPPF, and this should be</p>	<p>provide such evidence, and as para 5.3.16 sets out, in order to agree a lower ceiling, in the first instance the applicant will be expected to explain why the assumptions used to set the ceiling would not apply in their case and where there is no agreement on this, undertake their own open book viability assessment - which an applicant is entitled to do in any event.</p> <p>7.3.19 - Repetition of this point about flexibility that is made elsewhere in the SPD and in the Local Plan itself is not considered necessary here. The applicant is entitled do their own viability assessment to support an application if they wish but the Council will not require this if the contributions are agreed up to the ceiling amounts.</p> <p>Para 7.3.21 (now 7.3.23) - Re Affordable Housing Statements. Whilst an indication can be given at the pre- app stages to inform this Statement, experience shows that it is only when a formal application is made that the precise requests for all contributions becomes apparent and some adjustment of the affordable housing offer may be necessary.</p> <p>Para 7.3.22 (now 7.3.24) - Earlier para 5.3.14 also discusses this point.</p> <p>Para 7.3.23 (now 7.3.25) - 20% developer profit was used for the Local Plan Viability Assessment and is built into the calculation of the ceilings.</p> <p>Para 7.3.27 (now 7.3.29) - This would be set out in the agreement (see earlier response on claw-backs).</p> <p>Para 7.3.29 (now 7.3.31) - Some such schemes will still have sufficient viability to allow modest affordable housing provision/contributions and this is accommodated in the ceiling. No change is considered necessary.</p>

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		<p>noted in DCSPD.</p> <p>Regarding how Policy HS2 should be interpreted, the Representor is supportive of the fact the DCSPD seeks to assist this process (at paragraph 7.3.5). The importance of the development plan in planning decisions, as set out in planning legislation, means that Policy HS2 has to be the starting point for determining the requirement for affordable housing when a development is proposed.</p> <p>As is confirmed at paragraph 7.3.6, Policy HS2 requires that any housing development of over 10 units provides for affordable housing, unless it can be demonstrated that the site, which would otherwise be supported by the policies in the Local Plan and meets the requirements of policies SP4 and SP5, would not be viable with affordable housing provision on-site or off-site by way of a contribution. This is an important approach and the Representor is supportive of the role that therefore needs to be played by viability assessments as and when planning applications for new housing developments are assessed.</p> <p>Indeed, as is confirmed at paragraph 7.3.8, the Representor is pleased that the DCSPD notes that Burnley’s circumstances are such that flexibility in how policy on affordable housing is applied and the importance to be given to viability assessments, continues to be an important consideration. As such this approach should continue to be followed in terms of defining what is required in terms of the overall requirements, whether the requirement should be for on or off-site provision and the types and tenure of affordable housing provided.</p> <p>Accordingly, the Representor is fully supportive of the fact that Policy HS2 allows for affordable housing provision to be waived/varied where justified; and, like the DCSPD, notes that this approach is consistent with the then and current national policy. Indeed, in the Representor’s view the delivery of housing, by reference to the fact this is a Government priority, is the key point to be given weight, not whether a scheme fully satisfies policy requirements on affordable, even where it is clear such provision would kill acceptable levels of viability.</p> <p>The DCSPD notes, at paragraph 7.3.9, that the Government has now confirmed its policy intention for a minimum of 10% of housing on major sites to be to its new definition of ‘affordable home ownership.’ As the DCSPD notes, this appears to equate to the definition of affordable housing in the latest version of NPPF (glossary at d) which includes shared ownership and discounted homes for sale at 20% below market value.</p>	

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		<p>The Representor, like the Council (at paragraph 7.3.10 of the DCSPD), notes that although the NPPF sees this minimum as part of the overall affordable housing that might be provided through a development, the need to supply this element of affordable home ownership could preclude the delivery of affordable housing to rent or part rent/part buy, which might be regarded as a more acceptable form of affordable provision. The Representors would point out that NPPF states that this policy might not apply if, inter alia, it would significantly prejudice the ability to meet identified affordable housing needs of specific groups. These are not defined, but it is the Representors view that these could and should be defined by the Council and could, for example, include those unable to purchase housing by virtue of their income or the lack of mortgage availability, which is picked up in the DCSPD. The reason for making this point is that the Representor is very much in support of a flexible approach and one bespoke to Burnley's specific needs, which will differ on a site by site and area by area basis, but provides best scope to meet relevant needs, albeit as long as this does not over burden the development through making an otherwise potentially viable development unviable.</p> <p>This point, to a degree, is picked up at paragraph 7.3.11, in relation to Policy HS2, but the Representor is of the view it should be stressed to a much greater degree.</p> <p>For the same reasons, and in relation to tenure splits, and as covered at paragraph 7.3.18 of the DCSPD, the document assumes a tenure split/model/record for affordable housing providers in Burnley to assume: 70% Affordable Rent, 10% Social Rent and 20% Intermediate to calculate the affordable housing %, off-site affordable housing contributions and contribution ceilings. This does not necessarily mean this will be the required split on any given site. (See para 7.3.28) but is a general recommended approach. For the same reasons given above, the Representor notes this, but suggests that this should be seen as no more than the starting point, and each site, area and development should be assessed on its merits, and so as to deliver what is actually needed, assuming it is viable and works from a delivery perspective.</p> <p>A related point relates to a site BDW is interested in (part of the HS1.4 allocation) which requires a 10% affordable or Type 2 Greenfield contribution (5% in SPD). BDW would point out that the latter option works better from a viability and deliverability perspective and as such would ask for this to be</p>	

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		<p>reflected in the DCSPD.</p> <p>On Proposed Affordable Housing Percentages, covered at paragraph 7.3.19+ of the DCSPD, so as to satisfy the requirements of Policy HS2, specifically Clause 1) c), it is suggested that the housing sites types set out at Table 2 (page 18) of the DCSPD will provide at least the indicated minimum percentage of units, and the units shall either: be constructed by the developer on-site; or be constructed by the developer off-site (where agreed to appropriate under Policy HS2 clause 3) i); or be provided for by an equivalent commuted sum towards off-site provision where agreed to be appropriate (under Policy HS2 clause 3) i)). The Representor notes this but thinks, so as to reflect earlier guidance on the subject, that a further clause should be added to this to the effect of subject to a viability assessment and assessment of specific needs, i.e., tenures and other types of affordable.</p> <p>The Representor is supportive of the general points made at paragraph 7.3.21 of the DCSPD, which related to where provision is proposed off-site, where it complies with Policy HS2 clause 1) c). Ideally this and the general approach to delivery should be outed, discussed and agreed through a pre- application meeting. If this finds that such an approach is acceptable, and an appropriate level of contribution, is agreed, it is reasonable for the Council to ask that this, and related points, is set out in an Affordable Housing Statement, provided when the planning application for the scheme is made. Indeed, it should be stressed, and perhaps a new sub-section needs to be provided to cover the point, but an Affordable Housing Statement is a local validation checklist requirement for all major housing applications.</p> <p>Building on key points made earlier, the Representor is pleased that the DCSPD (at paragraph 7.3.22+) covers the circumstances where the required provision or contribution specified will be waived/reduced. It specifically confirms that, under Policy HS2 clause 1) c), this will be where: i.) a Viability Assessment is submitted by the applicant, which utilises an 'open book' approach, and clearly shows the scheme, which meets other policy requirements e.g. design and provides for all priority 1 contributions, to be unviable with the required affordable housing contributions; and/or: ii.) requests for other contributions in addition to affordable housing (on or off site as applicable) exceed the per unit ceilings set out in Table 2 of the DCSPD.</p> <p>Indeed, it is of the view that this point should be introduced/brought in earlier.</p>	

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		<p>The Representor is also of the view, and is broadly supportive of the suggested approach, set out at paragraph 7.2.23, that where ii) applies, the Council will approach the securing of obligations through an apportionment approach, i.e., determine what proportion of the total range and value of contributions can be afforded before the scheme is pushed into the bounds of being unviable. Linked to this, the Representor is of the view that the DCSPD should confirm the general approach to determining what is and what isn't a viable development by reference to RICS guidance on the subject. This is generally a development that secures a developer profit of 20% on costs (all costs).</p> <p>Regarding the potential to deliver affordable through a contribution to another scheme off-site provision, covered at paragraph 7.3.24+, the DCSPD confirms that the amount of contribution will be calculated using the offsite affordable housing calculator set out in the DCSPD. The calculator assumes the following standard tenure split: 70% Affordable Rent; 20% Intermediate and 10% Social Rent. It proposes to use the estimated open market value (OMV) of a typical three bedroomed semi-detached house on site of the size and specification required for a typical Affordable Rent product. As this would or may not be actually provided on site, this figure will need to be agreed.</p> <p>The Representor is of the view that while the suggested percentage splits set out above can and should form the starting point, they should not be applied without flexibility; also that some broad understanding, and flexibility, needs to be applied to how, and based on what, the open market value of a typical three bedroomed semi-detached house is arrived at. Clearly, there could be a broad range of opinions and potential values. Further clarity would benefit developers on the approach that will be followed, albeit the key tenet should be that the approach will be a joint approach involving both parties.</p> <p>The Representor also acknowledges that, as covered at paragraph 7.3.27, the type and tenure or the actual units to be provided or supported through off-site contribution, will be determined by the Council in discussion with relevant Registered Providers, having regard to the Council's Housing and or Empty Homes Strategy. A related point, and one covered earlier is that it is critical that any contribution provided to deliver affordable provision off site is subject to the same claw back clauses should provision not occur within the agreed period and/or as per the agreed approach.</p>	

Ref:	Consultee	Comments	Recommended Response
		<p>Paragraph 7.3.29 on page 31 covers the NPPF point about vacant buildings that are proposed to be reused or redeveloped for housing. In this circumstance, any affordable housing contribution, based on numbers of units to be provided, should be reduced by a proportionate amount. PPG confirms that, where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. The Representor is supportive of this approach. It would say though that there is nothing to stop the Council taking this a stage further, linked to viability related points, that in most cases there is every possibility that the scheme will be sufficiently unviability for no affordable to be due, and this is the Council's expectation. Indeed, perhaps to be read as a suitable incentive, perhaps the DCSPD should make it clear that it will a policy driven approach that in this situation no affordable will be sought</p>	
21 n	Barratt David Wilson	<p>Open space and green infrastructure etc. (Chapter 8, page 36+)</p> <p>Chapter 8 confirms that developers will be expected to contribute towards open space and green Infrastructure. This is covered in the Local Plan through Policy SP6. This seeks to protect, enhance and extend the multifunctional green infrastructure network.</p> <p>Complementing this the Council's Green Infrastructure Strategy (2013) informed the development of the policies within the Local Plan and will be used alongside the Local Plan and the Council's Green Spaces Strategy when determining the type of open space to be provided to meet the requirements of Policy HS4, and the requirements of Policies SP6 and IC5.</p> <p>At paragraph 8.1.3 of the DCSPD, it is confirmed that the Council's Green Space Strategy 2015 – 2025 identifies the Borough's public greens spaces, sets local quantity, quality and accessibility standards for each type of open space and use these local standards to identify surpluses or deficiencies and was used to inform the requirements for housing developments in Local Plan Policy HS4.</p> <p>This also covers Open Space Requirement for housing developments, and it is confirmed at paragraph 8.2.1 of the DCSPD, that Policy HS4 of the Local Plan sets out the standards for open space provision in new housing developments, including equipped children's play space. The Policy also sets out when this</p>	<p>Open Space and GI</p> <p>Para 8.2.2 - Achieving the minimum space/play provision for housing developments is considered necessary and critical to a scheme's fundamental acceptability and the Plan's Vision and Objectives and as such viability will not be taken in consideration so as to support sub-standard schemes in this regard. These standards have already been demonstrated to be viable for all greenfield sites (by the Local Plan viability assessment) to ensure that the physical development is of an appropriate quality. Wider GI open space and GI considerations can take viability into account. The sites allocated or supported by the plan can satisfy the requirements of HS4 with some flexibility in other non-critical matters. Developing housing estates without adequate open/play space or access thereto is not justified or acceptable in terms of housing market renewal, environmental quality and addressing health inequalities. The SPD explains the clear policy expectations which should be helpful to developers, not seen as a `threat`.</p> <p>Para 8.2.3 – This means that the site densities used to calculate the viability of site types in the Local Plan Viability</p>

Ref:	Consultee	Comments	Recommended Response
		<p>should be provided on-site or when contributions towards off-site provision may be acceptable.</p> <p>A key point that follows from this and one the Representor wants to see dealt with differently to how it is currently dealt with in the DCSPD, covered at paragraph 8.2.2 of the DCSPD, is that, whilst each scheme will be judged on its merits against the Local Plan as a whole, where contributions for open space are required under Policy HS4, the need for open space etc. will normally be prioritised as a key delivery expectation, i.e., necessary and critical, and thus lack of adequate provision will normally result in a scheme's refusal.</p> <p>This is an overstated point and one that comes across as a threat. A key tenet of the approach advocated in the DCSPD is that the circumstances of Burnley, when considered as a whole, are such that viability is a key concern. Other areas of the Country, for example, part of the south east and south are very strong in terms of economic performance and wealth creation and as such in these areas, viability is less of an issue. This is not the case in an area like Burnley Borough which has, in parts and in the past, suffered market failure, and areas continue to underperform or fail.</p> <p>As such, a better approach would be to confirm that the key driver in any consideration of what is required is the effect of obligations expected to deliver open space and green infrastructure on or off site is viability and effect on delivery of the development. Indeed, the need for new modern quality housing in Burnley is such that in most cases the Council shouldn't consider refusal, as a starting position, because a desired obligation cannot be delivered. The approach should be to try to find an alternative, but still acceptable, solution to the required need, whatever that might be.</p> <p>At paragraph 8.2.3 of the DCSPD it is confirmed that the cost of open space provision on site was 'partly factored' into the Plan Viability Study's base appraisals (accounted for in the site density and in the £500 per dwelling base contribution). The Representor asks for clarification as to what this actually means. This is because how this has been accounted for could have major implications for the level of provision required.</p> <p>In a similar vein, stated at paragraph 8.2.4 of the DCSPD, it is suggested all relevant greenfield site types were found to be viable with such contributions/provision and as such provision/contributions being 'necessary</p>	<p>Assessment assumed the areas of open space required by Policy HS4 were provided – on-site where stated in the policy - and the resulting number of units reduced accordingly. Additionally, the Local Plan Viability Assessment assumed £500 per dwelling contributions for contributions which could be used for off-site open space for smaller schemes. The SPDs ceilings do not use this £500 as they calculate the entire amount left available for all contributions once the basic policy requirement e.g. for on-site open space under Policy HS4 are met. The densities used to calculate the ceilings assume the areas of open space required by Policy HS4 are provided.</p> <p>Para 8.2.4 - The text at issue is a quote from the Local Plan Viability Assessment's findings and greenfield site types were found to viable at the densities and with the open space requirement proposed. A number of other greenfield allocated sites have progressed to detailed application stage. The Local Plan and SPD make clear the mechanisms available for developers to challenge the assumptions used in the SPD ceilings for non-critical matters. The Local Plan Viability Assessment itself was tested as part of the Local Plan examination and such studies deliberately do not use specific sites, but rather typologies as their purpose in to inform the overall policy approach of the Local Plan to ensure its overall deliverability. The evidence in the Viability Assessment and used to calculate the ceilings used in the SPD demonstrates that in general greenfield sites are able to deliver policy compliant schemes with 20% developer profit, (as indeed are many brownfield sites), and as such the Local Plan Policy requirements are not 'over-ambitious'. It is important that if BDW do want to develop housing sites in the borough they understand that the Council's expectations for greenfield sites is that the specific Local Plan policy requirements and Priority 1 contribution matters should be met. In the unlikely event that a particular allocated site does not prove to be viable for an acceptable standard of development, other sites would be looked at, if necessary, to satisfy any unmet housing requirements.</p>

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		<p>and critical' will not normally be waived on the grounds of viability. The Representor asks how this can be the case? There is no such thing as a standard or relevant greenfield site type as each site is different in scale and profile and as such it is an ambitious statement to make that all relevant sites will be viable, certainly not to the degree a blanket approach is suggested that required provision will never be waived, which, as has already been touched on, will mean that any scheme not proposing full/necessary provision will be refused. This statement/section needs to be altered to reflect, that, yes there is a defined starting point in carrying out an assessment of what open space etc., might be required through the application of policy and standards, but this is a starting point, and normal viability related considerations will apply.</p> <p>Building on this point, and the Representor would point out that the DCSPD contradicts itself to a degree on this point (at paragraph 8.2.6), as it confirms that where an applicant does wish to challenge open space contributions/provision or part thereof on the grounds of viability, be that on an allocated or windfall site (which in reality is any site/all sites), Policy IC4 in the Local Plan requires applicants to provide viability evidence through an 'open book' approach, to allow for the proper review of evidence submitted and for reasons of transparency. The Representor is perfectly happy with this suggestion, and suggests that this be retained but the earlier paragraphs be watered down and made less absolute delivery focused as they are currently drafted.</p> <p>Regarding provision off-site in lieu of provision on site, this is covered at paragraph 8.2.8 of the DCSPD, and contributions for off-site provision in lieu, where agreed to be appropriate under Policy HS4, will be calculated as follows: £350 per bedroom. The Representor makes no comment on this ratio but asks that the point about subject to impact on viability which could see the target figure of £250 per bedroom being reduced.</p> <p>Regarding on-site provision and maintenance (paragraph 8.2.9+ of DCSPD), where open space is being provided on-site by a developer, if the developer doesn't wish to set up a management company to meet the ongoing costs of maintenance, the Council will consider the adoption of suitable, well designed on-site open space, for which contributions of commuted sums for maintenance will be calculated on a 15-year basis at guide cost of £8/ sqm, which will be calculated and agreed for each development. This is fine unless the cost of such an agreement renders a development unviable, in which case the Council will</p>	<p>Para 8.2.8 - The specific point BDW is trying to make is not clear but the wider viability matters are responded to above.</p> <p>Para 8.2.9 - The wider viability matters are responded to above.</p> <p>Para 8.3.3 - It is considered that the SPD makes sufficiently clear that Priority 1 contributions will not take account of viability but that Priority 2 matters can. This particular paragraph is referring to public open space which will normally be maintained by the Council or playing fields or pitches. If the loss of these facilities would take provision to below the relevant standards, this would be a Priority 1 matter. However, very few of the plan's housing allocations include such facilities and where this was known to be an issue at the time of the Plan's adoption, specific reference to retention and/or replacement provision was set out in the allocation requirements.</p>

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		<p>have to weigh the benefits of the development and the open space against it having to take on the maintenance of the space at a lower contribution, i.e., a sum less than £8/sqm.</p> <p>On potential loss of unprotected open space, covered at paragraph 8.3.3 of the DCSPD, it is noted that where a development proposal would result in the loss of existing unprotected open space the need for replacement provision will be assessed against the strategy and standards set out in the Green Spaces Strategy 2015 and the Burnley Play Area Strategy 2017-2026 or Playing Pitch Strategy. Contributions towards replacement provision may then be prioritised as priority 1 or priority 2c. The Representor asks that this also be subject to impact on viability, and this be stated in this paragraph.</p>	
21 o	Barratt David Wilson	<p>Highways and transport infrastructure (Chapter 9, page 39)</p> <p>The Representor makes not specific comments on highways and transport infrastructure as highways and transport infrastructure which has to be delivered through a proposed development and which might be regarded as necessary and appropriate will be determined by LCC in its role as Highway Authority.</p> <p>In most cases required infrastructure will be covered through planning condition which will be imposed on a planning permission which will link to the need for the infrastructure etc. to be delivered through use of a s278 agreement under the Highways Act 1980.</p> <p>A point that is related to this is that the Representor asks that the DCSPD makes it clear that the Council will use its influence to ensure that only necessary and appropriate new infrastructure and/or levels of contribution to cover transportation needs of the development will be supported by it. The Representor has experience of where a highway authority has asked for contributions above and beyond what could legitimately be requested but the local planning authority wasn't prepared to intervene to ensure only what could be legitimately asked for would be delivered through a proposed development.</p> <p>The need for new good quality housing is such that the Representor would hope the Council would be prepared to act as arbiter in such situations and would ask that a subtle form of words be introduced to make this clear.</p>	<p>Highways and Transport</p> <p>As set out above, other than for County Matters, the borough Council is the determining authority on planning applications and can therefore ensure all requests are properly justified, considered and balanced. The SPD will assist greatly in this regard with its categorisation, prioritisation and ceilings.</p>
21 p	Barratt David	Education (Chapter 10, page 41)	Education

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	Wilson	<p>The Representor is aware, as is confirmed at paragraph 10.1.1 of the DCSPD, that Lancashire County Council is the Education Authority (LEA) responsible for primary and secondary education provision in the Borough.</p> <p>As is stated at paragraph 10.1.3, other than for 'County Matters' and its own development on its own land, for e.g. for a new school, the County Council is not the determining authority for planning applications in the Borough and its advice on education provision matters and any request for contributions towards education provision must be weighed as a material consideration by Burnley Council in deciding on an application and determining any contributions to be made. The County Council cannot insist upon or enforce requests for contributions to its services other than where it is the determining authority.</p> <p>While this might be the case, and the Representor is pleased to see this set out in the DCSPD, it is its understanding through involvement in housing developments in other districts/boroughs in Lancashire, that the Council will apply LCC drafted guidance on contributions required to boost provision of lower and higher school places in the Borough? Clarification is required on this in the DCSPD. It is important that clarity is provided on when and how and to what degree contributions will/might be sought.</p> <p>Indeed, as is confirmed at, paragraph 10.2.8 of the DCSPD, the Local Plan Viability Assessment did not factor in large-scale pooled contributions towards education, partly in view of the limitations imposed by the pooling restrictions in place at that time, and as this position will fluctuate across the plan period. However, the DCSPD is designed to provide clarity and across all topic areas of what types and level of contribution a development might be expected to contribute and as currently drafted this is not the case. And it is worth pointing out that the levels of contributions LCC has/might seek towards the provision of education places where there is a deemed shortfall is substantial and is often the key area which impacts most on viability.</p>	<p>The section of the SPD on education contributions (Section 10.2) has been updated and amended.</p> <p>LCC's published methodology will still be used as the basis for calculating the required primary school places and potential contributions to address any shortfalls in primary places.</p> <p>The DfE response raised an issue with regard to the distances used to calculate the need for school places, in particular for secondary schools (see separate responses to LCC/DfE comments). The updated SPD text explains how this matter will be approached (i.e. for secondary school places the Borough Council will adopt a more flexible approach with regard to the 'reasonable distances' than the LCC methodology sets out). Viability impacts can be considered.</p> <p>LCC have asked for specific costs per place to be removed from the SPD and a link to their website added instead in order that these will always be up to date (they are updated annually) and this change has been made. The DfE response highlighted differences between the DfE recommended approach to the calculation of costs and LCC's approach. LCC has now updated its policy (Sep 2020).</p> <p>Pre-application advice and the updating of the IPD will also assist developers in understanding the likely contributions required.</p>
21 q	Barratt David Wilson	<p>Other matters (Chapter 11, page 43)</p> <p>On other matters, the only key point the Representor asks be introduced, which should be at the outset of the chapter, is that, while there is scope for the Council, based on feedback/consultation responses from statutory and non-statutory consultees, to ask for obligations/contributions towards a very wide</p>	<p>Other Matters</p> <p>The SPD sets out clearly that all contribution requests must be properly justified and will be categorised and prioritised as set out in the SPD; and where necessary the ceilings applied.</p>

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		range of other matters, any request should be fully justified, directly related to the development, proportionate and fully justified in all other regards. And should any request render a scheme unviable, then consideration will be given to whether the request, by reference to the level of contribution that is sought, should be asked for in full.	
21 r	Barratt David Wilson	<p>Monitoring and review (Chapter 12, page 47)</p> <p>The Representor is strongly of the view that the application of and the effects of the DCSP is properly monitored and regularly reviewed this to ensure it continues to be pitched at the right level and is effective as a planning tool designed to secure appropriate levels of contributions and benefits from developments in a way that does not render them unviable.</p> <p>The Representor hopes that these representations are useful to the Council and would be happy to meet to go through key points made if the Council would find it useful.</p>	<p>Conclusion</p> <p>Whilst BDW do not say so directly, through their specific comments they seem to object the approach of the SPD to prioritise and regard some evidenced contributions/plan requirements as critical and necessary and instead consider that all should be subject to viability considerations. This is not accepted. It is quite right and proper to ensure that development, which is effectivity permanent, is of an appropriate standard in line with the evidenced and tested policies of the adopted local plan.</p>
22	Theatres Trust	We are supportive of the SPD's content. In particular that part 8.3 gives scope for contributions to be utilised for the future restoration of the Burnley Empire. Footnote 23 confirms that this section is applicable to theatres. We also welcome that projects within this category can be Priority 1. Restoration of the Empire could act as a catalyst for wider improvement within that part of the town centre, as well as positively enhancing the social and cultural opportunities available for local people.	Whilst the support for section 8.3 is noted and no change is proposed, it is unlikely that contributions towards the Empire Theatre could be required from any development of the type and scale envisaged in the local plan and justified a Priority 1, or even Priority 2 where viability constraints would be factored in - but this cannot be entirely ruled out.
23 a	Natural England	<p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major effects on the natural environment, but may nonetheless have some effects. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <p>Green Infrastructure</p> <p>This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.</p> <p>The National Planning Policy Framework states that local planning authorities should 'take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure'. The Planning Practice Guidance on Green</p>	<p>The SPD does not set new policy on Green Infrastructure but rather supplementary guidance on contributions (which can include for GI) in line with the policies of the adopted Local Plan, which was in turn informed by the GI Strategy. The benefits if GI are already set out in the Local Plan. It is not clear what NE is suggesting here.</p> <p>Matters such as the level of bat or bird boxes required is not considered appropriate for this SPD. These are more appropriate matters for other guidance e.g. design guide SPDs.</p> <p>Similarly, the comment on landscaping and trees and design principles are not relevant to the SPDs content. These matters addressed by the Local Plan policies.</p>

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		<p>Infrastructure provides more detail on this.</p> <p>Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.</p> <p>There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:</p> <ul style="list-style-type: none"> - green roof systems and roof gardens; - green walls to provide insulation or shading and cooling; - new tree planting or altering the management of land (e.g. management of verges enhance biodiversity). <p>You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans.</p> <p>Further information on GI is include within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".</p> <p>Biodiversity enhancement</p> <p>This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p>Landscape enhancement</p> <p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural</p>	

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		<p>resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.</p> <p>Other design considerations</p> <p>The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 180).</p>	
23 b	Natural England	<p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p>Please send all planning consultations electronically to the consultation hub at consultations@naturalengland.org.uk.</p>	The SPD has already been `screened` for the need for Strategic Environmental Assessment (SEA) and Natural England concurred with the Council's view that this was not necessary. Formal Habitats Regulations Assessment is not considered necessary either as there are no likely significant effects of the SPD itself. SEA and HRA have already been undertaken for the Local Plan and its policies and the development it supports.
24 a	Lancashire County Council	<p>Thank you for consulting the County Council on the above planning document. I provide the following officer level comments, I hope they are helpful.</p> <p>Education</p> <p>Lancashire County Council holds the statutory responsibility to deliver schools places across Lancashire for Lancashire children. This statutory duty does not</p>	Council officers have been seeking to understand from the County Council how developer contributions or lack of them effects the basic needs allocation and the clarification given is welcomed and para 10.2.11 (now 10.2.6) has been updated accordingly - see also DfE response. However, what is still not entirely clear is that how this affects the wider Lancashire

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		<p>relate to district council boundaries. Therefore, where education contributions are not sought by district councils, the additional pupils from those developments may not be mitigated by additional provision within the district council boundaries.</p> <p>It should also be noted that Basic Need allocations are also calculated on a Lancashire wide basis. Therefore, whilst there can be a local need under an education contribution assessment, within the Basic Need allocations this assessment of need may be balanced out by a large surplus in a neighbouring area or further away, which negates the payment of any Basic Need allocation. Without secured education contributions to mitigate the impact of developments, Lancashire County Council will object to those developments on the grounds of sustainability.</p>	<p>strategy for school places in the medium to longer term e.g. surpluses elsewhere in Lancashire would presumably be addressed by school closures and the budget spent where there are currently or predicted future shortfalls?</p> <p>Further Consultation:</p> <p>Further clarification on how the longer-term strategy for school provision is taking account of Burnley's growth and local plan allocations was sought from LCC - see further response at 24 i.</p>
24 b	Lancashire County Council	<p>Para 6.3.3 refers to a five year clawback. The latest Department for Education guidance (Securing developer contributions for education) recommends 'that planning obligations allow enough time for developer contributions to be spent (often this is 10 years, or no time limit is specified)'. Our position is that either ten years or no clawback is more suited to the provision of education places that are traditionally delivered over a longer time period than other contributions. Officers will continue to request this clawback time period and would ask that greater flexibility is provided to conform to the national guidance.</p>	<p>Re para 6.3.3 - It is not considered appropriate for section 106 agreements not to include a claw-back if the money is not spent as set out in the agreement. It is hoped that the need to claw-back money would be a very rare occurrence. Contributions can involve very substantial sums of money and agreement to them may well have affected other aspects of the scheme design and/or other contribution requests, so it is important that they are robustly justified and spent on the required infrastructure. As the SPD states, the claw-back may be longer than 5 years where justified and this will be negotiated as part of the agreement to reflect the size and likely build-out rate of the development in question.</p>
24 c	Lancashire County Council	<p>Para 10.2.1 refers to the site specific assessment of impact on school places as being a tariff based contribution. This is not the case. To be clear, the assessment is based on detailed forecasting and housing information directly related to the development and is not a tariff based approach levied against all housing developments. Only where there is a direct need for impact mitigation arising from the housing development is a contribution required. May I suggest that the text is revised to say "In respect of housing developments, where there is a projected shortfall of primary or secondary places at schools within a reasonable distance, the County Council will request a planning contribution be made towards new provision through the expansion of existing schools, or the provision of a new school".</p>	<p>Re para 10.2.1 - The consultation draft SPD described education contributions as `a tariff-style contribution`. This is a descriptive rather than a legal term but it is accepted education contributions calculated according to LCCs methodology are not `tariff` contributions as for example CIL is. This reference is proposed to be deleted. See later response to points about addressing impacts.</p>
24 d	Lancashire	<p>I would recommend not including a specific figure in para 10.2.3 as the</p>	<p>Re para 10.2.3 - the DFE response has asked for the figures to</p>

Ref:	Consultee	Comments	Recommended Response
	County Council	<p>Department for Education guidance on seeking developer contributions has recently changed and Lancashire County Council have yet to agree on the cost per place going forward under the new guidance. The figures you quote will be out of date by the time you publish the SPD and therefore a link to our education methodology could be included here instead, noting that the costs included in the methodology are those to be used (https://www.lancashire.gov.uk/council/planning/planning-obligations-for-developers/).</p> <p>The link to this document is currently a footnote to the text, whereas other linked documents appear as hyperlinks within the text. The inclusion of a specific figure in your SPD will cause confusion for developers, as it will not be regularly updated and may be a cause of challenge or appeal.</p> <p>However if Burnley BC insist on these figures being included then the sentence needs to be changed from "The cost per place from the 1st April 2019 is:" to "The cost per place from the 1 April 2019 to 31 March 2020 is:", to make it clear than these figures will expire on 31 March 2020 and be replaced with new figures from 1 April 2020.</p>	<p>be updated and further text added – see separate response. On balance, the removal of the detail of the specific amounts and replacement with a link as suggested by LCC is considered to be more appropriate as these figures are updated annually.</p>
24 e	Lancashire County Council	<p>Para 10.2.7 should be amended to recognise that windfall sites of the scale to generate the need for a new school may come forwards during the Plan period.</p>	<p>Re para 10.2.7 (now 10.2.8) - Plan-compliant additional windfall sites of a scale necessary to generate a new school are unlikely and would no doubt require a review of the SPD and possibly the Local Plan. No change is considered necessary.</p>
24 f	Lancashire County Council	<p>The final sentence of para 10.2.10 states that education contributions are not critical or necessary, as they are also funded by Government. This is incorrect, and contradicts the second sentence of the same paragraph, which recognises that national planning guidance states that central Government funding to local education authorities (the County Council) will be reduced to take account of developer contributions. The latest Department for Education guidance (Securing developer contributions for education) makes clear that Central Government Basic Need Grant, the Department for Educations free school programme and other capital funding do not negate housing developer responsibility to mitigate the impact of their development on education. This section of your SPD requires redrafting to clarify why Burnley Borough Council believe Government should pay for the impact of new housing on local school places, effectively requiring the County Council to subsidise housing developers.</p>	<p>Para 10.2.10 now 10.2.4 states that education contributions that would prejudice viability <u>can</u> be reduced or waived as not being critical and necessary and the supporting text to the SPD at section 5.2 makes clear that the prioritisation categories are “illustrative not definitive or exhaustive, as in each case a piece of infrastructure may not be relevant to the scheme or may be more or less important to a its acceptability.” It is not agreed that education contributions should normally fall into the necessary and critical Priory 1 category but remain in the necessary and important category Priority 2 – a category which recognises that they can be justified but that in most cases in Burnley, viability can be taken into account. It is frustrating that the two Council’s cannot agree on this fundamental point which is recognised in LCCs own contributions policy at para 3.6 and in national planning</p>

Ref:	Consultee	Comments	Recommended Response
			<p>policy, case law and appeal precedent.</p> <p>The right of the County Council to ask for education contributions is accepted and such contributions are normally regarded as 'necessary an important' and must be funded where viability allows. As the SPD sets out, plan-compliant adjustments to schemes can be made to improve viability and thus allow for greater education contributions to be made. In respect of primary school contributions, where the location of a development has a clear effect on specific school these could be regarded as necessary and critical but otherwise would be a high priority within category 2; ultimately, each scheme needs to be judged on its particular merits.</p> <p>Both Council's work with the legislation and national policy set by the government. Whether these establish the best or right approach to planning contributions and the impacts on sales prices is not a matter for this SPD. It is important to remember that the planning system is not a means to make good a deficit in public sector funding provided through general taxation.</p> <p>For allocated sites and small windfall sites with defined development boundaries, these are not unplanned developments. The borough's Local Plan was adopted after being found sound and legal compliant at Examination and the Council is required to implement the Plan and a deliverable and developable supply of housing sites - and the viability challenges faced were evident at the time.</p> <p>Developers of course need to make a profit (20% in the formula), but they are also delivering the Plan's housing requirement. It is also important to remember that not all new housing developments are being required to make contributions and that any needs arising from schemes of 10 or less and those benefitting from PD rights are being fully tax-payer funded - as are schemes relying on spare capacity already funded by the tax payer.</p> <p>It is also the case that decisions of the County Council to</p>

Ref:	Consultee	Comments	Recommended Response
			<p>expand or close an existing school e.g. Hameldon Community College, or by the DfE to allow a Free School to establish, significantly affect local capacity and the need or otherwise for contributions for certain pre-planned developments, as do population changes and changes to national policy on a wide range of planning and non-planning matters. This means that in most cases, the requirement for new or improved infrastructure over a plan period cannot be predicted with certainty at the outset.</p>
24 g	Lancashire County Council	<p>It should also be noted that the calculation of the Central Government Basic Need Grant is working on a future forecast need for around 3 to 4 years in the future (Department for Education process is currently changing hence the uncertainty). Hence there is a significant time delay between developer contributions being declared on government returns and the impact on future funding. It is not entirely clear that the reduction of the County Council's future funding is of relevance to the Developer Contribution SPD, as the delay in funding means that the funding is for future need, whilst the developer contributions are for a current or emerging need. Due to the difference in methodology (Basic Need being calculated on a Lancashire-wide need, developer contributions being calculated on a 2/3 mile radius), there may be no relevance of basic need to a developer contribution SPD.</p> <p>The statement at para 10.2.11 that education provision will be delivered in the absence of developer contributions is incorrect. The statement implies that where developer contributions are not secured by Burnley Borough Council, Lancashire County Council will spend an alternative pot of money to meet the needs of the development. There is no guarantee of additional funding from other sources and at present there is no additional funding available for Lancashire. Furthermore, the latest DfE guidance (Securing developer contributions for education) makes it clear that developer contributions are expected to meet the relevant need of that development, through the provision of land and/or funding for land and construction (please also see the representation submitted by John Pilgrim of the Department for Education).</p> <p>Where the local planning authority is unable or unwilling to secure the full education contribution to mitigate the impact of that development, Lancashire County Council will object to that development on the grounds of sustainability.</p>	<p>It is not clear what point LCC are making regarding timing, but the properties that the new school places will serve, will begin to be occupied at the earliest from around 18 months to up to 5 years from the grant of full planning permission - longer for an outline and would of course fill spare capacity first.</p> <p>The availability of basic needs funding as an alternative to contributions is relevant to the decision-making process on a planning application – as is the fact that this may not fund additional place at local schools within a reasonable distance when they are initially required, thus making development less sustainable in the shorter term. Para 10.2.11 (now 10.2.6) has now been updated accordingly. In the longer term, Lancashire-wide school planning will presumably refocus resources where there are current or predicted future shortfalls? Given the fact the Local Plan was adopted 2 years ago and many of the allocated sites were identified in its earlier drafts, this forward planning should have already occurred?</p>

Ref:	Consultee	Comments	Recommended Response
24 h	Lancashire County Council	<p>I cannot yet provide an update on para 10.2.12, officers are currently working through the impact of the recent guidance changes and their impact on our own methodologies. We will update our own methodologies in due course, including the pupil yields once the detailed methodology is published by the Department for Education.</p> <p>I welcome the intention at para 10.2.13 that Burnley Borough Council intend to work constructively with the County Council on aligning the county and borough approaches. I hope the comments above can provide a starting point for these discussions. Please contact me if you wish to discuss any of these comments.</p>	<p>It is noted that LCC has reviewed its own contributions policy and is reviewing its provision strategy. LCC is also inputting into an update of Burnley's IDP. A wider meeting with LCC on education contributions was planned for March 2020 but was postponed due to the coronavirus pandemic.</p> <p>The DfE response highlighted that LCC's current policy approach is more restrictive than DfE recommends and this called in to question whether some contribution requests are properly justified, particularly at secondary school level. Greater flexibility in distances may or may not affect individual assessments (see also response to DfE comments).</p> <p>Lancashire County Council were approached for comment on this particular point in the light of the DfE response and asked to consider whether the distance used for assessing the need for secondary school places i.e. 3 mile radius is appropriate or whether an alternative approach should be used. See response below.</p>
24 i	Lancashire County Council - further comments October 2020	<p>The first point we must make is that Lancashire has a single housing methodology that is used consistently across all 12 district council areas in Lancashire, and is a clear transparent process and fairly applied to all developments equally. We cannot consider a change to the methodology for a single district. The methodology is regularly reviewed in light of changing guidance, and has been recently reviewed in 2020 and republished with some minor changes, but no overall change to the method of assessment (i.e. we continue to use the 2 / 3 mile radius).</p> <p>The methodology, whilst seeking to ensure that requests are CIL compliant, is also an approach which applies the test of reasonableness. To anticipate and assess each possible permutation of walking route taken to every local school for each individual development would require a disproportionate amount of resource which is simply not available, nor possible within the planning window, particularly since the county council is dealing with planning applications across all Lancashire districts. Instead the council approximates the walking distances via a direct radius from the centre of the development as given by district or developer through the application. This is a reasonable compromise which has been tested in front of planning inspectorate and accepted a reasonable</p>	<p>(See responses above in relation to the detail of the points being discussed below.)</p> <p>Whilst LCC's wish to have a consistent methodology across Lancashire is understood, LCC has been aware for some considerable time about the Borough Council officers' concerns with the education contributions methodology and is, or should be, fully aware of the viability challenges that the Borough faces in comparison with some other parts of Lancashire, which means that even if the methodology remains unchanged, secondary school contributions may not be able to be funded in full or at all. Given the sums being requested for secondary contributions at many sites and the difficulties this is causing in balancing other contribution requests and scheme quality, greater flexibility is required moving forward. It is noted that the County Council accept that the decision to close Hamilton College (caused in part by DfE's decision to allow the establishment of a Free School elsewhere in the borough) has resulted in requests for</p>

Ref:	Consultee	Comments	Recommended Response
		<p>approach. Although the comments from the DfE make a valid point, it is only guidance and in their own words "<i>the guidance is not intended to replace local approaches</i>".</p> <p>In specific reference to the suggestion to use a wider radius for secondary schools; part of the reasoning for us using the 3 mile radius for secondary schools is that the places at schools within 3 miles of development will in high probability be accessible by the pupils from the development. Therefore the places at the schools within three miles will directly mitigate the impact of the development. To consider school places outside of the 3 miles radius would suggest that it is acceptable to direct pupils to schools beyond the acceptable walking route, when closer school places exist and the suggested mitigation may not provide a 'sustainable' mitigation route to meet the tests of CIL as being directly linked to that development. Therefore to reasonably comply with CIL regulations and provide consistency in the approach taken for primary contributions, we use 3 miles for secondary schools.</p> <p>Your reference to the changes in national guidance and lifting of pooling restrictions has been welcomed. The recent DfE guidance for securing developers contributions has been applied to the update to our education methodology and has been approved by LCC cabinet.</p> <p>As with any landscape, there are foreseen changes and unforeseen. The rapid reduction of viability of Hameldon College from both a financial and attainment perspective led to closure, in large part due to the unforeseen opening of a new free school and UTC in the area by DfE when additional places were not yet needed. This ultimately leaves a shortfall of secondary school places in an area where the existing schools were mainly under PFI contracts. The council is investing heavily in addressing this current shortfall with provision of additional places in new accommodation at Unity College.</p> <p>Currently the School Place Provision Strategy is under review and will consider any changes proposed by the DfE. This will be put before LCC cabinet for approval and districts will have the opportunity to feedback at the consultation stage. It would be pre-empting the consultation process and response to discuss the updated version before cabinet approval to consult.</p> <p>The recent DfE guidance did make clear that where housing development leads to a shortfall of places, housing developer contributions would be expected to</p>	<p>contributions from some developments which would otherwise not have been made.</p> <p>It is disappointing that agreement could not be reached with LCC in respect of a revised approach to secondary school contributions. The difficulties or undertaking individual assessments with all permutations of bus and walking routes is accepted so it is agreed that a formulaic approach is still justified. A revised formula is therefore proposed and Section 10.2 of the SPD has been amended to state that "where a request for a secondary place contribution is received from LCC, the borough council will do its own assessment using aspects of the LCC methodology i.e. the pupil yield formula, cost per place, but using a revised 'reasonable distance' being the greater of the borough boundary or a 3 mile radius." It is not accepted that this would be unsustainable or unreasonable in terms of travel for secondary school pupils. Even with this more flexible distance, viability impacts can and must still be considered - see response under 24 f.</p> <p>LCCs comment about the contributions not funding the costs in full is noted.</p> <p>There is still no explanation of how the school provision strategy is taking account of Burnley's growth and local plan allocations but the opportunity to comment on the updated strategy that LCC indicate will be provided, is noted and welcomed.</p>

