

SCRUTINY COMMITTEE

Wednesday, 17th March, 2021
6.30 pm





SCRUTINY COMMITTEE

Wednesday, 17th March, 2021 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, Manchester Road, Burnley 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

To approve as a correct record the minutes of the previous meeting.

5 - 14

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) Notice of Key Decisions and Private Meetings 15 - 20

To consider the list of future Key Decisions.

8) Leisure Trust Annual Report and Financial Statement 21 - 50

A presentation on the headlines from Burnley Leisure's 2019/20 accounts will be made by the Trust's Chief Executive Gerard Vinton.

9) Tree Management Policy 51 - 70

To consider the Tree Management Policy on how the Council will manage and maintain trees on the 550 hectares of green space in the Borough.

10) Homelessness and Rough Sleeping Strategy 2021-2026 71 - 158

To consider the Homelessness and Rough Sleeping Strategy 2021-26.

11) Food Safety Delivery Plan 159 - 182

To consider the Food Safety Delivery Plan.

12) Health and Safety Intervention Plan 183 - 204

To consider the plan before it goes to the Executive and Full Council.

13) Scrutiny Review Groups

To receive verbal updates on the work of any active Scrutiny Review Groups.

14) Work Programme 2019/20 205 - 206

To consider any amendments to the Work Programme for 2019/20.

PRIVATE ITEMS

15) Participants list 207 - 208

16) joining instructions 209 - 214

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

Tuesday, 9 March 2021



SCRUTINY COMMITTEE

REMOTE MEETING

Thursday, 11th February, 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, T Martin, L Mehanna, A Newhouse and C Towneley

OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Rob Dobson	– Head of Policy and Engagement
Howard Hamilton-Smith	– Head of Finance and Property
Richard Brown	– Community Safety Officer
Christine Wood	– Democracy Officer
Chris Gay	– Governance Manager
Mark Hindman	– Graphic Designer

IN ATTENDANCE

Cllrs M Townsend, S Graham, L Pate and D Roper

63. Apologies

Apologies were received from Councillor Ann Royle

64. Minutes

The minutes of the remote meeting held on Monday, 7th December 2020 were approved as a correct record.

65. Additional Items of Business

The Committee was advised that there were no additional items of business.

66. Declarations of Interest

Councillor Andy Fewings declared another interest in agenda items 10 (Revenue Monitoring Report 2020/21 – Quarter 3 (to 31st December 2020), 11 (Capital Monitoring Report 2020/21 – Quarter 3 (to 31 December 2020) and 14 (Capital Budget for 2021/22 and Capital Investment Programme 2021-26). Councillor Fewings remained in the meeting during discussion and determinations of the items until technical difficulties prevented from doing so.

67. Exclusion of the Public

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

68. Public Question Time

No questions had been received.

69. Notice of Key Decisions and Private Meetings

Following enquiries from the Chair, Lukman Patel advised that a report in relation to the Burnley Leisure Trust Loan Facility Agreement would not be presented to the Executive in February 2021 and would be presented to a later meeting.

The Chair requested that a report relating to Burnley's Tree Management Policy be presented to a future meeting of the Scrutiny Committee.

IT WAS AGREED

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

70. Community Safety Report 2020-2021

Richard Brown presented the Community Safety Report 2020-21 updating on Burnley's community safety performance as part of the required statutory duty, in accordance with the Crime and Disorder Act 1998.

The Strategic priorities for 2018-2021 were outlined to the Committee along with Community Safety Projects, Activity and proposed activity in Burnley 2021/21.

Members made the following points and received the following responses:

Suggestion of relocation of the Knife Amnesty bin from the current location outside the Calico building in Burnley Town Centre.

The Committee was advised that the issue of relocation could be reviewed if it was felt there were more appropriate locations.

Reduction Rates in Burglary, Are Burnley rates higher than neighbouring boroughs previously?

Burnley does have higher rates of burglary previously. It sits at the upper end of league tables for Lancashire. Across the county burglary and most crime statistics have been

falling consistently over the previous 10 years or so. There has been year on year reductions with a particularly marked reduction this year. Burnley's acquisitive reductions have been much greater.

Town Centre Offending Group. It is linked about high-risk offenders being targeted. What happens with people who are given orders? It states about putting them into different services. Are they both linked?

TCOG has been operating for several years in Burnley identifying priority offenders. It is attended by partners from multiple agencies. There is a holistic approach. Some individuals are in the hard-to-reach category. There are no quick fixes. It is a combination of using legislation and court orders to encourage and compel engagement in services as well as the human aspect.. MOSOVO project has developed over the last 18 months to two years. It is a county wide project run by the Police. There are four. East Lancashire is far in advance of the others. What compels them to offend? What can support services provide to remove the blockers from stopping offending? That is the approach that is taken. Enforcement is still an option. We have a range of civil powers through the Council or through the Police. We coordinate and look at how best to deal with each individual.

Could the Domestic Violence Theatre Group be opened up to Councillors and delivered to staff jointly. This would keep our awareness raised and at the forefront of our minds, particularly with Covid.

We will be looking at this again to see how we continue the programme.

IT WAS AGREED

That the report be noted.

71. Strategic Plan 2021

During consideration of this item, Councillor Andy Fewings experienced technical difficulties in accessing the meeting. The Chair requested that Rob Dobson respond to Cllr Fewings questions separately.

Rob Dobson advised of and presented a report to the Committee which was also to be presented to the meeting of the Executive on 15th February 2021 and was seeking endorsement of the Strategic Plan, as attached to the report at appendix 1.

Rob highlighted the changes to plan that had previously been adopted by Full Council, outlining the impact of the pandemic and the commitment that the Council has made in the Economic Community Recovery Plan to assist the Borough and businesses in the recovery process.

The Executive was requested to recommend the Strategic Plan to Full Council.

Grounds for the recommendation were outlined within the report.

Members made the following points and received the following responses:

Long term empty properties. What do we commit to long term? Will this come under PL3 or does it need to be more focussed. I would like to see an action on that to come up with a solution, as this causes a lot of distress in our communities.

When the Executive Member for Housing reports on what is being delivered under that commitment, reference will always be made to actions under the empty homes scheme. I will report to the Executive as to if they feel it would be appropriate to have a separate commitment under that.

Prosperity, Promoting Burnley as an investment opportunity and by improving travel connections. What do we commit to? There are still areas of the train station that are not as good as they could be? We need that to be at the top to attract people.

