



# SCRUTINY COMMITTEE

## REMOTE MEETING

Wednesday, 17th March, 2021 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, M Lishman, S Lone, T Martin, L Mehanna, A Newhouse, A Royle and C Towneley

### OFFICERS

Lukman Patel	– Chief Operating Officer
Paul Gatrell	– Head of Housing & Development Control
Simon Goff	– Head of Green Spaces and Amenities
Joanne Swift	– Head of Streetscene
Jayne Enright	– Principal Environmental Health Officer - Food Safety
Sean Spencer	– Streetscene Services Manager
Imelda Grady	– Democracy Officer
Mark Hindman	– Graphic Designer

### IN ATTENDANCE

Gerard Vinton, Chief Executive of Burnley Leisure Trust

Executive Members – Councillors Mark Townsend, Lian Pate, Sue Graham, John Harbour and Afrasaib Anwar

#### 80. Minutes

The minutes of the remote meeting held on 11<sup>th</sup> February 2021 were approved as a correct record.

#### 81. Additional Items of Business

There was one additional item of business that the Chair agreed should be taken

Extend the Bulky Waste Price Reduction

In order that the bulky waste price reduction collection service can continue beyond March 2021 for an additional six months.

## Decision

In accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972 the Chair decided that the item should be considered as item 15 on the agenda for the reason stated.

### **82. Declarations of Interest**

There were no declarations of interest made.

### **83. Exclusion of the Public**

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

### **84. Public Question Time**

No questions had been received.

### **85. Notice of Key Decisions and Private Meetings**

## **IT WAS AGREED**

That the 28 day notice of key decisions and private meetings be noted.

### **86. Leisure Trust Annual Report and Financial Statement**

The Chief Executive of the Leisure Trust presented the Trust's accounts for 2019/20 for members' scrutiny.

He also gave a presentation on the challenges of the past twelve months due to the impact of the Covid pandemic and gave an overview of the achievements made by the Trust during lockdown periods in 2020/21. These included collaborative working and support to the Burnley Together partnership, providing community support with on-line fitness classes for the whole community, lunches for children during the school holiday period and delivering food parcels and presents to deprived areas and hosting the Burnley's first mass Covid vaccination site.

He also detailed the financial impact of the Covid pandemic on the Trust and the measures taken to ameliorate them. He set out the roadmap for re-opening the facilities in the coming months and then outlined the steps to recovery for the forthcoming 18 months .

Members made the following comments and asked questions

- Complimented the Leisure trust staff for their work to combat the effects of the pandemic, in particular the support to the Burnley Together partnership
- Was there an audit of the Trustees to identify any skills gap?  
*The Chief Executive said that both the Chair and Vice Chair of the Board of Trustees were to have stood down in 2020 but had agreed to continue for a further period during the pandemic. He explained that there was to be a complete overhaul of*

*governance matters from April 2021 including the Articles of Association which would be reported back to the Board and to the Council.*

- When was the audited report written and who was the author?  
*The Chief Executive said that he had written the report in September 2020 in line with the Covid 19 legislation*
- The report was a public document and there were concerns about its tone with regard to relations with the Council.  
*The Chief Executive explained that recollections on the negotiations with the Council at the time of writing the report may be differ, but that things had moved on since then. He said that the good relationship between the Trust and the Council would be reflected in the Annual Report next year.*
- Would the Trust place focus on mental health in the creative packages that were being developed?  
*The Chief Executive that this was integral to the delivery of the Together and Active Futures project.*
- Were the Trustees, in particular the local authority trustees, aware of their position arising from the report in respect of their going concern commitment and the comments about the Council in the future?. The report seemed to cast doubt on the Trustees` commitment to the Trust`s going concern which could impact on them personally. At the time the report was written had comfort been sought and received from the Council about their position and if not, what was the legal authoritative basis for the going concern commitment and the position in relationship to the risk register and risk policy of the Leisure Trust.?  
*The Chief Executive said that the Trustees were kept informed of the potential of insolvency at all times. The letter of support from the Council had not been received until after the report was written and on the advice of the external auditor the liabilities had to be included. The Trustees had been assured that no personal liability would be placed on them for any debt, should that occur.*
- Who is responsible for art and culture in the Town?  
*The Chief Executive said that it was the Leisure Trust`s responsibility to lead on arts and culture in the town and that going forward it would be looking at how to increase arts development in the town by re-appointing to the position of Head of Culture and engaging with all arts organisations in order to provide a cultural offer in Burnley.*

## **IT WAS AGREED**

That the Chief Executive of the Leisure Trust be thanked for his presentation and that the audited accounts for 2019/20 be noted.