Ref:	Consultee	Comments	Recommended Response
		<p>fully mitigate the impact of the development: <i>"As far as possible (and often in relation to primary schools only), new settlements and urban extensions should be expected to meet their full education requirement. Where an onsite school is required, it should be large enough to meet the need generated by the development. As a general rule, the capacity of existing primary schools beyond the statutory walking distance does not need to be taken into account when calculating developer contributions for permanent onsite schools in new settlements and urban extensions. This promotes sustainable and healthy travel patterns for young people."</i></p> <p>There should be no assumption on any individual housing application that alternative funding may exist. In the majority of cases there is no alternative funding available, and without education contributions secured the County Council will be unable to guarantee that it can provide investment in education provision to mitigate the impact of that development.</p> <p>The updated education contribution methodology states: <i>"In identifying a shortfall in local provision and asking for a developer contribution, Lancashire County Council is, in effect, objecting to the application on sustainability grounds. A developer contribution that mitigates the impact of the development will, in most cases, overcome the objection. If a developer does not agree to payment of the requested education contribution or the local planning authority does not pursue Lancashire County Council's request on its behalf, Lancashire County Council cannot guarantee that children yielded by the development will be able to access a school place within reasonable distance from their home, so the development could be considered to be unsustainable. If the development is still approved without any education contribution or a reduced contribution, Lancashire County Council would be seeking clarification from the local planning authority on how the shortfall of education places will be addressed. For infrastructure requirements that are to be funded by community infrastructure levy the School Planning Team will contact the CIL decision making authority to seek confirmation that the full education contribution requirements can be secured through housing developer contributions prior to the planning application being considered for approval. Should the confirmation of the full education contributions not be provided the School Planning Team would object to the planning application."</i></p> <p>Basic Need funding is used mostly on larger strategic projects to address place shortfalls which occur without housing impact included. For example, there is</p>	

Ref:	Consultee	Comments	Recommended Response
		<p>significant investment within Burnley to provide additional places at Unity College and Shuttleworth College. This represents the use of several years of Lancashire wide funding in one hit to partly resolve secondary place provision based on primary school population and migration, and the unforeseen closure of Hameldon College. Any further secondary place shortfalls created due to housing development are not necessarily covered by this investment, therefore may still require further education contributions to mitigate their development.</p> <p>It should also be noted that there are significant shortfalls between the basic need funding rate and the education contribution rate, and the actual costs of developing additional places. In most cases where education contributions are secured against a school, this will not fully cover the costs of provision, and the County Council will have to "top-up" any capital scheme from its own funds, including Basic Need.</p> <p>We are aware that Local Planning Authorities would welcome some indication of future projects and areas of anticipated need and our soon-to-be-published School Place Provision Strategy seeks to provide more of this kind of information going forward.</p> <p>We appreciate your understanding and action on this matter (which avoids any confusion around the cost per place, as mentioned before we have updated our methodology which has been approved by cabinet, this includes the updated cost per place for mainstream.</p>	<p>This was LCC's response the officer suggestion that "With reference to the specific school place cost calculations, we are minded to accept your suggestion and remove these from our SPD and simply cross reference your website so that people always have the up-to -date information - and presumably you can discuss directly with the Department for Education whether the formula calculations need adjusting.</p>
25	Homes England	<p>I would firstly like to thank you for the opportunity to respond to the consultation on the Developer Contributions Supplementary Planning Document (SPD).</p> <p>Homes England is the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making possible the new homes England needs, helping to improve neighbourhoods and grow communities.</p>	<p>Comments noted.</p>

Ref:	Consultee	Comments	Recommended Response
		<p>Part of Homes England's role is to engage with Local Authorities at various stages during the preparation of Local Plans and associated planning documents with regard to housing matters. We believe that development of Burnley Borough Council's Developer Contributions SPD should primarily be a locally led exercise. In accordance with the National Planning Policy Framework (NPPF) it should be underpinned by relevant and up-to-date evidence which is adequate and proportionate, focused tightly on supporting and justifying the policies concerned and take into account relevant market signals.</p> <p>As you will be aware, Homes England control a significant amount of public sector land. We have a responsibility to make best use of this and we support the government ambition to release surplus public sector land for housing. In this context, we have been working collaboratively with the Council to bring forward the former Baxi site for housing and will continue to do so.</p>	
26 a	Calico Housing Ltd	<p>I refer to the above consultation on the draft Developer Contributions SPD and write on behalf of Calico Homes, a prominent Registered Provider that is both based in Burnley and actively delivering new affordable housing developments within the Borough. Calico Homes is a not-for-profit organisation and their developments have delivered significant social benefits for those in need of accommodation and local communities.</p> <p>It is noted that at Para 7.3.2 of the SPD, the Council identify the successes of working with Registered Providers to build houses on sites made available from the Council for the delivery of affordable homes. Calico are very proud of the good relationship built with the Council in the progression of such schemes and hope to maintain this in the future. They agree that given market circumstances, this is the best means of meeting affordable need, since the number of units to be delivered through other market housing developments is expected to be low.</p>	<p>Comments welcomed.</p> <p>With regard to affordable housing provision, the Local Plan and SPD recognise the point that Calico raise i.e. that the number of units to be delivered through market housing developments is expected to be low and that working directly with registered providers to provide affordable housing will continue to be necessary.</p>
26 b	Calico Housing Ltd	<p>A great many of the properties managed by Calico Homes however provide accommodation for people living in the Borough but are, until they occupy their home, existing concealed households. As such, occupants are often already utilising local infrastructure and the population of the settlement isn't effectively increasing as a result of Calico's development activity. The homes delivered by Calico are built to meet an existing need, rather than place significant new demands on local services and infrastructure.</p>	<p>Whilst a greater proportion of households occupying new affordable homes may be from currently concealed households than is the case with market housing, and a lower proportion from in-migration; as with market housing, a significant number will also be from newly formed households. The household growth to be accommodated in Burnley is a combination of indigenous change (concealed or newly formed households) and net in-migration, but even indigenous change can impact on infrastructure e.g. on specific schools, even if it does not in itself lead to overall</p>

Ref:	Consultee	Comments	Recommended Response
			<p>population growth. Where viability allows, all schemes should contribute to meeting their specific infrastructure burdens as set out in the SPD.</p>
26 c	Calico Housing Ltd	<p>Calico Homes agree that CIL is inappropriate for Burnley and welcome the Contribution Ceilings specified within Table 2 of the SPD. However, it is important for the Council to recognise that many of the previously developed sites earmarked for the delivery of affordable homes can be extremely sensitive in terms of the cost of addressing inherent site abnormalities (such as ground contamination or the legacy of historic coal mining). Some of the associated costs will only become apparent once works are due to start on-site and the Council will be aware of many locations that were first granted permission but never delivered. Calico Homes often find that associated costs increase during the build-period through no fault of their own.</p> <p>To assist with the delivery of brownfield sites, Calico Homes consequently believes that contributions requested in connection with schemes for 100% affordable housing development should only be for the most essential infrastructure. A degree of pragmatism must consequently be applied by the Council bearing in mind potential remediation costs and the minimal population increase as a result of development. It is perceived that the social benefits associated with the delivery of such schemes represent a very significant material consideration and it is ultimately within the interest of all parties that every effort is made to support delivery.</p> <p>.</p>	<p>The support for the contribution ceilings is noted.</p> <p>The ceilings do not apply to 100% affordable housing schemes although they could be used as a guide where viability is an issue - otherwise a bespoke viability assessment may be necessary if significant contribution requests are made.</p> <p>As Section 5.3 of the SPD sets out, the ceilings draw their assumptions from the Local Plan Viability Assessment which included abnormal costs (including sums for coal mining legacy). The ceilings have been calculated based on a set of 'finer grained' standardised assumptions about policy compliant housing sites, the mix, density, sales and rental values; and for market led schemes, the affordable housing tenure mixes. Individual sites and schemes will of course vary from these the standard mixes and values etc and viability can be improved through policy compliant adjustments to the housing mix or density, or changes to affordable housing tenure mix e.g. to add a greater proportion of intermediate housing or discounted sales. The ceilings are supplementary guidance not development plan policy and as such there may be instances where the circumstances of a particular site or development are such that a lower ceiling or higher ceiling should apply. All 'necessary and critical' infrastructure must be funded in full. For other contribution requests, viability can be considered.</p> <p>In order to agree a lower ceiling, in the first instance the applicant will be expected to explain why the assumptions used to set the ceiling would not apply in their case. Where there is no agreement on this and where an applicant wishes to challenge local plan policy requirements or the thresholds, formulas, contribution ceilings on the grounds of viability, be that on an allocated or windfall site, they will be required to provide their own viability assessment.</p>

Ref:	Consultee	Comments	Recommended Response
			<p>It is not considered necessary or appropriate to exempt affordable housing schemes - including those on brownfield sites - entirely from all but Priority 1 contributions. Any requests for contributions towards Priority 2 matters e.g. education would be considered on their merits and taking into account the scheme in question and its viability; and modest sums towards these Priority 2 matters may therefore be required.</p>
26 d	Calico Housing Ltd	<p>Where contributions are deemed essential, greater clarity is sought as to how requests are calculated. For example, it would be useful for the Council to produce a formula for the calculation public open space, so that amounts can be estimated prior to submission and confirmed as part of pre-application negotiations. Whilst such contributions are not always deemed 'essential' by Calico Homes, it would be useful for them and all developers to be able to budget for the costs in advanced. At present, the amounts are only requested at a late stage of the planning application determination process and this is instead likely to cause delays to the determination of proposals, if for example, the contributions triggered the need to commission a viability assessment.</p> <p>Since requests are also usually made by Lancashire County Council towards local education provision, it would be useful for Burnley Council to provide developers with an indication of the likely contributions at the pre-application stage. This would again assist greatly with budgeting and avoid delays if the amounts requested were deemed to impact upon viability</p>	<p>Pre-application discussions will include likely contributions on affordable housing and open space and the SPD will aid clarity in this regard. The amounts for off-site provision of open space and for the commuted sums for the maintenance of onsite open space are set out in Section 8 of the SPD.</p> <p>With regard to Education contributions, the SPD sets out and cross references Lancashire County Council's 'Methodology for Education Contributions in Lancashire' (but see 24 I above for the proposed approach to secondary school contributions) and pre-application advice on Education and Highway contributions is available directly from LCC which an applicant can then share with the Borough Council. The Borough Council case officers do generally offer to combine pre-application meetings.</p>
26 e	Calico Housing Ltd	<p>Calico Homes welcomes the Council's approach towards the provision of viability assessments, if contributions are deemed unaffordable. However, since these reports could contain sensitive financial information, it is considered that the SPD should provide a commitment to ensuring that these are not uploaded to the Council's website.</p>	<p>Policy IC4 in the Local Plan requires applicants to provide any viability evidence they wish to submit through an 'open book' approach to allow for the proper review of the evidence and for reasons of transparency. These do need to be available for public inspection in full or redacted form and similarly may or may not be added to the Council's website. The approach of the SPD should limit the need for individual viability assessments, but where one is submitted and an applicant considers this contains sensitive commercial information, they can discuss this with the case officer. In general, any information which an applicant wants the Council to take into account as a material consideration should be available for public scrutiny.</p>

Ref:	Consultee	Comments	Recommended Response
26 f	Calico Housing Ltd	<p>It is noted that the Council normally expect S106 agreements to include a clause stating when and how the funds will be used by and allow for their return, after an agreed period of time. If the money is not spent within the agreed period, the developer will be reimbursed with the outstanding amount, together with any interest accrued, unless the agreement is varied. It is also believed that the SPD should make a commitment to providing the developer with regular notifications as to when and where the money has been spent. It is considered unfair for the development to have to chase this but moreover, it will help to be able to demonstrate how contributions have directly improved the local infrastructure and service provision. It is trusted that the above comments will be attributed weight as the Council progresses towards the adoption of the SPD and I shall look forward to further news in due course. We would welcome any further opportunity to comment or discuss any changes that arise as a result of consultation responses</p>	<p>As section 6.1 of the SPD sets out, from December 2020, information on developer contributions must published through an annual infrastructure funding statement. This will allow for a better understanding of how developer contributions have been used to deliver affordable housing and infrastructure in the area.</p>

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Developer Contributions SPD: Appendix C to the Executive Report

Notes of the Scrutiny Working Group

Tuesday 22 September 2020, Burnley Town Hall

Present:

Members: Councillor B Foster

Officers: Kate Ingram, Strategic Head of Economy and Growth and
Elizabeth Murphy, Planning Policy Manager

Apologies: Councillors H Baker and L Pate

Prior to the meeting members were provided with a brief report, a copy of the responses and a copy of the SPD. The group were advised that a further response was awaited from Lancashire County Council on the subject of secondary education contributions. Officers attended the meeting to present the consultation responses and to answer questions.

Councillor Foster echoed officers' appreciation of all those, and in particular the members of the public, who has taken the time to comment on the SPD. The unavoidably technical nature of the SPD's content was noted.

Three substantive issues were discussed:

1. The priority given to the 'Green Agenda' - Cllr Foster explained that members wanted to ensure that contributions for the energy efficiency, renewable energy and Green Infrastructure were prioritised. It was clarified that many of these matters are not met through contributions but through the implementation of Local Plan policy and the building regulations; but that contributions for affordable housing and non-green infrastructure have impacts on scheme viability and prioritisation and flexibility in respect of non-critical contributions will be necessary to ensure development meets the Local Plan standards in respect of these 'green matters'. The SPD categorises open and play space required under Policy HS4 and mitigation for protected species impacts as priority 1 - Necessary and Critical which must be provided irrespective of viability; whereas on and off-site other Green Infrastructure was priority 2c where viability could be considered - but only insofar as it does not compromise achieving an acceptable form of development.

2. Similarly, Cllr Foster explained that members wanted to see high quality developments in terms of architectural design. Whilst the policies for design are set out in the Local Plan, it was also proposed to prepare a separate Design Guide SPD. As with the previous discussion, if the collective costs of contributions make a scheme unviable, developers will seek to address this viability gap e.g. through the use of cheaper materials or increasing scheme density - and again prioritisation and flexibility is required.

3. Education Contributions: Officers explained that LCC had been contacted for a further response in light of the DfE comments on the draft SPD, particularly regarding secondary education contributions; and a response was awaited. Cllr Foster felt members would be supportive (subject to considering LCC's response) of allowing greater flexibility e.g. using the borough boundary or 3 miles whichever is the greater, especially in order to ensure that scheme quality could be maintained and affordable housing contributions could be made.

The Working Group was generally supportive of the SPD and the prioritisation it sets out.

The Safer Streets Project

REPORT TO EXECUTIVE COMMITTEE



DATE	01/12/2020
PORTFOLIO	Community Services
REPORT AUTHOR	Richard Brown
TEL NO	01282 425011 Ext 3375
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PURPOSE

1. To update the Executive on the details of the Safer Streets Project and seek approval to enter into an agreement to accept £549,500 grant funding from the project.
2. To Authorise the Head of Steetscene to tender for works associated with the project.

RECOMMENDATION

3. To seek approval for the Council to enter into an agreement with the Police and Crime Commissioner's Office to receive grant funding from the Home Office Safer Streets project.
4. That the Executive authorises the Head of Streetscene to tender for the proposed work in accordance with Standing Orders and accept the most economically advantageous tender.
5. To authorise the Head of Legal and Democratic Services to give effect to all necessary documentation to implement the above decision.
6. To authorise the Head of Streetscene in conjunction with the Executive Member for Community and Environmental Services to oversee the project delivery, performance and completion.

REASONS FOR RECOMMENDATION

7. The authorisation to proceed with the tender process will allow the commencement of works on the Safer Streets project with immediate effect.

SUMMARY OF KEY POINTS

Background of the Safer Streets Fund.

8. In January 2020 the Home Office announced the availability of the Safer Streets Fund, a funding stream of £25 million made available to Local Authorities to bid in to with projects tackling high impact acquisitive crime rates.
9. The mechanism for applying for this funding was via the Office of the Police and Crime Commissioner (OPCC), and each Policing Authority could propose a maximum of three bids comprising of one primary bid and two further bids.
10. Following an analytical exercise conducted by the OPCC and Senior Lancashire Police officers it was proposed that a bid focusing on the specific Lower Super Output Areas (LSOAs) of areas of Bank Hall and Burnley Wood would be put forward as the primary bid for Lancashire.
11. A bid was submitted for £549,500 for a project based on a range of crime reduction interventions in the identified LSOA's and in August 2020 it was announced that the bid was successful. The proposal was put forward as the primary bid for Lancashire with a secondary bid put forward by West Lancs Borough Council. That bid was also successful.

Burnley Safer Streets Bid.

12. The £549,500 funding awarded through the Safer Streets Fund will mainly facilitate bespoke home security improvements, and improvements to the local areas follows:
13. Bespoke Home Security improvements. Working with landlords and owner occupiers to identify households that would benefit from home security improvements such as better locks on doors and windows, better standard back doors, and improved lighting.
14. Rear yard gate replacement scheme. Prior to the submission of the bid an Environmental Visual Audit (EVA) was undertaken to identify issues within the area. Between this EVA and the analytical study carried out it was noted that the main vulnerability in these areas lay within the back streets with poorly secure back yards being a prime concern. The allocation ring-fenced for this activity will provide improvement in this area for approximately 400 properties.
15. Alleygating is an established method of crime reduction within the Borough and the funding allocated to this activity will provide a further 10 schemes to be rolled out concurrently with the annual capital program schemes.
16. CCTV improvements. Improvements have been proposed with the installation of 6 new locations, connected to and managed by the Pennine Lancs CCTV Hub. These locations

cover the main arterial roads and key access points to the project areas, enhancing coverage and security to the area.

17. Green Space Improvement. A key feature to the security of a community is the amenity of that area. The EVA identified a number of locations that could be improved and working with Parks and Green Spaces this work will be undertaken to improve local play areas and other public spaces.
18. Community Engagement. Working with a previously used awareness raising theatre group will be carried out to develop a package for residents that highlights issues around community safety and crime reduction.
19. Tracking Equipment. The Police will procure equipment for use in proactive work to detect offenders.
20. Residential Crime Survey and Community Engagement. This budget has been set up to enable proactive community engagement within the area to speak to residents and build sustainability for the project.
21. Communications program to promote the project within the community through a range of methods such as leaflets, social media, and newsletter.
22. Home Security Kits. Basic home property making kits and stickers to distribute to residents.
23. Project Manager. A Consultant Project Manager will be employed to oversee the delivery of the project, reporting to local Community Safety structures to ensure progress.
24. Project officers will, subject to Executive approval, commence procurement in accordance with Council policy with immediate effect.
25. All funding commissioned during December 2020 and committed by March 2021.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

26. The work outlined in the Safer Streets Project will be funded entirely by the Home Office Grant, administered by the Police and Crime Commissioner's Office. The Council will administer the budget. Match funding will be provided by the council and partner agencies in the form of officer time.

POLICY IMPLICATIONS

27. N/A

ITEM NO	[AgendaItem]
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DETAILS OF CONSULTATION

28. N/A

BACKGROUND PAPERS

29. None

FURTHER INFORMATION

PLEASE CONTACT: Richard Brown Community Safety Officer Ext 3375

ALSO: Joanne Swift, Head of Streetscene x7301

COVID-19 COMMUNITY RECOVERY PLAN

DRAFT REPORT TO EXECUTIVE



DATE	8 December 2020
PORTFOLIO	Leader
REPORT AUTHOR	Rob Dobson
TEL NO	3115
EMAIL	rdobson@burnley.gov.uk

PURPOSE

1. To seek Executive approval of the council’s covid-19 community recovery plan.

RECOMMENDATION

2. That the Executive recommend to Full Council that the council work in partnership - through the development of Burnley Together- to achieve community recovery.
3. That the Executive endorses the hubs priorities as set out in Appendix 1, namely: jobs and skills, health and wellbeing, and community inclusion.
4. The Executive delegate authority to the Head of Housing and Development, in consultation with the Exec Member for Housing, to allocate funding from the Better Care Fund for Social Care Capital Projects.

REASONS FOR RECOMMENDATION

5. The aim of the strategy is to generate positive outcomes to address the fragilities, and make the most of the opportunities, that the emergency has exposed.

SUMMARY OF KEY POINTS

6. The Council has already agreed a separate strategy prepared by the Head of Economy and Growth detailing the actions to be taken in support of the borough’s economic recovery. A Community Recovery Plan will complement that strategy. The key plank of the plan is the development of the Burnley Together Hub. Burnley Together (the hub) has been operating since the start of the pandemic. Its contact centre received 11,045 contacts, providing direct support to 2,208 families. The hub offers a range of services both directly and through its network of partners. Throughout April, May, and June the hub made contact and checked on 2,930 of the town’s most clinically and socially vulnerable people. Mostly this was via telephone contact but on 152 occasions home visits were arranged to ensure safety. Outputs so far include:
 - Around 5,000 food parcels to those in need thanks to hub partners’ BFC in the Community, Ghausia, and Gannow foodbank.
 - During the summer holidays, with funding from DEFRA the hub distributed 52,772 meals through a new community food partnership including our foodbanks, Charter House, Northern Community Networks, Padiham Town Council and Burnley Boys

- and Girls Club ensuring that no family had to go hungry during the school holidays
 - The hub provided nearly 800 residents with either support for shopping or uninterrupted supply of their medication whilst they have been shielded.
 - The hub has supported at least 144 individuals to register for volunteering. Thanks to Burnley, Padiham and Rossendale CVS the volunteers received training and had access to opportunities that met their skills.
7. Burnley Together's greatest strength is the broad range of partners it has brought together for coordinated action. At present, it has over 100 partners from the community, voluntary and faith sector registered on its database, alongside statutory agencies. While continuing to support all vulnerable residents with essential needs, other key priorities for the hub are to provide a co-ordinated service to young people, by helping them with skills and employment, and to help residents through personalised health and wellbeing support.
 8. Another element of the plan is to allocate Better Care Funding towards Social Care Capital Projects. These projects will improve access to services that promote health and wellbeing in communities.
 9. The plan also commits the council to support the ongoing test and trace service, and to support health and county council partners to deliver a successful vaccination programme.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

10. There are no new budget implications for the council. The strategy will be funded through central Government grants, which are set out in the action plan in Appendix 1.

POLICY IMPLICATIONS

11. The main implications are:
 - a. Reprioritisation of senior leadership to support test and trace and vaccination response.
 - b. Establishing a governance structure for the Hub, including maintaining good data protection policy and practice.
 - c. Making sure that the Hub complements and enhances existing services and reduces complexity for residents in accessing the services they need. The Hub must work through all the issues holding back the life chances of its service users, going beyond the initial contact to promote future independence through empowerment and targeted support.

DETAILS OF CONSULTATION

12. Calico, Primary Care Network leads, CVS, BFC in the Community, Burnley Leisure, Lancashire Constabulary.

BACKGROUND PAPERS

13. None.

FURTHER INFORMATION

PLEASE CONTACT: Rob Dobson

ALSO:

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Covid-19 Community Recovery Plan

v0.3

DRAFT

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DRAFT

Introduction

Covid-19 pandemic has had a significant impact on all our lives. Burnley Council will do everything it can to help the borough bounce back from its effects

First, we must defeat the virus. We will continue to play our part in delivering the local Test and Trace service. We will also work with Government and health partners on preparations and delivery of the vaccination programme.

Secondly, we must plan for a strong recovery. In November 2020, Burnley Council agreed a plan to help the borough's local economy bounce back. "[Burnley's New Economy: A Strategy for Recovery and Growth](#)" provides direct support to local businesses and to help our young people into employment.

But the virus has also had a major impact on social and community life. The virus has brought loneliness, anxiety, financial insecurity, isolation and exclusion. Some residents will, for the first time, need to navigate the benefits system. Families have been bereaved and individuals may be dealing with the long-term medical implications of having had the virus. The pandemic has also created tension between those that support strong restrictions to contain the virus and those who believe the Government's response has been an overreaction.

At the same time, our response to the pandemic has resulted in new friendships, a greater sense of neighbourliness, community action and a willingness to volunteer. Organisations in the borough have come together to play their part. New partnerships have formed, respect and trust has increased, along with collaboration and innovation.

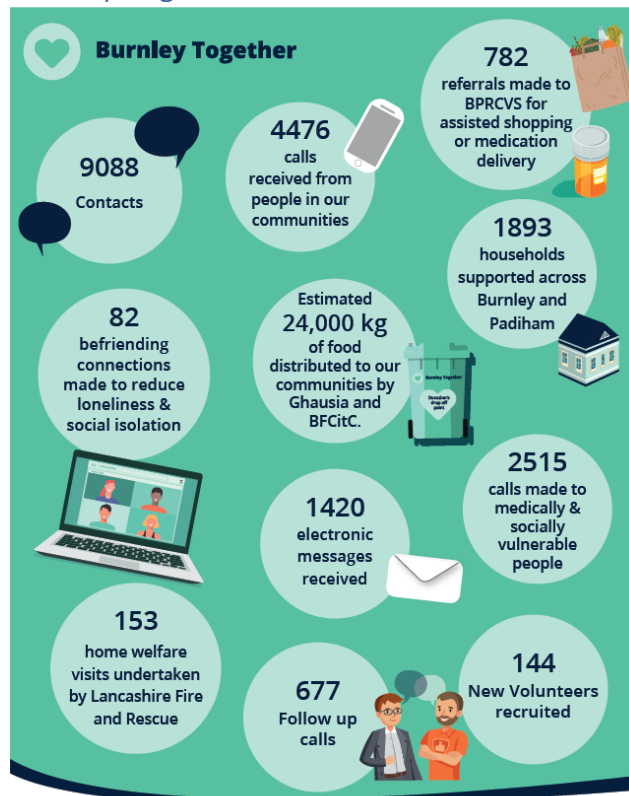
This document sets out how the council and its partners will- through the Burnley Together partnership- continue to meet the challenges of the pandemic but also will build on the opportunities it has created.

What is Burnley Together?

Burnley Together is a partnership between Burnley Council, the Calico Group, Burnley, Padiham and Rossendale CVS, Burnley Leisure, Burnley FC in the Community, Building Bridges, Lancashire Police, Lancashire Fire and Rescue, the Primary Care Networks and Lancashire County Council. We also recognise the importance of our community and voluntary sector in our effort generally, but particularly Charter House, Ghausia Mosque, Stoops and Hargher Clough Community Centre, Gannow Community Foodbank, Northern Community Networks, Burnley Boys and Girls Club, and Valley Street Community Centre.

Burnley Together has delivered something unique during the Covid-19 crisis, creating a strong place-based partnership that has focused resources on getting things done. As the emergency phase concludes, there is a desire from partners to continue this way of working as we transition into the 'new normal'. The purpose of this partnership will be to continue to build a service that responds to local needs, delivers personalised services, builds inclusion and trust in our communities, and empowers our residents to be independent.

Burnley Together: achievements



Burnley Together has provided a one stop shop approach meaning that whoever you are, whatever you need, help is available. Service requests are channelled through a contact centre currently open seven days per week.

In its first three months of operation, Burnley Together supported over 8,000 individuals living in Burnley and Padiham, providing welfare checks to those who are shielding; food for families that are struggling financially; arranged picking up and dropping off of prescriptions; and befriending services for those that are lonely and socially vulnerable.

Burnley Together has built and strengthened connections with our communities, enabling relationships to be formed around trust with our public, third, and business sectors. We have seen all corners of our community come together to

help, delivering services where they have been needed most, and making sure no one gets left behind.

Burnley Together offer personalised support. Conversations enable our contact handlers to understand the needs of the individuals, and to ensure they get the help that will make a difference. Those seeking help are supported towards independence. All contacts are followed up and impact is assessed.

This focused way of working and energy to get things done, has engaged our partners too. Burnley Together has renewed relationships and created vigour for continued collaboration. The achievements

of Burnley Together have created a desire to come together to look to a future. We know the place-based approaches are being pursued in housing, health, economy and the broader community development arenas. Burnley Together can be the vehicle to make things happen.

Conclusions from the emergency phase

One thing that is clear from the emergency response work: many of the challenges Burnley Together has responded to existed before Covid-19. Our customers have a unifying characteristic in that they have told us that accessing services is often difficult and confusing, with the need to tell their story multiple times. The old ways of working are de-humanising and ineffective – they do not get people the help they really need to move forward and become independent.

The vulnerable elements of our community remain vulnerable; perhaps more so for the three months in which they have been cut off from the outside world and services that provided them with support. Our children will have received little or no formal education for a six-month period. And our workforce, both young and old, will face unprecedented pressure around redundancy and job availability. Direct impacts of the fallout of the virus and issues that are already emerging through conversations in our contact centre. The challenges around mental health will grow. The impact of food poverty and reliance on our town's foodbank is still present. The weight of expectation on our health and social care system and a general worsening of health and wellbeing are very real risks.

As the crisis of the first wave of pandemic is moving to a conclusion it brings with it a range of new challenges for our borough to overcome as a direct impact of the actions taken over the last 3 – 6 months. The outcomes of our proposal will respond directly to those challenges, whilst also providing flexibility into the future.

Burnley Together's role in the Covid-19 response is not going to end. It will need to evolve as the needs of our community's change. Our proposal is not about changing existing structure, it is about augmenting those structures and adding strength where necessary. Our proposal is about recognising the specialisms of our partners and focusing their energy on that area. It is about working with individuals, both with complex needs and not, and getting them help through personalisation and connection to the right services. It is about delivering a truly place based approach, delivering significantly improved outcomes for the residents, and reducing the burden on key public services.

What is our vision?

Our vision is for ***a partnership with local services, listening to what matters to people in Burnley and Padiham. Ensuring access to the help needed and empowering our residents to be independent, living safe, fulfilling and happy lives.***

To achieve this, we have agreed the following set of objectives.

- **Connecting people** to the services they need across health, economy, and social programmes at the point they need help.
- Ensuring our **approach is personalised** taking notice of what matters to the individual, working hard to really understand their needs and achieve the outcomes which will make a difference for them.
- Working through the challenges with our service users beyond the initial contact creating a **culture of independence** through empowerment and targeted support.
- Making **best use of partnership** resources including the statutory, voluntary, faith and business sector for the benefit of our community.

- Continually review the service offer through **co-production**; monitoring provision, identifying service gaps, and working up solutions with our partners and service users to fill the gaps effectively and efficiently.

How we propose to deliver our vision

The proposal is that Burnley Together should focus on three defined areas of activity. These are skills & jobs, health & wellbeing, and community & inclusion. The proposal is for a place-based approach focusing on integration across our town's footprint joining up services behind the scenes to make things easier for residents to access and making sure they get the right help whilst promoting independence. This approach will ensure that the town is able to make best use of scarce resources provided, and that local people have an opportunity to influence local priorities and key decisions.

We intend to mobilise community assets to provide access points where people can walk in and seek help in a socially distanced way. Through partners we would like to encourage more community venues to offer a 'Burnley Together' service and Calico will commit to providing the necessary training to commence this activity.

We anticipate two levels of support needed by people seeking help from Burnley Together. There will be the individuals that have a single immediate need. This will include people needing help finding work, people needing food parcels, and people seeking social activity. It is highly likely that the contact agent can receive this request and action it through our partnership without the need for further intervention.

There will also be those individuals that need more. These are individuals that have multiple needs which are often complex. They require a short-term support plan that is designed to move them from crisis to independence. For this group we will need to consider resources to provide short term support and assist with moving forward.

As we move forward the model aligns services into three clear areas of work.

- **Skills and jobs:** our ambition is to work with people leaving education, or individuals facing redundancy situations to help them secure employment that improves their circumstances.
- **Health:** our ambition is to help people live healthier lives where they have more choice and control.
- **Community wellbeing and inclusion:** Our ambition is to help people get the help they need to get back on their feet. This will help our communities to overcome challenges and be stronger together.

Our offer will be personalised for each individual that we help, and at the very heart of the offer will be the absolute commitment to support people back to independence – all help we offer is temporary and designed to get people back on their feet.

The next 12 – 24 months will see several challenges emerge for Burnley and its residents as a result of the global pandemic. Three main areas are considered in more detail below.

Jobs and skills development

In May 2020, Burnley had a claimant count of 8% (ranked 10th worst nationally) and a youth unemployment rate at 10.3% (6th). Whilst these figures are high, they are lower than perhaps might have been anticipated indicating that the Governments job retention scheme has worked. Whilst this maybe reassuring to a degree it masks a future challenge highlighted by Centre for Cities¹ which

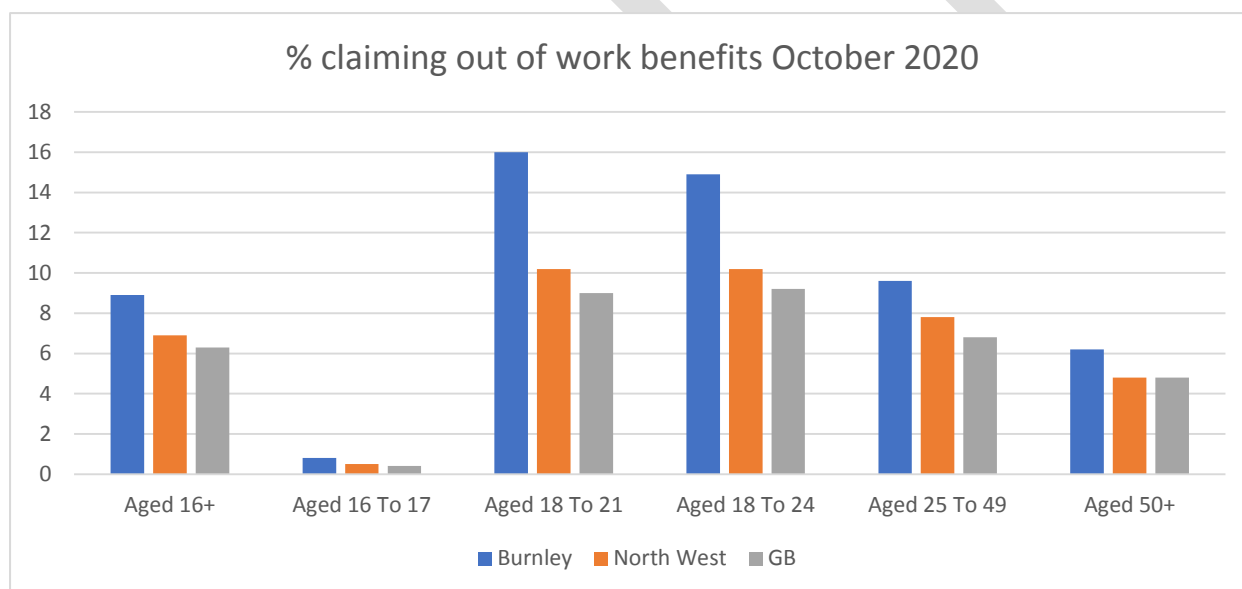
¹ <https://www.centreforcities.org/blog/may-unemployment-count-economic-crisis/>

indicates that Burnley has 31% of its workforce furloughed (for three weeks or more), second highest in England, which is 4 – 5% higher than any other town or city in the top ten of either count.

This suggests there is a latent problem for employment within Burnley that is yet to be fully exposed. In an earlier report the Centre for Cities² identified that in the region of 70% of roles in Burnley would be affected, vulnerable or very vulnerable to Covid-19.

Furlough will end by April 2021 and the medium-term prospects for all sectors of the economy are uncertain. The impact on young people has, and will continue to be, particularly harsh. The dominant focus at present is on the ability of young people to enter the labour market. Young people generally gravitate to roles in leisure, hospitality, and retail and the economic impact of the virus means that these sectors have been hit the hardest. Apprenticeships in engineering have also experienced displacement as businesses seek to save their businesses.

Youth unemployment is further compounded by businesses generally being less likely to be recruiting entry level roles. There is a downward pressure from people being made redundant seeking opportunities in job pools that they would not normally consider. The Resolution Foundation has completed work around this issue³ and is forecasting that youth unemployment in areas like Burnley could hit 35%.



Note: Source is ONS Claimant count by sex and age. % is number of claimants as a proportion of resident population of the same age

Burnley has a range of offers for young people experiencing challenges with employment. Feedback from partners and young people tells us that this offer is difficult to penetrate, especially given the lack of careers support currently available in schools. Our young people need help to navigate this offer and to establish what will work best for them. This is not something that they will achieve alone and without intervention it could lead to an entire generation being lost to unemployment. The mental health impact of this is also significant.

² <https://www.centreforcities.org/blog/what-does-the-covid-19-crisis-mean-for-the-economies-of-british-cities-and-large-towns/>

³ <https://www.resolutionfoundation.org/publications/young-workers-in-the-coronavirus-crisis/>

Health and wellbeing

Covid-19 has had a fundamental impact on the mental and physical health of people across Burnley. Across a range of indicators health and wellbeing scores have significantly reduced. Patterns are consistent between men and women, across all age groupings and different ethnic groupings. This reflects the picture nationally where wellbeing scores are at the lowest, they have been since records began.⁴

People are suffering from psychological distress particularly women and those from ethnic minority groups and, of course, key workers. Stress and anxiety generally in our community are having significant impact on wellbeing. There is a need to establish a mental health support offer across the age ranges that enables our community to recover from the psychological damage of Covid-19. People have had a lot to occupy their minds.

Improving resident's life satisfaction and day to day happiness is essential work in avoiding a mental health crisis in the town and a possible way to achieve this is through more physical activity. The link between being active and positive mental health are well established. During the pandemic we have seen an increase in people wanting to get active and improve their physical health. This is something that we need to encourage people to continue to do. There is a clear opportunity through the work Burnley Leisure are doing, but also through the involvement of organisations like Lancashire Adult Learning.

An area of reflection from the emergency response phase relates to the work that we have done around the shielded and socially vulnerable groups. Whilst many of these individuals live happy and fulfilled lives, there is a reasonably sized group of people that do not because of a lack of access to health and social services for a range of reasons.

From the support we have offered we know that a significant number have needs that have escalated over the three-month period. These groups will need help and support to engage the service they require to prevent them becoming at risk. The key challenge for Burnley here emanates from the elderly population. Older adults are more likely to have had negative outcomes from the virus.⁵ Alongside the removal of access to health and social care services this group have also had access to family and friends restricted.

The mental health impacts from social isolation are clear. The experience as lock down eases is that many of our older people are frightened to emerge from shielding and will need help to regain their independence. There is a connection here with social prescribing activities (coordinated by CVS) and creating safe spaces where people can emerge, and the environment can be seen to be managed for them. This will allow our residents to begin to build their confidence.

Less obvious is that family and friends often provide the safety net helping older people with personal care, cooking, cleaning and administration of bills. This has often been the thing that kept older people from requiring health or social care interventions and helped them maintain their independence. Without this support it is likely that a manageable condition will in many cases have escalated to an unmanageable point. In short, many more of our older population are going to require support from health and social care and their 'ask' is likely to be more significant than pre-Covid-19.

One strand of work that is already in development is the creation of "Social Care Capital Projects". This will involve using up to £250,000 of Better Care Funding to improve the accessibility of community

⁴ <https://www.jacobs.com/sites/default/files/2020-05/jacobs-wellbeing-costs-of-covid-19-uk.pdf>

⁵ <https://hub.jhu.edu/2020/05/05/impact-of-covid-19-on-the-elderly/>

facilities. The projects could include building more Changing Places facilities in community centres and improving access to community buildings for example.

Community and inclusion

The emergence of Covid-19 has reminded us all the importance of the community and voluntary sector and the work they do to keep our communities safe. Activities are delivered in our neighbourhoods by passionate and driven organisations surrounded by an army of volunteers that give their time to help others. Without doubt our ability to achieve the success we have in the emergency phase would not have been possible without the dedication of the sector.

Whilst this is very positive several challenges remain. Food poverty in our communities is far higher than it should be. Our work in the emergency phase has provided intelligence regarding the extent to which food poverty is an issue. Working with the Community Kitchen, Ghausia Mosque and Gannow Foodbank we have delivered over 5,000 food parcels (circa 315 tonnes of supplies) to families in three months. Only a small percentage of these requests related to Covid-19. All the families we have supported are in need, with most of the families using the opportunity of COVID-19 to seek help.

Alongside this we have seen the emergence of community kitchens operating in our neighbourhoods providing a 'meals-on-wheels' type service to those who cannot afford a private operator. We understand that at present we are delivering circa 1,000 meals each week in the main to older people. The role of these partners over the next 12 – 18 months will be essential in our communities and the potential for the BFCitC Community Kitchen to become a central coordinating strength is a real opportunity. We will need to work together as a partnership to make good on this opportunity supporting each other to build resilience to food poverty across our communities.

Often families asking for food require other support as well, the correlation between food poverty and child poverty is high. A big element of our work during the emergency period has been helping families to get themselves set up. We have found that families often cannot afford the basic furniture in their homes.

Another positive has been the rise of volunteering during the pandemic with one in five UK adults having offered their services free of charge. The challenge moving forward is to try to retain some of this volunteer army as they go back to work. This is important for two reasons.

1. The community and voluntary sector require these people to continue to do the good work that they have started.
2. The individual and community wellbeing impacts of volunteering are significant. Simply people feel happier when they are helping others.