Under PR2 the Executive Member for Economy and Growth will report on the progress being made. I am aware that Manchester Road is a priority for Members. I will investigate the possibility of a commitment under the time period of this plan.

Manchester Road Station – There is a project there under development around the platform and disabled access. We are doing more work on costings and levelling up funding that will be coming out from the Government. That is a potential project.

Performance, Delivering the digital strategy. Becoming more efficient. There will always be people who struggle with digital technology. We always need to have someone to assist. There are still many residents who do not own a mobile phone which is required to receive Covid-19 lateral test results.

There are no plans to reduce the current ways in which residents can contact the Council. There will always be a face-to-face telephony service. We have seen a huge increase in residents transacting on-line. Approximately 75% of transactions have been completed via the website.

Contract with Liberata commits them to maintain the face-to-face service. During the pandemic we have maintained the Town Hall front facing service being open. We recognise how important it is for residents who do not have access to key services. This has been a great effort from our colleagues.

Please pass on our thanks at the way that the reception area has remained covid safer and open. This has been much appreciated by many people.

PF4 – Delivering organisation development strategy, embedding hybrid working patterns to improve productivity. Is that about different elements of working? Is this all about different aspects of working patterns now?

This is to consider continuing to deliver remote meetings, legislation permitting, if Members find this an efficient way of working. If we can get officers to work in partnership with other districts/County Council via the internet, it is a much more efficient way of doing business, working from home/office wherever the most productive place to be is.

IT WAS AGREED

That the report be noted.

72. Revenue Monitoring Report 2020/21 - Quarter 3 (to 31st December 2020)

Howard Hamilton-Smith advised of and presented a report to the Committee which was also to be presented to the meeting of the Executive on 15th February 2021 reporting the forecast outturn position for the year as at 31st March 2021 based upon actual spending and income to 31st December 2020.

The report advised that the Executive would be requested to:

- a) Note the projected revenue budget forecast position of a net overspend of £1.09m (excluding potential collection fund losses). An estimated £1.04m is to be received through the sales, fees and charges income compensation scheme which would reduce the forecast net overspend of £49k, as summarised in Table 1 and detailed in Appendix 1 as attached to the report.
- 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 £1.1m.
- c) Note that the Council, along with other District Council's and industry groups continue to lobby Central Government for additional funding.

The Executive would also be requested to seek approval from Full Council for:

- d) The latest revised net budget of **£15.693m** as shown in Table 1,
- e) The net transfers to earmarked reserves of **£1.334m** as shown in Appendix 2.

Howard advised that £135,000 New Burdens Funding had recently been received and that assessment of the resources that would need to be met from this funding and would be included in the outturn report.

Grounds for the above recommendations were outlined within the report.

Members made the following points and received the following responses:

Green spaces and amenities – Salary savings? Two vacant posts to be cut out. Also stated that there have been agency costs?

There have been some vacant posts during the year. One has been replaced and the other remains vacant. Agency staff relates to seasonal staffing because they are not required all year round. Additional cover has been brought in to offset those vacant posts.

IT WAS AGREED

That the report be noted.

73. Capital Monitoring Report 2020/21 - Quarter 3 (to 31 December 2020)

Howard Hamilton-Smith advised of and presented a report to the Committee which was also to be presented to the meeting of the Executive on 15th February 2021 to provide an update on capital expenditure and the resources position along with highlighting any variances.

The Committee was advised that the Executive would be requested to:

- a) Recommend to Full Council, approval of net budget changes totalling a decrease of £2,902,750 giving a revised capital budget for 2020/21 totalling £14,476,665 as detailed in Appendix 1 as attached to the report; and
- b) Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £14,476,665 as shown in Appendix 2 as attached to the report; and
- c) Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £1,531,092 at 31 March 2021 as shown in Appendix 3 as attached to the report.

Grounds for the above recommendations were outlined within the report.

Howard advised that the decrease in Council budget, as referred to in paragraph a above, was mainly due to two schemes that would be reprofiled into next year, the North West Burnley Growth Corridor and the Building Infrastructure Works, the majority of which related to Towneley Hall and Crematorium roof works.

IT WAS AGREED

That the report be noted.

74. Medium-Term Financial Strategy - 2022/23 to 2025/26 Incorporating the Reserves Strategy

Howard Hamilton-Smith advised of and presented a report to the Committee which was also to be presented to the meeting of the Executive on 15th February 2021 to consider the longer-term financial outlook within the context of a Medium-Term Financial Strategy covering the financial years 2022/23 to 2025/26, highlighting uncertainties, underlying risks and make recommendation to Council.

The Committee was advised the Medium-Term Financial Strategy should be read in conjunction with the Revenue Budget 2021/2 and the associated statutory report of the Chief Finance Officer.

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

- a) Approval of the latest Medium-Term Strategy as attached to the report; and
- b) Approval of the Reserves Strategy, as appended to the Medium-Term Financial Strategy; and
- c) Note that a refreshed document would be provided when required as an aid to monitoring the continued delivery of an annually balanced budget.

Grounds for the above recommendations were outlined within the report.

IT WAS AGREED

That the report be noted.

75. Revenue Budget 2021/22

Howard Hamilton-Smith advised of and presented a report to the Committee which was also to be presented to the meeting of the Executive on 15th February 2021 to consider the estimates of revenue income and expenditure for 2021/22 and to make recommendations to Full Council about next year's Revenue Budget.

The Committee was advised that the Executive was recommended to adopt the following resolution:

That Full Council be recommended to:

- I. Endorse the approach that has been adopted in developing budget proposals that reflect the Council's Strategic Objectives for 2021/22; and
- II. Approve the proposals contained in the report; and
- III. Set a Council Tax Requirement of £7,266,131 for the financial year 2021/22; and
- IV. Set a Net Budget Requirement of £15,415,612 for 2021/22.
- V. Receive and consider the statutory report issued by the Head of Finance and Property under the Local Government Act 2003; and
- VI. Authorise the Chief Operating Officer/Heads of Service to progress action plans to deliver the 2021/22 budget; and
- VII. Approve a Council Tax (Band D) figure of £312.28 for this Council for the year commencing 1st April 2021 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 1.99% Council tax increase.

Howard advised that in relation to recommendation VII as detailed above, the final Budget Settlement had been announced by the Government since publication of the report in which there was a £52.00 difference from the provisional Budget Settlement and as a result there would be no change to the 1.99% proposed Council tax increase as detailed above.

Grounds for the above recommendations were outlined within the report.