### **87. Tree Management Policy**

The Head of Green Spaces and Amenities reported on the revised Tree Management Policy that was to be considered by the Executive at its next meeting. He explained that the policy would provide a point of reference for the public, Councillors, Council Officers and professionally interested parties to ensure there was a clear, consistent and structured approach to the management of trees in green spaces.

The aims of the Policy was to

- Identify the Council`s responsibilities as landowner
- Establish a risk-based approach to tree management
- Identify the existing resources available

- Set out guidance for dealing with requests to prune or fell trees
- Identify how the Council will inspect trees and prioritise tree work

Members made the following comments and asked questions

- What was Burnley's position in relation to other towns and the stock of trees?  
*Burnley was up to the national average and on a par with other northern towns. The Council's approach was to apply for grants to plant new trees when opportunities arose*
- Is there a register kept of specimen trees?  
*The specimen trees are recorded on a data base but not so that the public can find a specific tree. The Trees for Burnley project is working on this*
- What capacity of land could be planted up and could orchards be introduced?  
*All Forestry Commission grants have been accessed. There is work ongoing to plant small areas of woodland with the River Ribble Trust and a request for additional funding is to be made to the Council's Climate Change Working Group to assist with this.. The amount of work required to maintain orchards made them prohibitive.*

## IT WAS AGREED

That the Tree Management Policy be recommended to the Executive for approval.

## Adjournment of meeting

Under Part 4(a)(10) of the Council's procedure rules the Chair adjourned the meeting for 5 minutes.

## The meeting reconvened at 7.40 pm

### 88. Homelessness and Rough Sleeping Strategy 2021-2026

The Housing Needs Manager presented a report on Burnley's Homelessness and Rough Sleeping Strategy 2021-26 which was to be considered by the Executive at its next meeting.

She explained that the Council had a statutory duty to publish a Homelessness and Rough Sleeping Strategy to cover the five year period 2021-26 to ensure that the borough had a comprehensive strategy to effectively prevent and relieve homelessness and rough sleeping across the borough.

The strategy comprised three separate but sequential documents which were the strategy, the action plan and review and these were appended to the report for consideration.

Members made the following comments and asked questions

- Clarification was sought on the percentage figures detailed on page 79 of the agenda.  
*The Officer would check and report back to the member concerned.*  
What advice and support can the Council offer when someone is not paying their rent?

*Officers would look at their circumstances about why they were not paying rent and offer help and advice in order to reach out to people at an early stage to prevent homelessness. This is an area that the Council will be looking at as part of the action plan.*

From April 2021 there will only be a paper bond offered by the Council and not a monetary one. Which of the two is most successful? The paper bond is guaranteed. *A paper bond is guaranteed and has been offered by the Council for many years. The Government made funds available to Councils in September 2020 to assist during the pandemic and monetary bonds were implemented to encourage landlords to accommodate the homeless, however this will end in March 2021. Properties are scarce at present and the main issue has been to find suitable properties, it is difficult to say which is most successful.*

- To acknowledge the work of officers but to mention that there ought to be a link worker whose sole focus would be to collect all information of the statutory, voluntary and faith agencies to provide a holistic approach.
- Under the action plan at 3(5) and 4(1) and (2) and consultation and can mental health be incorporated under the multi discipline health and support needs audit and include grass roots people in the consultation process.

*The Officer reported that MDT meetings were held every fortnight and a health practitioner attends and mental health is covered.*

- It would be useful to have a diagram that anyone could access showing the links between all organisations and how they operate together. The communication is most important and to have all the information in one place to tap into the available resources will make a difference and would help direct people to the right place.

*Currently, such a document is not available. Following a request outside of the meeting from Councillor Foster, Wilma to provide information.*

- The report states that private rented properties were increasing but the figures were from 10 years ago. A lot of landlords are leaving due to onerous difficulties. Concerned the private sector will start to decline which would create a greater gap.
- It would be useful for Scrutiny review Group to consider the minutes/note of the Private Rented Sector meetings and to recommend they made available on-line.