A final area of focus in the work around community inclusion and co-production. In the emergency phase we have responded to the emerging needs of the town, driven by what our customers have asked us to do. The result is a truly personalised offer that has delivered trust between the service and our communities. Our service today is '*customer informed*', but it would be much more powerful and sustainable if it were '*customers owned and driven*'

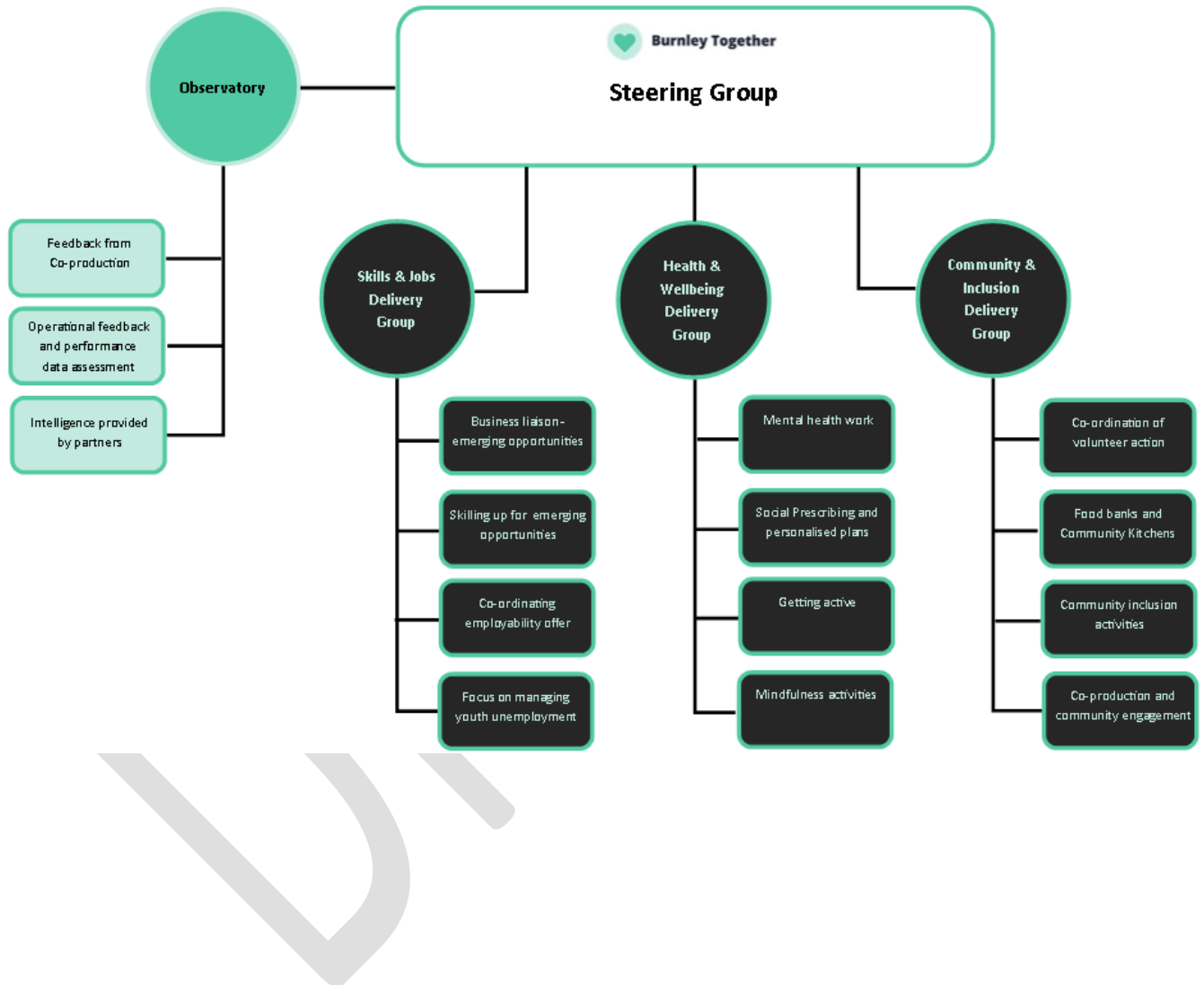
Burnley Together has provided the opportunity for communities to come together and work on joint projects for the benefit of all the town. The work between Ghausia Mosque and Stoops and Hargher Clough community centre has personified this. We need to continue to operate in this way, but as we move to 'new normal' there needs to be a mechanism in place that allow for purposeful community engagement and co-production. We need to ensure that the future objectives of Burnley Together are

driven from our communities responding to their needs through direct consultation and market research.

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Governance Structure?

Critical to achieving success is to build a partnership model that has focus and is able to utilise the resources and assets of its members. The diagram below denotes a structure that the partnership can work too. Partners have a clear expectation that Burnley Together means working together to find solutions and get the job done for our service users. The balance between strategic discussion and positive action will need to be kept in check. The Delivery Groups identified should ensure that as a partnership we achieve our set objectives. They should be used to plan our work, ensure it is done, and to review the impact before moving to the next package of work.



What outcomes do we hope to achieve?

At this stage we have defined some headline outcomes that Burnley Together should seek to achieve in the future. These outcomes should be discussed further and confirmed with the steering group and should be complemented with some outputs that will demonstrate success.

Skills and jobs:

- Business will engage with the delivery group and Burnley Together will become a way for them to recruit high calibre staff.
- We will have an effective and co-ordinated employability offer that is accessible for all Burnley Together customers.
- Training providers will shape elements of their offer to support current and emerging employment opportunities.
- We will have a focused approach to minimising youth unemployment.

Health and wellbeing:

- We will have a community offer that provides a plan for people with short term support needs linking them to the existing social prescribing offer via CVS.
- We will have an effective and coordinated mental health offer that utilises existing statutory services and compliments with other service offers where appropriate.
- An approach to active communities that encourages and support people to take exercise and feel well.
- A co-ordinated effort to relaxation and mindfulness leading to improved levels of community happiness.

Community and inclusion:

- A consistent offer for volunteers that allows them to play their part and contribute to the overall success of the community and voluntary offer.
- Delivery of a high-quality food bank and community kitchen network that helps people when they need help and promotes independence through food education.
- Promotion of communities from across our town coming together to deliver projects and celebrate our diversity.
- Involvement of our communities through co-production to develop Burnley Together's future direction and establish strategy.

Action plan- November 20- March 21.

Action	When	Owned by
Work with partners in Government and in the county council to deliver an effective local test and trace service	Ongoing	Burnley Council, LCC, Govt.
Work with partners in Government, the county council and in health to deliver an effective local vaccination programme	Ongoing	Burnley Council, LCC, Govt, NHS
Establish the Burnley Together Partnership structure. The council will commit £30k to create a new post for 12 months to support its aims and will re-direct existing staff resources to support its strategic and operational groups	Ongoing	Burnley Council, Calico, all Hub partners
Ensure the district's share of the DEFRA emergency assistance grant is distributed to those most in need of support, in partnership with CVS	September 20-March 21	Burnley Council in partnership with CVS
Provide a grant of £10k to the Community Kitchen, to help it feed our most vulnerable residents	Complete	Burnley Council
Use £50k grant for shielding from Government, to ensure that Clinically Extremely Vulnerable Residents are supported	November 20	Burnley Together
Provide a grant of £10k to the Community Foundation for Lancashire, to support its efforts to bring in externally funded support for Burnley's most vulnerable residents. The Foundation allocated over £140k to community organisations in the borough during the lockdown	Complete.	Burnley Council
Ensure the district's share of COVID-19 Winter Support Grant Scheme is used effectively	November 20-Feb 21	Burnley Together
Support the Burnley Health and Wellbeing partnership to address the wider determinants of health through projects including Together an Active Future, Health Weight Management, and Burnley Active Families .	Ongoing	Burnley Council, Primary Care Networks, Burnley Leisure.
Use £250,000 of Better Care Funding, as agreed with LCC, to deliver a programme of "Social Care Capital Projects" that will improve access to community facilities.	Ongoing	Council
A partnership approach to communications, that promotes the best of Burnley, and celebrates the community action and inclusion	Ongoing	Council and Calico communication teams.

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Resident Satisfaction Survey 2020

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Executive summary

2020 Findings

The first annual satisfaction survey was in 2011 and over the years there has been a change in satisfaction levels of residents.

This year, the council collected responses through an open invitation on the council's website and by promoting the survey through its social media channels with 23 and 714 responses respectively. A total of 737 respondents.

Non random sampling therefore means that the results cannot be considered statistically representative of the borough's population. Nevertheless, the responses provide useful insight that should be considered alongside service performance data and other feedback from residents, to help inform the council's plans.

Satisfaction with services

1. 64% satisfied with their local area as a place to live
2. 33% satisfied keeping public land clear of litter and refuse (47% dissatisfied)
3. 72% satisfied with household refuse collection
4. 66% satisfied with doorstep recycling
5. 46% satisfied with sport leisure facilities
6. 68% satisfied with museums/galleries, I.e. Towneley Hall
7. 80% satisfied with parks and open spaces

Views on the Council

1. 45% strongly agree or agree that Burnley Council provides value for money
2. 47% are very or fairly satisfied with the way the council runs things

Customer service

1. 42% of respondents used the telephone to contact the council
2. 35% used a form on Burnley.gov.uk to contact the council
3. 51% were satisfied with the overall customer service experience

The local area

1. 61% of residents consider rubbish or litter lying around a very or fairly big problem
2. 49% of residents consider there to be a problem with dirty back yards
3. 48% of residents consider teenagers hanging around the streets a very or fairly big problem
4. 54% of residents consider people using or dealing drugs a very or fairly big problem

Comparing the findings

The methodology adopted for this 2020 satisfaction survey is the same as in 2019 which will allow for comparison. The citizens' panel (CP), from 2017, no longer exists. However, a survey promoted through social media and the council's website with 653 and 13 responses respectively in 2019 and 23 and 737 responses in 2020 is proving successful. Surveying through social media is also considerably more cost effective.

Figure 1.1: Level of response

	2020 (Social media only)	2019 (Social media only)	2017 (CP and social media)	2016 (Panel and social media)	2015 (Citizens' Panel only)
Total number of responses	737	666	585	643	340

Figure 1.2 key comparisons over time

	2020	2019	2017 (social media respondents)
Satisfaction with the local area	64%	53%	55%
Satisfaction with the way the Council runs things	47%	35%	33%

Action update and new recommendations to Management Team

2019 action update:

1. Streetscene and Policy and Engagement have worked with Liberata to improve the customer experience for high volume online transactions. Progress has been hampered due to the impact of covid-19. However:
 - a. Actions include: a trial to remove customer account creation for some transactions; chatbot trial; improved navigation and look at feel on Burnley.gov.uk; promoting online through social media
 - b. Result: 42% of respondents contacted using the telephone in 2020, a reduction from 53% in 2019. 35% used an online form, an increase from 27% in 2019. However, it is difficult to assess the impact of external influences, particularly a covid-19 effect on pushing up digital engagement.
2. With street cleanliness identified as a key priority, Streetscene and Policy and Engagement worked on two campaigns: dog fouling and flytipping. Again, the work has been reduced due to covid-19
 - a. Actions: Hotspot work, hotline for reports, additional cleansing on key routes, communications campaigns on dog fouling and fly tipping.
 - b. Results: 66% saying litter is a problem in 2019, down to 61% in 2020.
3. Recycling change: the 2019 survey reported an early finding that suggest that the change has been welcomed.
 - a. Results: There has been a step change in satisfaction with both waste and recycling collections.

New recommendations:

1. There is very positive trend in channel shift, yet a sizeable minority are opting to contact the council over the phone even for Streetscene environmental services. Online should be the normal preference for the digitally included, being quicker, more convenient and offering greater scope for customer engagement and increased resident satisfaction. A review of the council's digital strategy will take place in 2021.
2. Streetscene should consider the survey results on littering- do the hotspots identified fit with existing knowledge
3. MATAC should review the findings on teenage ASB alongside existing intelligence and consider action/diversionary activity.

Background

In 2010 it was announced by the government that the bi-annual Place survey would be discontinued, so Burnley Borough Council has continued to monitor the opinions of the local community through a regular resident satisfaction survey. The first survey was in 2011 and the latest in 2020 which forms the basis of this report.

The satisfaction survey information gives an insight on:

- The current preferences of the community
- Satisfaction with council services
- How well-informed residents feel
- Satisfaction with the customer service provided

Methodology

The methodology adopted for this 2020 satisfaction survey is the same to the one last year in 2019 but different to earlier ones. This is because the Burnley citizens panel no longer exists. This year's survey was via social media and the council's website to encourage residents to complete the survey. This open access approach to delivering the satisfaction survey gives an insight into issues and priorities of local people. But it is less useful for benchmarking statistics given that the responses to the survey are subject to bias and so cannot be considered a random, representative sample.

The survey opened on 14th September and was posted via social media and the council's webpage from which 714 and 23 responses were received respectively.

The consultation closed on 30th September 2020.

Response rate

It total, 737 responses were received. 714 via social media and 23 through the Council's webpage.

For each survey question, comparisons have been made between different demographic groups of respondents (gender, age, ethnicity and disability) to look for differences in opinion.

In charts or tables where responses do not add up to 100%, this is due to multiple response questions or statistical rounding.

Demographics

Gender

In the 2020 there continues to be more female responses than male responses

Fig 3.1: Gender (base - 661)

	2020	2019	Borough actual
Male	34%	35%	49%
Female	65%	64%	51%
Other	1%	1%	

Age

Responses from age 65+ has increased this year and a high level of respondents are from the 45 – 64 category. However, change in respondent profile does not account for the differences between the 2019 and 2020 surveys.

Fig 3.2: Age (base – 661)

	2020	2019	Borough actual
16-44	30%	41%	47%
45-64	47%	44%	33%
65+	23%	14%	20%

Fig 3.3: Age (base – 661)

	2020	2019	Borough actual
Under 18	1%	1%	5% (14-19)
18-24	4%	7%	6%
25-34	10%	18%	13%
35-44	15%	16%	12%
45-54	20%	24%	14%
55-64	27%	20%	12%
65+	23%	15%	18%

Ethnicity

Residents from a BME background were under-represented in the survey responses when compared with the population of Burnley

Figure 3.4: Ethnicity (base 658)

	2020	2019	Borough actual
White or white British	93%	92%	87%
Asian or Asian British	2%	3%	11%
Other ethnic group	5%	2%	2%

Disability

The response from the borough residents with a disability was very slightly less than the borough population.

Figure 3.5: Disability (base - 660)

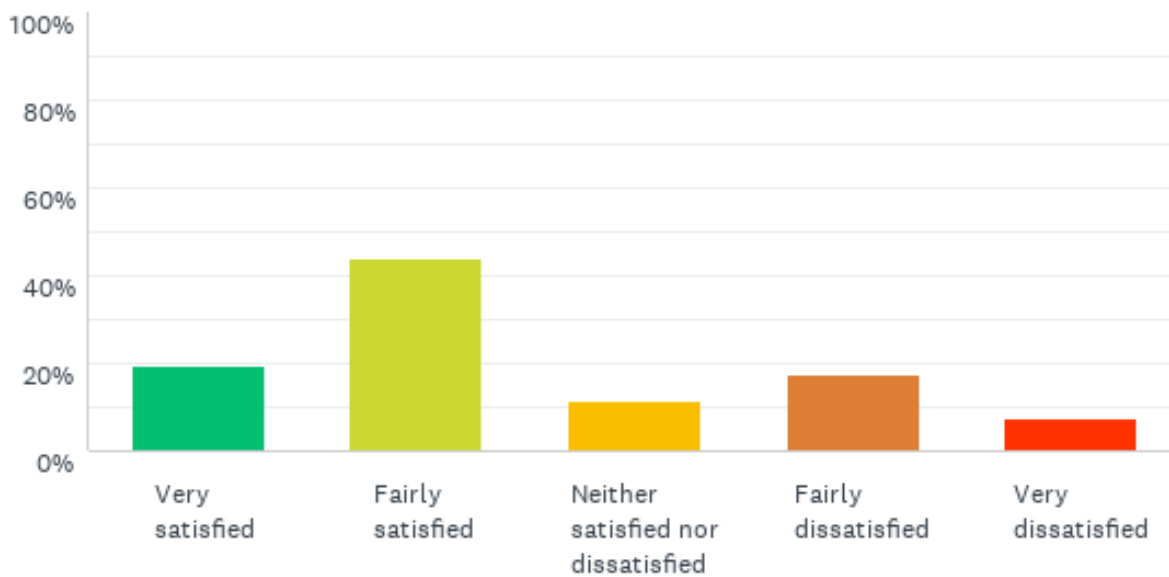
	2020	2019	Borough actual
Yes	21%	17%	23%
No	79%	83%	77%

Location

The mapping of the responses by postcode shows a very good spread of responses from different parts of the borough. The map is redacted from this public version to prevent potential identification of households in rural areas.

About the local area

Figure 4.1: Satisfaction with the local area as a place to live (base – 731)



64% of respondents are satisfied with their local area as a place to live, compared to 53% in 2019.

Best things, worst things

Respondents were asked what the 3 best things are about living in their local areas. This was an open ended question with the most popular responses being:

- the people and its friendly community spirit;
- the town centre;
- the countryside and walks;
- parks and facilities such as Towneley;
- the football club;
- and transport links with rail, bus and motorways.

Respondents were also asked what the 3 worst things are about living in their local areas. Again, this was an open-ended question with the opportunity to list up to 3 things. The most common responses were:

- crime and anti social behaviour;
- littering and dirty streets;
- lack of local shops,
- poor housing and lack of investment,
- road systems and traffic

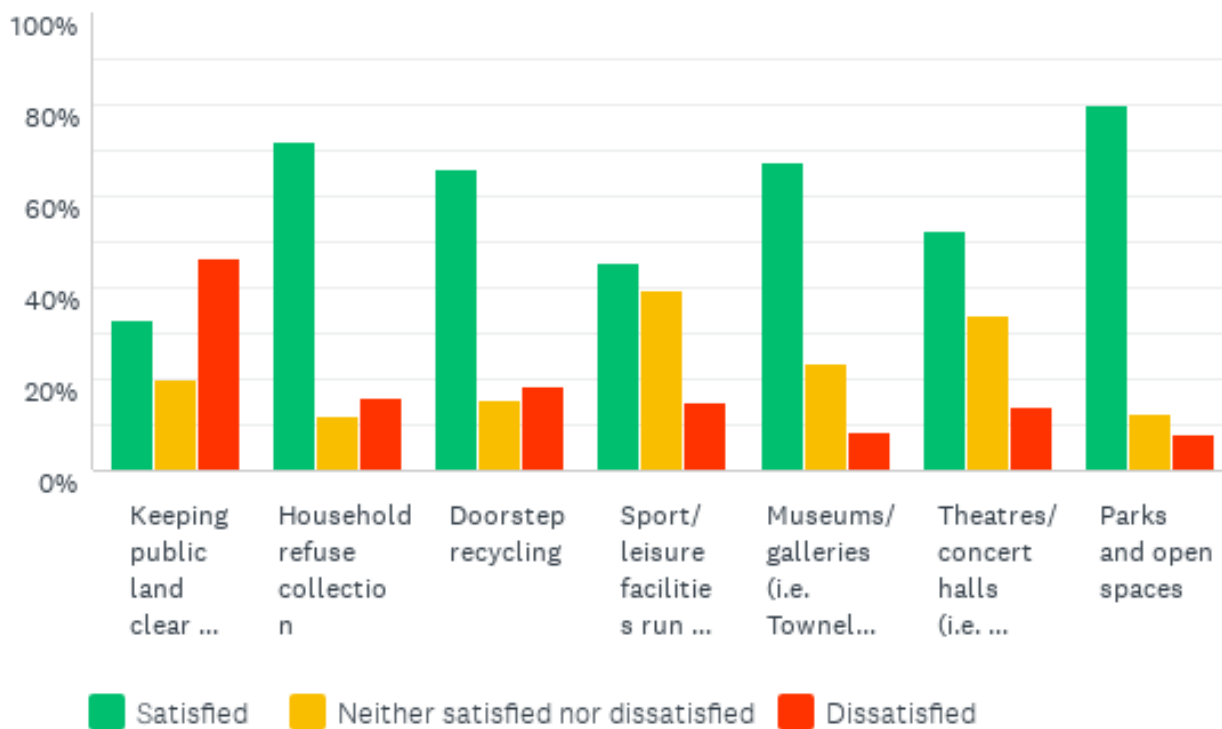
Local public services

Respondents were asked about their satisfaction with a range of community services provided or supported by Burnley Council. Satisfaction is highest for parks and open spaces with 80% of respondents satisfied, followed by household refuse collection at 72% an increase from 54% in 2019. Doorstep recycling has also seen a significant increase in satisfaction rates to 66% from 47%. This is an outstanding result for the council and Streetscene in particular following the change to recycling collections.

Figure 5.1

Satisfaction with	2020	2019
Keeping public land clear of litter and refuse	33%	28%
Household refuse collection	72%	54%
Doorstep recycling	66%	47%
Sports and leisure facilities run by Burnley Leisure	46%	46%
Museums and galleries	68%	50%
Theatres/concert halls	52%	59%
Parks and open spaces	80%	73%

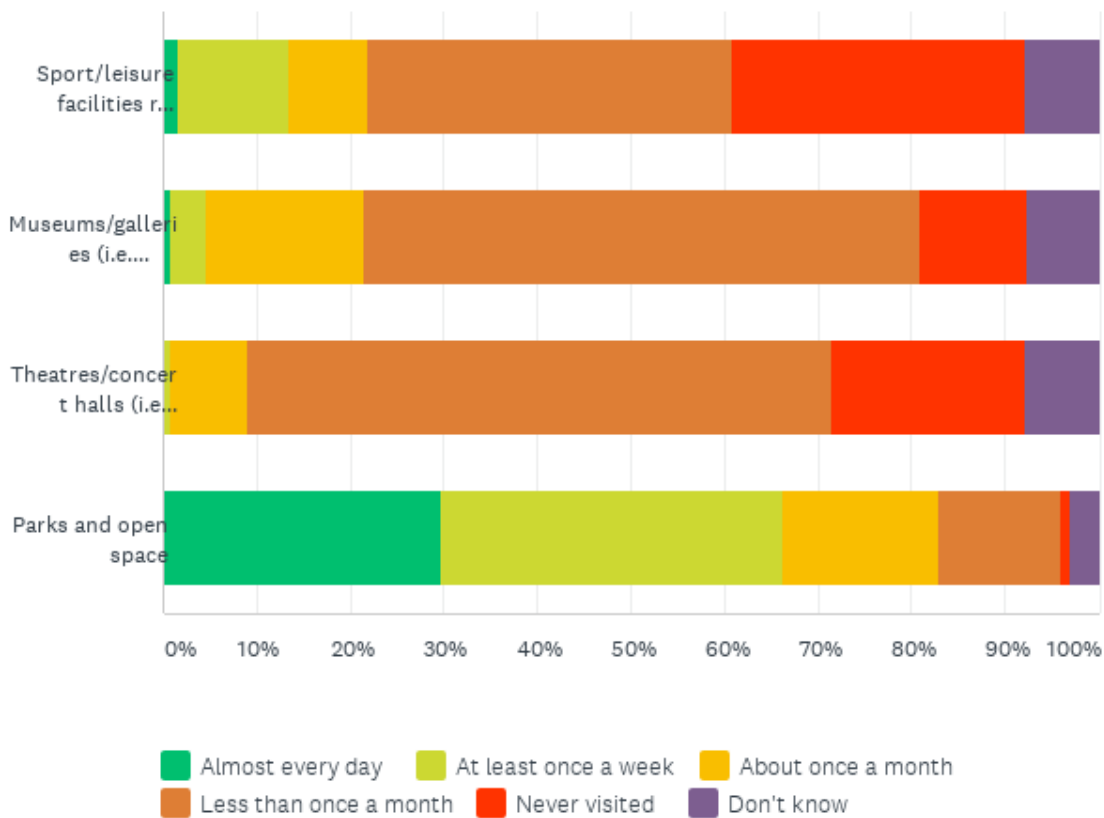
Figure 5.2 Satisfaction with local services (base – 686)



47% were dissatisfied with keeping public land clear of litter and refuse. Those most dissatisfied are aged 25-34, with 56% in this age bracket expressing dissatisfaction. Satisfaction was highest for parks and open spaces at 80%.

It is highly likely that covid restrictions will have impacted on satisfaction with leisure and cultural facilities.

Figure 5.3 How frequently services are used (base 686)



Parks and open spaces were the most frequently used services with 66% of residents using them at least weekly. Only 1% of residents had never visited.

31% of residents have never used Burnley Leisure facilities and 21% of residents have never visited the Mechanics.

Regular users of the services (i.e. at least weekly users) are only marginally more satisfied than the average as shown in the table below. **Figure 5.4**

Facility	% of all respondents satisfied	% of regular user satisfaction
Sport and Leisure facilities	46%	49%
Parks	80%	82%
Museums/galleries	68%	70%

Customer service

46% of respondents had contacted the council in the last 6 months. The majority of contacts (52%) were Streetscene service requests relating to refuse collection or recycling (31%) and street cleansing (21%). 24% of respondents selected “Other” but these predominantly related to street cleansing issues.

42% of respondents made contact using the telephone, a reduction from 53% in 2019. 35% used an online form, an increase from 27% in 2019. Those most likely to use the telephone were aged 65+ (54%) and those most likely to an online form were aged 25-34 (48%).

49% agreed that they did not have to wait long before the telephone was answered compared to 43% in 2019, whilst 26% disagreed (33% in 2019).

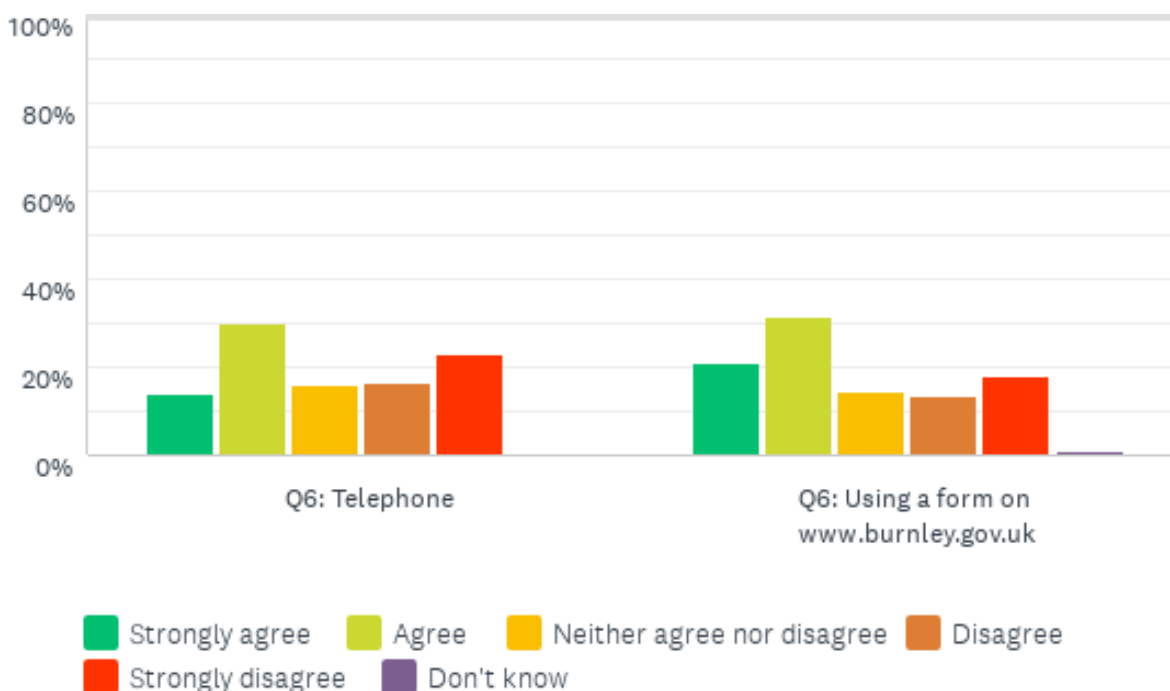
52% were satisfied with their experience with contacting the council, an increase of 10% since 2019, whilst 30% were not (42% in 2019).

Figure 5.1 satisfaction with contacting the council

	2020	2019
Agreed that they did not have to wait long before the telephone was answered	49%	43%
Satisfied with their experience with contacting the council	52%	42%

Comparing overall satisfaction with the experience of contacting the council by method of contact shows that online customers were more satisfied (53%) compared with telephone customers (44%).

Figure 5.2 % satisfied with overall experience of contacting the Council by method



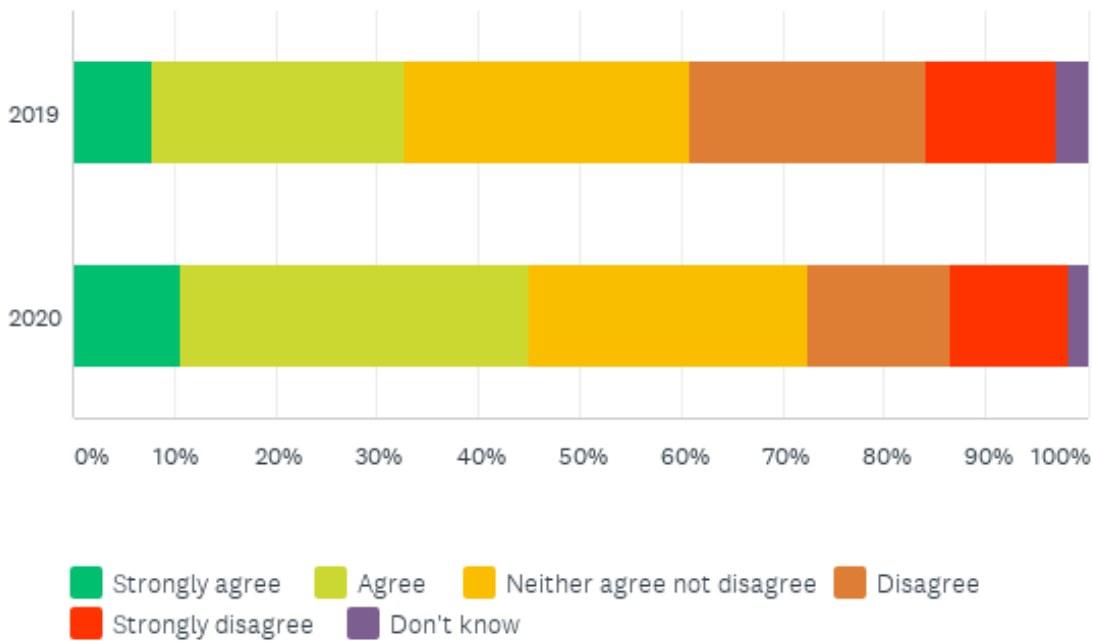
Recommendation: while this data, alongside actual transaction data, points to a very positive trend in channel shift, all the respondents to the survey are “digitally included,” yet a sizeable minority are opting to contact the council over the phone even for Streetscene environmental services. Online should be the normal preference for the digitally included, being quicker, more convenient and offering greater scope for customer engagement and increased resident satisfaction. A review of the council’s digital strategy will take place in 2021.

Satisfaction with the Council

Respondents were told that: “For every £1 in council tax you pay, Burnley Council gets about 17p. The rest goes to the county council, police, and fire service.” Respondents were then asked: to what extent do you agree or disagree that Burnley Borough Council provides value for money?

45% of respondents strongly agree or agree that Burnley Council provides value for money; 26% disagreed. This is an improvement from 2019 where 33% agreed and 36% disagreed.

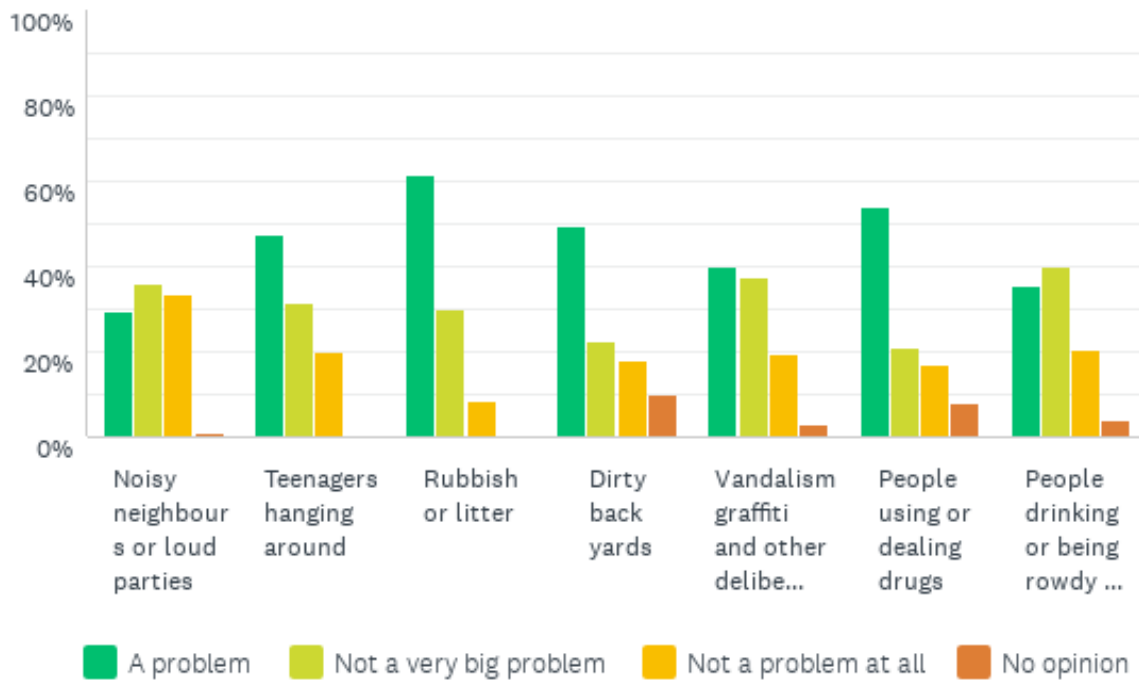
Figure 6.1 Agreement with value for money statement



Also, 47% of respondents were satisfied with the council overall an increase from 35% in 2019.

Local Community

Figure 8.1 Anti-social behaviour issues (base – 682)



Residents in the borough consider rubbish or litter lying around to be the biggest anti-social behaviour problem with 61% of residents seeing it as a very or fairly big problem. This is slightly less than in 2019 at 66%.

Figure 8.2 anti social behaviour issues

Problem with...	2020	2019
rubbish or litter	61%	66%
dirty back yards	49%	49%
teenagers hanging around	48%	58%
people using or dealing drugs	54%	62%

Though a widespread perception, mapping of the data shows that there are concentrations of residents saying litter is a problem in Rosehill and Burnley Wood, Padiham, Ightenhill and Bank Hall.

Recommendation: Streetscene to consider alongside operational data.

54% of residents consider people using or dealing drugs a very or fairly big problem a reduction from 62% in 2019.

Whilst 48% of residents consider teenagers hanging around the streets a very or fairly big problem, a reduction from 58% last year.

Mapping of the data suggests concentrations of residents saying this is a problem around certain postcodes in Padiham, Ightenhill, and Coalclough.

The map is redacted from this public version to prevent potential identification of households in rural areas.

Recommendation: MATAc to review this finding alongside operational data and consider action/diversionary.

REPORT TO SCRUTINY



DATE	7th December 2020
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Rob Dobson/Catherine Swift
TEL NO	3115
EMAIL	rdobson@burnley.gov.uk

Q2 Performance Report 2020-21

PURPOSE

1. To inform the Scrutiny Committee of the Q2 performance results.

RECOMMENDATION

2. That Members note this report.

REASONS FOR RECOMMENDATION

3. To inform member scrutiny of organisational performance.

SUMMARY OF KEY POINTS

4. Sections 5 and 6 of this report provide key highlights from the scorecards.

The report does not comment on finance measures, as these are reported separately in budget monitoring reports.

Where comparison with other authorities is available for the indicators, this is also reported.
5. On target indicators
 - Corporate: average number of days per employee lost to sickness absence.
 - On average, employees took 1.43 days during Q2, compared to 1.28 in the same period last year. The council is on target to achieve less than 6 days per employee at year end.
 - Liberata: telephone calls answered within target time.
 - With 81% of calls answered within time, the target of 80% was achieved.
 - Liberata: average number of days to process benefits new claims and change of circumstances.
 - Against a target of 9 days, the Q2 result was 2.58 days; in Q2 last year the result was 6.63.
 - The latest available data for comparison with other areas is from Q1 20/21 (this measures housing benefit processing only) and shows that Burnley's housing benefit processing time overall was 4 days, compared to the statistical nearest neighbour average of 9 days.

	<ul style="list-style-type: none"> ○ Regards processing of new claims for benefits (i.e. excluding changes of circumstance for those already in receipt), chart 2 below shows long term improvement since the start of the contract with Liberata. ● Housing and Development: percentage of planning applications processed within the target time. <ul style="list-style-type: none"> ○ 85% of major applications were processed on time. The target is 60%. ○ 65% of minor applications were processed on time. The target is 65%. ○ However, 65% of 'other' applications were processed on time, missing the target of 80%. 																																
6	<p>Off-target indicators</p> <ul style="list-style-type: none"> ● Liberata: council tax collection and NNDR collection <ul style="list-style-type: none"> ○ Reaching 52% by the end of Q2, the year end outturn for council tax collection is projected to be just off target. ○ Reaching 54% by the end of Q2, the year end outturn for NNDR collection is projected to be off target. ○ The trends in Burnley are similar in other districts. ● Streetscene: missed bins <ul style="list-style-type: none"> ○ In Q2, for every 100,000 collections, on average 72 bins were missed. The target is 55 (all reports of missed bins are included in the count, regardless of cause (i.e. includes reports from residents that forgot to present bins). ○ The Q2 result is an improvement on Q1, when 84 per 100,000 were missed. ○ The collection crews have dealt with significant increases in tonnage, but have also been affected by covid-19 related staff absence. ○ As shown below, resident satisfaction with waste and recycling collections has improved dramatically following the introduction of the new wheeled bin service. 																																
7	<p>Covid-19 affected services</p> <p>A significant number of objectives could not be achieved due to lockdown, ranging from environmental prosecutions to Towneley Hall visitor numbers. The impact of lockdown will be reflected in unit scorecards through the rest of 2020.</p>																																
8	<p>Resident satisfaction</p> <table border="1" data-bbox="153 1458 1422 1765"> <thead> <tr> <th>Measure</th> <th>2020</th> <th>2019</th> <th>Direction of travel</th> </tr> </thead> <tbody> <tr> <td>Satisfaction with the local area</td> <td>64%</td> <td>53%</td> <td>↑</td> </tr> <tr> <td>Satisfaction with the way the council runs things</td> <td>47%</td> <td>35%</td> <td>↑</td> </tr> <tr> <td>Satisfaction with keeping public land clear of litter</td> <td>33%</td> <td>28%</td> <td>↑</td> </tr> <tr> <td>Satisfaction with household refuse collection</td> <td>72%</td> <td>54%</td> <td>↑</td> </tr> <tr> <td>Satisfaction with doorstep recycling</td> <td>66%</td> <td>47%</td> <td>↑</td> </tr> <tr> <td>Satisfaction with parks and open spaces</td> <td>80%</td> <td>73%</td> <td>↑</td> </tr> <tr> <td>Stating Antisocial behaviour is a problem</td> <td>45%</td> <td>52%</td> <td>↓</td> </tr> </tbody> </table>	Measure	2020	2019	Direction of travel	Satisfaction with the local area	64%	53%	↑	Satisfaction with the way the council runs things	47%	35%	↑	Satisfaction with keeping public land clear of litter	33%	28%	↑	Satisfaction with household refuse collection	72%	54%	↑	Satisfaction with doorstep recycling	66%	47%	↑	Satisfaction with parks and open spaces	80%	73%	↑	Stating Antisocial behaviour is a problem	45%	52%	↓
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FINANCIAL IMPLICATIONS AND BUDGET PROVISION

9. None arising directly from this report.

POLICY IMPLICATIONS

10. As set out in the report.

DETAILS OF CONSULTATION

11. Heads of Service

Appendix 1- trends

Chart 1

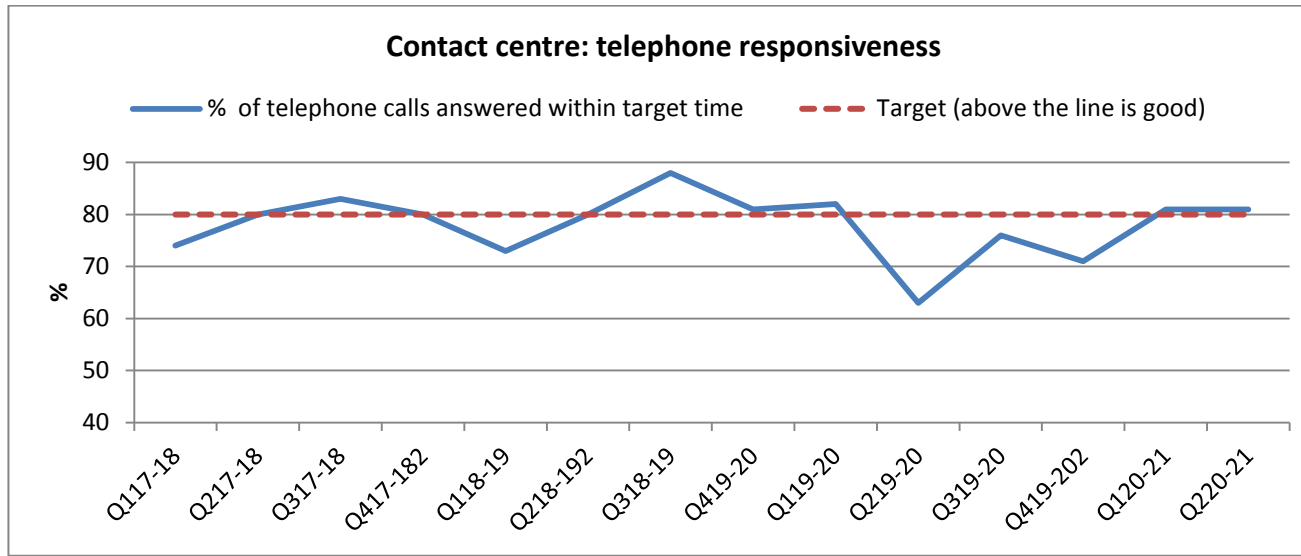
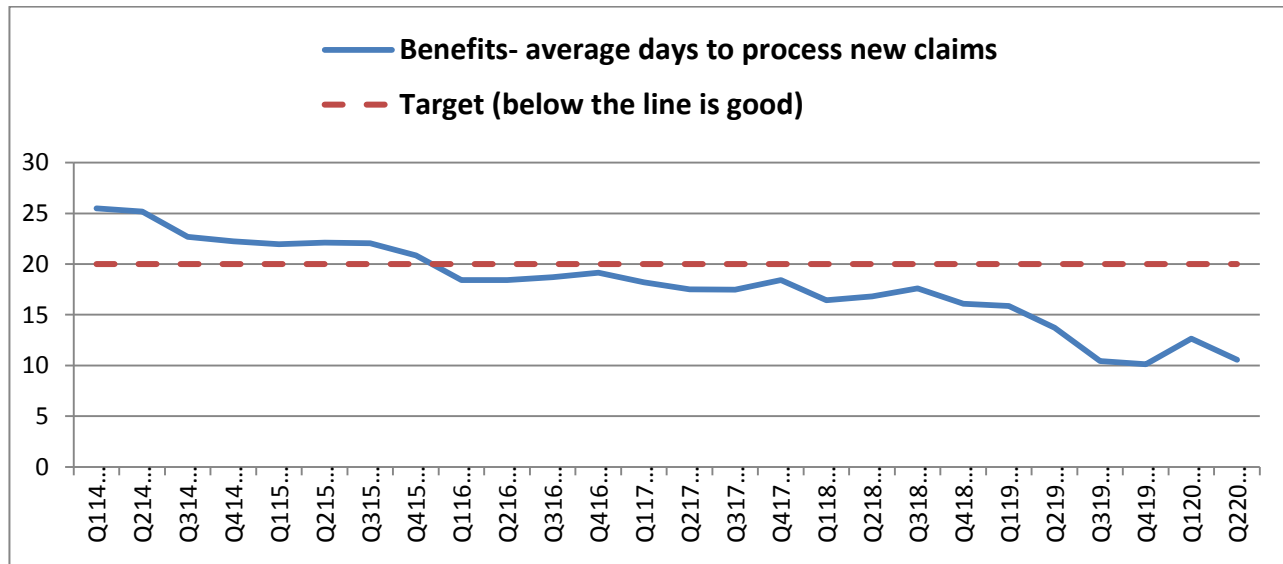


Chart 2



Revenue Monitoring Report 2020/21 – Quarter 2 (to 30 September 2020)

REPORT TO EXECUTIVE



DATE	8 th December 2020
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Howard Hamilton-Smith
TEL NO	(01282) 427173
EMAIL	Hhamilton-smith@burnley.gov.uk

PURPOSE

1. To report the forecast outturn position for the year as at 31 March 2021 based upon actual spending and income to 30 September 2020.