Members made the following points and received the following responses:

Capital element of budget – revenue implications – Post Covid, there will be a recession. Significant effect on unemployment in Burnley. Anything we can do to put emphasis in capital projects and spending on initiatives that create jobs ought to be a high priority. Please take this into account.

Area covered by Economic Recovery Strategy puts emphasis on innovation attracting new business so on. Important to have flexibility within overall budget to ensure that Officers of Council and Lead Executive Members are not financially constrained from seeking new investment and support particularly in terms of jobs within Burnley. There ought to be that flexibility.

Business Hardship Fund for first furlough period. How will support be provided, grant, loan or investment in a company? I feel we should consider all the options. Are we at the stage of considering these options?

We are looking at how the Hardship Fund will be delivered. It will be reviewed as we go along.

Identified key areas of risk. Should also identify the key indicators related to each of those major areas and to be a way of measuring what is happening in relation to those risks with a trigger point to Full Council/Scrutiny Committee to look at those changes in the overall risk level as things continue to develop. It is going to be a very big challenge. It is important that we have access to early, thorough and immediate access to information which draws out major risks as they develop and occur.

Risks are picked up by the Audit and Standards Committee, monitored, flagged, reviewed and reported regularly as a matter of course throughout the year.

Agree with 1.99 precept. We are chronically underfunded for an authority with the responsibilities that we have.

Much uncertainty in the budget going forward. The increase is required to provide funding for economic and community recovery initiatives in addition to enabling the Council to deal with ongoing financial pressures within the budget next year. With regard to Government funding, Burnley fares badly against the England average This is reflected by the fact that the Government has provided the Council with some one-off funding within the Budget Settlement to ensure that the Council hasn't received less funding than it did last year.

IT WAS AGREED

That the report be noted.

76. Capital Budget for 2021/22 and Capital Investment Programme 2021-26

Howard Hamilton-Smith advised of and presented a report to the Committee which was also be presented to the meeting of the Executive on 15th February 20201 recommending approval of the capital budget for 2021/22.

The Committee was advised that the Executive would be recommended to recommend to Full Council:

- a) Approval of the 2021/2022 Capital Budget, totalling £18,792,347, as set out in Appendix 1 as attached to the report; and
- b) Note the 2021/26 Capital Investment Programme as set out in Appendix 2 as attached to the report; and
- c) That subject to the above, the Executive approve the release of capital scheme budgets including slippage from 2020/21, subject to compliance with the Financial Procedure Rules and that there will be full compliance with Standing Orders for Contracts.
- d) Approve the Capital Strategy 2021/26 as set out in Appendix 4 as attached to the report;

Grounds for the above recommendations were outlined within the report.

Howard advised that consideration of the proposed budget had included all schemes that had been reprofiled from the current year.

IT WAS AGREED

That the report be noted.

77. H2021/22 Treasury Management Strategy and 2021/22-2023/24 Prudential and Treasury Indicators

Howard Hamilton-Smith advised of and presented a report to the Committee which was also to be presented to the meeting of the Executive on 15th February 2021 to:

- a) Comply with the amended Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011; and
- b) Outline a treasury management strategy statement for the financial year 2021/22; and
- c) Set out prudential indicators for the financial years 2021/24 in line with the CIPFA's Prudential Code 2017; and
- d) Seek approval of the Council's Minimum Revenue Provision (MRP) Policy Statement for the financial year 2021/22 in accordance with Government regulations.

The Committee was advised that the Executive would be recommended to approve to Full Council of:

- a) The treasury management strategy statement as set out and attached to the report at appendix 1; and

- b) The prudential and treasury indicators for 2021/22 to 2023/24 as attached to the report at appendix 2 including the authorised limit for external debt of £61.103m in 2021/22; and
- c) The list of Counterparties for Deposits outlined within Appendix 3 as attached to the report; and
- d) The Council's MRP Statement for 2021/22 as set out and attached to the report at Appendix 4.

Grounds for the above recommendations were outlined within the report.

IT WAS AGREED

That the report be noted.

78. Scrutiny Review Groups

Housing/Calico Working Group

Councillor Marcus Johnstone advised the Committee that Mark Beach, Managing Director, Calico Homes had agreed to attend a meeting of the working group in March 2021.

Progress would be reported to future meetings of the Scrutiny Committee.

Burnley Market Hall Review Group

The Chair requested members of the Committee to volunteer to attend a meeting of a Scrutiny Working Group to set the criteria for a review of Burnley Market with a view to a report being presented to the next meeting of the Scrutiny meeting on 17th March 2021.

The Chair advised that an email would be circulated from the Democracy team inviting Committee members to volunteer to be on the working group.

IT WAS AGREED

That an email would be circulated from the Democracy team inviting Scrutiny Committee Members to attend a meeting of the working group to look at the review of Burnley Market Hall; and

That a draft scope report will be submitted to the next meeting of the Scrutiny Committee to be held on 17th March 2021.

79. Work Programme 2020/21

IT WAS AGREED

That the Scrutiny Work Programme be noted.

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 March 2021 onwards, published by 22nd February 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
Burnley Leisure Trust Loan Facility Agreement	To approve a loan facility agreement to Burnley Leisure Trust	Yes	March 2021	<p>Private – The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972 schedule 12A, Part 1, Paragraph 3.</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>	Report setting out the key issues.	<p>Simon Goff Head of Green Spaces and Amenities</p> <p>Executive Member for Health & Wellbeing</p>
Homelessness & Rough Sleeping Strategy 2021-2025	To approve the Strategy for the Borough	No (Full Council – Policy Framework)	March 2021	Public	Report to set out the key issues	<p>Paul Gatrell Head of Housing & Development Control</p> <p>Executive Member for Housing</p>

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
Burnley`s Tree Management Policy	To approve the revised policy for the Borough	Yes	March 2021	Public	Report setting out the key issues	Simon Goff Head of Green Spaces and Amenities Executive Member for Health & Wellbeing
Food Safety Delivery Plan	To consider an updated Plan for 2021	No (Full Council Decision-Policy Framework)	March 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)	March 2021	Public	Report setting out the 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	April 2021	Public	Report to set out the key issues	Joanne Swift Head of Streetscene Executive Member for Community and Environmental Services
Homelessness Prevention Grant 2021/22	To consider a report on a Homelessness Prevention Grant 2021/22	Yes	March 2021	Public	Report to set out the key issues	Paul Gatrell Head of Housing & Development Control Executive Member for Housing
Stairlift Procurement	To consider a report on Stairlift Procurement	Yes	March 2021	Private – The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972 schedule 12A, Part 1, Paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Report to set out the key issues	Paul Gatrell Head of Housing & Development Control Executive Member for Housing