*This suggestion would be passed to the Executive Member for Housing*

- It is concerning that it is easier for the housing team to access private rented housing than social housing, the social housing arm should be making this more simple and taking people in.

*The Officer would contact the members to discuss further.*

Councillor Martin asked that it be recorded that he believed Councillor Baker as a landlord and estate agent ought to have declared a pecuniary interest and withdrawn from the meeting for this item .

## **IT WAS AGREED**

That the Homelessness and Rough Sleeping Strategy 2021-21 be recommended to the Executive for approval.

### **89. Food Safety Delivery Plan**

The Principal Environmental Health Officer presented the annual update for the Food (Official Controls) Delivery Plan 2020/21 and highlighted some of the work carried out to

date and the plans for the future delivery of Food Safety Services which was a requirement of the Food Standards Agency. The figures for 2019/20 showed compliance was at 97%. She reported that the team had dealt with significant additional duties during the past year in relation to the Covid 19 pandemic and had maintained a 98% level of performance and compliance levels of food business inspections.

The Team had taken on significant extra duties during the Covid period such as to responding to 30 workplace outbreaks and providing support to the business and in August 2020 managing and delivering the track and trace service. To date during the Covid period Environmental Health and Licensing logged 3009 entries.

The Officer responded to the following questions raised by members

To acknowledge the work of the Team during the past year and pass on the gratitude of the Committee.

### **IT WAS AGREED**

That the Executive and Full Council be recommended to approve the Food(Official Controls) Plan 2020/21.

## **90. Health and Safety Intervention Plan**

The Principal Environmental Health Officer presented the Health and Safety Intervention Plan 2020/21 and outlined the health and safety regulation duties undertaken by the Council's health and safety team. She said that staff resources has been stretched but that priority had been given to the Covid work and this had impacted on the number of inspections that would normally have been carried out.

During the Covid pandemic t over 2,300 interventions had been carried out with local businesses.

The Team had hosted a fatal accident investigation course for all Lancashire authorities.

The Team had worked with the Health and Safety Executive on a national spot check scheme for Covid19 safety measures and the HSE had conducted a phone survey of Burnley businesses to check compliance and a high level of compliance was recorded. Any poor compliances will be followed up.

### **IT WAS AGREED**

That the Executive and Full Council be recommended to approve the Health and Safety Intervention Plan 2020/21.

## **91. Extend the Bulky Waste Price Reduction**

The Streetscene Services Manager presented a report which sought the extension to the price reduction for the Bulky Waste Collection Service. This would be considered by the Executive at its next meeting.

The recommendation to the Executive was to keep the bulky waste collection service charge at the reduced rate of £6.90 for a further 6 months from the expiry of the current trial at the end of March 2021. It also recommended that Full Council carry forward the unspent waste contingency budget from 2020/21 into the next financial year and approve any shortfall of income during the 6 month trial to be met from the unspent waste contingency for 2020/21 and/or Covid Reserve.

Members made the following comments

Has this made any difference to fly tipping incidents?

*It is difficult to tell due to the short period of time but it will be looked at over the next period of time to assess this.*

There is the added advantage that people who have used the service will continue to do so, and it is important to keep it on and map the usage so as to target areas that haven't used it as much to make sure they are aware of it.

The report stated that collections had doubled in the trial period but has the tonnage also increased and by what proportion? And if the rate of collections continue it would pay for itself but the extra tonnage impact on this?

*The Officer said that the numbers had actually tripled and whilst the weight had also increased he did not have the figures. Burnley was the waste collection authority and Lancashire County Council was the disposal authority. LCC was looking at re-use of materials to help reduce the amount of tonnage going to landfill.*

## **IT WAS AGREED**

That the report be recommended to the Executive and Full Council for approval.

### **92. Scrutiny Review Groups**

Councillor Marcus Johnstone advised that a meeting with Calico was scheduled for 23<sup>rd</sup> March and invites had been sent out to the working group.

The Chair reported that the first meeting of the Market review group had been held and a list of information had been requested from officers so that the group could continue with the review in the new municipal year.

As this was the last meeting of this municipal year the above topics would be taken forward into Scrutiny for the 2021/22 municipal year.

### **93. Work Programme 2019/20**

The work programme was noted.

**A vote of thanks was made to the Chair, Councillor Andy Tatchell for his Chairmanship over the past six years as this was the last meeting before he stood down from office.**