RECOMMENDATION

2. The Executive is asked to:
 - a. Note the projected revenue budget forecast position of a net overspend of £1.2m (excluding potential collection fund losses). An estimated £1.1m is to be received through the sales, fees and charges income compensation scheme which would reduce the forecast net overspend to £118k, as summarised in Table 1 and detailed in Appendix 1.
 - b. Note that the in-year collection fund losses will not impact on the current financial year, but will be spread over the next three financial years (2021/24) in line with the Government's proposed change to legislation. Burnley's share of the current in year collection fund loss is estimated at £1.2m.
 - c. Note that Officers are continuing to work on a number of options to mitigate the potential financial impact and bring forward options for decision as appropriate.
 - d. Note that the Council, along with other District Council's and industry groups continue to lobby Central Government for additional funding.

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

- e. The latest revised net budget of **£15.693m** as shown in Table 1,
- f. The transfer of the unallocated Tranche 4 Government funding of **£0.86m** into a newly created Covid-19 Reserve that can be called upon when required and to delegate authority on the use of the reserve to the Head of Finance and Property and the Executive Member for Resources,
- g. The proposal to waive the current year Service Level Agreement charge to Burnley Leisure of **£257k**, and
- h. The net transfers to earmarked reserves of **£1.217m** as shown in Appendix 2.

REASONS FOR RECOMMENDATION

3. To give consideration to the level of revenue spending and income in 2020/21 as part of the effective governance of the Council and to ensure that appropriate management action is taken to ensure a balanced financial position.
4. To create a specific Covid-19 reserve to provide budget support around the introduction of any additional restrictions, whether localised or national, which may result in a further loss of income and additional expenditure. The reserve will also ensure funding is available to assist the future recovery programme.
5. To reflect the reduced usage of the Service Level Agreement with the Leisure Trust due to the coronavirus pandemic and the majority of their staff being placed on furlough due to the mandated closure of leisure facilities and their heavy involvement in the response work to the pandemic within the borough.

SUMMARY OF KEY POINTS

6. Financial Impact of Covid-19

This report shows the forecast outturn position based on the net budget forecast within the current reporting period. In previous years, the focus of this report has been on the net budget forecast and the achievement of the savings targets. Due to the Coronavirus pandemic, this year is unprecedented with the focus instead being on the forecast reductions in income and increases in expenditure. At the end of the current reporting period, the forecast year end net budget deficit stands at £118k (excluding the estimated collection fund deficit for the year). This is after taking into consideration £2.381m of direct Central Government funding received to date and estimated income from the sales, fees & charges compensation scheme. The deficit is based upon forecast income and expenditure as at the end of Quarter 2, a time at which there are many future unknowns. The budget is being continually monitored.

Consideration has only been given to the short-term impact of the pandemic and there is a high probability that the impact will be longer-term spanning future financial years, with increased costs and income losses. Currently any shortfall in funding will have to be met from reserves, however if the impact spans over the longer term further significant government intervention will be required as the current level of reserves is not sufficient to fund a sustained deficit. This Council, along with other District Councils and industry groups will continue to lobby Central Government for additional funding.

The Government has given local authorities within tier 3 restrictions an assurance that they will ensure that they are provided with sufficient funding to enable them to balance their budgets in the current and next financial years. Tranche 4 of Government intervention funding will go towards achieving this goal for the current financial year. We are awaiting details of the budget settlement for 2021/22, which is due towards the end of November, to be able to assess the impact on balancing next year's budget.

Officers are continuing to work on a number of options to mitigate the potential financial impact and will bring forward options for decision as appropriate. A review of some service provision may be necessary.

7. 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 second in-year report for 2020/21. 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.

All Heads of Service have been asked to consider their budgets and provide information and details of any actual or anticipated significant variations between spending / income and budgets.

8. Budget Changes

Since the budget was approved, 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.
- Executive Member for Resources and Performance Management decisions confirming additional awards of grant and contribution over £50k.
- Decisions made by the Executive.
- Transfers to/from Earmarked Reserves in respect of grants/contributions and also approved carry forwards from 2019/20 (Appendix 2).

Members are asked to approve the latest revised net budget of £15.693m as shown in Table 1.

9. 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 Q2 and the anticipated variance.

At the end of Q2 the net budget forecast is currently £118k deficit (net of the estimated collection fund deficit for the year). Incorporated into the budget are two savings targets: a £154k salary savings target and a £59k non salary savings target. This report would normally focus on the savings identified in year and the achievement of these targets. In the current circumstances this is not feasible. The net budget forecast of £118k deficit is based upon the latest estimates of income and expenditure, of which there are still many future unknowns. Consideration has only been given to the short-term impact of the pandemic and there is a high probability that the impact will be longer-term spanning future financial years, with increased costs and income losses.

Over recent months the Government has announced a series of financial interventions to help support local authorities and their residents/businesses during the current

Coronavirus pandemic. Of these financial interventions this Council has received a direct funding allocation of £2.381m out of a Central Government fund of £4.43bn. Of our £2.381m allocation, £6k is a ringfenced grant towards tackling homelessness and £79k is ringfenced as part of the 'Re-opening High Streets Safely' scheme. A further £2.106m was received in four tranches: £75k received in Tranche 1 which has been allocated to tackling homelessness, £882k in Tranche 2, £229k in Tranche 3 and £920k in Tranche 4. Tranche 2, 3 and 4 monies are un-ringfenced funding to assist with reductions in income received and additional cost pressures incurred by the Council. Approvals of £60k have already been made from Tranche 4 funding. It is recommended that the balance of £860k is transferred into a Covid-19 reserve which can be called upon when required to fund any related additional expenditure or loss of income. In the lead up to the allocation of Tranche 2, 3 and 4 monies there was significant lobbying from District Councils about not only cost pressures but also pressure arising from great reductions in income. As a result, the grant was intended by Government to cover both. In addition, New Burdens grant funding of £190k has been received to mitigate the costs of administering the business grants scheme.

10. The Council was successful in its bid for an Arts & Culture Grant, receiving £116k. This money is to offset additional costs incurred at Townley Hall and as such is not included within the Central Government funding figures identified in the paragraph above.
11. A further £10m Cold Weather Fund for local areas has also recently been announced by Government to enable local authorities to bring forward COVID-secure accommodation this winter. This fund is to provide a robust, local response to support rough sleepers off the streets over the winter period. This funding will be available until March 2021. We are currently awaiting further details of individual council allocations and how the funds can be accessed.
12. The money from Central Government is welcome. Currently any shortfall in funding will have to be met from reserves, however if the impact spans over the longer term further significant government intervention will be required as the current level of reserves is not sufficient to fund a sustained deficit. Due to the ever-changing environment the budget position is fluid and is being continually monitored and reviewed. More detailed forecasts will be provided throughout the year as part of the budget monitoring reporting cycles.
13. Included within the Tranche 3 £500m support package for Local Government announced by the Government on 2nd July 2020 was an announcement to support income losses. Where these income losses are more than 5% of a council's planned income from sales, fees and charges, the Government will cover them for 75p in every pound lost. The announcement also stated that council and business rates tax deficits can be repaid over three financial years rather than having to be met in-year (see para 12). Claims for income losses are to be submitted in three tranches: April – July, August – November and December – March. A claim for income losses for the period April to July has been submitted, requesting reimbursement of £0.4m for that period. The claim has been submitted on the basis of the guidance issued by MHCLG however it is subject to verification. The value of future claims to be submitted for the period August to March 2021 are estimated to be £0.7m, taking the total claimed through the scheme to £1.1m. However, these estimates are based upon many future assumptions around income collection and there are many areas of uncertainty and may change.

14. Council Tax and Business Rates Income (Collection Fund)

The Government has announced an intention to allow current year collection fund deficits to be spread over three years (currently two years).

Presently the estimated surplus/deficit on the collection fund for the current financial year (to be calculated as at January 2021) will be recovered in 2021/22 and the variance between the estimate and final outturn recovered in 2022/23.

Under the new proposals the estimated surplus/deficit calculated as at January 2021 will be spread over three financial years. The variance between the estimated surplus/deficit and the final outturn will continue to be recovered in 2022/23.

The proportions of how the estimated surplus/deficit will be split between the three years has not yet been finalised. At present there are indications that authorities will not have discretion to opt out of this scheme and it will be compulsory to spread any deficit.

The current forecast in year deficit on the collection fund is £1.2m which will impact on the 2021/22 to 2023/24 financial years. Collections rates have not been as low as expected due to the government funded reliefs that have reduced the amounts collectable, however it is likely that collection rates will be impacted when these schemes come to an end, for example, the reduced impact of Government support.

Table 1: Revenue Budget Forecast Position 2020/21

	Reconciliation of Approved Budget & Funding	Forecast position as at Quarter 1				Forecast position as at Quarter 2					For Info Only		
		Net Budget 2020/21 £000s	Revised Budget £000s	Forecast Q1 £000s	Variance Q1 £000s	Revised Budget £000s	Forecast Q2 £000s	Forecast Net Income from Sales, Fees & Charges £000s	Revised Forecast Q2 £000s	Variance Q2 £000s	Gross Income Loss from Sales, Fees & Charges £000s	Gross Income Loss from Sales, Fees & Charges £000s	Income Loss not Bourne by the Council £000s
a	Economy and Growth	922	922	1,088	167	905	1,096	(11)	1,085	180	15	(11)	4
b	Policy and Engagement	417	417	449	32	414	446	(22)	424	10	32	(22)	10
c	Management Team	354	354	354	0	352	352	0	352	0	0	0	0
d	Sport and Culture Leisure Client	734	734	1,046	312	703	1,015	(184)	831	128	257	(184)	73
e	Green Spaces and Amenities	1,020	1,020	1,126	106	952	1,074	(192)	882	(70)	278	(192)	86
f	Streetscene	3,054	3,054	3,617	563	3,061	3,602	(355)	3,247	186	529	(355)	174
g	Housing and Development Control	387	387	598	211	388	610	(107)	503	115	160	(107)	53
h	Strategic Partnership	3,880	3,880	3,880	0	3,880	3,880	0	3,880	0	0	0	0
i	Finance and Property	509	509	1,068	559	496	1,052	(32)	1,020	524	52	(32)	20
j	Revenues and Benefits Client	(1,341)	(1,341)	(1,035)	307	(1,341)	(1,035)	(203)	(1,238)	104	300	(203)	97
k	Legal and Democratic Services	989	989	973	(16)	1,063	971	(8)	963	(100)	11	(8)	3
l	People and Development	209	209	209	0	207	207	0	207	0	0	0	0
m	Central Budgets - Other (includes corporate costs eg utilities, apprenticeship levy)	247	247	442	194	297	491	0	491	194	0	0	0
	Central Budgets - Savings Targets (see Table 2)	(213)	(213)	0	213	(213)	0	0	0	213	0	0	0
	NET SERVICE BUDGET	11,168	11,168	13,814	2,647	11,164	13,761	(1,114)	12,647	1,484	1,634	(1,114)	520
	Pensions	761	761	761	0	761	761	0	761	0	0	0	0
	Provisions (Balance to be determined at year end)	0	0	0	0	0	0	0	0	0	0	0	0
	Impairments (Provisions for Bad Debt)	0	0	0	0	0	0	0	0	0	0	0	0
	Parish Precepts (Disbursement to Parishes)	166	166	166	0	166	166	0	166	0	0	0	0
	Treasury (Investment Income & Expenditure)	879	879	974	95	879	974	0	974	95	0	0	0
	Capital Financing	1,017	1,017	1,017	0	2,450	2,450	0	2,450	0	0	0	0
	Earmarked Reserves (to / (from))	953	953	953	0	871	1,791	0	1,791	920	0	0	0
	Strategic Reserves (to / (from))	750	750	750	0	(597)	(597)	0	(597)	0	0	0	0
	NET CORPORATE ITEMS	4,525	4,525	4,620	95	4,529	5,544	0	5,544	1,015	0	0	0
	Council Tax	(7,160)	(7,160)	(6,486)	674	(7,160)	(6,500)	0	(6,500)	660	0	0	0
	Parish Precepts (Receipts from Council Tax Payers)	(166)	(166)	(166)	0	(166)	(166)	0	(166)	0	0	0	0
	Business Rates: Retained Income	(4,513)	(4,513)	(3,962)	550	(4,513)	(3,985)	0	(3,985)	527	0	0	0
	Business Rates: S31 Grants (For award of business rates relief)	(1,219)	(1,219)	(1,219)	0	(1,219)	(1,219)	0	(1,219)	0	0	0	0
	Prior Year Collection Fund (Surplus)/Deficit	(301)	(301)	(301)	0	(301)	(301)	0	(301)	0	0	0	0
	Revenue Support Grant	(1,640)	(1,640)	(1,640)	0	(1,640)	(1,640)	0	(1,640)	0	0	0	0
	New Homes Bonus	(694)	(694)	(694)	0	(694)	(694)	0	(694)	0	0	0	0
	Other Government Grants	0	0	0	0	0	0	0	0	0	0	0	0
	FUNDING	(15,693)	(15,693)	(14,468)	1,224	(15,693)	(14,505)	0	(14,505)	1,188	0	0	0
	BUDGET BALANCE	0	0	3,966	3,966	(0)	4,801	(1,114)	3,687	3,687	1,634	(1,114)	520
	Share of £3.2m Homelessness Funding (ringfenced grant)	0	0	(6)	(6)	0	(6)	0	(6)	(6)	0	0	0
	Tranche 1 - Share of £1.6bn allocated from £5bn Coronavirus Fund – Burnley allocation for homelessness	0	0	(75)	(75)	0	(75)	0	(75)	(75)	0	0	0
	Tranche 2 - Share of additional £1.6bn funding announced on 18 th April 2020 – non-ringfenced grant	0	0	(882)	(882)	0	(882)	0	(882)	(882)	0	0	0
	Share of £50m Re-opening High Streets Safely Fund (ringfenced grant)	0	0	(79)	(79)	0	(79)	0	(79)	(79)	0	0	0
	Tranche 3 - Share of additional £500m funding announced on 2nd July 2020- non ring fenced grant	0	0	(229)	(229)	0	(229)	0	(229)	(229)	0	0	0
	Tranche 4 - Share of additional £919m funding announced on 22nd October 2020- non ring fenced grant	0	0	0	0	0	(920)	0	(920)	(920)	0	0	0
	New Burdens Grant Funding	0	0	0	0	0	(190)	0	(190)	(190)	0	0	0
	Forecast Budget Gap Including Collection Fund	0	0	2,695	2,695	(0)	2,420	(1,114)	1,306	1,306	1,634	(1,114)	520
	Less forecast loss on Collection Fund	0	0	(1,224)	(1,224)	0	(1,188)	0	(1,188)	(1,188)	0	0	0
	Forecast Budget Gap Excluding Collection Fund	0	0	1,471	1,471	(0)	1,232	(1,114)	118	118	1,634	(1,114)	520

15. SAVINGS TARGETS

As previously mentioned, in setting the budget it was assumed that two savings targets would be achieved: £154k salary savings from not filling posts immediately and £59k in year savings/additional income target. In light of the financial pressures incurred as a result of the Coronavirus pandemic there is the potential that the operational underspend target will not be achieved. The salary savings target may be achieved due to staff turnover and vacant posts. At present the net forecast budget overspend is £118k. This is after Central Government funding has been taken into consideration and estimated income from the sales, fees & charges compensation scheme. A summary of the in-year targets and the projected budget forecasts categorised by salary and non-salary expenditure as at the end of Q2 can be seen in Table 2 below:

Table 2: Summary of Corporate Savings					
Savings	Revised Budget	Savings Forecast Q1	Savings Forecast Q2	Savings Forecast Q3	Balance of Savings yet to be Identified
	£000	£000			£000
Salary Savings	(154)	19	49	0	(86)
Non-Salary Savings	(59)	(3,773)	(884)	0	(4,716)
TOTAL	(213)	(3,754)	(835)	0	(4,802)
Less Central Government Funding Received					2,381
Less Estimated Collection Fund Deficit					1,188
Less Estimated Sales, Fees & Charges Compensation Income					1,115
TOTAL SAVINGS YET TO BE IDENTIFIED					(118)

Salary Savings Target

The position at the end of Q2 is that £68k of salary savings have been secured to date as can be seen in Table 2 above, leaving a shortfall of £86k to identify throughout the remainder of the year.

Non-Salary Savings Target

The latest position is that the estimated balance of non-salary savings yet to be identified is £4.7m.

The combined balance of savings (salary and non-salary) yet to be identified totals £4.8m which is reduced to a net budget deficit of £118k once Central Government funding received to date, collection fund losses and estimated income from the sales, fees & charges compensation scheme have been taken into consideration. The above estimates are based on forecasts at the end of Quarter 2, when there are still many future uncertainties. As such the budget is fluid in nature and may change (positively or negatively) as the year progresses.

14. SERVICE REPORTS

14.1 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 to be highlighted.

a. Economy and Growth

Forecast Variance: £180k net overspend

Previous forecast variance: £167k net overspend

An estimated (£11k) to be reimbursed under the sales, fees & charges compensation scheme in respect of lost income from rechargeable work.

Reduction in leased/non leased stall income and storage charges at the Market Hall 97k (this is inclusive of the £37k reported in Q1 due to 50% rent and service charge reduction for the period June – September 2020 inclusive). In addition, increased agency staff costs £5k to provide cover for an Officer, offset in part by a reduction in salary costs (£2k) for the Assistant Market Manager post due to the previous postholder now working on Burnley BID. The vacancy has been filled. Increased provision for the non-payment of market stall rental income £20k due to the cancellation of several direct debit payments.

Reduction in printing and stationery (£12k) costs in respect of Burnley Branding as the Burnley Lifestyle magazine is not going to be produced in the same quantities this year (a smaller run may be produced). Offset in part by a reduction in advertising income within the magazine £8k. In addition (£15k) reduction in advertising, marketing and publicity spend offset in full by a reduction in Burnley Bondholders sponsorship income £15k, Estimated reduction in corporate regeneration grants to be paid (£8k) based upon commitments to date.

Reduction in staff costs within the RAPP Management service area (£8k) due to two vacant posts. There are plans to re-recruit to these posts. In addition, various reductions (£4k) in respect of mileage, travelling expenses etc due to the current situation.

Reduction in staff costs within the Regeneration Team (£12k) due to a vacant post. This post is currently vacant however there are plans to re-recruit.

Reduction in forecast income at Vision Park £74k. This is a culmination of reduced rental and service charge income due to vacant units and also a rent-free period offered to current tenants who would not attract a Small Business grant under the Government's Business Grant Award Scheme. In addition, forecast increase in business rates payable on the vacant units £18k.

Reduced income from Business Support rechargeable work £15k due to rechargeable work no longer being carried out.

b. Policy and Engagement

Forecast Variance: £10k net overspend

Previous forecast variance: £32k net overspend

Forecast reduction in income from external works carried out by the Graphics Team £32k due to reduced demand in the current climate of which an estimated (£22k) is to be refunded through the sales, fees & charges compensation scheme.

c. Management Team

Forecast Variance: £0

Previous forecast variance: £0k

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

d. Sport and Culture Leisure Client

Forecast Variance: £128k net overspend

Previous forecast variance: £312k net overspend

This report is requesting that the annual Service Level Agreement of £257k for the current year is waived to assist Burnley Leisure to meet the budget gap resulting from the coronavirus pandemic. It also reflects the fact that Burnley Leisure have not been able to make full usage of the SLA this year due to the majority of it's staff being placed on furlough during the mandated closure of it's facilities and their heavy involvement with the response work in the borough during the pandemic. The Council is looking to claim (£184k) of the waived SLA income under the sales, fees and charges compensation scheme that would reduce the net cost to the Council to £73k.

Burnley Leisure is facing a potential in year cashflow shortfall of £312k which may require a financial contribution from the Council. It is proposed that this is partially met by not charging the Leisure Trust the annual SLA of £257k. The Government has also recently announced a £100m package that would be available for outsourced leisure providers to submit funding bids to recover lost income and additional spending pressures that have arisen due to the coronavirus pandemic. If successful, this may bridge any funding shortfall the Leisure Trust may have. However, any additional financial contribution from the Council would only be made if Burnley Leisure was unable to balance its budget. This would also require approval from Members.

Fees are the major source of income for Burnley Leisure however this income could not be collected during the period that their various facilities were mandated to close at a loss so far projected at £2.75 million. Like many other Leisure Trusts across the country Burnley Leisure is facing significant financial challenges due the pandemic. The estimated in-year shortfall for Burnley Leisure is a current forecast incorporating the opening of leisure centres in accordance with government guidelines and the ability to earn income. Burnley Leisure has already undertaken a range of measures to help mitigate the significant loss of income and through use of the Job Retention Scheme, Government Business Grants and the Cultural Recovery Fund have generated around £1 million to offset losses. Burnley Leisure will continue to make best use of these and other opportunities when they arise. The nationally mandated closures in November 2020 will further impact on Burnley Leisure's income and work is currently being undertaken to assess the scale of this.

e. **Green Spaces and Amenities**

Forecast Variance: £70k net underspend

Previous forecast variance: £106k net overspend

The Council is able to claim (£192k) through the sales, fees and charges compensation scheme. This is in respect of events income at Townley, income in respect of hire of the cemetery chapel and purchase of memorial plaques as well as lost income from the hire of football pitches and rechargeable works.

Additional burial and crematorium income (£104k) at the end of Q2, when compared to the same period during the previous financial year, due to excess deaths as a result of the coronavirus pandemic. However, excess death rates are reducing. It is uncertain whether the number of excess deaths will continue to fall as the year progresses or whether the trend will reverse if there is a second wave of the pandemic. As a consequence, the additional income received may level out as the year progresses.

Reduced cemetery/crematorium income £7k from the hire of the chapel and purchase of memorial wall plaques.

Reduction in catering rights/service charge income £60k at various establishments in Queens Park, Towneley Park & Old Stable Café as these facilities were required to close due to the Coronavirus pandemic. Car parking income at Towneley Park and Thompson Park are £55k lower than forecast as the car parks were closed during April and May.

A fall in football pitch bookings has resulted in a forecast reduction in income of £7k. No income is forecast to be received from the hire of Townley Park by the fairground of £8k as at present it is not anticipated that the fairground will be able to attend. Likewise, it is expected that the annual firework event will not take place resulting in a loss of income of £18k. In addition, no events are anticipated to be held at Thompson Park Pavillion resulting in a forecast reduction of income £5k.

Forecast reduction in expenditure at Towneley Hall (£38k) across several areas, for example, purchase of goods for resale, uniforms, catering supplies, marketing and publicity and exhibitions costs due to the current closure. Offset by a forecast reduction in income £104k relating to admissions, events, tours, sale of goods and donations.

f. **Streetscene**

Forecast Variance: £186k net overspend

Previous forecast variance: £563k net overspend

An estimated (£394k) of lost income is claimable under the sales, fees & charges compensation scheme. This is in respect of car parking income, FPN income, licensing and regulatory work income.

Forecast additional income from garden waste collections (£12k) due to demand for the service. In addition, salary savings (£10K) within Engineering Services due to a vacant post. This post is to remain vacant and the savings will be used to carry out a restructure within the service.

Reduction in car parking daily fee income forecast for the year of £291k due to no income being generated April – June and reductions throughout the rest of the year, as

well as a reduction in contract parking income £68k. Car park enforcement action was also suspended April – June resulting in a forecast reduction in income from fines £26k.

The environmental enforcement contract is currently suspended leading to a forecast reduction in net income of £52k.

The provision of a limited pest control services has led to a reduction in pest control service costs (£4k). This has been offset by a reduction in domestic and commercial pest control income £31k.

The current suspension of the courts has resulted in a forecast reduction in court cost income and court compensation income £5k in respect of back yard clearances.

Forecast reduction in licensing income across several areas: street trader licences £9k and kennelling licences £2k due to a reduced take up of licences; taxi licences £40k as no new applications are being received and those expiring before 1st August are being renewed automatically for 4 months; other general licences £26k as auto renewal fees have been suspended resulting in 3 months loss of income.

Increased costs in relation to public funerals £17k due to an increase in demand during the Coronavirus pandemic.

g. Housing and Development Control
Forecast Variance: £115k net overspend

Previous forecast variance: £211k net overspend

An estimated (£107k) of lost income can be claimed under the sales, fees & charges compensation scheme in respect of lost planning fee and renovation grant fee income.

Increased net service charge £11k in respect of the building control shared service arrangement with Blackburn with Darwen Council.

Reduced renovation grant fee income £103k as no renovation grants have been carried out in the period April to June. This is because those in receipt of the grants are often those who are most vulnerable in society. In addition, the number of referrals from Occupational Therapists are falling.

Forecast shortfall in planning fee income £108k based on income received to date and comparisons to previous years.

h. Strategic Partnership
Forecast Variance: £0

Previous forecast variance: £0k

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

i. Finance and Property
Forecast Variance: £524k net overspend

Previous forecast variance: £559k net overspend

An estimated (£32k) of lost income can be claimed through the sales, fees & charges compensation scheme. This is in respect of bus station departure income and reduction in room hire income at the Town Hall.

Reduction in salary costs due to two vacant posts (£3k). Both posts have been filled.

Various costs £25k relating to the purchase of software, over-time incurred maintaining reception cover at the Town Hall and also a reduction in room hire income at the Town Hall.

Reduction in bus station departure income £34k due to the number of departures being less frequent during the period of lockdown. Forecast reduction in commercial rental income £500k due to the impact that the pandemic has had and is forecast to have on commercial businesses within the borough.

j. Revenues and Benefits Client

Forecast Variance: £104k net overspend

Previous forecast variance: £307k net overspend

Reduced courts cost income £300k relating to non-payment as recovery is currently suspended as the courts are not sitting. This equates to 49% of the annual budgeted income. It is estimated that (£203k) of this reduced income can be recovered through the sales, fees & charges compensation scheme.

Grant received regarding the administration of council tax support lower than initially estimated £7k.

k. Legal and Democratic Services

Forecast Variance: (£100k) net underspend

Previous forecast variance: (£16k) net underspend

Reduction in legal fee income £11k due to reduced demand for the service in the current climate of which it is estimated (£8k) will be reimbursed under the sales, fees & charges compensation scheme. The previous reduction in land charges income forecast in Q1 has been reversed (£25k) as the property market has not slowed as originally anticipated and income levels are in line with the budget estimate.

There are no borough elections to be held this year resulting in a reduction in forecast spend (£74k).

Additional Agency Fee costs £12k in excess of those forecast in quarter 1 to provide staffing cover during a period of illness.

A re-tender of the Council's insurance services has resulted in a forecast net underspend (£75k). Offset in part by £30k Agency Staff costs to provide staffing cover during a period of illness. In addition, various small forecast increases in expenditure £4k in relation to democracy software costs, printing & stationery costs due to an increased need to print meeting agendas as meetings are held remotely.

l. People and Development

Forecast Variance: £0k

Previous forecast variance: £0k

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

m. Central Budgets

Forecast Variance: £194k net overspend

Previous forecast variance: £194k net overspend

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

Various costs in relation to the current pandemic, for example, food parcels, guidance literature, grants to community projects, costs relating to Burnley Hub, staffing costs in relation to the Business Grants Scheme, costs relating to the administration of the Council Tax Hardship Fund, PPE, IT costs, additional materials required to deal with the increase in burials due to the pandemic and homelessness costs.

n. Corporate Items

Forecast Variance: £95k net overspend

Previous forecast variance: £95k net overspend

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

A cut in the Bank of England base rate has led to a forecast reduction in temporary investment income £80k. In addition, the Property Funds are estimating a 25% reduction in dividends payable £15k.

o. Funding

Forecast Variance: £1,118k net overspend

Previous forecast variance: £1,224k net overspend

Income collected from council tax and business rates is slightly higher than forecast in quarter 2; council tax (£14k) and business rates (£23k). As mentioned in paragraph 11 the shortfall in collection fund income will not impact on the current financial year, but will impact on the following three financial years (2021/22 to 2023/24).

In year collection rates of 97.5% for business rates and 94.5% for council tax have been revised down to 92.5% and 90% respectively, which has led to a forecast reduction in income from council tax £674k and business rates £550k. The Government announcement to award Retail, Hospitality & Leisure Discounts and Nursery Reliefs to qualifying businesses has reduced the amount of business rates to be collected (and in turn reduced the impact of non-collection), as these reliefs are fully funded by Central Government. There is still uncertainty around the future collection of council tax and business rates especially around the impact of a reduced Government support package and a second wave of the pandemic. The collection of council tax and business rates will continue to be monitored on a monthly basis to ascertain the drop-off of direct debits and cash payments to forecast-forward the level of loss.

15. 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. Please note that the opening balances of the reserves are subject to change following the close-down of the 2019/20 Statement of Accounts:

	Transformation Reserve	Growth Reserve	Other Earmarked Reserves	TOTAL
	£000	£000	£000	£000
Balance as at 01/04/20	(1,900)	(2,074)	(5,346)	(9,320)
Movement in Q1	(750)	-	(953)	(1,703)
Drawn down in Q2	8	1,339	(861)	485
Balance as at 30/09/20	(2,650)	(2,074)	(6,299)	(11,023)

Please note that the opening balances of the reserves have been amended since Q1 following the closedown of the 2019/20 Statement of Accounts.

When the 2020/21 budget was prepared it was not proposed to use reserves to support revenue expenditure, however due to the current situation there may now be a need to use reserves. Currently any shortfall in funding will have to be met from reserves.

Any savings proposals for 2020/21 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.

16. CAPITAL FINANCING

Included in the revenue budget is a revenue contribution to capital outlay (RCCO) of £1.395m. This is where revenue funds are used to finance capital schemes. The contribution of £1.395m relates to vehicle and machinery replacement (£138k), Pioneer Place (£135k), Burnley-Pendle Growth Programme (£722k), Lower St James St Historic Action Zone (£215k), Finsley Wharf & Canal Towpath improvements (£33k), building infrastructure works (£141k) and energy efficiency (£10k).

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

17. As shown in the body of the report.

POLICY IMPLICATIONS

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

DETAILS OF CONSULTATION

19. None

BACKGROUND PAPERS

20. None

FURTHER INFORMATION

Howard Hamilton-Smith – Head of Finance and Property

PLEASE CONTACT:

ALSO

Amy Johnson – Finance Manager

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Revenue Budget Forecast Position 2020/21 by Service Area

Appendix 1

Economy and Growth	RAPP Holding Accounts	RAPP Holding Accounts
Economy and Growth	Markets	Burnley Markets
Economy and Growth	Markets	Markets Shared Areas
Economy and Growth	Planning Policy	Local Plan
Economy and Growth	Planning Policy	Planning Policy
Economy and Growth	Economic Development	Town Centre Management
Economy and Growth	Economic Development	Business Support
Economy and Growth	Economic Development	Burnley Branding
Economy and Growth	Economic Development	Burnley Bondholders
Economy and Growth	Regeneration Development	Regeneration
Economy and Growth	Regeneration Development	Weavers Triangle
Economy and Growth	Regeneration Development	Padiham THI
sub-total		
Policy and Engagement	Corp Engage & Policy Hold Acc	Corp Engage Holding Accounts
Policy and Engagement	Emergency Planning	Emergency Planning
Policy and Engagement	Communications	Communications
Policy and Engagement	Community Engagement	Community Engagement
Policy and Engagement	Performance And Policy	Performance and Policy
sub-total		
Management Team	Management Team	Management Team
sub-total		
Sport and Culture Leisure Client	Burnley Mechanics And Arts Devt	Burnley Mechanics And Arts Devt
Sport and Culture Leisure Client	Leisure Centres	St Peters Centre
Sport and Culture Leisure Client	Leisure Centres	Leisure Trust Client
Sport and Culture Leisure Client	Leisure Centres	Padiham Leisure Centre
Sport and Culture Leisure Client	Leisure Centres	Prairie Sports Village
sub-total		
Green Spaces and Amenities	Bereavement Service	Cemeteries and Crematorium
Green Spaces and Amenities	Parks And Green Spaces	Community Parks and Open Space
Green Spaces and Amenities	Parks And Green Spaces	Recreation and Sport
Green Spaces and Amenities	Parks And Green Spaces	Allotments
Green Spaces and Amenities	Parks And Green Spaces	Parks Externally Funded
Green Spaces and Amenities	Art Gallery And Museums	Towneley Hall
Green Spaces and Amenities	Art Gallery And Museums	Towneley Hall Ext Fund Schemes
Green Spaces and Amenities	Transport	Grounds Maintenance
sub-total		
Streetscene	Streetscene Holding Accounts	Streetscene Holding Accounts
Streetscene	Engineering Services	Bus Shelters
Streetscene	Engineering Services	Highways
Streetscene	Engineering Services	Street Lighting
Streetscene	Engineering Services	Drainage
Streetscene	Community Safety	Community Safety
Streetscene	Car Parking	Car Parking
Streetscene	Car Parking	Car Parking Enforcement
Streetscene	CCTV	CCTV
Streetscene	Environmental Services	Waste Cleaning Contract
Streetscene	Environmental Services	Street Cleansing
Streetscene	Environmental Services	Waste Collection
Streetscene	Environmental Services	Pest Control
Streetscene	Environmental Services	Dog Warden
Streetscene	Environmental Services	Default Works
Streetscene	Regulation	Environmental Health Client
Streetscene	Regulation	Taxi Licensing
Streetscene	Regulation	Other Licensing
Streetscene	Regulation	Public Funerals
sub-total		
Housing and Development Control	Housing And Development Ctrl	Housing
Housing and Development Control	Development Control	Development Control
Housing and Development Control	Building Control	Building Control
Housing and Development Control	Selective Licensing	Selective Licensing
sub-total		
Strategic Partnership	Strategic Partnership	Strategic Partnership
sub-total		
Finance and Property	Finance Unit	Finance Unit
Finance and Property	External Audit	External Audit
Finance and Property	Internal Audit	Internal Audit
Finance and Property	Misc Income And Expenditure	Misc Income And Expenditure
Finance and Property	Property	Property
sub-total		
Revenues and Benefits Client	Revenues And Benefits Client	Revenues And Benefits Client

Quarter 2						
REVISED BUDGET 2020/21 £000s	Current Forecast £000s	Forecast Net Income from Sales, Fees & Charges £000s	Revised Forecast Q2 £000s	Current Variance £000s	Variance Reported Q1 £000s	Movement £000s
151	140	0	140	(11)	0	(11)
108	227	0	227	120	60	60
(29)	(29)	0	(29)	0	0	0
14	14	0	14	0	0	0
209	209	0	209	0	0	0
54	54	0	54	0	0	0
160	175	(11)	164	4	15	(11)
108	89	0	89	(19)	0	(19)
26	41	0	41	15	0	15
96	168	0	168	72	92	(20)
5	5	0	5	0	0	0
4	4	0	4	0	0	0
905	1,096	(11)	1,085	180	167	13
45	45	0	45	0	0	0
3	3	0	3	0	0	0
83	115	(22)	93	10	32	(22)
201	201	0	201	0	0	0
83	83	0	83	0	0	0
414	446	(22)	424	10	32	(22)
352	352	0	352	0	0	0
352	352			0	0	0
49	49	(37)	12	(37)	0	(37)
218	218	(37)	181	(37)	0	(37)
318	630	(37)	593	275	312	(37)
73	73	(37)	37	(37)	0	(37)
44	44	(37)	7	(37)	0	(37)
703	1,015	(184)	831	128	312	(184)
(899)	(996)	(18)	(1,014)	(116)	(98)	(18)
1,347	1,452	(47)	1,405	58	106	(47)
231	243	(14)	229	(3)	11	(14)
(18)	(18)	0	(18)	0	0	0
(1)	17	0	17	18	1	16
227	313	(114)	199	(29)	85	(114)
0	0	0	0	0	0	0
64	64	0	64	0	0	0
952	1,074	(193)	881	(70)	106	(177)
822	813	0	813	(9)	1	(10)
20	20	0	20	0	0	0
16	16	0	16	0	0	0
81	81	0	81	0	0	0
4	4	0	4	0	0	0
245	245	0	245	0	0	0
(562)	(203)	(255)	(458)	104	359	(255)
12	38	0	38	26	26	0
168	168	0	168	0	0	0
104	104	0	104	0	0	0
1,204	1,255	(59)	1,196	(8)	52	(59)
1,170	1,158	0	1,158	(12)	0	(12)
3	30	(18)	12	9	27	(18)
45	45	(1)	44	(1)	0	(1)
(24)	(19)	0	(19)	5	5	0
(35)	(24)	0	(24)	11	11	0
(124)	(84)	0	(84)	40	40	0
(97)	(71)	(23)	(94)	3	26	(23)
10	27	0	27	17	17	0
3,061	3,602	(356)	3,247	186	563	(378)
393	496	(81)	415	22	103	(81)
(28)	80	(26)	54	82	108	(26)
75	87	0	87	12	0	12
(52)	(53)	0	(53)	(1)	0	(1)
388	610	(107)	503	115	211	(96)
3,880	3,880	0	3,880	0	0	0
3,880	3,880	0	3,880	0	0	0
603	614	(2)	612	9	14	(5)
53	53	0	53	0	0	0
137	137	0	137	0	0	0
33	33	0	33	0	0	0
(329)	216	(30)	186	515	545	(30)
496	1,052	(32)	1,020	524	559	(35)
(391)	(391)	0	(391)	0	0	0

Revenues and Benefits Client	Housing Benefits Payments And Subs	Housing Benefits Payments And Subs
Revenues and Benefits Client	Council Tax Support	Council Tax Support
Revenues and Benefits Client	Cost Of Collection Accounts	Cost Of Collection Accounts
sub-total		
Legal and Democratic Services	Legal	Legal Services
Legal and Democratic Services	Legal	Local Land Charges
Legal and Democratic Services	Legal	FOI Requests
Legal and Democratic Services	Governance	Conducting Elections
Legal and Democratic Services	Governance	Register of Electors
Legal and Democratic Services	Governance	Charities Administration
Legal and Democratic Services	Governance	Parish Councils
Legal and Democratic Services	Governance	Democratic Services
Legal and Democratic Services	Governance	Civic Administration
Legal and Democratic Services	Governance	Mayoralty
Legal and Democratic Services	Governance	Members Expenses
sub-total		
People and Development	People And Development	People and Development
sub-total		
Central Budgets - Other	Central Budgets - Other	Central Budgets - Other
Central Budgets - Savings Targets	Central Budgets - Savings Targets	Salary Savings Target
Central Budgets - Savings Targets	Central Budgets - Savings Targets	Non-Salary Savings Target
sub-total		
NET SERVICE BUDGET		
Corporate Items	Pensions	
Corporate Items	Provisions	
Corporate Items	Impairments	
Corporate Items	Parish Precepts	
Corporate Items	Treasury Investments & Borrowing	
Corporate Items	Capital Financing	
Corporate Items	Earmarked Reserves	
Corporate Items	Strategic Reserves	
NET CORPORATE ITEMS		
Funding	Council Tax	
Funding	Council Tax - Parish Precepts	
Funding	Business Rates: Retained Income	
Funding	Business Rates: S31 Grants	
Funding	Revenue Support Grant	
Funding	Prior Year Collection Fund (Surplus)/Deficit	
Funding	New Homes Bonus	
Funding	Other Government Grants	
FUNDING		
BUDGET BALANCE		
Government Funding	Share of £3.2m Homelessness Funding (ringfenced grant)	
Government Funding	Tranche 1 - Share of £1.6bn allocated from £5bn Coronavirus Fund – Burnley allocation for homelessness	
Government Funding	Tranche 2 - Share of additional £1.6bn funding announced on 18 th April 2020 – non-ringfenced grant	
Government Funding	Share of £50m Re-opening High Streets Safely Fund (ringfenced grant)	
Government Funding	Tranche 3 - Share of additional £500m funding announced on 2nd July 2020 - non ring fenced grant	
Government Funding	Tranche 4 - Share of additional £919m funding announced on 22nd October 2020- non ring fenced grant	
Government Funding	New Burdens Grant Funding	
REVISED BUDGET BALANCE		
Less forecast loss on Collection Fund		
NET BUDGET BALANCE		

(74)	(74)	0	(74)	0	0	0
(163)	(156)	0	(156)	7	7	0
(714)	(414)	(203)	(617)	97	300	(203)
(1,341)	(1,035)	(203)	(1,238)	104	307	(203)
399	335	(8)	327	(72)	(75)	3
(45)	(45)	0	(45)	0	25	(25)
1	1	0	1	0	0	0
76	2	0	2	(74)	0	(74)
73	73	0	73	0	0	0
0	0	0	0	0	0	0
6	6	0	6	0	0	0
273	320	0	320	46	34	13
17	17	0	17	0	0	0
30	30	0	30	(0)	0	(0)
233	233	0	233	0	0	0
1,063	971	(8)	963	(100)	(16)	(84)
207	207	0	207	0	0	0
207	207	0	207	0	0	0
297	491	0	491	194	194	0
(154)	0	0	0	154	154	0
(59)	0	0	0	59	59	0
84	491	0	491	407	407	0
11,164	13,761	(1,116)	12,294	1,483	2,647	(1,165)
761	761	0	0	0	0	0
0	0	0	0	0	0	0
0	0	0	0	0	0	0
166	166	0	0	0	0	0
879	974	0	0	95	95	0
2,450	2,450	0	0	0	0	0
871	1,791	0	0	920	0	920
(597)	(597)	0	0	0	0	0
4,529	5,544	0	0	1,015	95	920
(7,160)	(6,500)	0	0	660	674	(14)
(166)	(166)	0	0	0	0	0
(4,513)	(3,985)	0	0	527	550	(23)
(1,219)	(1,219)	0	0	0	0	0
(1,640)	(1,640)	0	0	0	0	0
(301)	(301)	0	0	0	0	0
(694)	(694)	0	0	0	0	0
0	0	0	0	0	0	0
(15,693)	(14,505)	0	0	1,188	1,224	(37)
(0)	4,801	(1,116)	12,294	3,686	3,967	(281)
0	(6)	0	0	(6)	(6)	0
0	(75)	0	0	(75)	(75)	0
0	(882)	0	0	(882)	(882)	0
0	(79)	0	0	(79)	(79)	0
0	(229)	0	0	(229)	(229)	0
0	(920)	0	0	(920)	0	(920)
0	(190)	0	0	(190)	0	(190)
(0)	2,420	(1,116)	12,294	1,305	2,696	(1,391)
0	(1,188)	(1,188)	(1,188)	(1,188)	(1,224)	36
(0)	1,232	(2,304)	11,106	118	1,472	(1,355)

Appendix 2

Quarter 2 Movements in Reserves

	Transformation Reserve £000	Growth Reserve £000	TOTAL Strategic £000	Other Earmarked Reserves £000
Opening Balance	(1,808)	(2,124)	(3,932)	(5,600)
Original Budget 2020/21 - use of reserves	(750)	0	(750)	(1,002)
TOTAL	(2,558)	(2,124)	(4,682)	(6,602)
Change in cycle 1	0	0	0	50
Change in cycle 2	8	1,339	1,347	(861)
Change in cycle 3	0	0	0	0
Anticipated balance at 31 March 2021	(2,550)	(785)	(3,335)	(7,414)
Approved use of reserves future years	1,911	2,040	3,951	(2,930)
Movement between reserves	0	0	0	0
Balance after approvals	(639)	1,255	616	(10,344)

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Capital Monitoring Report 2020/21 – Quarter 2 (to 30 September 2020)

REPORT TO EXECUTIVE



DATE	8 th December 2020
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Howard Hamilton Smith
TEL NO	(01282) 477173
EMAIL	hhamilton-smith@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 decrease of £2,206,530 giving a revised capital budget for 2020/21 totalling £16,908,615 as detailed in Appendix 1.
 - b. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £16,908,615 as shown in Appendix 2.
 - c. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £836,227 at 31 March 2021 as shown in Appendix 3.