Meetings of the Executive will be held on the following dates: 23rd March and 20th April 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: 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: HYPERLINK "mailto:"cwardby@burnley.gov.uk
"mailto:"HYPERLINK "mailto:"

Published: By 22 February 2021 HYPERLINK

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Agenda Item 8

REGISTERED COMPANY NUMBER: 08737838 (England and Wales)
REGISTERED CHARITY NUMBER: 1158520

**REPORT OF THE TRUSTEES AND
AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST MARCH 2020
FOR
BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**



Ainsworths Limited
Chartered Accountants
and Statutory Auditors
Charter House
Stansfield Street
Nelson
Lancashire
BB9 7XY

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

CONTENTS OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

	Page
Report of the Trustees	1 to 8
Report of the Independent Auditors	9 to 10
Statement of Financial Activities	11
Balance Sheet	12 to 13
Cash Flow statement	14 to 15
Notes to the Financial Statements	16 to 27

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020

The trustees who are also directors of the company for the purposes of the Companies Act 2006, present their report with the financial statements of the charity for the year ended 31st March 2020. The financial statements comply with the Charities Act 2011, the Companies Act 2006, the Memorandum and Articles of Association, and Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1st January 2015).

REFERENCE AND ADMINISTRATIVE DETAILS

Registered Company number

08737838 (England and Wales)

Registered Charity number

01158520

Registered office

St Peters Centre
Bank Parade
Church Street
Burnley
Lancashire
BB11 2DL

Trustees

Mr A Preston – Chairman
Dr S Minten
Mr T Hephrun
Mr M Heaton (Resigned 6th February 2020)
Mrs J Baldwin
Mrs D Livesey
Mr W Rashid
Mrs J Sharpley (resigned 11th October 2019)
Cllr A Anwar (Resigned 29th May 2019)
Mr N Tranmer
Mrs B Foster (Resigned 29th May 2019)
Cllr H Baker (Appointed 29th May 2019)
Cllr A Newhouse (Appointed 29th May 2019)
Mrs H Tyson (Appointed 24th February 2020)

Key Management Personnel

Mr G Vinton – Chief Executive

Auditors

Ainsworths Limited
Chartered Accountants
and Statutory Auditors
Charter House
Stansfield Street
Nelson
Lancashire
BB9 9XY

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020

Bankers

HSBC Bank Plc
12 Manchester Road
Burnley
Lancashire
BB11 1JH

Solicitors

Winckworth Sherwood LLP
Minerva House
5 Montague Close
London
SE1 9BB

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020**

STRUCTURE, GOVERNANCE AND MANAGEMENT

Governing document

The company was incorporated on 17th October 2013 and registered as a charity on 10th September 2014. The charity is controlled by its governing document, the Memorandum and Articles of Association, and constitutes a company, limited by guarantee, as defined by the Companies Act 2006. In the event of the company being wound up members are required to contribute an amount not exceeding £1.

Recruitment and appointment of new trustees

The Board shall consist of at least three and not more than eleven individuals, comprised as follows:

- two Employee Trustees;
- up to two Local Authority Trustees; and
- up to seven Community Trustees

The Community Trustees shall at all times be in the majority. These trustees shall be elected with necessary expertise co-opted where appropriate by the existing trustees. When considering co-opting trustees, the Board has regard to the requirement for any specialist skills needed.

Risk management

The trustees have examined the major strategic, business and operational risks which the charity faces and confirm that systems have been established to ensure regular reports are produced and that the necessary steps can be taken to address any issues arising.

Burnley Leisure is a registered charity operating within a company limited by guarantee. The board of trustees has the authority to co-opt individuals with relevant expertise where appropriate.

Organisation structure

The Board currently consists of eleven trustees and is responsible for key policy decisions and the effective governance of the organisation overall. The Board has a minimum of six meetings per financial year.

The day to day operations of Burnley Leisure are managed by the charity's senior management team (the Executive) made up of the Chief Executive and four Service Managers. The Executive is given strategic direction by a Board of Trustees (the Board) regarding the provision and operation of the services in accordance with the contracts, leases and funding agreements made with Burnley Borough Council. The Board has ultimate responsibility for the governance of the charity, and directs, supports and challenges the Executive in its work.

Related parties

Trustees are required to declare an interest if they are involved in any activities which may compromise their role as a Trustee and a monitoring mechanism is in place. The related party transactions during the past year have been disclosed below in the notes to the financial statements.

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020**

OBJECTIVES AND ACTIVITIES

Burnley Leisure has been established for Public Benefit:

- To provide or assist in the provision of both indoor and outdoor facilities in the interests of social welfare for Recreation or other Leisure time occupation of individuals who have need of such by reason of their youth, age, infirmity of disability, financial hardship or social circumstances or to the public at large with the object of improving their conditions of life; and/or
- To promote community participation in Healthy Recreational Activities; and/or
- To provide or assist in the provision of community facilities to be available to all sections of the community without distinction, including the use for meetings, lecture and classes and/or other forms of recreation and leisure time occupation with the object of improving the conditions of life for all those who use the facilities; and/or
- To advance the education of the public in all aspects of dramatic art through the provision of a theatre; and/or
- Such other charitable purposes as the trustees in their absolute discretion may determine

Public benefit

The trustees are confident that the charity offers services of real and practical use to the local population and therefore complies with the responsibility placed on all charities under the Charities Act 2011 to demonstrate a public benefit.

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020**

ACHIEVEMENTS AND PERFORMANCE

This year has been an extremely productive year for all parts of the charity. We set aside £75,000 from reserves to invest in a comprehensive review and update of our marketing and PR functions as agreed last year. Both the Board and Management Team felt that this was an area of weakness and that a refreshed and updated offer was required to take the business to the next level.

This report gives a brief outline of our successes and a comprehensive round-up will be included in our main annual report.

Leisure Facilities

Facilities once again performed well and achieved our target of having over 4000 members, this fantastic achievement was down to the dedication and hard work of all of the staff. Padiham and St. Peter's continued to grow income and usage, especially through the 'Swim Academy'. Group Fitness classes continue to grow in popularity and the programme evolves to keep pace with demand and new initiatives that are becoming available.

Towneley Golf increased its membership base and the shop had a refit and established a retail relationship with Adidas who became sole suppliers of clothing and accessories.

Prairie Sports Village added another 3G pitch to its facilities and can now offer two fantastic pitches for training and competitive matches. Both pitches are fully booked at evenings and weekends and staff continue to find ways to increase day-time usage. Usage of the driving range is still high, but plans are being drawn up to add further features to the range to drive new and existing customers through the venue.

Development

Development had another packed year with Holiday Clubs, Schools work and Rounders. The boats at Thompson Park were another big hit this year, as well as a number of organised runs.

Funding for Up and Active ended and a number of the team took the opportunity to move onto pastures new. We cannot let the moment pass without saying thank you to Linda Searle our Head of Healthy Lifestyles who retired after 40 years' service to the Council and more lately Burnley Leisure, she has been a true inspiration to all of her colleagues, and we wish her well in her well-deserved retirement.

Although funding was withdrawn, we have pulled together alternative funding from CCG, Lancashire County Council and Sport England to continue this vital work to engage people with health, fitness and wellbeing issues and introduce them into activities. All of this work is alongside our participation in the Pennine Lancashire 'Together an Active Future' project, which will allow us to explore new ways of helping hard to reach groups to become active.

Mechanics

The Mechanics once again played host to a variety of local amateur and professional productions and high proportion of these were to full houses.

An application was submitted to the Heritage Lottery Fund to secure the external features of the Grade 2* listed building including improvements to the façade and roof. The work would also see the toilets having major refurbishment and the basement being brought back into full use and working with Burnley College as tenants seeing education returning to the venue which was its original use when it was constructed. We hope to hear during 2020/21 if the application has been successful and move to the next stage.

Some work will be required to the stage lighting and desk over the next 12 months, we have asked the Council to provide a repayable loan to enable this work to be completed.

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020**

ACHIEVEMENTS AND PERFORMANCE (CONTINUED)

Hospitality

Christmas Parties at the Mechanics were again a massive success with a run of sell-out events, which resulted in the Christmas Party events for 2020 being sold out before the end of March. The demand for these events shows how they are received by the public and how professional they are put together. The Christmas events at Prairie are growing each year and offer an alternative to the Mechanics.

The partnership with Simply Classic at both Prairie and Mechanics is a little strained and we will need to review how we operate this during the next 12 months. Usage at both venues is good, but we feel that this could be increased by changing some of the opening days which we feel is demanded by customers. We have started to draw up plans for a refurbishment of the dining area at Prairie and hope to make progress during 2020/21.

We welcomed a new partner to our operation at Towneley Golf Club. Bistro 197 moved their operation across the road and took up the offer to run the food side of the business, whilst we ran the wet sales in a similar partnership to the one we operate with Simply.

Our tender to run the Stables Café in Towneley Park is progressing, we are in the process of making final submissions and are awaiting the outcome of the process.

Our areas of potential growth are through hospitality and cultural services. We see both of these areas improving our sustainability and adding further to our USP which distinguishes us from other local providers in the charity sector.

The Future

The impact of Covid-19 and the subsequent lockdown of leisure facilities has seen Burnley Leisure suffer virtually total income loss from customers. In addition, it is almost certain that re-opening will need to be gradual and with reduced capacities for an extended period in order to satisfy social distancing regulations. It is proposed that Burnley Leisure's irrecoverable losses be underwritten from both our own Reserves and Council Reserves (which are also Burnley Leisure reserves, as the Trust was not set up with any reserves as access to Council reserves would be given), in order to allow Burnley Leisure to be able to re-open facilities in line with guidance and protect both jobs and the services offered to the people of Burnley.

Burnley Leisure has also supported the response to Covid-19 and worked closely with Burnley Together to re-deploy some staff into critical services to support the Covid-19 response effort. This work has continued, and we are playing a major role in the DEFRA funded summer holiday food project, alongside Calico who see us as a major partner.

We are facing a potential in year cashflow shortfall of £312,000 which may require a financial contribution from the Council. This will be partially met by not charging the Leisure Trust the annual SLA of £257,000. The Government has 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, to be clear, any additional financial contribution from the Council would only be made if Burnley Leisure were unable to balance its budget through its own endeavours and as the Council set up the trust with no reserves it has some obligation to provide support and this would require approval from Members.

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020**

The Future (Continued)

Fees are the major source of income for us however this income could not be collected during the period that our various facilities were mandated to close at a loss so far projected at £2.75 million. Like many other leisure trusts across the country we are 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. They will continue to make best use of these and other opportunities when they arise.

Failure of the Council to support us in this challenging time leaves us vulnerable and with the likelihood that some sites and services may have to close, and possibly even lead to the demise of Burnley Leisure. This would have serious consequences to both the Council, who may have to pick up a number of liabilities, and for the public, with the loss of the major operator of leisure facilities (and the health and social consequences thereof). In particular, Burnley Leisure is the main provider of swimming pools in Burnley, and the prolonged closure of these would have a knock-on impact on the ability for schools to meet statutory school swimming obligations as well as meeting the swimming needs of the wider population. Through continuing to work together we are confident that we can produce a balanced outcome for 2020/21 and rise to the challenge of maintaining facilities and services in 2021/22.

FINANCIAL REVIEW

The attached statement of financial activities shows how our funds were raised and applied during the year.

This statement separates funds, which the charity itself controls – unrestricted funds, from funds which have to be spent in a manner determined by the donor – restricted funds. In this year restricted funds have been received from various grant making bodies.

Looking to the future we will continue to maintain a tight control over costs, monitor income closely, and strive to identify future funding streams. We aim to ensure that we are well placed to react to any further negative or indeed positive impact of the economy.

Investment policy

The Trustees regularly monitor the available cash reserves of the charity and seek to maximise the interest earned on such funds.

Reserves policy

The charity has insufficient reserves to ensure that it can deal with major unexpected adverse developments without direct support from Burnley Borough Council. The trustees maintain a regular dialogue with the Council to ensure that, should major unexpected adverse developments arise, any difficulties that require attention are addressed in a mutually agreeable manner.

The trustees are confident that the charity has established diversity of operations, sufficient versatility and control of expenditures of such nature that it is able to adapt to changing circumstances that will arise from time to time under normal business circumstances.

The trustees have considered the current adverse economic climate when reviewing their reserves policy and are confident, in light of the changes planned that the charity is sufficiently robust and able to continue operating normally whilst it seeks to achieve these targets.