REASONS FOR RECOMMENDATION

3. To effectively manage the 2020/21 capital programme.

SUMMARY OF KEY POINTS

4. Monitoring Information

On 26 February 2020 Full Council approved the 2020/21 original capital budget, totalling £19,468,103. Since February, several reports have been approved by the Executive, resulting in revising the 2020/21 capital budget to £19,115,145 (as at 11 August 2020 Executive).

This is the second of three in-year monitoring reports, and as such the appendices accompanying this report provide Members with the position as at 30 September 2020 on

expenditure, along with providing Members with an update on the progress of the individual schemes delivery.

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 September 2020. The expenditure to date is **£5,821,965** which is **34%** of the proposed revised budget.
- b. **Revised budget and financing elements – Appendix 2** shows the revised budget of **£16,908,615**, along with identifying the recommended financing elements on a scheme by scheme basis. This is a reduction of **£2,206,530**.
- c. **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 assumed level of surplus available local resources, after taking into account the 2020/21 capital commitments, totals **£836,227**.

The resources are reducing each financial year, to an estimated balance on general capital receipts of **£371k** by March 2021. 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 before 31st March 2021 (or the estimated balance will reduce).

We will monitor these sales throughout the year, and update through the cyclical monitoring reports. Should these receipts not be received, we will need to source alternative financing.

6. Revenue Implications

- a. **Revenue Contributions / Reserves 2020/21**
The Capital Programme includes Revenue Contributions / Reserves of **£1,394,756** being:

Scheme	Funded	£
Vehicle & Machinery Replacement	Transport Reserve & Revenue	137,924
Pioneer Place	Growth Reserve	135,432
Burnley-Pendle Growth Programme	Growth Reserve	722,000
Lower St James Street Historic Action Zone	Growth Reserve	215,000
Finsley Wharf & Canal Towpath Improvements	Business Support Reserve	33,000
Building Infrastructure Works	Growth Reserve & Crem Re-Align	141,400
Energy Efficiency	Revenue	10,000
Total Revenue Contributions		1,394,756

Pioneer Place costs are to fund pre contract costs.

b. **Prudential Borrowing 2020/21**

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 2020/21.

The original capital budget for 2020/21 of £19,468,103 included a planned borrowing requirement of £6,638,330.

The Outturn report dated 11 August 2020 approved slippage funded from borrowing of £610,647, revising the planned borrowing requirement to £7,248,977

The Cycle 1 report dated 11 August 2020 approved a reduction of £155k on borrowing, revising the planned borrowing requirement to £7,093,977

This Cycle 2 report seeks approval for £500k of the Building Infrastructure borrowing, for Stone Repairs, to be reprofiled into 2021/22. Along with a re-financing of £60,000 for works on Burnley Crematorium, from borrowing to Reserves in the current year.

This Cycle 2 report also seeks approval for £107,455 of the Lower St James Street Historic Action Zone scheme borrowing, to be reprofiled into 2021/22.

This revises the Borrowing to [£6,426,522](#).

The revenue implications of borrowing [£6,426,522](#) are a Minimum Revenue Provision (MRP) of [£44k](#) and an interest charge, assuming 3% on the borrowing, would equate to [£192k](#) for a full year.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. A decrease in the 2020/21 capital programme of [£2,206,530](#) to give a revised budget of [£16,908,615](#) and a decrease in the borrowing requirement of [£667,455](#), from £7,093,977 to [£6,426,522](#).

POLICY IMPLICATIONS

8. None arising directly from this report.

DETAILS OF CONSULTATION

9. None.

BACKGROUND PAPERS

10. None.

FURTHER INFORMATION

PLEASE CONTACT:

Howard Hamilton Smith – Head of Finance & Property

ALSO

Martin Dixon – Finance Business Partner

2020/21 CAPITAL BUDGET CYCLE 2 MONITORING - UPDATE

APPENDIX 1

Scheme Name	Budget per Exec 11/08/20 £	Adjustments Per This Report		Changes to be approved in this report A + B £	Revised Budget £	Total Spend as at 30/09/20 £	% Schemes Spend £	Financed by External Funding £	Narrative provided by Project Officers/Heads of Service
		Budget Adjustments	Reprofiled into Future Years						
		A	B						

GREEN SPACES & AMENITIES

Brun Valley Forest Park	45,607			-	45,607	1,919	4%	45,607	Footpath improvements at Heasandford complete (£9k) but not yet invoiced. Further contract for path improvements and anti-motorcycle barriers progressing. Contract for meadow creation at Bank Hall to meet S106 obligations to be undertaken March 2021. Scheme to complete.
Play Area Improvement Programme	120,066		(100,066)	(100,066)	20,000	8,275	41%	20,000	This scheme has been on hold because of the review of the Play Strategy which has been deferred to December 2020. Request that budget reduced to £20,000 with balance reprofiled to 2021/22, as there will not be enough time to implement projects in the final quarter.
Worsthorne Recreation Ground Improvements	264,180			-	264,180	98,486	37%	217,180	Works in progress. Drainage works complete. Ball court/car park in construction. Scheme will complete
Vehicle and Machinery Replacement	103,674	34,250		34,250	137,924	62,238	45%	-	Three replacement electric vehicles for Streetscene are purchased and in use. Three Transit pick up trucks have now been delivered for Green Spaces. Replacement ride-on mower delivered and in use. Budget adjustment to reflect income received on Vehicle sales
Thompson Park Restoration Project	84,065			-	84,065	60,109	72%	84,065	Toilet refurbishment complete. Installation of Octagonal shelter complete. Outstanding items are in progress including surfacing around Octagonal shelter and completion of car park access works. Scheme will complete.
Changing Places	43,469		(43,469)	(43,469)	-	-	0%	-	Request to slip this project for provision of a changing places toilet at Towneley into 2021/22, so that it is done at the same time as the Towneley Hall repair contract, to achieve best value and reduce disruption of service.
Extension of Burnley Cemetery	25,000			-	25,000	-	0%	-	A brief for the design work has been prepared. Scheme to progress with aim of obtaining planning consent for future cemetery extension. At present it is uncertain whether the scheme will complete in year - a review will be carried out at Q3.
Refill Fountains	20,500		(20,500)	(20,500)	-	-	0%	-	This scheme can't progress due to Covid-19 restrictions that are likely to continue to end of financial year. Request slippage to 2021/22
Stoops Wheeled Sport	3,792			-	3,792	-	0%	3,792	Retention money owed to contractor. Will complete.
Prairie Artificial Turf Pitch	46,221			-	46,221	5,059	11%	46,221	Retention money owed to contractor. Will complete.
	756,574	34,250	(164,035)	(129,785)	626,789	236,086	38%	416,865	

STREETSCENE

Alleygate Programme	26,245			-	26,245	-	0%	-	6 Schemes identified for roll out and consultations starting. To be completed Quarter 4, all budget committed.
River Training Walls	69,639			-	69,639	8,299	12%	-	Expenditure on this scheme will be reviewed in Quarter 3
CCTV Infrastructure	2,409			-	2,409	-	0%	-	Work is on-going on-site with a new camera being erected on Lower St James's Street, tied in with the Lower St James's Street upgrade scheme and Heritage Action Zone works.
Purchase Replacement Vehicle	7,400			-	7,400	7,400	100%	-	Scheme Complete
	105,693	-	-	-	105,693	15,699	15%	-	

2020/21 CAPITAL BUDGET CYCLE 2 MONITORING - UPDATE

APPENDIX 1

Scheme Name	Budget per Exec 11/08/20 £	Adjustments Per This Report		Changes to be approved in this report A + B £	Revised Budget £	Total Spend as at 30/09/20 £	% Schemes Spend £	Financed by External Funding £	Narrative provided by Project Officers/Heads of Service
		Budget Adjustments	Reprofiled into Future Years						
		A	B						
ECONOMY & GROWTH									
Padiham Townscape Heritage Initiative	968,231		(609,231)	(609,231)	359,000	162,976	45%	270,999	Grant funded works to three properties within the TH area commenced in August and are due to complete by the end of October. There are a further six schemes (buildings under private ownership) making good progress to grant approval. The acquisition of 33-35 Burnley Rd is now complete. The Council has appointed a chartered surveyor to help plan and oversee the works. Stripping-out works are currently being undertaken to allow condition surveys/investigations to be carried out. Public realm works have commenced on site to include significant environmental improvement to the TH area and wider town centre. These are expected to complete in Spring 2021. Wider community activities have been cancelled or postponed due to Covid-19 and restrictions, new ways to continue to engage the community through online/digital methods are being explored. Budget reprofile required into future years.
Pioneer Place	135,432			-	135,432	51,250	38%	-	Work is being progressed to bring forward a phased scheme.
Sandygate Square	3,793,706			-	3,793,706	3,518,721	93%	-	A completion certificate for the building was issued on the 11th September 2020, with the exception of works to the commercial units, lower ground work and s278 works to be completed by the end of October 2020. UCLAN took possession on 14th September 2020 and students took occupation on the 20th September 2020. A retention payment will be held for 12 months.
NW Burnley Growth Corridor	3,659,626			-	3,659,626	145,000	4%	3,659,626	Work commenced on the new public realm in Padiham Town Centre in September 2020. Works are expected to run until the April 2021. Design work and consultation with local businesses has been continuing on the Flood Defence scheme. Some preparatory work has commenced including with work on invasive species. A review of in year spend (and potential reprofile to 2021/22) will be carried out once finalised with the EA.
Burnley-Pendle Growth Programme	722,000			-	722,000	422,000	58%	-	Works to the Town Centre roundabouts, Junction 9 roundabout and Rosegrove Station have completed. Works to Rosegrove junction are ongoing but there has been a delay due to Covid19 working restrictions and completion is now not expected until after March 2021. The former ambulance station has now been demolished and the new car park is due for completion after March 2021. A review of in year spend (and potential reprofile to 2021/22) will be carried out once the completion date has been finalised.
Town Centre & Weavers Triangle Project Work	100,000			-	100,000	-	0%	-	Work has not progressed due to resources being diverted into other projects and Covid-19 recovery work.
Lower St James Street Historic Action Zone	1,577,514		(617,514)	(617,514)	960,000	-	0%	745,000	A dedicated HAZ Officer has been appointed and is now in post. The HAZ Officer will start approaching property owners within the HAZ area to progress building schemes (there have been a couple of initial enquiries from owners). Public realm works commenced in July 2020 and are making good progress. Plans are also progressing on HAZ wider activities - a website has been established www.burnleyHAZ.org.uk and plans are being progressed to improve 'untidy' sites in the area through signage and hoardings. Furthermore, an additional grant of £10K as been approved by HE (in principle) in partnership with the Arts Council for the HAZ Cultural Consortia to implement cultural activities to the area. Budget adjusted to £960K, with remainder reprofiled into 2021/22
Padiham Town Hall Improvements	331,379			-	331,379	589	0%	298,201	Refurbishment works started in September 2020. External works to the frontage, windows and roof will take place first, followed by internal work. All work is expected to be completed before Christmas 2020.
Finsley Wharf & Canal Towpath Improvements	33,000			-	33,000	33,000	100%	-	Improvement work completed
Vision Park	39,386			-	39,386	-	0%	22,934	Agreement has been obtained from the LEP to carry over the remaining expenditure into 2020/21. It has been agreed the money can be used towards new proposed external signage at the entrance to the site.
Former Open Market & Former Cinema Block	80,108			-	80,108	20,094	25%	-	Essential repair works are now complete. Work to the exterior cladding and fire escape staircase replacement, which is complete. The only remaining item is the cladding of the concrete parapet on the Bankfield elevation.
	11,440,382	-	(1,226,745)	(1,226,745)	10,213,637	4,353,630	43%	4,996,760	

2020/21 CAPITAL BUDGET CYCLE 2 MONITORING - UPDATE

Scheme Name	Budget per Exec 11/08/20	Adjustments Per This Report		Changes to be approved in this report A + B	Revised Budget	Total Spend as at 30/09/20	% Schemes Spend	Financed by External Funding	Narrative provided by Project Officers/Heads of Service
		Budget Adjustments	Reprofiled into Future Years						
		A	B						

FINANCE & PROPERTY

Leisure Centre Improvements	95,058			-	95,058	7,538	8%	-	Works to various sites totalling £82k have been agreed, such as Padiham CCTV and Alarm upgrades, Prairie & Padiham roof safe system, Padiham sauna refurb and Mechanics stonework repairs. These have been delayed due to lockdown and building shut downs, but should complete this financial year
Building Infrastructure Works	3,577,938		(500,000)	(500,000)	3,077,938	428,692	14%	-	All of the works to the roofs including the Clock Tower, enhanced lightning and edge protection have now been completed. Alterations to scaffold required at Burnley Town Hall before works to Stone Elevation repair commence - the project period being 14 months with provisional completion November 2021. Therefore £500k reprofiled into 2021/22 Towneley Hall roof works subject to conditional survey. A review of budget profile, and potential adjustment to be carried out in Quarter 3. Burnley Covered Market Hall roof works to be complete by October 2020. Burnley Crematorium roof tender prepared and returned November 2020 - provisional project completion of January 2021 subject to acceptance of tender. Replacement of the Cremator Coolers is anticipated for completion by the end of November 2020
	3,672,996	-	(500,000)	(500,000)	3,172,996	436,230	14%	-	

HOUSING & DEVELOPMENT CONTROL

Emergency Repairs	120,000	(50,000)		(50,000)	70,000	20,538	29%	70,000	There are currently a further 7 grants that have been approved equating to a further £35,000 commitment. It is recommended that this budget be reduced to £70,000.
Better Care Grant	1,500,000		(300,000)	(300,000)	1,200,000	366,904	31%	1,200,000	A further 52 grants have been approved, giving a further £500,000 commitment. As contractors are catching up after the initial lockdown it is unlikely that full spend will be met. It is recommended that this budget is reduced to £1.2 million.
Energy Efficiency	50,000			-	50,000	13,900	28%	40,000	Applications continue to be received and gas engineers are continuing to undertake the heating works. There are currently a further £8,800 grants approved. It is recommended that this budget remains at £50,000.
Employment Schemes Programme	1,300,000			-	1,300,000	339,200	26%	-	Despite conditions still being challenging, the programme is on target to acquire another 20 properties with a programme of CPOs underway and properties being bought by agreement. Renovations of current properties has begun again but some supplies are still difficult to come by and are more expensive as supplies are brought in from abroad. We currently have 10 loans underway and 5 new enquiries being processed. One property is currently for sale with another ready early in October 2020.
Interventions, Acquisitions and Demolitions	100,000			-	100,000	25,278	25%	-	This programme is used to carry out small neighbourhood improvement schemes and to bring forward brownfield land for development. The spend to date is the final payment for the Padiham property improvement scheme on Thompson Street, supporting the wider work that Calico are doing at the former Perseverance Mill site and Station Road.
	3,070,000	(50,000)	(300,000)	(350,000)	2,720,000	765,820	28%	1,310,000	

SPORTS & CULTURE

Mechanics Lighting Equipment	55,000			-	55,000	-	0%	-	Key technical staff at the Mechanics have been on furlough since March due to Covid-19. When staff are able to return to work and an opening date for the Mechanics available the work will be completed. Further updates will be given when an indication is given as to when this will happen.
	55,000	-	-	-	55,000	-	0%	-	

CHIEF EXECUTIVE / CORPORATE INITIATIVES

Ward Opportunities Fund	14,500			-	14,500	14,500	100%	-	WOF allocations are now complete. Projects identified by members included, amongst others, Christmas lighting in Hapton, improvements to the facilities at Briercliffe bowling club, and street accessibility improvements in Brunshaw
	14,500	-	-	-	14,500	14,500	100%	-	
	19,115,145	(15,750)	(2,190,780)	(2,206,530)	16,908,615	5,821,965	34%	6,723,625	

2019/20 Cycle 2 17,481,484 4,315,995 25%

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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								
Brun Valley Forest Park	45,607						45,607	45,607
Play Area Improvement Programme	20,000				-		20,000	20,000
Worsthorne Recreation Ground Improvements	264,180			183,311	47,000		33,869	264,180
Vehicle and Machinery Replacement	137,924		137,924				-	137,924
Thompson Park Restoration Project	84,065			84,065				84,065
Extension of Burnley Cemetery	25,000	25,000						25,000
Stoops Wheeled Sport	3,792			3,792				3,792
Prairie Artificial Turf Pitch	46,221			46,221				46,221
	626,789	25,000	137,924	317,389	47,000	-	99,476	626,789
Streetscene								
Alleygate Programme	26,245				26,245			26,245
River Training Walls	69,639				69,639			69,639
CCTV Infrastructure	2,409		-		2,409			2,409
Purchase Replacement Vehicle	7,400	7,400						7,400
	105,693	7,400	-	-	98,293	-	-	105,693
Economy & Growth								
Padiham Townscape Heritage Initiative	359,000			217,649	88,001		53,350	359,000
Pioneer Place	135,432		135,432					135,432
Sandygate Square	3,793,706	3,793,706						3,793,706
NW Burnley Growth Corridor	3,659,626			3,659,626				3,659,626
Burnley-Pendle Growth Programme	722,000		722,000					722,000
Town Centre & Weavers Triangle Project Work	100,000	100,000						100,000
Lower St James Street Historic Action Zone	960,000	-	215,000	745,000			-	960,000
Padiham Town Hall Improvements	331,379	33,178		298,201				331,379
Finsley Wharf & Canal Towpath Improvements	33,000		33,000					33,000
Vision Park	39,386			22,934	16,452			39,386
Former Open Market & Former Cinema Block	80,108	80,108						80,108
	10,213,637	4,006,992	1,105,432	4,943,410	104,453	-	53,350	10,213,637
Finance & Property								
Leisure Centre Improvements	95,058	95,058						95,058
Building Infrastructure Works	3,077,938	2,237,072	141,400		699,466			3,077,938
	3,172,996	2,332,130	141,400	-	699,466	-	-	3,172,996
Sports & Culture								
Mechanics Lighting Equipment	55,000	55,000						55,000
	55,000	55,000	-	-	-	-	-	55,000
Housing & Development Control								
Emergency Repairs	70,000			70,000				70,000
Better Care Grant	1,200,000			1,200,000				1,200,000
Energy Efficiency	50,000		10,000	40,000				50,000
Empty Homes Programme	1,300,000					1,300,000		1,300,000
Interventions, Acquisitions and Demolitions	100,000					100,000		100,000
	2,720,000	-	10,000	1,310,000	-	1,400,000	-	2,720,000
Chief Executive								
Ward Opportunities Fund	14,500				14,500			14,500
	14,500	-	-	-	14,500	-	-	14,500
TOTAL OF ALL SCHEMES	16,908,615	6,426,522	1,394,756	6,570,799	963,712	1,400,000	152,826	16,908,615

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CAPITAL RECEIPTS AND CONTRIBUTIONS ANALYSIS FOR 2020/21 + CIP 2021-25

APPENDIX 3

	<u>General Capital Receipts</u> £	<u>Vacant Property Initiatives Receipts</u> £	<u>Section 106 Money</u> £	<u>3rd Party Cont'n's</u> £	<u>Total</u> £
Capital Resources Brought Forward on 1 April 2020	796,815	911,799	337,253	287,899	2,333,766
Add					
Resources Received As At 30 September 2020	162,001	29,814	-	-	191,815
Further Resources Estimated to be Received during 2020/21:	376,000	600,500	-	13,000	989,500
Potential Resources Available during 2020/21	1,334,816	1,542,113	337,253	300,899	3,515,081
Less					
Required to finance Capital Programme	(963,712)	(1,400,000)	(114,937)	(37,889)	(2,516,538)
Earmarked for Revenue Expenditure	-	-	-	-	-
Earmarked for Delivery By Outside Bodies	-	-	(162,316)	-	(162,316)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2021	371,104	142,113	60,000	263,010	836,227
Add - Resources Estimated to be Received during 2021/22	150,000	1,290,000	113,000	403,254	1,956,254
Less - 2021/22 Capital Budget	(912,199)	(1,400,000)	(113,000)	(501,789)	(2,926,988)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2022	(391,095)	32,113	60,000	164,475	(134,507)
Add - Resources Estimated to be Received during 2022/23	100,000	1,215,000	-	572,039	1,887,039
Less - 2022/23 Capital Budget	(625,385)	(1,400,000)	-	(572,039)	(2,597,424)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2023	(916,480)	(152,887)	60,000	164,475	(844,892)
Add - Resources Estimated to be Received during 2023/24	100,000	1,215,000	-	25,781	1,340,781
Less - 2023/24 Capital Budget	(355,650)	(1,400,000)	-	(25,781)	(1,781,431)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2024	(1,172,130)	(337,887)	60,000	164,475	(1,285,542)
Add - Resources Estimated to be Received during 2024/25	100,000	1,215,000	-	-	1,315,000
Less - 2024/25 Capital Budget	(91,351)	(1,400,000)	-	-	(1,491,351)
Estimated Surplus / (Shortfall) of Resources as at 31st March 2025	(1,163,481)	(522,887)	60,000	164,475	(1,461,893)

Note a: Figure updated to incorporate changes to the revised estimate on the Town Hall scheme

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REPORT TO EXECUTIVE



DATE	8th December 2020
PORTFOLIO	Resources & Performance Management
REPORT AUTHOR	Amy Johnson
TEL NO	(01282) 425011 ext 3162
EMAIL	ajohnson@burnley.gov.uk

Fees & Charges Tariff 2021/22
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PURPOSE

1. To inform Members of the Council’s proposed fees and charges from 1 April 2021.

RECOMMENDATION

That the Executive recommend to Full Council:

2. Approval of the proposed tariff of fees & charges from 1 April 2021 with an increase of 2.5% as outlined in Appendix A attached.
3. To authorise the Head of Finance and Property, in consultation with the relevant Head of Service, to determine any new charges or changes to existing charges relating to the preparation and approval of the 2021/22 revenue budget.
4. To authorise the Executive Portfolio Members to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum.
5. To authorise the Strategic Head of Economy and Growth, in consultation with the Executive Member for Resources and Performance Management and the Head of Finance and Property, to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market.

REASONS FOR RECOMMENDATION

6. To set the Council’s fees and charges from 1 April 2021 and assist in finalising the 2021/22 budget process.

SUMMARY OF KEY POINTS

7. In line with the Council's commercial strategy, Heads of Service were asked to:
 - a) ensure that no charge has been omitted and the schedule is complete,
 - b) confirm increases at an overall 2.5% for the service (excluding areas where either no increase is proposed or where they are set statutorily),
 - c) confirm that the fees and corresponding VAT rates are correct,
 - d) confirm the date of the fee increase,
 - e) give notification of any potential new areas for the introduction of fees and charges within their service area and of the proposed level of such fees and charges from 1 April 2021,
 - f) make suggestions/proposals as to where income can be found in future to help alleviate the Council's budget pressures as identified in the Medium Term Financial Strategy, and
 - g) identify where services are being provided at a subsidy and where fees and charges should be increased by more than 2.5% in order to maintain the viability of service provision.
8. A summary of the key points of the proposed fees and charges are:
9. Local Land Charges
There will be no increase in Local Land Charges fees.
10. Garden Waste Collection Charges
The annual charge for Green Waste Collection in 2020/21 will increase from £30.00 to £35.00. An early payment incentive will be offered for an eight week period, where the charge will remain at £30.00. A breakdown of garden waste collection charges charged by local authorities nationally can be seen in Appendix 2.
11. Building Control Fees
It is proposed that fees be increased by 2% with effect from **1st January 2021**. The fees have been agreed by members of the Pennine Lancashire Building Control Joint Committee and are therefore subject to change. Income from fees and charges is for fee-earning work and used to offset costs. Any excess income is transferred to an earmarked reserve in Blackburn's accounts for future use in providing the service. Therefore, it does not result in any increased income to the Council as they form part of the shared service with Blackburn with Darwen Council.
12. Car Parking
There will be no increase to car parking charges (pay and display and contract parking).
13. Commercial Waste
Commercial waste annual contracts will increase by 2.5%.
14. Bulky & White Goods
Bulky and white goods collection will be reduced by 50% for a period of 3 months from 1st January 2021. The income foregone will be met from savings on the Community Skips project.

15. Fixed Penalty Notices
Several new Fixed Penalty Notices have been introduced, including those relating to Covid-19 business restriction offences. There is to be no increase to existing Fixed Penalty Notices.
16. Licensing fees
Licensing fees are to be increased by 2.5%, where the charge is not statutory.
17. Taxi Licensing
Taxi Licensing fees are set by Licensing Committee and are to be considered at their meeting in November 2020.
18. Towneley Hall
Daily car parking fees to be frozen at the 2020/21 rate. All other fees and charges to be increased by 2.5%.
19. Cemeteries & Crematorium
There will be no increase to Cemetery and Crematorium charges (no increase applied in 2020/21). Appendix 3 provides a breakdown of cremation fees charged by other local authorities nationally and Appendix 4 provides a regional comparison of both crematorium and burial charges regionally.
20. Market Hall
Market Hall fees and charges have not previously been included within the fees & charges schedule. The schedule has been updated to include these charges, however it must be noted that although these charges were not previously included within the schedule they have previously been applied and therefore will not generate any new additional income to the Council.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

21. The assumed increase in income from the proposed changes to the fees and charges tariff presented in this report is approximately £52k in 2021/22.

POLICY IMPLICATIONS

22. None directly as a consequence of this report.

DETAILS OF CONSULTATION

23. None.

BACKGROUND PAPERS

24. None.

FURTHER INFORMATION

PLEASE CONTACT:

Amy Johnson – Finance Manager

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
COMMUNITY SERVICES									
GREEN SPACES & AMENITIES									
CEMETERIES									
Interment Fees									
Under 1 year	no charge			no charge					
Over 1 year - 17 years	323.00	-	323.00	323.00	-	323.00	zero	n/a	
18 years and over	1,237.00	-	1,237.00	1,237.00	-	1,237.00	zero	n/a	
Where Casket is used	1,437.00	-	1,437.00	1,437.00	-	1,437.00	zero	n/a	
Where Vault is used	1,437.00	-	1,437.00	1,437.00	-	1,437.00	zero	n/a	
Interment after appointed time	209.00	-	209.00	209.00	-	209.00	zero	n/a	
Interment of cremated remains	250.00	-	250.00	250.00	-	250.00	zero	n/a	
Interment Fees - Public Grave									
Over 1 year - 17 years	203.00	-	203.00	203.00	-	203.00	zero	n/a	
18 years and over	415.00	-	415.00	415.00	-	415.00	zero	n/a	
Service in Cemetery Chapel	154.00	-	154.00	154.00	-	154.00	zero	n/a	
NHS Charge (pre-term)	New	-	73.50	74.00	-	74.00	zero	n/a	
Removal & Replacement									
Headstones (remove and re-fix to National Association of Memorial Masons standards)	192.00	-	192.00	192.00	-	192.00	zero	n/a	
Sidestones	158.00	-	158.00	158.00	-	158.00	zero	n/a	
Chippings	96.00	-	96.00	96.00	-	96.00	zero	n/a	
Right to Erect Memorials									
Headstone (900mm maximum)(including first inscription)	265.00	-	265.00	265.00	44.17	220.83	20.00	n/a	
Wooden Cross	51.00	-	51.00	51.00	8.50	42.50	20.00	n/a	
Vase without inscription and under 300 mm	FOC		FOC	FOC		FOC			
Otherwise	97.00	-	97.00	97.00	16.17	80.83	20.00	n/a	
Inscription (each)	51.00	-	51.00	51.00	8.50	42.50	20.00	n/a	
Construction									
Vault - Single Space/Depth	2,439.00	-	2,439.00	2,439.00	-	2,439.00	zero	n/a	
Vault - Double Space	At Cost			At Cost	-	At Cost	zero	n/a	

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
<u>Exclusive Right of Burial</u>									
Burnley									
Row 1 - 4	1,120.00	-	1,120.00	1,120.00	-	1,120.00	zero	n/a	
Lawn Section	1,377.00	-	1,377.00	1,377.00	-	1,377.00	zero	n/a	
Half Grave (for burial of ashes only)	444.00	-	444.00	444.00	-	444.00	zero	n/a	
Any other row	1,120.00	-	1,120.00	1,120.00	-	1,120.00	zero	n/a	
Additional charge for Vault	703.00	-	703.00	703.00	-	703.00	zero	n/a	
Purchase of above by Non-Resident of Burnley Borough									
Miscellaneous									
Search of Register	FOC		FOC	FOC		FOC			
<u>Padiham Garden of Remembrance</u>									
Use of Memorial Stone	128.00	-	128.00	128.00	-	128.00	zero	n/a	
Use of Niche for one person	236.00	-	236.00	236.00	-	236.00	zero	n/a	
Additional remains in Niche	149.00	-	149.00	149.00	-	149.00	zero	n/a	
<u>CREMATORIUM</u>									
<u>Cremation</u>									
Under 1 year	no charge			no charge					
Over 1 year - 17 years	219.00	-	219.00	219.00	-	219.00	zero	n/a	
18 years and over	764.00	-	764.00	764.00	-	764.00	zero	n/a	
Direct Cremation (before 9.30am, no chapel service)	New		408.00	408.00	-	408.00	zero	n/a	
Medical Referee	18.00	-	18.00	18.00	-	18.00	zero	n/a	
Additional fee for Saturday & 12.30 additional time	211.00	-	211.00	211.00	-	211.00	zero	n/a	
NHS Charge (pre-term)	New		36.00	36.00	-	36.00	zero	n/a	
<u>Entries in Book of Remembrance</u>									
2 line	111.00	-	111.00	111.00	18.50	92.50	20.00	n/a	
5 line	173.00	-	173.00	173.00	28.83	144.17	20.00	n/a	
8 line	255.00	-	255.00	255.00	42.50	212.50	20.00	n/a	
5 line with flower emblem	239.00	-	239.00	239.00	39.83	199.17	20.00	n/a	
5 line with Badge	266.00	-	266.00	266.00	44.33	221.67	20.00	n/a	
6 line with Coat of Arms	341.00	-	341.00	341.00	56.83	284.17	20.00	n/a	
<u>Remembrance Cards</u>									
With 2 line inscription	69.00	-	69.00	69.00	11.50	57.50	20.00	n/a	
With 5 line inscription	81.00	-	81.00	81.00	13.50	67.50	20.00	n/a	
With 8 line inscription	110.00	-	110.00	110.00	18.33	91.67	20.00	n/a	
Additional 2 line inscription	41.00	-	41.00	41.00	6.83	34.17	20.00	n/a	
Additional 5 line inscription	54.00	-	54.00	54.00	9.00	45.00	20.00	n/a	
Additional 8 line inscription	63.00	-	63.00	63.00	10.50	52.50	20.00	n/a	
Additional cost for flower emblem (only with 5 or 8 line entry)	69.00	-	69.00	69.00	11.50	57.50	20.00	n/a	

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Retaining of Ashes

After 1 month (per month)

72.00	-	72.00	72.00	-	72.00	zero	n/a
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Scattering of Ashes

Cremation not at Burnley

72.00	-	72.00	72.00	-	72.00	zero	n/a
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Memorial Wall

Lakeland stone plaque

(plus lettering per letter - existing walls only, new walls subject to new price list)

552.00	-	552.00	552.00	92.00	460.00	20.00	n/a
3.00	-	3.00	3.00	0.50	2.50	20.00	n/a

Additional inscription admin charge (plus lettering)

42.00	-	42.00	42.00	7.00	35.00	20.00	n/a
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Emblem

40.00	-	40.00	40.00	6.67	33.33	20.00	n/a
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Renewal of lease at end of agreement per 5 years

75.00	-	75.00	75.00	12.50	62.50	20.00	n/a
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Tree of Remembrance

Engraved Remembrance Leaf

60.00	-	60.00	60.00	10.00	50.00	20.00	n/a
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Ash Plots

Exclusive right of burial (40 years)

444.00	-	444.00	444.00	74.00	370.00	20.00	n/a
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Interment fee

250.00	-	250.00	250.00	41.67	208.33	20.00	n/a
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Right to erect memorial

281.00	-	281.00	281.00	46.83	234.17	20.00	n/a
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Foundation

25.00	-	25.00	25.00	4.17	20.83	20.00	n/a
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PARKS - OUTDOOR SPORTS ACTIVITIES & EVENTS

Events - Towneley Park

Local Organisations

173.00	2.50	177.33	177.30	29.55	147.75	20.00	1-Apr-21
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Non Resident Organisation - per event

441.00	2.50	452.03	452.05	75.34	376.71	20.00	1-Apr-21
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Funfair Events

POA			POA				
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Towneley Park

Cricket

56.80	2.50	58.22	58.20	9.70	48.50	20.00	1-Apr-21
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2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Football pitches (from 1st August each year)

Grade A - (changing, showers & attendant)

Prairie, Fennyfold, Towneley 56.80 2.50 58.22 58.20 9.70 48.50 20.00 1-Apr-21

Grade B (pitch only)

Queens Park, Worsthorne, Stoneyholme, Hapton 39.85 2.50 40.85 40.85 6.81 34.04 20.00 1-Apr-21

Barden Central Arena

Burnley United A F C per season n/a not charged in lieu of cleaning and management

Junior Football

Use of Junior pitch 12.35 2.50 12.66 12.65 2.11 10.54 20.00 1-Apr-21

Use of changing accommodation only 12.35 2.50 12.66 12.65 2.11 10.54 20.00 1-Apr-21

ALLOTMENTS

Allotment Rent per m² 0.29 2.50 0.30 0.30 - 0.30 zero 1-Apr-21

Concessionary Rental (50%) 0.14 2.50 0.14 0.14 - 0.14 zero 1-Apr-21

Water 15.10 2.50 15.48 15.50 - 15.50 zero 1-Apr-21

Admin fee for setting up of new tenancy agreements 12.30 2.50 12.61 12.60 2.10 10.50 20.00 1-Apr-21

Note : Allotments users require 3 months notice of any price increases.

TOWNELEY

Car Parking - Pay & Display

Riverside - per day 1.50 - 1.50 1.50 0.25 1.25 20.00 n/a

Towneley Hall - per hour 0.80 - 0.80 0.80 0.13 0.67 20.00 n/a

9 Hole Golf - per day 1.50 - 1.50 1.50 0.25 1.25 20.00 n/a

Causeway End / Golf Course - per day 2.00 - 2.00 2.00 0.33 1.67 20.00 n/a

Barwise per day 1.50 - 1.50 1.50 0.25 1.25 20.00 n/a

Woodgroove - per day New - 1.50 1.50 0.25 1.25 20.00 n/a

Car Parking - Contracts (per annum)

Towneley Hall 61.00 - 61.00 61.00 10.17 50.83 20.00 n/a

Riverside 40.00 - 40.00 40.00 6.67 33.33 20.00 n/a

Barwise 40.00 - 40.00 40.00 6.67 33.33 20.00 n/a

Woodgrove 61.00 - 61.00 61.00 10.17 50.83 20.00 n/a

TOWNELEY HALL

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Guided Tours

Local Links Subscription Scheme for Schools - per annum	223.70	2.50	229.29	229.30	38.22	191.08	20.00	1-Apr-21
Daytime - per person	8.15	2.50	8.35	8.35	1.39	6.96	20.00	1-Apr-21
Evening - per person	12.25	2.50	12.56	12.55	2.09	10.46	20.00	1-Apr-21
School Groups per person - half day	2.55	2.50	2.61	2.60	0.43	2.17	20.00	1-Apr-21
School Groups per person - full day	5.10	2.50	5.23	5.25	0.88	4.37	20.00	1-Apr-21

Use of Hall

Commercial Photography	306.00	2.50	313.65	314.00	52.33	261.67	20.00	1-Apr-21
Filming Fees	1,020.00	2.50	1,045.50	1,046.00	174.33	871.67	20.00	1-Apr-21
Great Hall (by negotiation) fees start from	612.00	2.50	627.30	627.00	104.50	522.50	20.00	1-Apr-21 *
up to	1,020.00	2.50	1,045.50	1,046.00	174.33	871.67	20.00	1-Apr-21 *
Regency Rooms Daytime Events (by negotiation) fees start from	612.00	2.50	627.30	627.00	104.50	522.50	20.00	1-Apr-21 *
up to	1,020.00	2.50	1,045.50	1,046.00	174.33	871.67	20.00	1-Apr-21 *
Regency Rooms Evening Events (by negotiation) fees start from	612.00	2.50	627.30	627.00	104.50	522.50	20.00	1-Apr-21 *
up to	1,020.00	2.50	1,045.50	1,046.00	174.33	871.67	20.00	1-Apr-21 *
Lecture Theatre (by negotiation) fees start from	102.00	2.50	104.55	105.00	17.50	87.50	20.00	1-Apr-21
up to	306.00	2.50	313.65	314.00	52.33	261.67	20.00	1-Apr-21
Great Hall & both Regency Rooms (by negotiation) fees start from	510.00	2.50	522.75	523.00	87.17	435.83	20.00	1-Apr-21 *
up to	3,570.00	2.50	3,659.25	3,659.00	609.83	3,049.17	20.00	1-Apr-21 *

* 50% discount for Charities

Conferences & Meetings

Lecture Theatre Room Hire - fees start from	102.00	2.50	104.55	104.55	17.43	87.12	20.00	1-Apr-21 *
up to	306.00	2.50	313.65	313.65	52.28	261.37	20.00	1-Apr-21 *
Tea & Coffee per person per serving	1.00	2.50	1.03	1.05	0.18	0.87	20.00	1-Apr-21

* 50% discount for Charities

Wedding Charges

Regency Rooms - ceremony only fees start from	357.00	2.50	365.93	366.00	61.00	305.00	20.00	1-Apr-21
up to	1,530.00	2.50	1,568.25	1,568.00	261.33	1,306.67	20.00	1-Apr-21
Great Hall & Regency Rooms ceremony & afternoon reception up to 7pm								
fees start from	510.00	2.50	522.75	523.00	87.17	435.83	20.00	1-Apr-21
up to	3,570.00	2.50	3,659.25	3,659.00	609.83	3,049.17	20.00	1-Apr-21
Photography - grounds/formal gardens	61.00	2.50	62.53	63.00	10.50	52.50	20.00	1-Apr-21
Photography - grounds/formal gardens & inside	102.00	2.50	104.55	105.00	17.50	87.50	20.00	1-Apr-21

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Entrance Fees

Adult - 12 month pass

50% reduction on wedding & event days due to rooms being closed

* Free admission for children and students

5.00	-	5.00	5.00	0.83	4.17	20.00	1-Apr-21	*
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THOMPSON PARK

Car Parking - Pay & Display

Thompson Park - per day

2.00	2.50	2.05	2.00	0.33	1.67	20.00	1-Apr-21	
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2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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STREETSCENE

CAR PARKING CHARGES

The current strategy is to increase car parking charges every two years.