At the year end the charity had unrestricted reserves of £257,234 and restricted reserves of £183,918. In addition to these reserves the pension scheme was in deficit by £3,243,000.

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31ST MARCH 2020**

STATEMENT OF TRUSTEES RESPONSIBILITIES

The trustees are responsible for preparing the financial statements in accordance with applicable law and United Kingdom Generally Accepted Accounting Practice.

Company law requires the trustees to prepare financial statements for each financial year. Under that law the trustees have elected to prepare the financial statements in accordance with the United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law), including FRS 102 the Financial Reporting Standard applicable in the UK and Republic of Ireland. The financial statements are required by law to give a true and fair view of the state of affairs of the charitable company and of the surplus or deficit of the charitable company for that period. In preparing those financial statements, the trustees are required to

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charities SORP and FRS 102;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The trustees are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the charitable company and to enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The trustees are responsible for the maintenance and integrity of the corporate and financial information included on the charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

STATEMENT AS TO DISCLOSURE OF INFORMATION TO AUDITORS

So far as the trustees are aware, there is no relevant information (as defined by Section 418 of the Companies Act 2006) of which the charitable company's auditors are unaware, and each trustee has taken all the steps that they ought to have taken as a trustee in order to make them aware of any audit information and to establish that the charitable company's auditors are aware of that information.

AUDITORS

The auditors, Ainsworths Limited, will be proposed for re-appointment at the forthcoming Annual General Meeting.

This report has been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies.

ON BEHALF OF THE BOARD:

.....
Mr A Preston
Trustee

Date:

**REPORT OF THE INDEPENDENT AUDITORS TO THE MEMBERS OF
BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

Opinion

We have audited the financial statements of Burnley Leisure (the 'charity') for the year ended 31st March 2020 which comprise the Statement of Financial Activities, Balance Sheet, Cash Flow Statement and Notes to the Financial Statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland' (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the charity's affairs as at 31st March 2020 and of its incoming resources and application of resources, including its income and expenditure, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditors' responsibilities for the audit of the financial statements section of our report. We are independent of the charity in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Material uncertainty related to going concern

We draw attention to the Report of the Trustees, Accounting Policies and Note 21, which all highlight the impact which Covid-19 has had on the charity and its expectations for the future. The Trustees have concluded that the charity is a going concern, however these events mean a material uncertainty exists that may cast significant doubt on the charity's ability to continue as a going concern. Our opinion is not modified in respect of this matter.

Other information

The trustees are responsible for the other information. The other information comprises the information in the Report of the Trustees, but does not include the financial statements and our Report of the Auditors thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Opinion on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Report of the Trustees for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the Report of the Trustees has been prepared in accordance with applicable legal requirements.

**REPORT OF THE INDEPENDENT AUDITORS TO THE MEMBERS OF
BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the Report of the Trustees.

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of trustees' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the trustees were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption from the requirement to prepare a Strategic Report or in preparing the Report of the Trustees.

Responsibilities of trustees

As explained more fully in the Statement of Trustees' Responsibilities set out on page ten, the trustees (who are also the directors of the charitable company for the purposes of company law) are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the trustees determine necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the trustees are responsible for assessing the charity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the trustees either intend to liquidate the charity or to cease operations, or have no realistic alternative but to do so.

Our responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue a Report of the Auditors that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at www.frc.org.uk/auditorsresponsibilities. This description forms part of our Report of the Auditors.

Use of our report

This report is made solely to the charity's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable company's trustees those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charitable company and the charitable company's trustees as a body, for our audit work, for this report, or for the opinions we have formed.

Mark Sunter (Senior Statutory Auditor)
for and on behalf of Ainsworths Limited
Chartered Accountants
and Statutory Auditors
Charter House
Stansfield Street
Nelson
Lancashire
BB9 9XY
Date:

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

STATEMENT OF FINANCIAL ACTIVITIES (INCLUDING INCOME AND EXPENDITURE ACCOUNT)
FOR THE YEAR ENDED 31ST MARCH 2020

	Notes	Unrestricted funds £	Restricted funds £	31.3.20 Total funds £	31.3.19 Total Funds £
INCOME					
Income from charitable activities					
Grant income	2	15,004	557,512	572,516	627,303
Operation of leisure and arts facilities	3	<u>3,917,811</u>	<u>19,077</u>	<u>3,936,888</u>	<u>3,859,120</u>
Total income		3,932,815	576,589	4,509,404	4,486,423
EXPENDITURE					
Raising funds	4	399,420	-	399,420	386,422
Charitable activities					
Operation of leisure and arts facilities	5	3,592,319	591,110	4,183,429	3,979,827
Other					
Balance of pension scheme operating charge	19	584,000	-	584,000	333,000
Net interest on pension scheme liability	19	<u>66,000</u>	<u>-</u>	<u>66,000</u>	<u>53,000</u>
Total expenditure		4,641,739	591,110	5,232,849	4,752,249
NET EXPENDITURE		(708,924)	(14,521)	(723,445)	(265,826)
Other recognised gains and losses					
Pension scheme actuarial gain/(loss)	19	<u>54,000</u>	<u>-</u>	<u>54,000</u>	<u>(151,000)</u>
NET MOVEMENT IN FUNDS		(654,924)	(14,521)	(669,445)	(416,826)
RECONCILIATION OF FUNDS					
Total funds brought forward		(2,330,842)	198,439	(2,132,403)	(1,715,577)
TOTAL FUNDS CARRIED FORWARD		<u>(2,985,766)</u>	<u>183,918</u>	<u>(2,801,848)</u>	<u>(2,132,403)</u>

The statement of financial activities includes all gains and losses recognised in the year.

All income and expenditure derives from continuing activities.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

BALANCE SHEET
AT 31ST MARCH 2020

	Notes	31.3.20 £	31.3.19 £
FIXED ASSETS			
Tangible assets	10	-	10,000
Investments	11	<u>2</u>	<u>2</u>
		2	20,002
CURRENT ASSETS			
Stock	12	65,630	61,302
Debtors	13	84,076	178,082
Cash at bank and in hand		<u>732,799</u>	<u>766,161</u>
		882,505	1,005,545
CURRENT LIABILITIES			
Amounts falling due within one year	14	<u>(441,355)</u>	<u>(500,950)</u>
		441,150	504,595
NET CURRENT ASSETS			
		<u>441,152</u>	<u>514,597</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			
		<u>441,152</u>	<u>514,597</u>
NET ASSETS EXCLUDING PENSION DEFICIT			
		<u>441,152</u>	<u>514,597</u>
PENSION SCHEME DEFICIT			
	19	<u>(3,243,000)</u>	<u>(2,647,000)</u>
NET LIABILITIES INCLUDING PENSION DEFICIT			
		<u>(2,801,848)</u>	<u>(2,132,403)</u>
FUNDS			
Unrestricted funds	17	257,234	316,158
Restricted funds	18	183,918	198,439
Pension scheme deficit		<u>(3,243,000)</u>	<u>(2,647,000)</u>
TOTAL FUNDS			
		<u>(2,801,848)</u>	<u>(2,132,403)</u>

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**BALANCE SHEET
FOR THE YEAR ENDED 31ST MARCH 2020**

The trustees have prepared the accounts in accordance with section 398 of the Companies Act 2006 and section 138 of the Charities Act 2011. These financial statements have been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small charitable companies and with the Financial Reporting Standard 102 (effective 1st January 2015).

The financial statements were approved by the Board of Trustees on _____ and were signed on its behalf by:

.....
Mr A Preston
Chairman

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

CASH FLOW STATEMENT
FOR THE YEAR ENDED 31ST MARCH 2020

	Notes	31.3.20 £	31.3.19 £
Cash flows from charitable activities			
Cash generated from activities	1	<u>(33,362)</u>	<u>243,666</u>
Net cash from charitable activities		<u>(33,362)</u>	<u>243,666</u>
Cash flows from financing activities			
Capital repayments in the year		<u>-</u>	<u>(20,000)</u>
Net cash from financing activities		<u>-</u>	<u>(20,000)</u>
Increase/(decrease) in cash and cash equivalents		<u>(33,362)</u>	<u>223,666</u>
Cash and cash equivalents at the beginning of the year	2	<u>766,161</u>	<u>542,495</u>
Cash and cash equivalents at the end of the year	2	<u><u>732,799</u></u>	<u><u>766,161</u></u>

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

CASH FLOW STATEMENT
FOR THE YEAR ENDED 31ST MARCH 2020

1. RECONCILIATION OF DEFICIT TO CASH GENERATED FROM ACTIVITIES

	31.3.20	31.3.19
	£	£
Deficit for the year	(669,445)	(416,826)
Depreciation charges	10,000	10,000
	(659,445)	(406,826)
Increase in stocks	(4,328)	(13,168)
Decrease/(increase) in trade and other debtors	94,006	(5,778)
Decrease/(increase) in trade and other creditors	(59,595)	132,438
Increase in pension scheme liability	596,000	537,000
	(33,362)	243,666
Cash generated from charitable activities	(33,362)	243,666

2. CASH AND CASH EQUIVALENTS

The amounts disclosed on the Cash Flow Statement in respect of cash and cash equivalents are in respect of these Balance Sheet amounts:

Year ended 31st March 2020

	31.3.20	1.4.19
	£	£
Cash and cash equivalents	732,799	766,161

Year ended 31st March 2019

	31.3.19	1.4.18
	£	£
Cash and cash equivalents	766,161	542,495

1. ACCOUNTING POLICIES

Company information

Burnley Leisure is a charitable company, limited by guarantee, registered in England and Wales. The charity's registered number and registered office address can be found on the Company Information page. Each member's personal liability is limited to an amount not exceeding £1.

Basis of preparing the financial statements

The financial statements have been prepared in accordance with applicable accounting standards.

The financial statements have been prepared on a going concern basis which assumes that the company will be able to meet its liabilities as they fall due. The related party, Burnley Borough Council, have not given formal support to the charity, however they have continued the provision of grant support and continued support of the charity in its cash flow requirements. Furthermore, the charity has been able to access additional grant funding made available due to the Covid-19 pandemic. Accordingly, the trustees have concluded that it is appropriate for these financial statements to be prepared on the going concern basis.

The financial statements include the results of Burnley Leisure only. The company's subsidiary was dormant throughout this accounting period and has therefore been excluded from consolidation.

Accounting convention

The financial statements have been prepared under the historical cost convention, and in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1st January 2015) – (Charities SORP (FRS102)), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102), the Companies Act 2006 and the Charities Act 2011.

Burnley Leisure meets the definition of a public benefit entity under FRS 102. Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy note.

Incoming resources

All incoming resources are included on the Statement of Financial Activities when the charity is legally entitled to the income and the amount can be quantified with reasonable accuracy. Income is the amount derived from ordinary activities, and stated after trade discounts, other sales taxes and net of VAT.

Grants receivable are accounted for when due. Income is deferred when it is received in advance of the period to which it relates.

Investment income is recognised on a receivable basis.

Resources expended

Expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all cost related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

Charitable expenditure comprises those costs incurred by the charity in the delivery of its activities and services for its beneficiaries. It includes both costs that can be allocated directly to such activities and those costs of an indirect nature necessary to support them.

Governance costs include those costs associated with meeting the constitutional and statutory requirements of the charity and include audit fees and costs linked to the strategic management and administration of the charity.

All support costs are allocated between the activity expenditure categories on a basis designed to reflect the use of the resource. Support costs are apportioned on an appropriate basis e.g. time spent, floor areas, or estimated usage.

**BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020**

1. ACCOUNTING POLICIES (CONTINUED)

Tangible fixed assets and depreciation

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life or, if held under a finance lease, over the lease term, whichever is the shorter.

Fixtures and Fittings - 20% on cost

Fixed assets

The financial statements do not include the cost of land, buildings and equipment used at nominal rent by Burnley Leisure Trust, whose title rests with Burnley Borough Council. It is not practicably possible to attribute a value to this benefit.

Taxation

The charity is exempt from corporation tax on its charitable activities.

Fund accounting

Unrestricted funds can be used in accordance with the charitable objectives at the discretion of the trustees.

Restricted funds can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes.

Further explanation of the nature and purpose of each fund is included in the notes to the financial statements

Pension costs and other post-retirement benefits

The charity participates in a defined benefit scheme. Although the scheme is a multi-employer scheme it is possible to allocate a share of the assets and liabilities to the charity and hence contributions are accounted for as a defined benefit scheme in accordance with FRS 102.

Stock

Stock is valued at the lower of cost and net realisable value, after making due allowances for slow and obsolete items.

Leasing

Rentals payable under operating leases are charged against income on a straight line basis over the lease term.

Debtors

Short term debtors are measured at transaction price, less any impairment.

Creditors

Short term creditors are measured at transaction price.