Short Stay Car Parks

Elizabeth St / Grimshaw St / Standish St / Parker Lane /
William Thompson / Orchard Bridge / Cow Lane 1 & 2 / Pioneer 1 /
Sutcliffe St / Thomas St

0-1 hour	Monday - Saturday	1.00	-	1.00	1.00	0.17	0.83	20.00	n/a
1-2 hours		1.60	-	1.60	1.60	0.27	1.33	20.00	n/a
2-3 hours		2.10	-	2.10	2.10	0.35	1.75	20.00	n/a
3 Hours plus		5.60	-	5.60	5.60	0.93	4.67	20.00	n/a
Sundays & Bank Holidays		Free		Free					
Disabled pass holders - up to 3 hrs		Free		Free					

Disabled pass holders - up to 3 hrs

Disabled pass holders - over 3 hrs - charges apply as above

Victoria

0-1 hour	Saturday only	1.00	-	1.00	1.00	0.17	0.83	20.00	n/a
1-2 hours		1.60	-	1.60	1.60	0.27	1.33	20.00	n/a
2-3 hours		2.10	-	2.10	2.10	0.35	1.75	20.00	n/a
3 Hours plus		5.60	-	5.60	5.60	0.93	4.67	20.00	n/a
Disabled pass holders - up to 3 hrs		Free		Free					

Disabled pass holders - up to 3 hrs

Disabled pass holders - over 3 hrs - charges apply as above

Pioneer 2 / King St

0-1 hour	Monday - Saturday	1.00	-	1.00	1.00	0.17	0.83	20.00	n/a
1-2 hours		1.60	-	1.60	1.60	0.27	1.33	20.00	n/a
2-3 hours		2.10	-	2.10	2.10	0.35	1.75	20.00	n/a
3 Hours plus		3.80	-	3.80	3.80	0.63	3.17	20.00	n/a
Disabled pass holders - up to 3 hrs		Free		Free					

Disabled pass holders - up to 3 hrs

Disabled pass holders - over 3 hrs - charges apply as above

Long Stay Car Parks

Finsley Gate 2 / Centenary Way

Monday - Saturday per visit		3.80	-	3.80	3.80	0.63	3.17	20.00	n/a
Sundays & Bank Holidays		Free		Free					
Disabled pass holders - up to 3 hrs		Free		Free					

Disabled pass holders - up to 3 hrs

Disabled pass holders - over 3 hrs - charges apply as above

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Contracts									
Finsley Gate 1, 2 & 3 / King St / Bank Parade / Pioneer 2 / Centenary Way									
William Thompson / Royle Road									
per quarter Monday to Friday (inclusive)	185.70	-	185.70	185.70	30.95	154.75	20.00	n/a	
per quarter Monday to Saturday (inclusive)	222.90	-	222.90	222.90	37.15	185.75	20.00	n/a	
Other Contracts Charges									
Staff Car Parking Charges - Operational	297.90	-	297.90	297.90	49.65	248.25	20.00	n/a	
Staff Car Parking Charges - Non-Operational	342.30	-	342.30	342.30	57.05	285.25	20.00	n/a	
Part Time Employees / Members Car Parking Charges	pro rata		pro rata	pro rata					
PEST CONTROL & WASTE									
Pest Control *									
Flea & Bed Bug Sprays	54.80	2.50	56.17	56.20	9.37	46.83	20.00	1-Apr-21	
Wasps Nests	54.80	2.50	56.17	56.20	9.37	46.83	20.00	1-Apr-21	
Commercial	61.20	2.50	62.73	62.75	10.46	52.29	20.00	1-Apr-21	
			* Charges start from						
Waste & Recycling Collection Containers									
Replacement per residual waste and recycling wheeled bin	30.50	2.50	31.26	31.30	-	31.30	zero	1-Apr-21	
Residual waste and recycling wheeled bin at new build properties	30.50	2.50	31.26	31.30	-	31.30	zero	1-Apr-21	
Recycling Box & Lid	FOC			FOC					
White Sacks	FOC			FOC					
First green waste wheeled bin	FOC			FOC					
Additional green waste wheeled bin	30.50	2.50	31.26	31.30	-	31.30	zero	1-Apr-21	
Provision of 1100L container for new build apartments/flats	415.30	2.50	425.68	425.70	70.95	354.75	20.00	1-Apr-21	
Annual charge for Green Waste Collection*	30.00	2.50	30.75	30.70	-	30.70	zero	1-Apr-21	
*£30.00 early bird discount									
Bulky & White Goods (One collection covers one white good or up to four bulky items)									
Charge per collection	13.80	-	13.80	13.80	-	13.80	zero	n/a	
Back Yard Clearances									
Back Yard Clearances									

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Fixed Penalty Notices									
Littering	80.00	-	80.00	80.00	-	80.00	zero	1-Apr-21	
Side Waste	75.00	-		n/a	-	n/a	zero	1-Apr-21	
Side Waste / Waste Receptables / Failing to Manage Waste - Higher	New	-	200.00	200.00	-	200.00	zero	1-Apr-21	
Side Waste / Waste Receptables / Failing to Manage Waste - Lower	New	-	100.00	100.00	-	100.00	zero	1-Apr-21	
Graffiti / Fly Posting	New	-	100.00	100.00	-	100.00	zero	1-Apr-21	
Fly Tipping - Higher	New	-	400.00	400.00	-	400.00	zero	1-Apr-21	
Fly Tipping - Lower	New	-	150.00	150.00	-	150.00	zero	1-Apr-21	
Public Space Protection Order (PSPO)	New	-	100.00	100.00	-	100.00	zero	1-Apr-21	
Failure to produce a Waste Carriers License	New	-	300.00	300.00	-	300.00	zero	1-Apr-21	
Commercial Waste	New	-	300.00	300.00	-	300.00	zero	1-Apr-21	
Dog Fouling	100.00	-	100.00	100.00	-	100.00	zero	1-Apr-21	
Abandoned Vehicles	New	-	200.00	200.00	-	200.00	zero	1-Apr-21	
Car Parking - Lower	51.00	-	51.00	51.00	-	51.00	zero	1-Apr-21	*
Car Parking - Higher	71.00	-	71.00	71.00	-	71.00	zero	1-Apr-21	*
* 50% discount if paid within 14 days									
Covid-19 Fixed Penalty Notices									
Business restriction offence - first fixed penalty notice issued	New	-	1,000.00	1,000.00	-	1,000.00	zero	1-Apr-21	
Business restriction offence - second fixed penalty notice issued	New	-	2,000.00	2,000.00	-	2,000.00	zero	1-Apr-21	
Business restriction offence - third fixed penalty notice issued	New	-	4,000.00	4,000.00	-	4,000.00	zero	1-Apr-21	
Business restriction offence - fourth fixed penalty notice issued	New	-	10,000.00	10,000.00	-	10,000.00	zero	1-Apr-21	
Default Works - Property repair works									
Full Cost plus charge for staff time & administration	n/a								25% Officer time now accounted for instead

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Chargeable Commercial Waste*

Annual Contract

Container Costs	247.20	2.50	253.38	253.40	-	253.40	zero	1-Apr-21
General Waste Sack - Roll 25 Sacks	52.50	2.50	53.81	53.80	-	53.80	zero	1-Apr-21
240L bin - per bin lift	5.50	2.50	5.64	5.60	-	5.60	zero	1-Apr-21
360L bin - per bin lift	8.20	2.50	8.41	8.40	-	8.40	zero	1-Apr-21
660L bin - per bin lift	11.10	2.50	11.38	11.40	-	11.40	zero	1-Apr-21
1100L bin - per bin lift	17.50	2.50	17.94	17.90	-	17.90	zero	1-Apr-21
Recycling Annual Contract - Weekly Collections	240.00	2.50	246.00	246.00	-	246.00	zero	1-Apr-21

* Charges start from

STREET RENAMING & NUMBERING

Change of a house name / number	51.00	2.50	52.28	52.00	-	52.00	zero	1-Apr-21
Change of a building name	102.00	2.50	104.55	105.00	-	105.00	zero	1-Apr-21
Change of a street name	204.00	2.50	209.10	209.00	-	209.00	zero	1-Apr-21
- plus charge per property for a change of street name	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21

LICENSING

rounded to nearest £1

Other Licensing

Boarding New - 1 year (New 2018 Animal Welfare Regulation)	190.00	2.50	194.75	195.00	-	195.00	zero	1-Apr-21
2 year	254.00	2.50	260.35	260.00	-	260.00	zero	1-Apr-21
3 year	286.00	2.50	293.15	293.00	-	293.00	zero	1-Apr-21
Boarding Renew - 1 year (New 2018 Animal Welfare Regulation)	186.00	2.50	190.65	191.00	-	191.00	zero	1-Apr-21
2 year	251.00	2.50	257.28	257.00	-	257.00	zero	1-Apr-21
3 year	283.00	2.50	290.08	290.00	-	290.00	zero	1-Apr-21
Home Boarder New - 1 year (New 2018 Animal Welfare Regulation)	159.00	2.50	162.98	163.00	-	163.00	zero	1-Apr-21
2 year	215.00	2.50	220.38	220.00	-	220.00	zero	1-Apr-21
3 year	243.00	2.50	249.08	249.00	-	249.00	zero	1-Apr-21
Home Boarder Renew - 1 year (New 2018 Animal Welfare Regulation)	155.00	2.50	158.88	159.00	-	159.00	zero	1-Apr-21
2 year	211.00	2.50	216.28	216.00	-	216.00	zero	1-Apr-21
3 year	239.00	2.50	244.98	245.00	-	245.00	zero	1-Apr-21
Dog Creche New - 1 year (New 2018 Animal Welfare Regulation)	188.00	2.50	192.70	193.00	-	193.00	zero	1-Apr-21
2 year	252.00	2.50	258.30	258.00	-	258.00	zero	1-Apr-21
3 year	284.00	2.50	291.10	291.00	-	291.00	zero	1-Apr-21
Dog Creche Renew - 1 year (New 2018 Animal Welfare Regulation)	185.00	2.50	189.63	190.00	-	190.00	zero	1-Apr-21
2 year	249.00	2.50	255.23	255.00	-	255.00	zero	1-Apr-21
3 year	281.00	2.50	288.03	288.00	-	288.00	zero	1-Apr-21

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Dog Breeder New** - 1 year (New 2018 Animal Welfare Regulation)	148.00	2.50	151.70	152.00	-	152.00	zero	1-Apr-21	
2 year	205.00	2.50	210.13	210.00	-	210.00	zero	1-Apr-21	
3 year	233.00	2.50	238.83	239.00	-	239.00	zero	1-Apr-21	
Dog Breeder Renew - 1 year (New 2018 Animal Welfare Regulation)	184.00	2.50	188.60	189.00	-	189.00	zero	1-Apr-21	
2 year	241.00	2.50	247.03	247.00	-	247.00	zero	1-Apr-21	
3 year	269.00	2.50	275.73	276.00	-	276.00	zero	1-Apr-21	
Pet Selling New - 1 year (New 2018 Animal Welfare Regulation)	179.00	2.50	183.48	183.00	-	183.00	zero	1-Apr-21	
2 year	240.00	2.50	246.00	246.00	-	246.00	zero	1-Apr-21	
3 year	271.00	2.50	277.78	278.00	-	278.00	zero	1-Apr-21	
Pet Selling Renew - 1 year (New 2018 Animal Welfare Regulation)	175.00	2.50	179.38	179.00	-	179.00	zero	1-Apr-21	
2 year	237.00	2.50	242.93	243.00	-	243.00	zero	1-Apr-21	
3 year	267.00	2.50	273.68	274.00	-	274.00	zero	1-Apr-21	
Hiring Horses New** - 1 year (New 2018 Animal Welfare Regulation)	98.00	2.50	100.45	100.00	-	100.00	zero	1-Apr-21	
2 year	167.00	2.50	171.18	171.00	-	171.00	zero	1-Apr-21	
3 year	201.00	2.50	206.03	206.00	-	206.00	zero	1-Apr-21	
Hiring Horses Renew** - 1 year (New 2018 Animal Welfare Regulation)	98.00	2.50	100.45	100.00	-	100.00	zero	1-Apr-21	
2 year	167.00	2.50	171.18	171.00	-	171.00	zero	1-Apr-21	
3 year	201.00	2.50	206.03	206.00	-	206.00	zero	1-Apr-21	
Train/exhibit animal - 3 year (New 2018 Animal Welfare Regulation)	154.00	2.50	157.85	158.00	-	158.00	zero	1-Apr-21	
Boo** - 6 year	473.00	2.50	484.83	485.00	-	485.00	zero	1-Apr-21	
4 year	427.00	2.50	437.68	438.00	-	438.00	zero	1-Apr-21	
Dangerous Wild Animals**- 2 year (New 2018 Animal Welfare Regulation)	171.00	2.50	175.28	175.00	-	175.00	zero	1-Apr-21	
** plus vets inspection fee									
Skin Piercing/Cosmetic Treatment Establishment	142.10	2.50	145.65	145.65	-	145.65	zero	1-Apr-21	
Skin Piercers Personal Registration	46.80	2.50	47.97	47.95	-	47.95	zero	1-Apr-21	
Personal Registration - Special Cosmetic Treatments (once adopted)	46.80	2.50	47.97	47.95	-	47.95	zero	1-Apr-21	
Second hand goods dealer	78.00	2.50	79.95	79.95	-	79.95	zero	1-Apr-21	
Health Certificate	44.45	2.50	45.56	45.55	-	45.55	zero	1-Apr-21	
Request to show unclassified films	492.95	2.50	505.27	505.25	-	505.25	zero	1-Apr-21	
Sex Shop	2,290.40	2.50	2,347.66	2,347.65	-	2,347.65	zero	1-Apr-21	
New Sexual Entertainment Venue Licence	6,090.90	2.50	6,243.17	6,243.15	-	6,243.15	zero	1-Apr-21	
Renewal of a Sexual Entertainment Venue Licence	2,928.30	2.50	3,001.51	3,001.50	-	3,001.50	zero	1-Apr-21	
Transfer of a Sexual Entertainment Venue Licence	702.75	2.50	720.32	720.30	-	720.30	zero	1-Apr-21	
Variation of a Sexual Entertainment Venue Licence	468.55	2.50	480.26	480.25	-	480.25	zero	1-Apr-21	
Grant of Scrap Metal Dealers Site Licence (3 years)	356.80	2.50	365.72	365.70	-	365.70	zero	1-Apr-21	
Renewal of Scrap Metal Dealers Site Licence (3 years)	356.80	2.50	365.72	365.70	-	365.70	zero	1-Apr-21	
Variation of Scrap Metal Dealers Site Licence	156.05	2.50	159.95	159.95	-	159.95	zero	1-Apr-21	
New Scrap Metal Collectors Licence (3 years)	206.25	2.50	211.41	211.40	-	211.40	zero	1-Apr-21	
Renewal of Scrap Metal Collectors Licence (3years)	206.25	2.50	211.41	211.40	-	211.40	zero	1-Apr-21	

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	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Variation of Scrap Metal Collectors Licence	156.05	2.50	159.95	159.95	-	159.95	zero	1-Apr-21	
<u>Street Trading Consents</u>									
12 Months	814.20	2.50	834.56	834.55	-	834.55	zero	1-Apr-21	
6 Months	430.95	2.50	441.72	441.70	-	441.70	zero	1-Apr-21	
3 Months	251.45	2.50	257.74	257.75	-	257.75	zero	1-Apr-21	
1 Month	131.60	2.50	134.89	134.90	-	134.90	zero	1-Apr-21	
Special Event Consents (permitting up to 6 days trading per calendar month)									
12 Months	225.40	2.50	231.04	231.05	-	231.05	zero	1-Apr-21	
6 Months	148.90	2.50	152.62	152.60	-	152.60	zero	1-Apr-21	
3 Months	110.15	2.50	112.90	112.90	-	112.90	zero	1-Apr-21	
1 Month	84.65	2.50	86.77	86.75	-	86.75	zero	1-Apr-21	
<u>Taxi Licensing (Note: Test fee income is collected by testing station & is therefore not included in the tariff)</u>									
<u>Fees for 2021 are to be considered by Licensing Committee at their meeting in (Month?) 2020</u>									
Private Hire Vehicle Licence	77.00	-	77.00	Set by Licensing Committee			exempt		
Hackney Carriage Licence	155.00	-	155.00	Set by Licensing Committee			exempt		
Annual Private Hire Driver Licence	64.00	-	64.00	Set by Licensing Committee			exempt		
5 Year Private Hire Driver Licence	144.00	-	144.00	Set by Licensing Committee			exempt		
Annual Hackney Carriage Driver Licence	140.00	-	140.00	Set by Licensing Committee			exempt		
3 Year Hackney Carriage Driver Licence	372.00	-	372.00	Set by Licensing Committee			exempt		
Dual Driver Licence Discount	45.00	-	45.00	Set by Licensing Committee			exempt		
New Driver - Additional Fee Knowledge Test	41.00	-	41.00	Set by Licensing Committee			exempt		
Annual PH Operator - single vehicle at private address	261.00	-	261.00	Set by Licensing Committee			exempt		
5 Year PH Operator - single vehicle at private address	1,250.00	-	1,250.00	Set by Licensing Committee			exempt		
Annual PH Operator	543.00	-	543.00	Set by Licensing Committee			exempt		
5 Year PH Operator	2,660.00	-	2,660.00	Set by Licensing Committee			exempt		
Replacement vehicle plate	21.20	2.50	21.73	21.75	-	21.75	exempt	1-Apr-21	
Replacement Plate Platform	6.30	2.50	6.46	6.45	-	6.45	exempt	1-Apr-21	
Window stickers	7.95	2.50	8.15	8.15	-	8.15	exempt	1-Apr-21	
Hackney roundel/Private Hire Door Signs	9.00	2.50	9.23	9.25	-	9.25	exempt	1-Apr-21	
Lanyard	4.50	2.50	4.61	4.60	-	4.60	exempt	1-Apr-21	
Badge holder	3.25	2.50	3.33	3.35	-	3.35	exempt	1-Apr-21	
Replacement badge	12.75	2.50	13.07	13.05	-	13.05	exempt	1-Apr-21	
Plate buttons	2.25	2.50	2.31	2.30	-	2.30	exempt	1-Apr-21	
Operator booking Registers	2.15	2.50	2.20	2.20	-	2.20	exempt	1-Apr-21	
CRB admin fee	5.60	2.50	5.74	5.75	-	5.75	exempt	1-Apr-21	
Insurance or 3rd party letters	25.00	2.50	25.63	25.65	-	25.65	exempt	1-Apr-21	
Insurance Correspondence	75.00	2.50	76.88	76.90	-	76.90	exempt	1-Apr-21	

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
THE LICENSING ACT 2003 - FEES & CHARGES									
Grant of Personal Licence	37.00	Statutory	37.00	37.00	-	37.00	exempt		
Replacement of lost/stolen licence	10.50	Statutory	10.50	10.50	-	10.50	exempt		
Minor Variations	89.00	Statutory	89.00	89.00	-	89.00	exempt		
Premises Licences - Up to a Capacity of 5,000 persons									
Grant/Variation									
Rateable Value									
Band A - No Rateable Value	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Band A - less than £4,300	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Band B - £4,300 to £33,000	190.00	Statutory	190.00	190.00	-	190.00	exempt		
Band C - £33,001 to £87,000	315.00	Statutory	315.00	315.00	-	315.00	exempt		
Band D - £87,001 to £125,000	450.00	Statutory	450.00	450.00	-	450.00	exempt		
Band E - Over £125,000	635.00	Statutory	635.00	635.00	-	635.00	exempt		
Annual Fee									
Rateable Value									
Band A - No Rateable Value	70.00	Statutory	70.00	70.00	-	70.00	exempt		
Band A - less than £4,300	70.00	Statutory	70.00	70.00	-	70.00	exempt		
Band B - £4,300 to £33,000	180.00	Statutory	180.00	180.00	-	180.00	exempt		
Band C - £33,001 to £87,000	295.00	Statutory	295.00	295.00	-	295.00	exempt		
Band D - £87,001 to £125,000	320.00	Statutory	320.00	320.00	-	320.00	exempt		
Band E - Over £125,000	350.00	Statutory	350.00	350.00	-	350.00	exempt		
Premises Licences - Additional Fees where Capacity exceeds 5,000 persons									
Initial Fee									
Occupancy:									
5,000 - 9,999	1,000.00	Statutory	1,000.00	1,000.00	-	1,000.00	exempt		
10,000 - 14,999	2,000.00	Statutory	2,000.00	2,000.00	-	2,000.00	exempt		
15,000 - 19,999	4,000.00	Statutory	4,000.00	4,000.00	-	4,000.00	exempt		
20,000 - 29,999	8,000.00	Statutory	8,000.00	8,000.00	-	8,000.00	exempt		
30,000 - 39,999	16,000.00	Statutory	16,000.00	16,000.00	-	16,000.00	exempt		
40,000 - 49,999	24,000.00	Statutory	24,000.00	24,000.00	-	24,000.00	exempt		
50,000 - 59,999	32,000.00	Statutory	32,000.00	32,000.00	-	32,000.00	exempt		
60,000 - 69,999	40,000.00	Statutory	40,000.00	40,000.00	-	40,000.00	exempt		
70,000 - 79,999	48,000.00	Statutory	48,000.00	48,000.00	-	48,000.00	exempt		
80,000 - 89,999	56,000.00	Statutory	56,000.00	56,000.00	-	56,000.00	exempt		
Over 90,000	64,000.00	Statutory	64,000.00	64,000.00	-	64,000.00	exempt		

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Annual Fee

Occupancy:

5,000 - 9,999	500.00	Statutory	500.00	500.00	-	500.00	exempt	
10,000 - 14,999	1,000.00	Statutory	1,000.00	1,000.00	-	1,000.00	exempt	
15,000 - 19,999	2,000.00	Statutory	2,000.00	2,000.00	-	2,000.00	exempt	
20,000 - 29,999	4,000.00	Statutory	4,000.00	4,000.00	-	4,000.00	exempt	
30,000 - 39,999	8,000.00	Statutory	8,000.00	8,000.00	-	8,000.00	exempt	
40,000 - 49,999	12,000.00	Statutory	12,000.00	12,000.00	-	12,000.00	exempt	
50,000 - 59,999	16,000.00	Statutory	16,000.00	16,000.00	-	16,000.00	exempt	
60,000 - 69,999	20,000.00	Statutory	20,000.00	20,000.00	-	20,000.00	exempt	
70,000 - 79,999	24,000.00	Statutory	24,000.00	24,000.00	-	24,000.00	exempt	
80,000 - 89,999	28,000.00	Statutory	28,000.00	28,000.00	-	28,000.00	exempt	
Over 90,000	32,000.00	Statutory	32,000.00	32,000.00	-	32,000.00	exempt	

Premises Licences - Exclusively / Primarily supplying Alcohol

Initial Fee

Rateable Value

Band D - £87,001 to £125,000 : 2 x the Premises Licence	900.00	Statutory	900.00	900.00	-	900.00	exempt	
Band E - over £125,000 : 3 x the Premises Licence	1,905.00	Statutory	1,905.00	1,905.00	-	1,905.00	exempt	

Annual Fee - Exclusively/Primarily supplying Alcohol

Rateable Value

Band D - £87,001 to £125,000 : 2 x the Premises Licence	640.00	Statutory	640.00	640.00	-	640.00	exempt	
Band E - over £125,000 : 3 x the Premises Licence	1,050.00	Statutory	1,050.00	1,050.00	-	1,050.00	exempt	

Annual Fee

Rateable Value

Band A - No Rateable Value	100.00	Statutory	100.00	100.00	-	100.00	exempt	
Band A - less than £4,300	100.00	Statutory	100.00	100.00	-	100.00	exempt	
Band B - £4,300 to £33,000	190.00	Statutory	190.00	190.00	-	190.00	exempt	
Band C - £33,001 to £87,000	315.00	Statutory	315.00	315.00	-	315.00	exempt	
Band D - £87,001 to £125,000	450.00	Statutory	450.00	450.00	-	450.00	exempt	
Band E - Over £125,000	635.00	Statutory	635.00	635.00	-	635.00	exempt	

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Premises Licenses - Other

Annual Fee

Application

S.25 - Theft, loss etc. of premises licence or summary	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.29 - Application for a provisional statement where premises being built	315.00	Statutory	315.00	315.00	-	315.00	exempt	
S.33 - Notification of change of name or address	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.37 - Application to vary licence to specify individual as premises supervisor	23.00	Statutory	23.00	23.00	-	23.00	exempt	
S.42 - Application for transfer of premises licence	23.00	Statutory	23.00	23.00	-	23.00	exempt	
S.47 - Interim authority notice following death etc. of licence holder	23.00	Statutory	23.00	23.00	-	23.00	exempt	
S.79 - Theft, loss etc. of certificate or summary	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.82 - Notification of change of name or alteration of rules of club	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.83(1) / (2) - Change of relevant registered address of club	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.100 - Temporary event notice	21.00	Statutory	21.00	21.00	-	21.00	exempt	
S.100 - Late Temporary event notice	21.00	Statutory	21.00	21.00	-	21.00	exempt	
S.110 - Theft, loss etc. of temporary event notice	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.117 - Application for a grant or renewal of personal licence (10 yrs)	37.00	Statutory	37.00	37.00	-	37.00	exempt	
S.126 - Theft, loss etc. of personal licence	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.127 - Duty to notify change of name or address	10.50	Statutory	10.50	10.50	-	10.50	exempt	
S.178 - Right of freeholder etc. to be notified of licensing matters	21.00	Statutory	21.00	21.00	-	21.00	exempt	

Rounded to nearest £1

Note: MAX denotes that the fee is currently at the statutory maximum

Gambling Premises

Bingo Premises

New & Provisional Statement	2,639.00	2.50	2,704.98	2,705.00	-	2,705.00	exempt	1-Apr-21	
Annual Fee	1,000.00	MAX	1,000.00	1,000.00	-	1,000.00	exempt	n/a	MAX
Licence for Provisional Statement Holder	968.00	2.50	992.20	992.00	-	992.00	exempt	1-Apr-21	
Variation	1,293.00	2.50	1,325.33	1,325.00	-	1,325.00	exempt	1-Apr-21	
Transfer	968.00	2.50	992.20	992.00	-	992.00	exempt	1-Apr-21	
Re-instatement	1,200.00	MAX	1,200.00	1,200.00	-	1,200.00	exempt	n/a	MAX
Copy Licence	25.00	MAX	25.00	25.00	-	25.00	exempt	n/a	MAX
Notification of Change	50.00	MAX	50.00	50.00	-	50.00	exempt	n/a	MAX

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Betting Premises									
New & Provisional Statement	2,746.00	2.50	2,814.65	2,815.00	-	2,815.00	exempt	1-Apr-21	
Annual Fee	600.00	MAX	600.00	600.00	-	600.00	exempt	n/a	MAX
Licence for Provisional Statement Holder	968.00	2.50	992.20	992.00	-	992.00	exempt	1-Apr-21	
Variation	1,293.00	2.50	1,325.33	1,325.00	-	1,325.00	exempt	1-Apr-21	
Transfer	968.00	2.50	992.20	992.00	-	992.00	exempt	1-Apr-21	
Re-instatement	1,200.00	MAX	1,200.00	1,200.00	-	1,200.00	exempt	n/a	MAX
Copy Licence	25.00	MAX	25.00	25.00	-	25.00	exempt	n/a	MAX
Notification of Change	50.00	MAX	50.00	50.00	-	50.00	exempt	n/a	MAX
Betting Premises (Tracks)									
New & Provisional Statement	2,500.00	MAX	2,500.00	2,500.00	-	2,500.00	exempt	n/a	MAX
Annual Fee	983.00	MAX	1,000.00	1,000.00	-	1,000.00	exempt	1-Apr-21	MAX
Licence for Provisional Statement Holder	950.00	MAX	950.00	950.00	-	950.00	exempt	n/a	MAX
Variation	1,250.00	MAX	1,250.00	1,250.00	-	1,250.00	exempt	n/a	MAX
Transfer	939.00	MAX	950.00	950.00	-	950.00	exempt	1-Apr-21	MAX
Re-instatement	950.00	MAX	950.00	950.00	-	950.00	exempt	1-Apr-21	MAX
Copy Licence	25.00	MAX	25.00	25.00	-	25.00	exempt	n/a	MAX
Notification of Change	50.00	MAX	50.00	50.00	-	50.00	exempt	n/a	MAX
Family Entertainment Centre									
New & Provisional Statement	2,000.00	MAX	2,000.00	2,000.00	-	2,000.00	exempt	n/a	MAX
Annual Fee	750.00	MAX	750.00	750.00	-	750.00	exempt	n/a	MAX
Licence for Provisional Statement Holder	950.00	MAX	950.00	950.00	-	950.00	exempt	n/a	MAX
Variation	1,000.00	MAX	1,000.00	1,000.00	-	1,000.00	exempt	n/a	MAX
Transfer	950.00	MAX	950.00	950.00	-	950.00	exempt	n/a	MAX
Re-instatement	950.00	MAX	950.00	950.00	-	950.00	exempt	n/a	MAX
Copy Licence	25.00	MAX	25.00	25.00	-	25.00	exempt	n/a	MAX
Notification of Change	50.00	MAX	50.00	50.00	-	50.00	exempt	n/a	MAX

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Adult Gaming Centre									
New & Provisional Statement	2,000.00	MAX	2,000.00	2,000.00	-	2,000.00	exempt	n/a	MAX
Annual Fee	1,000.00	MAX	1,000.00	1,000.00	-	1,000.00	exempt	n/a	MAX
Licence for Provisional Statement Holder	968.00	2.50	992.20	992.00	-	992.00	exempt	1-Apr-21	
Variation	1,000.00	MAX	1,000.00	1,000.00	-	1,000.00	exempt	n/a	MAX
Transfer	968.00	2.50	992.20	992.00	-	992.00	exempt	1-Apr-21	
Re-instatement	1,200.00	MAX	1,200.00	1,200.00	-	1,200.00	exempt	n/a	MAX
Copy Licence	25.00	MAX	25.00	25.00	-	25.00	exempt	n/a	MAX
Notification of Change	50.00	MAX	50.00	50.00	-	50.00	exempt	n/a	MAX
Lotteries									
Small Society Lottery Grant	40.00	Statutory	40.00	40.00	-	40.00	exempt		
Small Society Lottery Annual Fee	20.00	Statutory	20.00	20.00	-	20.00	exempt		
Gaming in Pubs and Clubs									
Licensed Premises Gaming Machine Notification	50.00	Statutory	50.00	50.00	-	50.00	exempt		
Licensed Premises Gaming Machine Permit (existing operator)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Licensed Premises Gaming Machine Permit (in all other cases)	150.00	Statutory	150.00	150.00	-	150.00	exempt		
Licensed Premises Gaming Machine Permit Variation	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Licensed Premises Gaming Machine Permit Transfer	25.00	Statutory	25.00	25.00	-	25.00	exempt		
Licensed Premises Gaming Machine Permit Change of Name	25.00	Statutory	25.00	25.00	-	25.00	exempt		
Licensed Premises Gaming Machine Permit Copy of Permit	15.00	Statutory	15.00	15.00	-	15.00	exempt		
Club Gaming Machine Permit Grant	200.00	Statutory	200.00	200.00	-	200.00	exempt		
Club Gaming Machine Permit Grant (Existing Club Premises Cert. Holder)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Machine Permit Grant (Club Prem. Cert. Holder with current Part 2 or 3 Licence)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Machine Permit Existing Operator Grant	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Machine Permit Variation	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Machine Permit Renewal	200.00	Statutory	200.00	200.00	-	200.00	exempt		
Club Gaming Machine Permit Renewal (Club Premises Cert. Holder)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Machine Permit Copy Permit	15.00	Statutory	15.00	15.00	-	15.00	exempt		
Club Gaming Permit Grant	200.00	Statutory	200.00	200.00	-	200.00	exempt		
Club Gaming Permit Grant (Club Prems. Cert. Holder with current Part 2 or 3 Licence)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Permit Grant (Existing Operator)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Permit Variation	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Permit Renewal	200.00	Statutory	200.00	200.00	-	200.00	exempt		
Club Gaming Permit Renewal (Club Premises Certificate Holder)	100.00	Statutory	100.00	100.00	-	100.00	exempt		
Club Gaming Permit Copy Certificate	15.00	Statutory	15.00	15.00	-	15.00	exempt		
Annual fee for all Gaming Machine Permits	50.00	Statutory	50.00	50.00	-	50.00	exempt		

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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LOCAL AIR POLLUTION PREVENTION & CONTROL (LAPPC)

Reduced fee activities are: Service Stations, Vehicle Refinishers, Dry Cleaners and Small Waste Oil Burners under 0.4 MW.

Application Fee

Standard Process	1,650.00	Statutory	1,650.00	1,650.00	-	1,650.00	zero
Additional fee for operating without a permit	1,188.00	Statutory	1,188.00	1,188.00	-	1,188.00	zero
PVRI, SWOBs and Dry Cleaners reduced fee activities	155.00	Statutory	155.00	155.00	-	155.00	zero
PVR I & II combined	257.00	Statutory	257.00	257.00	-	257.00	zero
Other reduced fee activities	362.00	Statutory	362.00	362.00	-	362.00	zero
Reduced fee activities: Additional fee for operating without a permit	71.00	Statutory	71.00	71.00	-	71.00	zero
Mobile screening & crushing plant for the 1st & 2nd applications	1,650.00	Statutory	1,650.00	1,650.00	-	1,650.00	zero
For the 3rd to 7th applications	985.00	Statutory	985.00	985.00	-	985.00	zero
For the 8th and subsequent applications	498.00	Statutory	498.00	498.00	-	498.00	zero

Note: where an application for any of the above is for a combined Part B and waste application, add an extra £297 to the above amounts

Annual Subsistence Charge

Standard process Low (+ £99 if permit for combined Part B & waste installation)	772.00	Statutory	772.00	772.00	-	772.00	zero
Standard process Medium (+ £149 if permit for combined Part B & waste installation)	1,161.00	Statutory	1,161.00	1,161.00	-	1,161.00	zero
Standard process High (+ £198 if permit for combined Part B & waste installation)	1,747.00	Statutory	1,747.00	1,747.00	-	1,747.00	zero
Reduced Fee activities - Low	79.00	Statutory	79.00	79.00	-	79.00	zero
Reduced Fee activities - Medium	158.00	Statutory	158.00	158.00	-	158.00	zero
Reduced Fee activities - High	237.00	Statutory	237.00	237.00	-	237.00	zero
PVR I & II combined - Low	113.00	Statutory	113.00	113.00	-	113.00	zero
PVR I & II combined - Medium	226.00	Statutory	226.00	226.00	-	226.00	zero
PVR I & II combined - High	341.00	Statutory	341.00	341.00	-	341.00	zero
Other reduced fee activities - Low	228.00	Statutory	228.00	228.00	-	228.00	zero
Other reduced fee activities - Medium	365.00	Statutory	365.00	365.00	-	365.00	zero
Other reduced fee activities - High	548.00	Statutory	548.00	548.00	-	548.00	zero
Mobile screening & crushing plant for 1st & 2nd permits - Low	626.00	Statutory	626.00	626.00	-	626.00	zero
Mobile screening & crushing plant for 1st & 2nd permits - Medium	1,034.00	Statutory	1,034.00	1,034.00	-	1,034.00	zero
Mobile screening & crushing plant for 1st & 2nd permits - High	1,551.00	Statutory	1,551.00	1,551.00	-	1,551.00	zero
For the 3rd to 7th permits - Low	385.00	Statutory	385.00	385.00	-	385.00	zero
For the 3rd to 7th permits - Medium	617.00	Statutory	617.00	617.00	-	617.00	zero
For the 3rd to 7th permits - High	924.00	Statutory	924.00	924.00	-	924.00	zero
For the 8th and subsequent permits - Low	198.00	Statutory	198.00	198.00	-	198.00	zero
For the 8th and subsequent permits - Medium	314.00	Statutory	314.00	314.00	-	314.00	zero
For the 8th and subsequent permits - High	473.00	Statutory	473.00	473.00	-	473.00	zero

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Late payment fee	52.00	Statutory	52.00	52.00	-	52.00	zero		
Note: Where a Part B Installation is subject to reporting under the E-PRTR Regulation, add an extra £99 to the above amounts									
Transfer and Surrender									
Standard process transfer	162.00	Statutory	162.00	162.00	-	162.00	zero		
Standard process partial transfer	476.00	Statutory	476.00	476.00	-	476.00	zero		
New operator at low risk reduced fee activity	75.00	Statutory	75.00	75.00	-	75.00	zero		
Surrender: all Part B activities	-	Statutory	-	-	-	-	zero		
Reduced fee activities: transfer	-	Statutory	-	-	-	-	zero		
Reduced fee activities: partial transfer	45.00	Statutory	45.00	45.00	-	45.00	zero		
Temporary transfer for mobiles									
First transfer	51.00	Statutory	51.00	51.00	-	51.00	zero		
Repeat following enforcement or warning	51.00	Statutory	51.00	51.00	-	51.00	zero		
Substantial Change									
Standard process	1,005.00	Statutory	1,005.00	1,005.00	-	1,005.00	zero		
Standard process where the substantial change results in a new PPC activity	1,579.00	Statutory	1,579.00	1,579.00	-	1,579.00	zero		
Reduced fee activities	98.00	Statutory	98.00	98.00	-	98.00	zero		

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LAPPC mobile plant charges

Application Fee - 1 permit
 Application Fee - 2 permits
 Application Fee - 3 permits
 Application Fee - 4 permits
 Application Fee - 5 permits
 Application Fee - 6 permits
 Application Fee - 7 permits
 Application Fee - 8 permits and over
 Subsistence Fee - 1 permit - Low
 Subsistence Fee - 2 permits - Low
 Subsistence Fee - 3 permits - Low
 Subsistence Fee - 4 permits - Low
 Subsistence Fee - 5 permits - Low
 Subsistence Fee - 6 permits - Low
 Subsistence Fee - 7 permits - Low
 Subsistence Fee - 8 permits and over - Low
 Subsistence Fee - 1 permit - Med
 Subsistence Fee - 2 permits - Med
 Subsistence Fee - 3 permits - Med
 Subsistence Fee - 4 permits - Med
 Subsistence Fee - 5 permits - Med
 Subsistence Fee - 6 permits - Med
 Subsistence Fee - 7 permits - Med
 Subsistence Fee - 8 permits and over - Med
 Subsistence Fee - 1 permit - High
 Subsistence Fee - 2 permits - High
 Subsistence Fee - 3 permits - High
 Subsistence Fee - 4 permits - High
 Subsistence Fee - 5 permits - High
 Subsistence Fee - 6 permits - High
 Subsistence Fee - 7 permits - High
 Subsistence Fee - 8 permits and over - High

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
1,650.00	Statutory	1,650.00	1,650.00	-	1,650.00	zero		
1,650.00	Statutory	1,650.00	1,650.00	-	1,650.00	zero		
985.00	Statutory	985.00	985.00	-	985.00	zero		
985.00	Statutory	985.00	985.00	-	985.00	zero		
985.00	Statutory	985.00	985.00	-	985.00	zero		
985.00	Statutory	985.00	985.00	-	985.00	zero		
985.00	Statutory	985.00	985.00	-	985.00	zero		
498.00	Statutory	498.00	498.00	-	498.00	zero		
626.00	Statutory	626.00	626.00	-	626.00	zero		
626.00	Statutory	626.00	626.00	-	626.00	zero		
385.00	Statutory	385.00	385.00	-	385.00	zero		
385.00	Statutory	385.00	385.00	-	385.00	zero		
385.00	Statutory	385.00	385.00	-	385.00	zero		
385.00	Statutory	385.00	385.00	-	385.00	zero		
385.00	Statutory	385.00	385.00	-	385.00	zero		
385.00	Statutory	385.00	385.00	-	385.00	zero		
198.00	Statutory	198.00	198.00	-	198.00	zero		
1,034.00	Statutory	1,034.00	1,034.00	-	1,034.00	zero		
1,034.00	Statutory	1,034.00	1,034.00	-	1,034.00	zero		
617.00	Statutory	617.00	617.00	-	617.00	zero		
617.00	Statutory	617.00	617.00	-	617.00	zero		
617.00	Statutory	617.00	617.00	-	617.00	zero		
617.00	Statutory	617.00	617.00	-	617.00	zero		
617.00	Statutory	617.00	617.00	-	617.00	zero		
617.00	Statutory	617.00	617.00	-	617.00	zero		
314.00	Statutory	314.00	314.00	-	314.00	zero		
1,551.00	Statutory	1,551.00	1,551.00	-	1,551.00	zero		
1,551.00	Statutory	1,551.00	1,551.00	-	1,551.00	zero		
924.00	Statutory	924.00	924.00	-	924.00	zero		
924.00	Statutory	924.00	924.00	-	924.00	zero		
924.00	Statutory	924.00	924.00	-	924.00	zero		
924.00	Statutory	924.00	924.00	-	924.00	zero		
924.00	Statutory	924.00	924.00	-	924.00	zero		
924.00	Statutory	924.00	924.00	-	924.00	zero		
473.00	Statutory	473.00	473.00	-	473.00	zero		

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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LOCAL AUTHORITY - INTEGRATED POLLUTION PREVENTION AND CONTROL LA-IPPC

Note: Every subsistence charge in the fees below includes the additional £99 charge to cover LA extra costs in dealing with reporting under the E-PRTR Regulation

Application	3,363.00	Statutory	3,363.00	3,363.00	-	3,363.00	zero	
Additional fee for operating without a permit	1,188.00	Statutory	1,188.00	1,188.00	-	1,188.00	zero	
Annual Subsistence - Low	1,343.00	Statutory	1,343.00	1,343.00	-	1,343.00	zero	
Annual Subsistence - Medium	1,507.00	Statutory	1,507.00	1,507.00	-	1,507.00	zero	
Annual Subsistence - High	2,230.00	Statutory	2,230.00	2,230.00	-	2,230.00	zero	
Late payment fee	52.00	Statutory	52.00	52.00	-	52.00	zero	
Substantial variation	1,368.00	Statutory	1,368.00	1,368.00	-	1,368.00	zero	
Transfer	235.00	Statutory	235.00	235.00	-	235.00	zero	
Partial Transfer	698.00	Statutory	698.00	698.00	-	698.00	zero	
Surrender	698.00	Statutory	698.00	698.00	-	698.00	zero	

Environment Agency Subsistence Fees for Discharge to Controlled Waters

Charge Band A - Where permit conditions contain numerical water discharge limits other than for the pollutants or parameters listed in bands B and C	2,270.00	Statutory	2,270.00	2,270.00	-	2,270.00	zero	
Charge Band B - Where permit conditions contain numerical water discharge limits for BOD, COD(3) or ammonia	760.00	Statutory	760.00	760.00	-	760.00	zero	
Charge Band C - Where permit conditions contain numerical limits for water flow, volume, suspended solids, pH, temperature, or oil or grease	222.00	Statutory	222.00	222.00	-	222.00	zero	
Charge Band D - Where conditions are included in a permit which do not fall within any of the descriptions in bands A-C (e.g. descriptive conditions)	66.00	Statutory	66.00	66.00	-	66.00	zero	

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Private Water Supply Sampling									
Sampling Visit per hour (to max of £100)	31.00	2.50	31.78	32.00	-	32.00	zero	1-Apr-21	
Risk Assessment Visit per hour (to max of £500)	31.00	2.50	31.78	32.00	-	32.00	zero	1-Apr-21	
Investigation Visit per hour (to max of £100)	31.00	2.50	31.78	32.00	-	32.00	zero	1-Apr-21	
Temporary Authorisation to Breach Standard (to max of £100)	31.00	2.50	31.78	32.00	-	32.00	zero	1-Apr-21	
Domestic Supply Sample (to max of £25)	24.00	2.50	24.60	25.00	-	25.00	zero	1-Apr-21	
Commercial Supply Monitoring Sample (to max of £100)	53.00	2.50	54.33	54.00	-	54.00	zero	1-Apr-21	
Commercial Supply Audit Sample (to max of £500)	Range from £45 to £500 depending on parameters sampled								
Environmental Health									
FHRS Re-rating Visit (on-line application)	110.35	2.50	113.11	113.10	-	113.10	zero	1-Apr-21	
FHRS Re-rating Visit (posting application)	117.85	2.50	120.80	120.80	-	120.80	zero	1-Apr-21	
Tattooist/Skin Piercing Rating Scheme Initial Visit & Training	107.15	2.50	109.83	109.85	-	109.85	zero	1-Apr-21	
Tattooist/Skin Piercing Rating Scheme Revisit	53.60	2.50	54.94	54.95	-	54.95	zero	1-Apr-21	
Tattooist/Skin Piercing Rating Scheme Annual Inspection	64.30	2.50	65.91	65.90	-	65.90	zero	1-Apr-21	
Pre Licence/Registration/Permit Advisory Visit	67.50	2.50	69.19	69.20	-	69.20	zero	1-Apr-21	
Data Protection Act Letters	19.30	2.50	19.78	19.80	-	19.80	zero	1-Apr-21	
Hourly rate for business advice/guidance	27.85	2.50	28.55	28.55	-	28.55	zero	1-Apr-21	

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2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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HOUSING & DEVELOPMENT CONTROL

HOUSING

Grants

Disabled Facilities Grants Administration	1,031.40	2.50	1,057.19	1,057.20	176.20	881.00	20.00	1-Apr-21
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Immigration Act

Immigration Act Entry Clearance Inspection	75.60	2.50	77.49	77.50	12.92	64.58	20.00	1-Apr-21
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Enforcement Notices Under Housing Act 2004

Single Dwelling (cost based on staff time & surveys carried out)	Range between £200 and £470						zero	n/a
House in Multiple Occupation (cost based on staff time & surveys carried out)	Range between £200 and £470						zero	n/a

PLM Licensing

Payment Upon Application	472.00	2.50	483.80	484.00	80.67	403.33	20.00	1-Apr-21
Deduct 30% for licence holder accredited by GLAS	330.00	2.50	338.25	338.00	56.33	281.67	20.00	1-Apr-21
Payment Upon Granting the Licence	343.00	2.50	351.58	352.00	58.67	293.33	20.00	1-Apr-21
Deduct 30% for licence holder accredited by GLAS	240.00	2.50	246.00	246.00	41.00	205.00	20.00	1-Apr-21

Selective Licensing OnLine

New Application Fee

Upon Application	370.00	Fixed	370.00	370.00	-	370.00	zero
Upon Granting the Licence	345.00	Fixed	345.00	345.00	-	345.00	zero
Total	715.00	Fixed	715.00	715.00		715.00	zero

Renewal/Additional Property Fee

Upon Application	340.00	Fixed	340.00	340.00		340.00	zero
Upon Granting the Licence	301.00	Fixed	301.00	301.00		301.00	zero
Total	641.00	Fixed	641.00	641.00		641.00	zero

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Selective Licensing Paper

New Application Fee

Upon Application	405.00	Fixed	405.00	405.00	405.00	zero		
Upon Granting the Licence	345.00	Fixed	345.00	345.00	345.00	zero		
Total	750.00	Fixed	750.00	750.00	750.00	zero		

Renewal/Additional Property Fee

Upon Application	370.00	Fixed	370.00	370.00	370.00	zero		
Upon Granting the Licence	300.00	Fixed	300.00	300.00	300.00	zero		
Total	670.00	Fixed	670.00	670.00	670.00	zero		

Please note:

Accredited Landlords have a 30% reduction on the application and property fee.
There is a £100 reduction if complete within three months of the start of the designation.

£20 reduction for submitting completed applications online.

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
PLANNING SERVICES									
Copying Charges									
Plotter Copies - Black & White									
A0	6.20	2.50	6.36	6.35	-	6.35	zero	1-Apr-21	
A1	5.05	2.50	5.18	5.20	-	5.20	zero	1-Apr-21	
A2	3.70	2.50	3.79	3.80	-	3.80	zero	1-Apr-21	
Plotter Copies - Colour									
A0	10.00	2.50	10.25	10.25	-	10.25	zero	1-Apr-21	
A1	7.55	2.50	7.74	7.75	-	7.75	zero	1-Apr-21	
A2	6.20	2.50	6.36	6.35	-	6.35	zero	1-Apr-21	
A3 & A4	1.45	2.50	1.49	1.50	-	1.50	zero	1-Apr-21	
A minimum handling charge of £1.50 is payable if documents are forwarded by post.									
Approval Notices & Habitation Certificates (per sheet)	0.10	2.50	0.10	0.10	-	0.10	zero	1-Apr-21	
Scanned copy of Decision Notice/S106	7.35	2.50	7.53	7.55	-	7.55	zero	1-Apr-21	
			rounded to nearest £1						
Location Plans supplied under Ordnance Survey, Planning & Building Control Scheme (per set)	39.00	2.50	39.98	40.00	-	40.00	zero	1-Apr-21	
			rounded to nearest £1						
Former Local Plan									
Burnley Local Plan Second Review	53.00	2.50	54.33	54.00	-	54.00	zero	1-Apr-21	
Set of Proposals Maps (4)	21.00	2.50	21.53	22.00	-	22.00	zero	1-Apr-21	
New Policy Documents (including drafts)									
Local Development Scheme	5.00	2.50	5.13	5.00	-	5.00	zero	1-Apr-21	
Annual Monitoring Report	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21	
SCI	FOC		FOC	FOC		FOC			
Burnley's Local Plan 2018 (all versions) (price each)	31.00	2.50	31.78	32.00	-	32.00	zero	1-Apr-21	
Set of Policies Maps (2)	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21	
Supplementary Planning Documents - SPDs & SPGs (price each)	10.00	2.50	10.25	10.00	-	10.00	zero	1-Apr-21	
Sustainability Appraisal (all versions) (price each)	72.00	2.50	73.80	74.00	-	74.00	zero	1-Apr-21	
Habitats Regulations Assessments (price each)	10.00	2.50	10.25	10.00	-	10.00	zero	1-Apr-21	
Sustainability Appraisal Scoping Report	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21	

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Associated Documents									
Retail & Leisure Study 2005 (price each)	199.00	2.50	203.98	204.00	-	204.00	zero	1-Apr-21	
Retail Office & Leisure Study 2013	52.00	2.50	53.30	53.00	-	53.00	zero	1-Apr-21	
Burnley Employment Land Study Demand Update 2014	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21	
Strategic Flood Risk (Level 1)	104.00	2.50	106.60	107.00	-	107.00	zero	1-Apr-21	
Burnley & Pendle Council's Housing Needs Study & SHMA 2013	52.00	2.50	53.30	53.00	-	53.00	zero	1-Apr-21	
Burnley & Pendle GTAA 2012	10.00	2.50	10.25	10.00	-	10.00	zero	1-Apr-21	
Burnley SHLAA - Report Only	31.00	2.50	31.78	32.00	-	32.00	zero	1-Apr-21	
Burnley SHLAA - Including Maps	52.00	2.50	53.30	53.00	-	53.00	zero	1-Apr-21	
Other									
All Other Related Documents:									
Black & White - Price per side - A4	0.10	2.50	0.10	0.10	-	0.10	zero	1-Apr-21	
Black & White - Price per side - A3	0.20	2.50	0.21	0.20	-	0.20	zero	1-Apr-21	
Colour - Price per side - A4	0.20	2.50	0.21	0.20	-	0.20	zero	1-Apr-21	
Colour - Price per side - A3	0.5000	2.50	0.51	0.5000	-	0.5000	zero	1-Apr-21	
Planning History Search (up to 2 entries)	10.0000	2.50	10.25	10.0000	-	10.0000	zero	1-Apr-21	
Planning History Search (up to 4 entries)	21.0000	2.50	21.53	22.0000	-	22.0000	zero	1-Apr-21	
Planning History Search (5 to 9 entries)	33.0000	2.50	33.83	34.0000	-	34.00	zero	1-Apr-21	
Planning History Search (10 plus entries)	44.00	2.50	45.10	45.00	-	45.00	zero	1-Apr-21	
Self & Custom Build Register									
Listing on register per year up to 3 years	100.00	2.50	102.50	103.00		103.00	zero	1-Apr-21	
Pre-Planning Application Fees									
Significant Major Development Proposal	709.00	2.50	726.73	727.00	121.17	605.83	20.00	1-Apr-21	
Further Meeting to above (or an hourly rate agreed in advance)	284.00	2.50	291.10	291.00	48.50	242.50	20.00	1-Apr-21	
Major Development Proposal	425.00	2.50	435.63	436.00	72.67	363.33	20.00	1-Apr-21	
Further Meeting to above (or an hourly rate agreed in advance)	142.00	2.50	145.55	146.00	24.33	121.67	20.00	1-Apr-21	
Minor Development Proposal	142.00	2.50	145.55	146.00	24.33	121.67	20.00	1-Apr-21	
Further Meeting to above (or an hourly rate agreed in advance)	70.00	2.50	71.75	72.00	12.00	60.00	20.00	1-Apr-21	
Householder Development Proposal (written advice only)	48.00	2.50	49.20	49.00	8.17	40.83	20.00	1-Apr-21	
Householder Development Proposal (with site visit)	69.00	2.50	70.73	71.00	11.83	59.17	20.00	1-Apr-21	
Other Development (adverts, trees, LBC, priors) Proposals (written advice)	71.00	2.50	72.78	73.00	12.17	60.83	20.00	1-Apr-21	
Other Development (adverts, trees, LBC, priors) Proposals (with site visit)	94.00	2.50	96.35	96.00	16.00	80.00	20.00	1-Apr-21	

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
<u>PLANNING APPLICATION FEES</u>									
<u>ALL OUTLINE APPLICATIONS</u>									
per 0.1 hectare for sites up to and including 2.5 hectares	462.00	external	462.00	462.00	-	462.00	zero		
for sites more than 2.5 hectares	11,432.00	external	11,432.00	11,432.00	-	11,432.00	zero		
In addition, for each 0.1 hectare in excess of 2.5 hectares subject to maximum total of £125,000	138.00	external	138.00	138.00	-	138.00	zero		
<u>HOUSEHOLDER APPLICATIONS</u>									
Alterations/extensions to a single dwelling including works within boundary	206.00	external	206.00	206.00	-	206.00	zero		
<u>FULL APPLICATIONS (and First Submissions of Reserved Matters)</u>									
Dwellings									
Alterations/extensions to two or more dwellings including works within boundaries	407.00	external	407.00	407.00	-	407.00	zero		
New dwellings (up to and including 50), per dwelling	462.00	external	462.00	462.00	-	462.00	zero		
New dwellings (more than 50)	22,859.00	external	22,859.00	22,859.00	-	22,859.00	zero		
In addition, for each dwelling house in excess of 50 subject to a maximum in total of £250,000	138.00	external	138.00	138.00	-	138.00	zero		
<u>Erection of Buildings (not dwellings, agricultural, glasshouses, plant or machinery)</u>									
Gross floor space to be created by the development:									
No increase or no more than 40m ²	234.00	external	234.00	234.00	-	234.00	zero		
More than 40m ² but no more than 75m ²	462.00	external	462.00	462.00	-	462.00	zero		
More than 75m ² but no more than 3750m ² , cost per each 75m ² or part thereof	462.00	external	462.00	462.00	-	462.00	zero		
More than 3750m ²	22,859.00	external	22,859.00	22,859.00	-	22,859.00	zero		
in addition, for each 75m ² in excess of 3750m ² subject to a maximum in total of £300,000	138.00	external	138.00	138.00	-	138.00	zero		
<u>Erection of Buildings (on land used for agriculture purposes)</u>									
Gross floor space to be created by the development:									
Not more than 465m ²	96.00	external	96.00	96.00	0.00	96.00	zero		
More than 465m ² but not more than 540m ²	462.00	external	462.00	462.00	0.00	462.00	zero		
More than 540m ² but not more than 4215m ² , cost for first 540m ²	462.00	external	462.00	462.00	0.00	462.00	zero		
In addition, for each 75m ² or part thereof in excess of 540m ²	462.00	external	462.00	462.00	0.00	462.00	zero		
More than 4215m ²	22,859.00	external	22,859.00	22,859.00	0.00	22,859.00	zero		
In addition, for each 75m ² in excess of 4215m ² subject to maximum total of £300,000	138.00	external	138.00	138.00	0.00	138.00	zero		

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Erection of Glasshouses (on land used for the purposes of agriculture)

Gross floor space to be created by the development:

Not more than 465m2

More than 465m2

96.00	external	96.00	96.00	0.00	96.00	zero		
2,580.00	external	2,580.00	2,580.00	0.00	2,580.00	zero		

Erection, Alteration or Replacement of Plant and Machinery

Site Area:

No more than 5 hectares, cost per 0.1 hectare or part thereof

More than 5 hectares

In addition, for each 0.1 hectare (or part thereof) in excess of 5 hectares subject to a maximum in total of £250,000

462.00	external	462.00	462.00	0.00	462.00	zero		
22,859.00	external	22,859.00	22,859.00	0.00	22,859.00	zero		
138.00	external	138.00	138.00	0.00	138.00	zero		

APPLICATIONS OTHER THAN BUILDING WORKS

Car Parks, Service Roads or Other Accesses

For existing uses

234.00	external	234.00	234.00	0.00	234.00	zero		
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Waste (use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals)

Site area:

No more than 15 hectares, cost per 0.1 hectare (or part thereof)

More than 15 hectares

in addition, for each 0.1 hectare (or part thereof) in excess of 15 hectares subject to a maximum in total of £78,000

234.00	external	234.00	234.00	0.00	234.00	zero		
34,934.00	external	34,934.00	34,934.00	0.00	34,934.00	zero		
138.00	external	138.00	138.00	0.00	138.00	zero		

Operations Connected with Exploratory Drilling for Oil or Natural Gas

Site area:

No more than 7.5 hectares, cost per 0.1 hectares (or part thereof)

More than 7.5 hectares

In addition, for each 0.1 hectare (or part thereof) in excess of 7.5 hectares subject to a maximum in total of £300,000

508.00	external	508.00	508.00	0.00	508.00	zero		
38,070.00	external	38,070.00	38,070.00	0.00	38,070.00	zero		
151.00	external	151.00	151.00	0.00	151.00	zero		

Operations (other than exploratory drilling) for the winning and working of oil or natural gas

Site area:

No more than 15 hectares, cost per 0.1 hectare (or part thereof)

More than 15 hectares

in addition, for each 0.1 hectare (or part thereof) in excess of 15 hectares subject to a maximum in total of £78,000

257.00	external	257.00	257.00	0.00	257.00	zero		
38,520.00	external	38,520.00	38,520.00	0.00	38,520.00	zero		
151.00	external	151.00	151.00	0.00	151.00	zero		

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Other Operations (winning and working of minerals) excluding oil & natural gas

Sire area:

No more than 15 hectares, cost per 0.1 hectare (or part thereof)

More than 15 hectares

In addition, for each 0.1 hectare (or part thereof) in excess of 15 hectares subject to a maximum total of £78,000

234.00	external	234.00	234.00	0.00	234.00	zero		
34,934.00	external	34,934.00	34,934.00	0.00	34,934.00	zero		
138.00	external	138.00	138.00	0.00	138.00	zero		

Other Operations (not coming within any of the above categories)

Any site area, per 0.1 hectare (or part thereof)

subject to a maximum in total of £2,028

234.00	external	234.00	234.00	0.00	234.00	zero		
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Lawful Development Certificate

Existing use - in breach of a planning condition

Existing use - lawful not to comply with any particular condition or limitation

Proposed use or operation

same as full planning fee								
234.00	external	234.00	234.00	0.00	234.00	zero		
half the normal planning fee								

PRIOR APPROVAL

Agricultural & forestry buildings & operations or demolition of buildings

Communications (previously referred to as Telecommunications Code Systems Operators)

Proposed change of use to state funded school or registered nursery

Proposed change of use of agriculture building to a state-funded school or registered nursery

Proposed change of use of agricultural building to a flexible use within shops, financial & professional services, restaurants & cafes, business, storage or distribution, hotels or assembly or leisure

Proposed change of use of a building from office (use class B1) use to a use falling within use class 3C (dwellinghouse)

Proposed change of use of agricultural building to a dwellinghouse (use class C3), where there are no building operations

Proposed change of use of agriculture building to a dwellinghouse (use class C3) and associated building operations

Proposed change of use of a building from a retail (use class A1 or A2) use or a mixed retail and residential use to a use falling within use class C3 (dwellinghouse) where there are no associated building operations

Proposed change of use of a building from a retail (use class A1 or A2) use or a mixed retail and residential use to a use falling within use class C3 (dwellinghouse) and associated building operations

Notification for prior approval for a change of use from storage or distribution buildings (class 8B) and any land within its curtilage to dwellinghouses (class C3)

96.00	external	96.00	96.00	0.00	96.00	zero		
462.00	external	462.00	462.00	0.00	462.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
206.00	external	206.00	206.00	0.00	206.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		
96.00	external	96.00	96.00	0.00	96.00	zero		

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Notification for prior approval for a change of use from amusement arcades/centres & casinos (sui generis uses) and any land within its curtilage to dwellinghouses (class C3)	96.00	external	96.00	96.00	0.00	96.00	zero		
Notification for prior approval for a change of use from amusement arcades/centres & casinos (sui generis uses) and any land within its curtilage to dwellinghouses (class C3) and associated building operations	206.00	external	206.00	206.00	0.00	206.00	zero		
Notification for prior approval for a change of use from shops (class A1), financial & professional services (class A2), betting offices, pay day loan shops & casinos (sui generis uses) to restaurants & cafes (class A3)	96.00	external	96.00	96.00	0.00	96.00	zero		
Notification for prior approval for a change of use from shops (class A1), financial & professional services (class A2), betting offices, pay day loan shops & casinos (sui generis uses) to restaurants & cafes (class A3) & associated building operations	206.00	external	206.00	206.00	0.00	206.00	zero		
Notification for prior approval for a change of use from shops (class A1), financial & professional services (class A2), betting offices, pay day loan shops (sui generis uses) to assembly & leisure uses (class D2)	96.00	external	96.00	96.00		96.00	zero		
Notification for prior approval for a development consisting of the erection or construction of a collection facility within the curtilage of a shop	96.00	external	96.00	96.00		96.00	zero		
Notification for prior approval for the temporary use of buildings or land for the purpose of commercial film-making and the associated temporary structures, works, plant or machinery required in connection with that use	96.00	external	96.00	96.00		96.00	zero		
Notification for prior approval for the installation, alteration or replacement of other solar photovoltaics (PV) equipment on the roofs of non-domestic buildings, up to a capacity of 1 megawatt	96.00	external	96.00	96.00		96.00	zero		
RESERVED MATTERS									
Application for approval of reserved matters following outline approval - amount due if full fee not already paid	462.00	external	462.00	462.00	0.00	462.00	zero		
APPROVAL/VARIATION/DISCHARGE OF CONDITION									
Application for removal of variation of a condition following grant of planning permission	234.00	external	234.00	234.00	0.00	234.00	zero		
Request for confirmation that one or more planning conditions have been complied with:									
Per request per Householder	34.00	external	34.00	34.00	0.00	34.00	zero		
Per request otherwise	116.00	external	116.00	116.00	0.00	116.00	zero		

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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CHANGE OF USE

Change of use of a building to use as one or more separate dwelling houses

Per dwelling up to 50 dwellings	462.00	external	462.00	462.00	0.00	462.00	zero	
More than 50 dwellings	22,859.00	external	22,859.00	22,859.00	0.00	22,859.00	zero	
in addition, for each dwelling house in excess of 50 dwelling houses subject to a maximum in total of £300,000	138.00	external	138.00	138.00	0.00	138.00	zero	

Other changes of use

Building or land	462.00	external	462.00	462.00	0.00	462.00	zero	
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ADVERTISING

Relating to the business on the premises	132.00	external	132.00	132.00	0.00	132.00	zero	
Advance signs which are not situated on or visible from the site, directing the public to a business	132.00	external	132.00	132.00	0.00	132.00	zero	
Other advertisements	462.00	external	462.00	462.00	0.00	462.00	zero	

**APPLICATION FOR A NON-MATERIAL AMENDMENT FOLLOWING A GRANT OF A
PLANNING PERMISSION**

Application in respect of:								
Householder development	34.00	external	34.00	34.00	0.00	34.00	zero	
Other development	234.00	external	234.00	234.00	0.00	234.00	zero	

BUILDING REGULATION FEES (effective from 1st January 2021)

Charges are now set by Pennine Lancashire Building Control Service and the
income retained by the partnership

TABLE A - STANDARD CHARGES FOR NEW HOUSES

These fees were ratified in October 2020 and are rounded up to the nearest whole pound

Plan Charge	No. of dwellings:								
	1	238.00	2.00%	242.76	243.00	40.50	202.50	20.00	1-Jan-21
	2	326.00	2.00%	332.52	333.00	55.50	277.50	20.00	1-Jan-21
	3	429.00	2.00%	437.58	438.00	73.00	365.00	20.00	1-Jan-21
	4	531.00	2.00%	541.62	542.00	90.33	451.67	20.00	1-Jan-21
	5	642.00	2.00%	654.84	655.00	109.17	545.83	20.00	1-Jan-21

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Inspection Charge

No. of dwellings:

1	628.00	2.00%	640.56	641.00	106.83	534.17	20.00	1-Jan-21
2	868.00	2.00%	885.36	886.00	147.67	738.33	20.00	1-Jan-21
3	1,103.00	2.00%	1,125.06	1,126.00	187.67	938.33	20.00	1-Jan-21
4	1,273.00	2.00%	1,298.46	1,299.00	216.50	1,082.50	20.00	1-Jan-21
5	1,409.00	2.00%	1,437.18	1,438.00	239.67	1,198.33	20.00	1-Jan-21

Building Notice Charge

No. of dwellings:

1	1,038.00	2.00%	1,058.76	1,059.00	176.50	882.50	20.00	1-Jan-21
2	1,430.00	2.00%	1,458.60	1,459.00	243.17	1,215.83	20.00	1-Jan-21
	1,834.00	2.00%	1,870.68	1,871.00	311.83	1,559.17	20.00	1-Jan-21
	2,163.00	2.00%	2,206.26	2,207.00	367.83	1,839.17	20.00	1-Jan-21
	2,459.00	2.00%	2,508.18	2,509.00	418.17	2,090.83	20.00	1-Jan-21

Note

1. For 5 or more dwellings or if the floor area of a dwelling exceeds 300m² or flats over 3 storeys, the charge will be individually determined.
2. All the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person scheme, if this is not the case an additional charge will apply based upon a basic inspection charge per dwelling of £197.00 including Vat (account will be given to repetitive work and a discount may be applied).
3. The amount of the plan charge is based on the number of dwellings contained in the application.
4. The inspection charge is based on the total units in the project.
5. Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.
6. For larger building projects the Council may agree to fees being paid by instalments. Please contact your local Pennine Lancashire Building Control office for further details.

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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TABLE B - STANDARD CHARGES FOR CERTAIN SMALL BUILDINGS, EXTENSIONS AND ALTERATIONS

CATEGORY 1 - Extensions to dwellings

Plan Charge

Extension(s) - Internal floor area not exceeding 6m ²	410.00	2.00%	418.20	419.00	69.83	349.17	20.00	1-Jan-21
Internal floor area over 6m ² but not exceeding 40m ²	181.00	2.00%	184.62	185.00	30.83	154.17	20.00	1-Jan-21
Internal floor area over 40m ² but not exceeding 60m ²	181.00	2.00%	184.62	185.00	30.83	154.17	20.00	1-Jan-21
Internal floor area over 60m ² but not exceeding 80m ²	181.00	2.00%	184.62	185.00	30.83	154.17	20.00	1-Jan-21

Inspection Charge

Extension(s) - Internal floor area not exceeding 6m ²	Included in Plan Charge							
Internal floor area over 6m ² but not exceeding 40m ²	359.00	2.00%	366.18	367.00	61.17	305.83	20.00	1-Jan-21
Internal floor area over 40m ² but not exceeding 60m ²	524.00	2.00%	534.48	535.00	89.17	445.83	20.00	1-Jan-21
Internal floor area over 60m ² but not exceeding 80m ²	738.00	2.00%	752.76	753.00	125.50	627.50	20.00	1-Jan-21

Building Notice Charge

Extension(s) - Internal floor area not exceeding 6m ²	492.00	2.00%	501.84	502.00	83.67	418.33	20.00	1-Jan-21
Internal floor area over 6m ² but not exceeding 40m ²	646.00	2.00%	658.92	659.00	109.83	549.17	20.00	1-Jan-21
Internal floor area over 40m ² but not exceeding 60m ²	844.00	2.00%	860.88	861.00	143.50	717.50	20.00	1-Jan-21
Internal floor area over 60m ² but not exceeding 80m ²	1,101.00	2.00%	1,123.02	1,124.00	187.33	936.67	20.00	1-Jan-21

CATEGORY 2 - Garages & Carports

Erection or extension of a detached or attached building or an extension to a dwelling;

Which consists of a garage, carport, or both, having a floor area not exceeding 40m² in total and is intended to be used in common with an existing building

Plan Charge	288.00	2.00%	293.76	294.00	49.00	245.00	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	346.00	2.00%	352.92	353.00	58.83	294.17	20.00	1-Jan-21

Where the garage extension exceeds a floor area of 40m² but does not exceed 60m²

Plan Charge	410.00	2.00%	418.20	419.00	69.83	349.17	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	492.00	2.00%	501.84	502.00	83.67	418.33	20.00	1-Jan-21

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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CATEGORY 3 - Garage Conversions

The conversion, in part or full, of an attached domestic garage to an existing dwelling into a habitable room.

Plan Charge	280.00	2.00%	285.60	286.00	47.67	238.33	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	336.00	2.00%	342.72	343.00	57.17	285.83	20.00	1-Jan-21

CATEGORY 4 - Loft Conversions & Dormers

Formation of a room(s) in an existing roof space, including means of access thereto.

Fees for lofts greater than 40m² are to be based on the cost of the work, subject to an agreed minimum plan charge.

Without a dormer but not exceeding 40m² in floor area*

Plan Charge	410.00	2.00%	418.20	419.00	69.83	349.17	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	492.00	2.00%	501.84	502.00	83.67	418.33	20.00	1-Jan-21

With a dormer but not exceeding 40m² in floor area*

Plan Charge	181.00	2.00%	184.62	185.00	30.83	154.17	20.00	1-Jan-21
Inspection Charge	359.00	2.00%	366.18	367.00	61.17	305.83	20.00	1-Jan-21
Building Notice Charge	646.00	2.00%	658.92	659.00	109.83	549.17	20.00	1-Jan-21

Note

1. Floor area is the area measured at a height of 2 metres above floor level.
2. All the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person Scheme, if this is not the case an additional charge will apply.
3. Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.
4. If the internal floor area, of an extension to a dwelling, exceeds 80m² Table E will apply (subject to a minimum build cost of £50,001).
5. Loft Conversions greater than 40m² will be based on the cost of the work and Table E will apply, subject to a agreed minimum plan charge.

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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TABLE C - STANDARD CHARGES FOR DOMESTIC ALTERATIONS

CATEGORY 1 - Installation of replacement windows and doors*

in a dwelling where the number of windows / doors does not exceed 20

Plan Charge	120.00	2.00%	122.40	123.00	20.50	102.50	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	120.00	2.00%	122.40	123.00	20.50	102.50	20.00	1-Jan-21

CATEGORY 2 - Controlled Electrical work*

To a single dwelling (not carried out in conjunction with work being undertaken that falls within Table B)

Plan Charge	210.00	2.00%	214.20	215.00	35.83	179.17	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	210.00	2.00%	214.20	215.00	35.83	179.17	20.00	1-Jan-21

CATEGORY 3 - Renovation of a Single Thermal Element

To a dwelling house or flat (including cavity wall insulation)

Plan Charge	150.00	2.00%	153.00	153.00	25.50	127.50	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	150.00	2.00%	153.00	153.00	25.50	127.50	20.00	1-Jan-21

CATEGORY 4 - Heating Appliance Installation*

Where work relates to installation of a multi-fuel heating appliance including associated flue liner/chimney and hearth to which Part J applies, and to a single dwelling by a person not registered under a Government scheme, the following charges will be applied

Plan Charge	280.00	2.00%	285.60	286.00	47.67	238.33	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	280.00	2.00%	285.60	286.00	47.67	238.33	20.00	1-Jan-21

CATEGORY 5 - Removal or partial removal of chimney breast(s) within a dwelling

Plan Charge	235.00	2.00%	239.70	240.00	40.00	200.00	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	235.00	2.00%	239.70	240.00	40.00	200.00	20.00	1-Jan-21

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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CATEGORY 6 - Removal of wall and insertion of 1 or 2 steel beams up to a maximum

span of 4 metres

Plan Charge

Inspection Charge

Building Notice Charge

235.00	2.00%	239.70	240.00	40.00	200.00	20.00	1-Jan-21	
Included in Plan Charge								
235.00	2.00%	239.70	240.00	40.00	200.00	20.00	1-Jan-21	

Note

- * Not carried out and registered under by a Competent Person Scheme
- Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.
If multiple items of listed work are proposed, as in Table C above, then a 50% discount can be applied for the second listed item only; if three or more listed items are proposed then please refer to Table E (subject to a minimum plan charge equal to a minimum build cost of £10,001)

TABLE D - OTHER NON-DOMESTIC WORK : EXTENSIONS AND NEW BUILD & THERMAL IMPROVEMENTS

CATEGORY 1 - Extension(s) - Internal floor area not exceeding 6m²

Plan Charge

Inspection Charge

Building Notice Charge

410.00	2.00%	418.20	419.00	69.83	349.17	20.00	1-Jan-21	
Included in Plan Charge								
Not applicable								

CATEGORY 2 - Internal floor area over 6m² but not exceeding 40m²

Plan Charge

Inspection Charge

Building Notice Charge

181.00	2.00%	184.62	185.00	30.83	154.17	20.00	1-Jan-21	
359.00	2.00%	366.18	367.00	61.17	305.83	20.00	1-Jan-21	
Not applicable								

CATEGORY 3 - Internal floor area over 40m² but not exceeding 80m²

Plan Charge

Inspection Charge

Building Notice Charge

181.00	2.00%	184.62	185.00	30.83	154.17	20.00	1-Jan-21	
524.00	2.00%	534.48	535.00	89.17	445.83	20.00	1-Jan-21	
Not applicable								

CATEGORY 4 - Renovation of a single thermal element - cost up to £20,000*

Plan Charge

Inspection Charge

Building Notice Charge

217.00	2.00%	221.34	222.00	37.00	185.00	20.00	1-Jan-21	
Included in Plan Charge								
Not applicable								

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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CATEGORY 5 - Replacement of non-domestic windows*, not exceeding 20

Plan Charge	160.00	2.00%	163.20	164.00	27.33	125.00	20.00	1-Jan-21
Inspection Charge	Included in Plan Charge							
Building Notice Charge	Not applicable							

Note

- * Where cost exceeds £20,000 the charge is individually determined.
- Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.
- Floor area is the area measured at a height of 2 metres above floor level.
- If the internal floor area exceeds 80m² Table E will apply (subject to a minimum plan charge equal to a minimum build cost of £50,001)
- Category 5 does not include replacement doors due to Part B - Fire safety implications.

TABLE E - STANDARD CHARGES FOR ALL OTHER WORK NOT IN TABLES A, B, C & D

(excludes individually determined charges)

Plan Charge

Estimated Cost

From £0 - £2,000	235.00	2.00%	239.70	240.00	40.00	200.00	20.00	1-Jan-21
£2,001 - £5,000	280.00	2.00%	285.60	286.00	47.67	238.33	20.00	1-Jan-21
£5,001 - £7,000	301.00	2.00%	307.02	308.00	51.33	256.67	20.00	1-Jan-21
£7,001 - £10,000	318.00	2.00%	324.36	325.00	54.17	270.83	20.00	1-Jan-21
£10,001 - £20,000	102.00	2.00%	104.04	105.00	17.50	87.50	20.00	1-Jan-21
£20,001 - £30,000	121.00	2.00%	123.42	124.00	20.67	103.33	20.00	1-Jan-21
£30,001 - £40,000	153.00	2.00%	156.06	157.00	26.17	130.83	20.00	1-Jan-21
£40,001 - £50,000	192.00	2.00%	195.84	196.00	32.67	163.33	20.00	1-Jan-21
£50,001 - £75,000	235.00	2.00%	239.70	240.00	40.00	200.00	20.00	1-Jan-21
£75,001 - £100,000*	301.00	2.00%	307.02	308.00	51.33	256.67	20.00	1-Jan-21

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Inspection Charge									
Estimated Cost									
from £0 - £2,000			Included in Plan Charge						
£2,001 - £5,000			Included in Plan Charge						
£5,001 - £7,000			Included in Plan Charge						
£7,001 - £10,000			Included in Plan Charge						
£10,001 - £20,000	318.00	2.00%	324.36	325.00	54.17	270.83	20.00	1-Jan-21	
£20,001 - £30,000	423.00	2.00%	431.46	432.00	72.00	360.00	20.00	1-Jan-21	
£30,001 - £40,000	494.00	2.00%	503.88	504.00	84.00	420.00	20.00	1-Jan-21	
£40,001 - £50,000	572.00	2.00%	583.44	584.00	97.33	486.67	20.00	1-Jan-21	
£50,001 - £75,000	704.00	2.00%	718.08	719.00	119.83	599.17	20.00	1-Jan-21	
£75,000 - £100,000*	899.00	2.00%	916.98	917.00	152.83	764.17	20.00	1-Jan-21	
Building Notice Charge									
Estimated Cost									
from £0 - £2,000	281.00	2.00%	286.62	287.00	47.83	239.17	20.00	1-Jan-21	
£2,001 - £5,000	336.00	2.00%	342.72	343.00	57.17	285.83	20.00	1-Jan-21	
£5,001 - £7,000	360.00	2.00%	367.20	368.00	61.33	306.67	20.00	1-Jan-21	
£7,001 - £10,000	382.00	2.00%	389.64	390.00	65.00	325.00	20.00	1-Jan-21	
£10,001 - £20,000	504.00	2.00%	514.08	515.00	85.83	429.17	20.00	1-Jan-21	
£20,001 - £30,000	651.00	2.00%	664.02	665.00	110.83	554.17	20.00	1-Jan-21	
£30,001 - £40,000	774.00	2.00%	789.48	790.00	131.67	658.33	20.00	1-Jan-21	
£40,001 - £50,000	913.00	2.00%	931.26	932.00	155.33	776.67	20.00	1-Jan-21	
£50,001 - £75,000	1,124.00	2.00%	1,146.48	1,147.00	191.17	955.83	20.00	1-Jan-21	
£75,000 - £100,000*	1,438.00	2.00%	1,466.76	1,467.00	244.50	1,222.50	20.00	1-Jan-21	

Note

1. *Where cost exceeds £100,000 the charge is individually determined.
2. Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.
3. In respect of domestic work the above charges are on the basis that any controlled electrical work is carried out by a person who is a member of a registered Competent Person scheme. If this is not the case an additional charge will apply, see Table C

TABLE F - DEMOLITION CHARGE

Application to demolish existing property under Section 80 of the Building Act 1984 and issuing the counter notice under Section 81 of the Building Act 1984

	198.00	2.00%	201.96	202.00	0.00	202.00	zero	1-Jan-21	
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2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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TABLE G - OTHER CHARGES

CATEGORY 1 - Copy of Completion certificates	28.00	2.00%	28.56	29.00	4.83	24.17	20.00	1-Jan-21
CATEGORY 2 - Copy Decision Notices	28.00	2.00%	28.56	29.00	4.83	24.17	20.00	1-Jan-21
CATEGORY 3 - Re-opening of Archived applications that have been dormant for 2 years or more Charge per hour subject to a minimum charge of £77.00	80.00	2.00%	81.60	82.00	13.67	68.33	20.00	1-Jan-21
CATEGORY 4 - Withdrawal of an application and any associated changes Charge per hour subject to a minimum charge of £77.00	80.00	2.00%	81.60	82.00	13.67	68.33	20.00	1-Jan-21
CATEGORY 5 - Building Regulations Confirmation letter Charge per hour subject to a minimum charge of £77.00	80.00	2.00%	81.60	82.00	13.67	68.33	20.00	1-Jan-21
CATEGORY 6 - Supply of non-standard data and information, including responding to Solicitor enquiries Charge per hour subject to a minimum charge of £77.00	80.00	2.00%	81.60	82.00	13.67	68.33	20.00	1-Jan-21

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2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Note

- Where a **'Full Plans'** application is made, in most cases a plan charge is payable at the time of application and an invoice for the inspection charge will be sent following the first inspection on site.
- For a **'Regularisation'** application (related to unauthorised work) fees are individually determined but will be subject to a minimum of 150% of the associated net charge(s).
No Vat is payable on a Regularisation Charge.
- Charges in **Table E** are based upon an estimated cost, which means a reasonable estimate (excluding Vat) that would be charged for carrying out all the work, by a professional contractor. No reductions are made for DIY proposals.
- When it is intended to carry out **additional work** on a dwelling at the same time as any work in **Table B** then the charge for this additional work may be discounted by 50%, subject to a maximum estimated cost of £310,000.
- When it is intended to carry out more than one extension to a dwelling, the areas of the extensions may be aggregated in determining a total internal floor area to which the fee may then be applied.
Please note however, the area of loft conversions or garage conversions may not be aggregated to an extension but a 50% discount can be applied.
- For work that is an electrical installation only, such as rewiring, use **Table C**.
All other installation work should be included in the overall charges.
- For a **"Reversion"** application fees are individually determined.
Please contact your local Pennine Lancashire Building Control Office for further details.
- For applications that are due to **start on site immediately**, both Plan Fee and Inspection Fee are payable when submitting the application.
Please be advised that if you commence works prior to receiving Building Regulations approval, you do so at your own risk.
- For current and active Local Authority Building Control Partnership customer fees will be individually determined.
- Costs cannot be discounted across separate applications

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
MARKETS									
Deposit for new tenants taking a unit in the Market	200.00	-	200.00	200.00	33.33	166.67	20.00	n/a	
Hourly charge for additional opening outside of normal hours for trader access	60.00	-	60.00	60.00	10.00	50.00	20.00	n/a	
Lease preparation fee	240.00	-	240.00	240.00	40.00	200.00	20.00	n/a	
New product line addition to existing user clause to include deed of variation costs.	300.00	-	300.00	300.00	50.00	250.00	20.00	n/a	
Call put to an alarm activation resulting from Traders unit/action plus alarm call out costs.	30.00	-	30.00	30.00	5.00	25.00	20.00	n/a	
Electricity recharge late payment fee per week o/s to cover cost of reminders for payment	12.00	-	12.00	12.00	2.00	10.00	20.00	n/a	
Provision of payment schedule for disputed rent – repayable if a rent error made.	24.00	-	24.00	24.00	4.00	20.00	20.00	n/a	
Per Copy of Rent invoice required	6.00	-	6.00	6.00	1.00	5.00	20.00	n/a	
Represented cheque or Direct Debit payment refused by bankers	18.00	-	18.00	18.00	3.00	15.00	20.00	n/a	
Assignment of lease with existing user clause to cover council's legal costs in preparation of deed and to reflect element of value of assignment to existing trader selling on their business	240.00	-	240.00	240.00	40.00	200.00	20.00	n/a	
Assignment of lease as above but with additional and or change of user clause.	300.00	-	300.00	300.00	50.00	250.00	20.00	n/a	
Per letter relating to breaches of Market Regulations	24.00	-	24.00	24.00	4.00	20.00	20.00	n/a	
Per day breach of user clause to reflect unfair trading advantage gained by selling of unauthorised product.	24.00	-	24.00	24.00	4.00	20.00	20.00	n/a	
Penalty Fee per hour in relation to arriving late to open and or leaving early to close.									
(Funds to be paid into Advertising fund).	30.00	-	30.00	30.00	5.00	25.00	20.00	n/a	
Non-attendance on Designated Market Days and/or Christmas Sundays and Late Night Thursdays. (Funds to be paid into Advertising fund).	120.00	-	120.00	120.00	20.00	100.00	20.00	n/a	
Remedy of breach and withdrawal of court action by the Council after court action has been scheduled.	300.00	-	300.00	300.00	50.00	250.00	20.00	n/a	

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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RESOURCES

REVENUES & BENEFITS

LOCAL TAXATION

Council Tax Summons	77.00	2.50	78.93	79.00	-	79.00	zero	1-Apr-21
Council Tax Liability Order	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21
NNDR Summons	107.00	2.50	109.68	110.00	-	110.00	zero	1-Apr-21
NNDR Liability Order	20.00	2.50	20.50	21.00	-	21.00	zero	1-Apr-21

LEGAL & DEMOCRATIC SERVICES

LEGAL FEES

Note 1. Vat is chargeable on the fees if vat is payable on the consideration or rent.
These fees may be charged at a higher level in accordance with, for example, the work involved in more complex cases.

Rounded to nearest £5

Disposals

Sale of Garden plot	275.00	2.50	281.88	280.00	-	280.00	see note 1	1-Apr-21
Sale of any other land	565.00	2.50	579.13	580.00	-	580.00	see note 1	1-Apr-21
Small Scale Building Licence	565.00	2.50	579.13	580.00	-	580.00	see note 1	1-Apr-21
Building Licence	1,320.00	2.50	1,353.00	1,355.00	-	1,355.00	see note 1	1-Apr-21
Sealing of documents	65.00	2.50	66.63	65.00	-	65.00	see note 1	1-Apr-21

Landlord & Tenant

Contracted out' short term lease/licences	565.00	2.50	579.13	580.00	-	580.00	see note 1	1-Apr-21
Longer term business lease	940.00	2.50	963.50	965.00	-	965.00	see note 1	1-Apr-21
Underlease - Brunshaw / Anglesey	475.00	2.50	486.88	485.00	-	485.00	see note 1	1-Apr-21
Licence to Assign	390.00	2.50	399.75	400.00	-	400.00	see note 1	1-Apr-21
Licence for Alterations	390.00	2.50	399.75	400.00	-	400.00	see note 1	1-Apr-21
Licence for Change of Use	390.00	2.50	399.75	400.00	-	400.00	see note 1	1-Apr-21
Licence to Assign (combined with licence for alterations / change of use)	655.00	2.50	671.38	670.00	-	670.00	see note 1	1-Apr-21
Licence to Underlet	655.00	2.50	671.38	670.00	-	670.00	see note 1	1-Apr-21
Licence to Underlet (combined with licence for alterations / change of use)	940.00	2.50	963.50	965.00	-	965.00	see note 1	1-Apr-21
Surrenders	390.00	2.50	399.75	400.00	-	400.00	see note 1	1-Apr-21
Letter of consent to assign (long leaseholds at nominal rent)	70.00-170.00	2.50		70.00-175.00	-	70.00-175.00	see note 1	1-Apr-21
Registration of Assignment or Underlease	65.00	2.50	66.63	65.00	-	65.00	see note 1	1-Apr-21
Grant of Easements or Rights	390.00	2.50	399.75	400.00	-	400.00	see note 1	1-Apr-21
Deed of Variation	390.00	2.50	399.75	400.00	-	400.00	see note 1	1-Apr-21

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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Planning

Section 106 Agreements (minimum charge) 550.00 2.50 563.75 565.00 - 565.00 o/s scope 1-Apr-21

Mortgages

Vacating Receipts Mortgage scheme no longer provided
 Notice of Charge Mortgage scheme no longer provided
 Mortgage Questionnaire Mortgage scheme no longer provided

Miscellaneous

Copy Documents - per A4 sheet (minimum £10) 0.45 2.50 0.46 0.45 - 0.45 see note 1 1-Apr-21

Land Charges

Note: CON29 elements of Land Charges are now vatable at the standard rate

Page 265
 LLC1 19.00 - 19.00 19.00 - 19.00 zero 1-Apr-21
 CON29R 141.00 - 141.00 141.00 23.50 117.50 standard 1-Apr-21
 Local Search (LLC1 + CON29R) 160.00 - 160.00 160.00 23.50 136.50 mixed 1-Apr-21
 Each Additional Parcel of Land 25.00 - 25.00 25.00 4.17 20.83 standard 1-Apr-21
 Each Optional CON290 Enquiry (Q 5 - 20) 5.00 - 5.00 5.00 0.83 4.17 standard 1-Apr-21
 Each Optional CON290 Enquiry (Q4 Q21 & Q22) 35.00 - 35.00 35.00 5.83 29.17 standard 1-Apr-21
 Each Additional Enquiry 31.00 - 31.00 31.00 5.17 25.83 standard 1-Apr-21
 Personal Search FOC statutory FOC FOC FOC

ROOM HIRE

Burnley Town Hall - Room Hire

Meetings

Mornings - 8am to 1pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21
 Afternoon - 1pm to 6pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21
 Evening - 6pm to 10pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21

Others

Mornings - 8am to 1pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21
 Afternoon - 1pm to 6pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21
 Evening - 6pm to 10pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21

Parker Lane - Room Hire

Mornings - 8am to 1pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21
 Afternoon - 1pm to 6pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21
 Evening - 6pm to 10pm 90.45 2.50 92.71 92.70 - 92.70 zero 1-Apr-21

FINANCE & PROPERTY SERVICES

2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
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PROPERTY TEAM**GARAGE SITES**

Note : 3 months notice is required to increase rents for garage sites & garden plots

Per plot, per annum	109.75	2.50	112.49	112.50	18.75	93.75	20.00	1-Apr-21
Concession for registered disabled	12.25	2.50	12.56	12.55	2.09	10.46	20.00	1-Apr-21

GARDEN PLOTS

Per square yard, per annum	0.7841	2.50	0.80	0.8037	-	0.8037	zero	1-Apr-21
Per square metre, per annum	0.9378	2.50	0.96	0.9612	-	0.9612	zero	1-Apr-21
Allotments per square yard, per annum	0.1791	2.50	0.18	0.1836	-	0.1836	zero	1-Apr-21
Allotments per square metre, per annum	0.2143	2.50	0.22	0.2197	-	0.22	zero	1-Apr-21
Admin fee for setting up of new tenancy agreements	51.40	2.50	52.69	52.70	8.78	43.92	20.00	1-Apr-21

Note : The rents of garage sites & garden plots are only being increased every 3 years due to the administrative cost of writing to inform tenants.

The last review was undertaken during 2016/17 of appropriate market rentals.

PROPERTY SURVEYOR FEES

These fees/charges are for general guidance.

These fees may be negotiated at higher level in accordance with the work involved in more complex cases.

Note 1 - Vat is not chargeable on the fees/charges unless VAT is payable on the consideration or rent.

Disposals

Sale of Garden plot	236.75	2.50	242.67	242.65	-	242.65	see note 1	1-Apr-21
Sale of any other land (minimum charge or 1% of sale price whichever is higher)	392.90	2.50	402.72	402.70	-	402.70	see note 1	1-Apr-21
Building Licence (minimum charge but depending on size/complexity)	785.85	2.50	805.50	805.50	-	805.50	see note 1	1-Apr-21
Freehold Reversion	236.75	2.50	242.67	242.65	-	242.65	see note 1	1-Apr-21

Landlord & Tenant

Contracted out' short term lease	275.25	2.50	282.13	282.15	-	282.15	see note 1	1-Apr-21
Longer term business lease	392.90	2.50	402.72	402.70	-	402.70	see note 1	1-Apr-21
Grant of Garden Tenancy	43.50	2.50	44.59	44.60	-	44.60	see note 1	1-Apr-21
Service of Notices on Garden Tenancies	37.10	2.50	38.03	38.05	-	38.05	see note 1	1-Apr-21
Underlease - Brunshaw / Anglesey	275.25	2.50	282.13	282.15	-	282.15	see note 1	1-Apr-21
Renewal Lease	275.25	2.50	282.13	282.15	-	282.15	see note 1	1-Apr-21

	2020/21 Gross Fees £	% inc 2.5%	2021/22 Gross Fees	2021/22 Gross Fees £	Vat included in fee	2021/22 Net Fee	Vat Rate	Date of Fee Increase	Discounted Rates/Off Peak (where applicable)
Licence to Assign	261.10	2.50	267.63	267.65	-	267.65	see note 1	1-Apr-21	
Licence for Alterations	313.60	2.50	321.44	321.45	-	321.45	see note 1	1-Apr-21	
Licence for Change of Use	275.25	2.50	282.13	282.15	-	282.15	see note 1	1-Apr-21	
Licence to Assign (combined with licence for alterations/change of use)	392.90	2.50	402.72	402.70	-	402.70	see note 1	1-Apr-21	
Licence to Underlet	313.60	2.50	321.44	321.45	-	321.45	see note 1	1-Apr-21	
Licence to Underlet (combined with licence for alterations/change of use)	392.90	2.50	402.72	402.70	-	402.70	see note 1	1-Apr-21	
Letter of consent to assign (long leaseholds at nominal rent)	min 108.00			min 108.00		min 108.00	see note 1	1-Apr-21	
Planning									
S.106 Agreements	499.20	2.50	511.68	511.70	-	511.70	see note 1	1-Apr-21	
Site Compound Licence	261.10	2.50	267.63	267.65	-	267.65	see note 1	1-Apr-21	
Copy Documents - per A4 sheet	0.55	2.50	0.56	0.55	0.09	0.46	20.00	1-Apr-21	
Pavement Café Licences									
Initial licence set up									these licences now issued by LCC
Annual renewal/change of licensee									these licences now issued by LCC
BURNLEY BUS STATION									
Bus Station departure charges are calculated using pence to 4 decimal places									
Per Departure - Standard bus / Minibus	1.0371	2.50	1.06	1.0578	0.1763	0.8815	20.00	1-Apr-21	
Per Departure - Long (coach)	2.1455	2.50	2.20	2.1884	0.3647	1.8237	20.00	1-Apr-21	
(Net Fee increased by 2% then VAT added)									

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Local Authority	2019/20 Annual Charge (£)
Aberdeen City	0
Aberdeenshire	no service
Adur	85
Allerdale	0
Amber Valley	40
Angus	28.4
Antrim/Newtownabbey	0
Ards and North Down	0
Argyll and Bute	no service
Armagh City	0
Arun	74.12
Ashfield	28
Ashford	37.5
Aylesbury Vale	45
Babergh	55
Barking and Dagenham	40
Barnet	52.24
Barnsley	0
Barrow-in-Furness	38
Basildon	0
Basingstoke and Deane	47
Bassetlaw	30
Bath/NE Somerset	47.9
Bedford	0
Belfast	0
Bexley	38
Birmingham	48
Blaby	36
Blackburn with Darwen	30
Blackpool	35
Blaenau Gwent	0
Bolsover	0
Bolton	0
Boston	30
Bournemouth	43
Bracknell Forest	50
Bradford	37
Braintree	0
Breckland	46
Brent	60
Brentwood	51.5
Bridgend	38.3
Brighton and Hove	52
Bristol	32
Broadland	53.5
Bromley	60
Bromsgrove	45

Local Authority	2019/20 Annual Charge (£)
Broxbourne	34
Broxtowe	33
Burnley	30
Bury	0
Caerphilly	0
Calderdale	40
Cambridge	0
Camden	75
Cannock Chase	0
Canterbury	0
Cardiff	0
Carlisle	0
Carmarthenshire	43
Castle Point	32
Causeway Coast	0
Central Bedfordshire	0
Ceredigion	n/a
Charnwood	40
Chelmsford	0
Cheltenham	45
Cherwell	0
Cheshire East	0
Cheshire West and Chester	n/a
Chesterfield	n/a
Chichester	53
Chiltern	40
Chorley	30
City of Edinburgh	25
City of London	n/a
Clackmannanshire	0
Colchester	0
Conwy	n/a
Copeland	0
Corby	0
Cornwall	38.75
Cotswold	30
County Durham	35
Coventry	0
Craven	36
Crawley	56.3
Croydon	61.5
Dacorum	0
Darlington	35
Dartford	38
Daventry	36
Denbighshire	24
Derby	0

Local Authority	2019/20 Annual Charge (£)
Derbyshire Dales	0
Derry City and Strabane	0
Doncaster	0
Dorset	50.5
Dover	46
Dudley	0
Dumfries and Galloway	no service
Dundee City	0
Ealing	75
East Ayrshire	0
East Cambridgeshire	0
East Devon	48
East Dunbartonshire	0
East Hampshire	68
East Hertfordshire	0
East Lindsey	40
East Lothian	0
East Northamptonshire	55
East Renfrewshire	0
East Riding of Yorkshire	0
East Staffordshire	n/a
East Suffolk	43
Eastbourne	52
Eastleigh	38
Eden	0
Elmbridge	45
Enfield	0
Epping Forest	0
Epsom and Ewell	56
Erewash	0
Exeter	47.4
Falkirk	0
Fareham	0
Fenland	40
Fermanagh and Omagh	0
Fife	0
Flintshire	30
Folkestone and Hythe	47
Forest of Dean	32
Fylde	30
Gateshead	33
Gedling	36
Glasgow City	0
Gloucester	44
Gosport	60
Gravesham	46
Great Yarmouth	69

Local Authority	2019/20 Annual Charge (£)
Greenwich	0
Guildford	38
Gwynedd	33
Hackney	0
Halton	32
Hambleton	35
Hammersmith and Fulham	n/a
Harborough	40
Haringey	75
Harlow	96
Harrogate	39
Harrow	75
Hart	48.88
Hartlepool	n/a
Hastings	66
Havant	64
Havering	55
Herefordshire	no service
Hertsmere	0
High Peak	0
Highland	40
Hillingdon	0
Hinckley and Bosworth	24
Horsham	39
Hounslow	50
Huntingdonshire	0
Hyndburn	30
Inverclyde	0
Ipswich	0
Isle of Anglesey	0
Isle of Wight	60
Isles of Scilly	no service
Islington	0
Kensington and Chelsea	66.3
Kettering	0
King's Lynn and West Norfolk	55.3
Kingston upon Hull	0
Kingston upon Thames	72
Kirklees	37.5
Knowsley	0
Lambeth	63
Lancaster	40
Leeds	n/a
Leicester	46
Lewes	70
Lewisham	80
Lichfield	36

Local Authority	2019/20 Annual Charge (£)
Lincoln	39
Lisburn and Castlereagh	0
Liverpool	0
Luton	0
Maidstone	40
Maldon	41
Malvern Hills	77.5
Manchester	0
Mansfield	30
Medway	0
Melton	57
Mendip	56.9
Merthyr Tydfil	0
Merton	75
Mid and East Antrim	0
Mid Devon	49
Mid Suffolk	55
Mid Sussex	65
Mid Ulster	0
Middlesbrough	0
Midlothian	35
Milton Keynes	0
Mole Valley	56.5
Monmouthshire	18
Moray	36
Na h-Eileanan Siar	0
Neath Port Talbot	0
New Forest	34
Newark and Sherwood	35
Newcastle upon Tyne	40
Newcastle-under-Lyme	36
Newham	n/a
Newport	0
Newry, Mourne and Down	0
North Ayrshire	0
North Devon	36
North East Derbyshire	0
North East Lincolnshire	36
North Hertfordshire	40
North Kesteven	30
North Lanarkshire	0
North Lincolnshire	n/a
North Norfolk	46.8
North Somerset	25
North Tyneside	0
North Warwickshire	0
North West Leicestershire	0

Local Authority	2019/20 Annual Charge (£)
Northampton	0
Northumberland	40
Norwich	48
Nottingham	0
Nuneaton and Bedworth	40
Oadby and Wigston	35
Oldham	0
Orkney Islands	no service
Oxford	49
Pembrokeshire	50
Pendle	30
Perth and Kinross	30
Peterborough	45
Plymouth	0
Poole	42.95
Portsmouth	45.39
Powys	35
Preston	35
Reading	60
Redbridge	0
Redcar and Cleveland	0
Redditch	45
Reigate and Banstead	65
Renfrewshire	0
Rhondda Cynon Taf	0
Ribble Valley	0
Richmond upon Thames	35
Richmondshire	22
Rochdale	0
Rochford	0
Rossendale	35
Rother	35
Rotherham	39
Rugby	40
Runnymede	55
Rushcliffe	35
Rushmoor	39
Rutland	35
Ryedale	38
Salford	0
Sandwell	0
Scarborough	33
Scottish Borders	no service
Sedgemoor	56.9
Sefton	0
Selby	0
Sevenoaks	47

Local Authority	2019/20 Annual Charge (£)
Sheffield	51.5
Shetland Islands	no service
Shropshire	0
Slough	0
Solihull	0
Somerset West and Taunton	56.9
South Ayrshire	0
South Bucks	40
South Cambridgeshire	0
South Derbyshire	n/a
South Gloucestershire	30
South Hams	0
South Holland	49
South Kesteven	32
South Lakeland	0
South Lanarkshire	0
South Norfolk	49
South Northamptonshire	0
South Oxfordshire	43
South Ribble	30
South Somerset	56.9
South Staffordshire	0
South Tyneside	32
Southampton	45
Southend-on-Sea	45.78
Southwark	30
Spelthorne	56
St Albans	0
St. Helens	32
Stafford	0
Staffordshire Moorlands	0
Stevenage	0
Stirling	0
Stockport	0
Stockton-on-Tees	n/a
Stoke-on-Trent	0
Stratford-on-Avon	0
Stroud	45
Sunderland	32.5
Surrey Heath	45
Sutton	65
Swale	37
Swansea	0
Swindon	50
Tameside	0
Tamworth	36
Tandridge	69.04

Local Authority	2019/20 Annual Charge (£)
Teignbridge	40
Telford and Wrekin	0
Tendring	50
Test Valley	34.25
Tewkesbury	48
Thanet	51
Three Rivers	40
Thurrock	0
Tonbridge and Malling	0
Torbay	n/a
Torfaen	0
Torridge	35
Tower Hamlets	0
Trafford	0
Tunbridge Wells	0
Uttlesford	35
Vale of Glamorgan	0
Vale of White Horse	43
Wakefield	0
Walsall	0
Waltham Forest	0
Wandsworth	0
Warrington	32
Warwick	0
Watford	0
Waverley	65
Wealden	50
Wellingborough	0
Welwyn Hatfield	35
West Berkshire	50
West Devon	40
West Dunbartonshire	0
West Lancashire	30
West Lindsey	35
West Lothian	0
West Oxfordshire	30
West Suffolk	43
Westminster	no service
Wigan	0
Wiltshire	50
Winchester	0
Windsor and Maidenhead	37
Wirral	43
Woking	45
Wokingham	60
Wolverhampton	35
Worcester	62.5

Local Authority	2019/20 Annual Charge (£)
Worthing	85
Wrexham	0
Wychavon	48
Wycombe	0
Wyre	30
Wyre Forest	49.5
York	0

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Cremation Fee League Table As at 1st January 2019

1	Beckenham	£1,070.00	41	Charing	£945.00	81	Haltemprice	£875.00
2	Chichester	£1,070.00	42	Stourport	£945.00	82	Mendip	£875.00
3	Crawley	£1,070.00	43	Rotherham	£943.00	83	South Essex	£875.00
4	Dundee	£1,070.00	44	Harlow	£940.00	84	Whimple	£875.00
5	Friockheim	£1,070.00	45	Brentwood	£935.00	85	York	£875.00
6	Leatherhead	£1,070.00	46	Milton Keynes	£930.50	86	Gloucester (Coney Hill)	£873.00
7	Moray	£1,070.00	47	Hoddesdon	£930.00	87	Salisbury	£872.00
8	Northampton	£1,070.00	48	Redbridge	£930.00	88	Cheltenham	£869.00
9	Nuneaton	£1,070.00	49	Countesthorpe	£925.00	89	Newcastle upon Tyne	£868.00
10	Oxford	£1,070.00	50	Bath	£915.00	90	Aberystwyth	£865.00
11	Norwich (Earlham Road)	£1,060.00	51	Plymouth (Efford)	£915.00	91	Camborne	£865.00
12	Norwich (Horsham St Faith)	£1,060.00	52	Plymouth (Weston Mill)	£915.00	92	Sunderland	£865.00
13	Lancaster & Morecambe	£1,055.00	53	Romsey	£915.00	93	West Lothian	£865.00
14	Loughborough	£1,035.00	54	Southampton (Wessex Vale)	£915.00	94	Holytown	£860.00
15	Basingstoke	£1,025.00	55	Enfield	£913.00	95	Croydon	£857.00
16	Bodmin	£999.00	56	Peterborough	£913.00	96	Liverpool (Anfield)	£855.00
17	Bury	£999.00	57	Gloucester (Forest of Dean)	£910.00	97	Liverpool (Springwood)	£855.00
18	Chorley	£999.00	58	Inverness	£904.00	98	Southport	£855.00
19	Exeter & Devon	£999.00	59	Hitchin	£900.00	99	Thornton	£855.00
20	Folkestone	£999.00	60	Wellingborough	£899.00	100	Alfreton	£850.00
21	Abingdon	£990.00	61	Pontefract	£896.00	101	Barry	£850.00
22	Sherwood Forest	£990.00	62	Wakefield	£896.00	102	Bristol (Canford)	£850.00
23	Braintree	£980.00	63	Banbury	£895.00	103	Bristol (South)	£850.00
24	Harwood Park	£980.00	64	Garnock Valley	£895.00	104	Havant	£850.00
25	Beetham Hall	£975.00	65	New Southgate	£895.00	105	Kirkleatham	£850.00
26	Grantham	£975.00	66	Royal Wooton Bassett	£895.00	106	Northop	£850.00
27	Torquay	£975.00	67	Worthing	£895.00	107	Sedgemoor	£850.00
28	West Berkshire	£975.00	68	Dudley	£894.00	108	St Asaph	£850.00
29	Basildon	£970.00	69	Stourbridge	£894.00	109	Waveney	£850.00
30	London (South)	£965.00	70	Birmingham (Perry Barr)	£890.00	110	Wear Valley	£850.00
31	West Wiltshire	£965.00	71	Melrose	£890.00	111	Ayr	£848.00
32	East Riding	£960.00	72	Telford	£890.00	112	Darlington	£848.00
33	Barrow-in-Furness	£959.00	73	Woking	£890.00	113	Bracknell	£845.00
34	Westerleigh	£955.00	74	Great Glen	£885.00	114	Leicester	£845.00
35	Cromer	£950.00	75	Leeds (Cottingley Hall)	£884.00	115	Northwich	£845.00
36	Irvine	£950.00	76	Leeds (Lawnswood)	£884.00	116	Ormskirk	£845.00
37	March	£950.00	77	Rawdon	£884.00	117	Sheffield (City Road)	£840.00
38	Weston-Super-Mare	£947.00	78	Swindon	£880.00	118	Sheffield (Hutcliffe Wood)	£840.00
39	Barham	£945.00	79	Aldershot	£878.00	119	Halifax	£838.00
40	Bury St Edmunds	£945.00	80	Atherton	£875.00	120	Harrogate	£831.00

121	Cambridge	£830.00	180	South Lincolnshire	£750.00	240	Crewe	£690.00
122	Coventry	£828.50	181	Yeovil	£750.00	241	Golders Green	£690.00
123	Walsall	£828.00	182	Honor Oak	£748.00	242	Macclesfield	£690.00
124	Pershore	£825.00	183	Tunbridge Wells	£747.00	243	Stoke-on-Trent	£690.00
125	Saffron Walden	£825.00	184	Gedling	£745.00	244	Eltham	£687.00
126	Carlisle	£820.00	185	Bournemouth	£744.00	245	Mansfield	£686.00
127	Rugby	£820.00	186	Chester	£741.50	246	Dunfermline	£685.00
128	Douglas	£816.50	187	Coleshill	£740.00	247	Eastbourne	£685.00
129	South Shields	£816.00	188	Gravesend	£740.00	248	Kirkcaldy	£685.00
130	London (East)	£815.00	189	Sheffield (Grenoside)	£740.00	249	Lichfield	£685.00
131	Newport	£815.00	190	Sittingbourne	£740.00	250	Gwent	£684.00
132	Birmingham (Lodge Hill)	£814.00	191	Solihull	£740.00	251	Greenock	£681.00
133	Birmingham (Sutton Coldfield)	£814.00	192	Middleton	£739.40	252	Mountset	£680.00
134	Birmingham (Yardley)	£814.00	193	Rochdale	£739.40	253	Bramcote	£678.00
135	Distington	£813.00	194	Birtley	£739.00	254	Warrington	£677.00
136	Margate	£812.00	195	Gateshead	£739.00	255	Stockport	£675.00
137	Guildford	£810.00	196	Jersey	£738.50	256	Manchester (Blackley)	£674.00
138	Houndwood	£799.00	197	Derby	£737.00	257	Maidstone	£673.00
139	Manor Park	£798.00	198	Shrewsbury	£737.00	258	Alford	£670.00
140	Weymouth	£796.00	199	Hartlepool	£735.00	259	Glasgow (Daldowie)	£670.00
141	Bassetlaw	£795.00	200	Middlesbrough	£735.00	260	Glasgow (The Linn)	£670.00
142	Crathes	£795.00	201	Chelmsford	£730.00	261	Falkirk	£669.00
143	Southampton	£795.00	202	Ipswich	£730.00	262	Clydebank	£668.00
144	Great Yarmouth	£790.00	203	Nacton	£730.00	263	Nottingham	£667.00
145	Worcester	£790.00	204	Widnes	£730.00	264	Cardross	£665.00
146	Edinburgh (Seafield)	£785.00	205	Rowley Regis	£724.00	265	Colwyn Bay	£665.00
147	Edinburgh (Warriston)	£785.00	206	West Bromwich	£724.00	266	Swansea	£665.00
148	Llanelli	£785.00	207	Burnley	£723.00	267	Bridgend	£662.20
149	Reading	£785.00	208	Leamington Spa	£720.00	268	Barnstaple	£660.00
150	Southend-on-Sea	£785.00	209	Lincoln	£720.00	269	Durham	£660.00
151	Scarborough	£775.00	210	Stafford	£720.00	270	Lewisham	£650.00
152	Wolverhampton	£775.00	211	Preston	£717.00	271	London (West)	£650.00
153	Bradford	£774.00	212	Doncaster	£715.00	272	Ruislip	£649.00
154	Keighley	£774.00	213	Scunthorpe	£715.00	273	Accrington	£645.00
155	Shipley	£774.00	214	Taunton	£715.00	274	Lambeth	£640.00
156	Poole	£773.00	215	Oldham	£713.64	275	West Norwood	£640.00
157	Kettering	£772.00	216	Dewsbury Moor	£713.00	276	Great Grimsby	£638.50
158	Slough	£770.00	217	Huddersfield	£713.00	277	Kingston-upon-Thames	£635.00
159	Perth	£768.00	218	Wrexham	£713.00	278	Brighton (The Downs)	£633.00
160	King's Lynn	£767.00	219	Hereford	£712.00	279	Brighton & Hove (Woodvale)	£633.00
161	Barnsley	£765.00	220	Newcastle-under-Lyme	£712.00	280	Glasgow (Maryhill)	£625.00
162	Colchester	£765.00	221	Boston	£710.00	281	Islington	£625.00
163	Edinburgh (Mortonhall)	£764.00	222	Hull	£710.00	282	Putney Vale	£625.00
164	Truro	£764.00	223	Paisley	£710.00	283	St Helens	£625.00
165	Bedford	£763.70	224	Pontypridd	£710.00	284	South Lanarkshire	£617.38
166	Peel Green	£762.00	225	Wigan	£709.00	285	Portchester	£615.00
167	Salford	£762.00	226	Dukinfield	£708.00	286	Mortlake	£610.00
168	Whippingham	£761.00	227	Blackpool	£705.00	287	St Marylebone	£610.00
169	Blyth	£760.00	228	Altrincham	£704.00	288	Margam	£605.00
170	Bolton	£760.00	229	Aston-on-Trent	£700.00	289	West Hertfordshire	£600.00
171	Luton	£760.00	230	Birkenhead	£700.00	290	Amersham	£595.00
172	Manchester (Chorlton-cum-Hardy)	£760.00	231	Bretby	£700.00	291	North East Surrey	£590.00
173	Weeley	£760.00	232	Glasgow (Craigton)	£700.00	292	Guernsey	£585.00
174	Dumfries	£759.00	233	Hendon	£700.00	293	Narberth	£581.00
175	Tynemouth	£754.50	234	Medway	£700.00	294	Bangor	£561.00
176	Whitley Bay	£754.50	235	Lytham St Annes	£698.00	295	Cardiff	£560.00
177	Blackburn	£750.00	236	Redditch	£695.00	296	Purbeck	£538.00
178	Chesterfield	£750.00	237	Aberdeen	£693.00	297	South West Middlesex	£515.00
179	Hastings	£750.00	238	Skipton	£692.00	298	London (City of)	£432.00
			239	Aberdare	£690.00	299	Belfast	£364.00

Authority	Tel: No	Cremation fee	Total cremation cost	Purchase of grave	Burial fee	Total new grave and burial fee
Trafford	0161 9121515	835	835	895	905	1800
Craven	01756 796118	750	750	1107	817	1924
Leeds	0113 3957426	853	853	1467	1133	2600
Lancaster	01524 848394	1055	1055			
East Lancs	0161 7246349	999	999			
Charnock Richard	01257 230976	999	999			
Salford	0161 6867290	778	778	1050	990	2040
Pendle				975	768	1743
Pendle (Timber vault)				1461	768	2229
Tameside	0161 3424461	715	715	850	900	1750
Macclesfield	0162 5383946	710	710			
Crewe	01270 685545	740	740	1120	880	2000
Manchester	0161 8815269	780	780	1756	806	2562
Wigan	01942 866455	731	731	887	892	1779
Oldham	0161 6811312	732	732	910	840	1750
Halifax	01422 372293	838	838	1080	2565	3645
Bury	0161 2536510			884	777	1661
Harrogate	01423 883523	860	860	1162	794	1956
Hyndburn	01254 232933	685	685	725	750	1475
St Helens	01744 677407	638	638	1014	690	1704
Bolton	01204 334499	825	825	930	776	1706
Blackpool	01253 882541	725	725	980	720	1700
Blackburn	01254 202021	750	750	1250	500	1750
Lytham	01253 735429	724	724	777	568	1345
Preston	01772 792391	738	738	1481	568	2049
York	01904 552071	895	895			
Burnley	01282 477148	782	782	1120	1237	2357
Average		797	797	1086	893	1978

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REPORT TO EXECUTIVE



DATE	8th December 2020
PORTFOLIO	Resources and Performance Management
REPORT AUTHOR	Howard Hamilton-Smith
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2020/21 Treasury Management Mid-Year Report
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PURPOSE

1. To report treasury management activity for the first half year of 2020/21 covering the period 1 April to 30 September 2020.

RECOMMENDATION

2. The Executive is requested to;
 - Note the treasury management activities undertaken during the period 1 April to 30 September 2020, and;

Recommend that Full Council;

- Endorse the mid-year update on Treasury Management Strategy for 2020/21 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.
- Approve the revised Counterparty list and investment limits for Local Authority and Money Market Funds as set out in Appendix 2 to this report.

REASONS FOR RECOMMENDATION

3.
 - To inform members of the treasury management activity in the first half of 2020/21 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 Council's borrowing, investments and cash flows, 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 were set out in the report which included both the Treasury Management Strategy for 2020/21 and the Prudential and Treasury Indicators for 2020/21 – 2022/23, approved by Full Council on 26 February 2020.

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 (revised 2017).

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. 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.
5. 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 mid-year 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 six months of 2020/21;
- 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 2020/21;
- A review of the Council's borrowing strategy for 2020/21;
- A review of any debt rescheduling undertaken during 2020/21;
- A review of compliance with Treasury and Prudential Limits for 2020/21.

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

- As expected, the Bank of England's Monetary Policy Committee kept Bank Rate unchanged on 6th August 2020. It also kept unchanged the level of quantitative easing at £745bn. Its forecasts were optimistic in terms of three areas:
 - The fall in GDP in the first half of 2020 was revised from 28% to 23% (subsequently revised to 21.8%). This is still one of the largest falls in output of any developed nation. However, it is only to be expected as the UK economy is heavily skewed towards consumer-facing services – an area which was particularly vulnerable to being damaged by lockdown.
 - The peak in the unemployment rate was revised down from 9% in Q2 to 7½% by Q4 2020.
 - It forecast that there would be excess demand in the economy by Q3 2022 causing CPI inflation to rise above the 2% target in Q3 2022, (based on market interest rate expectations for a further loosening in policy). Nevertheless, even if the Bank were to leave policy unchanged, inflation was still projected to be above 2% in 2023.
- It also squashed any idea of using negative interest rates, at least in the next six months or so. It suggested that while negative rates can work in some circumstances, it would be “less effective as a tool to stimulate the economy” at this time when banks are worried about future loan losses. It also has “other instruments available”, including QE and the use of forward guidance.
- The MPC expected the £300bn of quantitative easing purchases announced between its March and June meetings to continue until the “turn of the year”. This implies that the pace of purchases will slow further to about £4bn a week, down from £14bn a week at the height of the crisis and £7bn more recently.
- In conclusion, this would indicate that the Bank could now just sit on its hands as the economy was recovering better than expected. However, the MPC acknowledged that the “medium-term projections were a less informative guide than usual” and the minutes had multiple references to downside risks, which were judged to persist both in the short and medium term. One has only to look at the way in which second waves of the virus are now impacting many countries including Britain, to see the dangers. However, rather than a national lockdown, as in March, any spikes in virus infections are now likely to be dealt with by localised measures and this should limit the amount of economic damage caused. In addition, Brexit uncertainties ahead of the year-end deadline are likely to be a drag on recovery. The wind down of the initial generous furlough scheme through to the end of October is another development that could

cause the Bank to review the need for more support for the economy later in the year. Admittedly, the Chancellor announced in late September a second six month package from 1st November of government support for jobs whereby it will pay up to 22% of the costs of retaining an employee working a minimum of one third of their normal hours. There was further help for the self-employed, freelancers and the hospitality industry. However, this is a much less generous scheme than the furlough package and will inevitably mean there will be further job losses from the 11% of the workforce still on furlough in mid September.

- Overall, the pace of recovery is not expected to be in the form of a rapid V shape, but a more elongated and prolonged one after a sharp recovery in June through to August which left the economy 11.7% smaller than in February. The last three months of 2020 are now likely to show no growth as consumers will probably remain cautious in spending and uncertainty over the outcome of the UK/EU trade negotiations concluding at the end of the year will also be a headwind. If the Bank felt it did need to provide further support to recovery, then it is likely that the tool of choice would be more QE.
- There will be some painful longer term adjustments as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever. There is also likely to be a reversal of globalisation as this crisis has shown up how vulnerable long-distance supply chains are. On the other hand, digital services is one area that has already seen huge growth.
- One key addition to the Bank’s forward guidance was a new phrase in the policy statement, namely that “it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably”. That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years’ time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate
- The Financial Policy Committee (FPC) report on 6th August revised down their expected credit losses for the banking sector to “somewhat less than £80bn”. It stated that in its assessment “banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC’s central projection”. The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC’s projection, with unemployment rising to above 15%.

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

The Council’s treasury advisor, Link Group, provided the following forecasts on 11th August 2020 (PWLB rates are certainty rates, gilt yields plus 180bps):

Link Group Interest Rate View 11.8.20		Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month average earnings		0.05	0.05	0.05	0.05	0.05	-	-	-	-	-
6 month average earnings		0.10	0.10	0.10	0.10	0.10	-	-	-	-	-
12 month average earnings		0.15	0.15	0.15	0.15	0.15	-	-	-	-	-
5yr PWLB Rate		1.90	2.00	2.00	2.00	2.00	2.00	2.10	2.10	2.10	2.10
10yr PWLB Rate		2.10	2.10	2.10	2.10	2.20	2.20	2.20	2.30	2.30	2.30
25yr PWLB Rate		2.50	2.50	2.50	2.60	2.60	2.60	2.70	2.70	2.70	2.70
50yr PWLB Rate		2.30	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.50	2.50

The Chancellor announced in his Spending Review on the 25th November 2020 that the 1% increase in PWLB rates that took place in October 2019 would be reversed following the outcome of the Government's consultation process. This took effect from 9am on the 26th November 2020 when the PWLB rates at certainty rate would become gilt yields plus 80bps. The Council's treasury advisor, Link Group, will update their forecasts shown in the table above shortly to take this change into account.

The coronavirus outbreak has done huge economic damage to the UK and economies around the world. After the Bank of England took emergency action in March to cut Bank Rate to first 0.25%, and then to 0.10%, it left Bank Rate unchanged at its meeting on 6th August (and the subsequent September meeting), although some forecasters had suggested that a cut into negative territory could happen. However, the Governor of the Bank of England has made it clear that he currently thinks that such a move would do more damage than good and that more quantitative easing is the favoured tool if further action becomes necessary. As shown in the forecast table above, no increase in Bank Rate is expected within the forecast horizon ending on 31st March 2023 as economic recovery is expected to be only gradual and, therefore, prolonged.

8. **Treasury Management Strategy update**

The Treasury Management Strategy (TMS) for 2020/21, which includes the Annual Investment Strategy, was approved by this Council on 26 February 2020. The council has since made a proposal to make a treasury investment of £4m with Burnley College in the next calendar year. This has been updated in the Counterparty list in appendix 2 to 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 26 February 2020 and the latest Revised Capital Budget. The decrease is due to a combination of in year budget monitoring adjustments and reprofiling of capital expenditure into future years.

Capital	2020/21 Original Estimate £'000	2020/21 Revised Estimate £'000
Total Budget	19,468	16,908
Financed by:		
Capital receipts	2,020	2,516
Capital grants	9,484	6,571
Revenue	1,326	1,395
Total financing	12,830	10,482
Borrowing need	6,638	6,426

10. **Investment Portfolio 2020/2120**

As shown by the interest rate forecasts in section 7, it is now impossible to earn the level of interest rates commonly seen in previous decades as all investment rates are barely above zero now that Bank Rate is at 0.10%, while some entities, including more recently the Debt Management Account Deposit Facility (DMADF), are offering negative rates of return in some shorter time periods. Given this risk environment and the fact that increases

in Bank Rate are unlikely to occur before the end of the current forecast horizon of 31st March 2023, investment returns are expected to remain low.

The average daily level of funds deposited during the financial year to date is £30.1m, compared with £17.3m for the same period in 2019/20. The actual value of funds deposited on the 30 September was £23.1m. 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. The fund balances include the COVID-19 government grant of £26.5m received in April to support small businesses and retail, hospitality and leisure businesses which has been held in the councils HSBC deposit account and distributed to businesses over the 6 month period.

There were 5 investments carried forward from 2019/20 totalling £18.1m, of which £12.1m was in call accounts with our bank HSBC, £4m was in fixed term deposits with Bank of Scotland, and £2m was in a fixed term deposit with Suffolk County Council.

There have been 3 new investments made during the period 1 April to 30 September 2020 totalling £8m, as well as a daily average of £21.7m being invested with HSBC's deposit account. Again, this includes the COVID-19 government grant to support small businesses and retail, hospitality and leisure businesses which has been distributed during the first 6 months of the year. The table below shows the amount deposited, and the rate of return against the market benchmark.

Counterparties	Date of Investment	Investment Made £m	Return	Benchmark
Santander (95 Day Notice)	05/08/2020	4.0	0.60%	0.11%
HSBC (31 Day Notice)	12/08/2020	2.0	0.25%	-0.02%
Close Brothers (6 month Fixed)	11/09/2020-11/03/2021	2.0	0.45%	0.21%

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 26 February 2020. During the year the maximum limit for investments with HSBC was increased from £25m to £50m to allow for the unexpected level of government support grants for the coronavirus outbreak.

It is proposed that the council increases the maximum investment limit with Local Authorities from £2m to £8m, with a maximum limit of £6m per LA, and to increase the maximum investment with Money Market Funds from £2m to £8m (with a limit of £2m per MMF). This will allow more diversity in the investment of council funds and will also provide greater opportunity to take advantage of higher interest rates on offer for short term investments during the ongoing pandemic and current economic climate.

The table below shows the maximum amount invested with any of the counterparties at any one time during the period April 2020 to 30 September 2020 against the maximum limits approved in the 2020/21 Treasury Management Strategy.

Counterparties	Maximum Limits £m	Highest level of Investment 2020/21 (£m)
HSBC	50.0	40.3
Bank of Scotland	4.0	4.0
Santander	4.0	4.0
Suffolk County Council	2.0	2.0
Close Brothers	2.0	2.0

11. **Property Funds**

The council made 2 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. Dividends received in the 3 month period April to June 2020 amounted to £14,523, earning an average yield of 2.9%, compared to £16,756 received for the same period in 2019/20.

In March, CCLA reported that they would expect to pay between 70% and 75% of the historic distributions this year with the final quarter for 2020/21 being higher. Hermes reported collection rates of around 60% three weeks into the first quarter of 2020/21. The actual amount received in dividends in the first quarter of 2020/21 was equal to 86.7% of the amount received for the same period in 2019/20, with CCLA being 89.1% and Hermes 83.3%, which were better than anticipated.

12. **Borrowing**

The Council's capital financing requirement (CFR) for 2020/21 is £43.782m. 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 2020, and as at 30 September 2020.

Borrowing	1 Apr 20 £'000	30 Sept 20 £'000	Change Apr – Sept £'000
Public Works Loan Board	37,663	36,663	(1,000)
Temporary Market Loans	16	16	-
Total	37,679	36,679	(1,000)

PWLB Loans – There was one loan of £1m repaid during the period 1 April to 30 September 2020.

Temporary Market Loans – There has been no movement in temporary market loans during the period 1 April 2020 to 30 September 2020.

13. **Debt Rescheduling**

There have been no debt rescheduling opportunities in the current economic climate and consequent structure of interest rates. Therefore, no debt rescheduling was undertaken during the first six months of 2020/21.

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 2020/21 was set at £1,134,193.

This budget has been revised up to £1,160,904 due to new PWLB borrowing for capital expenditure increasing the amount of interest to be repaid.

The total interest receivable on temporary deposits for the period 1 April 2020 to 30 September 2020 amounted to £24,336. an additional £14,523 was received in dividends on Property Funds for the period 1 April 2020 to 30 June 2020. The budget for the year for interest and dividend receipts was set at £180k. This has been revised down to £100k due to the reduction in base rate interest to 0.10% at the beginning of the year.

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.

DETAILS OF CONSULTATION

18. None.

BACKGROUND PAPERS

19. None.

FURTHER INFORMATION

PLEASE CONTACT:

**Howard Hamilton-Smith – Head of Finance
and Property**

Prudential & Treasury Indicators for the first half of 2020/21

Prudential Indicator	2020/21 Original £' 000	2020/21 Revised £' 000
Capital Expenditure	19,468	16,908
In year borrowing requirement	6,638	6,426
Authorised Limit for external debt	52,976	52,976
Operational Boundary for external debt	48,160	48,160
Investments (Actual as at 30th September)	-	23,126
Net Borrowing (Actual as at 30th September)	-	36,679
Capital Financing Requirement (CFR)	43,782	44,090
Ratio of financing costs to net revenue stream	15.3%	13.4%
Limit of fixed interest rates based on net debt	100%	100%
Limit of variable interest rates based on net debt	25%	25%
Principal invested > 365 days	-	-

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Maturity Structure of fixed rate borrowing during 2020/21	1st Apr 2020 Actual Debt in £m	30th Sept 2020 Actual Debt in £m	30th Sept 2020 Actual Debt as a %	2020/21 Original Limits set as % ranges
Under 12 months	2.0	1.0	3%	0% - 20%
12 months to 2 years	1.2	1.2	3%	0% - 20%
2 years to 5 years	6.0	6.0	16%	0% - 25%
5 years to 10 years	1.1	1.1	3%	0% - 30%
10 years and above	27.3	27.3	75%	0% - 80%
Total	37.6	36.6	100%	

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Link Asset Services Methodology in Determining Creditworthiness of Counterparties:

Link Asset Services' creditworthiness service employs a sophisticated modelling approach with credit ratings from all three rating agencies - Fitch, Moodys and Standard and Poors, forming the core element. However, it does not rely solely on the current credit ratings of counterparties but also uses the following as overlays:

- credit watches and credit outlooks from credit rating agencies
- Credit Default Swap [CDS] spreads to give early warning of likely changes in credit ratings and gauge a market view of the counterparty
- sovereign ratings to select counterparties from only the most creditworthy countries

Link Asset Services' modelling approach combines credit ratings, credit watches and credit outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour code bands which indicate the relative creditworthiness of counterparties. These colour codes are used to determine the maximum duration for deposits and are therefore referred to as durational bands. This approach gives a much improved level of security for its deposits. The table below also shows the current limits for deposits with any bank or group of banks which is £2m except for the Councils own bank, HSBC, which has an individual limit of £50m and other named institutions below (£4m) .

Banking Institutions Colour Bandings	Maximum Duration [per Link Asset Services]	Current Individual Limits per Bank / Group of Banks (£)
White	0 months	No deposits to be placed
Green	100 days	Unlimited, but no more than 4m per Bank / Group of Banks
Red	6 months	Unlimited, but no more than 4m per Bank / Group of Banks
Orange/Blue	12 months	To a maximum of 4m over 364 days, and no more than 4m per Bank / Group of Banks
Purple	24 months	To a maximum of 4m over 364 days, and no more than 4m per Bank / Group of Banks

As previously stated, an exception to the above is that the Councils own bank, HSBC, has an individual limit of £50m.

Other Institutions	Maximum Duration	Individual Limits (£)
Local Authorities*	12 months	6m
Government Debt Management Office	12 months	Unlimited
Money Market Fund**	12 months	2m
Burnley College	15 Years	4m

* the total amount deposited with Local Authorities not to exceed £8m and no more than £6m per Local Authority.

** the total amount deposited in Money Market Funds not to exceed £8m and no more than £2m per MMF.

Banks / Groups of Banks & Building Societies whose Individual Limit is £4m

The following banking institutions have individual limits of £4m:-

Lloyds Banking Group plc including Bank of Scotland and Lloyds Bank
Royal Bank of Scotland Group plc including National Westminster Bank and Royal Bank of Scotland
Abbey National Treasury Services plc
Barclays Bank
Santander UK plc
Nationwide Building Society
Goldman Sachs International Bank

Scrutiny Work Programme 2020/21

<p>Wednesday 10th June 2020</p>	<p>Covid 19 – The Council’s response Reviews for 2020/21 Notice of key decisions and private meetings</p>
<p>Wednesday 1st July 2020</p>	<p>Notice of Key Decisions and Private Meetings COVID 19 review and Housing Review update Work Programme</p>
<p>Friday 9th October 2020</p>	<p>Contact Centre Dilapidations Private report</p>
<p>Monday 21st September 2020 Meeting postponed to 19 October</p>	<p>Notice of Key Decisions and Private Meetings Leisure Trust Annual Report – now expected early 2021 due to Covid 2019/20 Treasury Management activity 2019/20 Capital outturn Revenue Monitoring 2020/21 Quarter 1 Capital Monitoring 2020/21 Quarter 1 2019/20 Final Revenue Outturn Single Use Plastics – Executive response to Council Motion Licensing Act 2003 Policy Covid grants PSPO Gating Air Quality SPD Draft Homelessness and Rough Sleeping Strategy 2020-15 Review Groups Work Programme</p>
<p>Monday 7th December 2020 Budget Scrutiny Panel</p>	<p>NKDPM Resident Satisfaction Survey -(moved to December 2020) Revenue Budget Monitoring Q2 Capital Budget Monitoring - Q2 Fees & Charges Treasury Management Mid-year update Food Delivery Programme (annual update) (moved to February 2021) Health & Safety Delivery Programme (annual update) (moved to February 2021) Half Year performance report Review Groups Work Programme</p>

<p>Thursday 11th February 2021 Budget Scrutiny Panel</p>	<p>NKDPM Revenue Budget Monitoring Q3 Capital Budget Monitoring - Q3 Revenue Budget 2021/22 Capital Budget 2021/22 and Cap Investment Prog 21/22 Treasury Management & Prudential Borrowing. Medium Term Financial Strategy Revenue Budget 2021-24 – Latest Position & Saving Proposals Leisure Trust Annual Report Community Safety Annual Report Review Groups Work Programme Food Delivery Programme (Annual Update) (moved from December 2020) Health & Safety Delivery Programme (Annual Update) (moved from December 2020)</p>
<p>Wednesday 17th March 2021</p>	<p>Notice of Key Decisions and Private Meetings State of the Local Economy (reduced to annual reporting) Review Groups</p>

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