Significant judgements and estimates

Preparation of the financial statements requires management to make significant judgements and estimates. The major item in the financial statements where these judgements and estimates must be made is in relation to the pension scheme. Management consult with experts to provide appropriate assumptions on which to calculate projected funding position for the scheme.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

2. GRANT INCOME

	31.3.20	31.3.19
	£	£
LCC Public Health	411,160	374,920
Sponsorship	67,292	25,431
Burnley, Pendle and Rossendale CVS	18,090	63,880
Arts Council England	28,251	24,955
Partner contributions	17,382	6,642
Stocks Massey	9,000	6,000
Up & active	8,340	12,105
Sport England	5,000	25,370
Mechanics Heritage	5,000	25,000
Curious Minds	3,000	8,000
Blackburn with Darwen	-	30,000
Big Lottery	-	20,000
Lancashire County Council	-	5,000
Total	<u>572,515</u>	<u>583,125</u>

In 2019, of the total grant income, £583,125 was restricted and £44,178 was unrestricted funds.

3. CHARITABLE ACTIVITIES – OPERATION OF FACILITIES

	31.3.20	31.3.19
	£	£
Burnley Borough Council annual contract fee	449,078	443,664
Income from the operation of leisure and arts facilities	<u>3,487,810</u>	<u>3,415,456</u>
	<u>3,936,888</u>	<u>3,859,120</u>

In 2019, of the total charitable activities income, £nil was restricted and £3,859,120 was unrestricted funds.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

4. RAISING FUNDS

	Unrestricted Funds £	Restricted Funds £	Total 31.3.20 £	Total 31.3.19 £
Staff costs and allowances	236,446	-	236,446	222,409
Premises expenses	11,627	-	11,627	9,757
Services and supplies	107,102	-	107,102	97,988
Transport expenses	1,471	-	1,471	1,616
Agency and contracted services	17,087	-	17,087	29,558
Business and technical support (see note 6)	<u>25,687</u>	-	<u>25,687</u>	<u>25,094</u>
	<u>399,420</u>	-	<u>399,420</u>	<u>386,422</u>

In 2019, of the total costs raising funds, £nil was restricted and £386,422 was unrestricted funds.

5. COSTS OF CHARITABLE ACTIVITIES

	Unrestricted Funds £	Restricted Funds £	Total 31.3.20 £	Total 31.3.19 £
Staff costs and allowances	2,119,701	494,150	2,613,851	2,402,190
Premises expenses	104,647	12,378	117,025	97,418
Supplies and services	963,918	31,701	995,619	912,588
Transport expenses	13,236	4,576	17,812	17,773
Agency and contracted services	153,784	33,305	187,089	296,055
Business and technical support (see note 6)	231,183	15,000	246,183	247,953
Governance costs (see note 6)	<u>5,850</u>	-	<u>5,850</u>	<u>5,850</u>
	<u>3,592,319</u>	<u>591,110</u>	<u>4,183,429</u>	<u>3,979,827</u>

In 2019, of the total costs of charitable activities, £496,176 was restricted and £3,483,651 was unrestricted funds.

Included in the above are governance and support costs. These costs have been allocated using an element of judgement as the charity has had to consider the cost/benefit of detailed calculations and record keeping. Therefore, support costs have been allocated accordingly to proportion of direct costs incurred within each charitable activity.

6. GOVERNANCE AND SUPPORT COSTS

	Unrestricted funds £	Restricted funds £	31.3.20 Total funds £	31.3.19 Total Funds £
Business and technical support	256,870	15,000	271,870	273,047
Audit services	5,000	-	5,000	5,000
Non-audit services	<u>850</u>	-	<u>850</u>	<u>850</u>
	<u>262,720</u>	<u>15,000</u>	<u>277,720</u>	<u>278,897</u>

In 2019, of the total governance and support costs, £22,105 was restricted and £256,792 was unrestricted funds.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

7. NET OUTGOING RESOURCES

Net resources are stated after charging:

	31.3.20	31.3.19
	£	£
Auditors remuneration	5,850	5,850
Depreciation	<u>10,000</u>	<u>10,000</u>

8. TRUSTEES' REMUNERATION AND BENEFITS

Trustees' Remuneration

During the year remuneration of £49,365 (2019: £76,802) was paid to Mr W Rashid and Mrs J Sharpley, employee trustees, in relation to their employment duties. These payments are authorised by the Articles of Association. No trustees received remuneration for their roles as trustees for the year ended 31st March 2020 nor for the year ended 31st March 2019.

Trustees' Expenses

There were no trustees' expenses paid for the year ended 31st March 2020 nor for the year ended 31st March 2019.

9. STAFF COSTS

	31.3.20	31.3.19
	£	£
Wages and salaries	2,345,936	2,226,752
Social security costs	163,423	152,333
Other pension costs	<u>219,507</u>	<u>208,837</u>
	<u>2,728,866</u>	<u>2,587,922</u>

The average monthly number of employees during the year was as follows:

	31.3.20	31.3.19
Employees	<u>165</u>	<u>160</u>

Employees earning more than £60,000 during the year:

	31.3.20	31.3.19
£60,001 - £70,000	<u>1</u>	<u>1</u>

The above staff member participated in the defined benefit pension scheme. Contributions of £7,472 (2019: £7,325) were made in relation to this individual.

The above staff member represents the key management personnel for the charity.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

10. TANGIBLE FIXED ASSETS

	Fixtures and fittings £
COST	
At 1st April 2019	50,000
Additions	-
At 31st March 2020	<u>50,000</u>
DEPRECIATION	
At 1st April 2019	40,000
Charge for year	10,000
At 31st March 2020	<u>50,000</u>
NET BOOK VALUE	
At 31st March 2020	<u>-</u>
At 31st March 2019	<u>10,000</u>

11. FIXED ASSET INVESTMENTS

Investments comprise the cost of the investment in the subsidiary undertaking. Details of the subsidiary undertaking are as follows:

<u>Name of company</u>	<u>Proportion of nominal Value of issued shares held</u>	<u>Principal Activity</u>
Burnley Leisure Trading Limited	100% Ordinary shares	Dormant

12. STOCK

	31.3.20	31.3.19
	£	£
Leisure centre stock	4,732	7,384
Townley golf stock	15,377	10,399
Bar and catering	<u>45,521</u>	<u>43,519</u>
	<u>65,630</u>	<u>61,302</u>

13. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	31.3.20	31.3.19
	£	£
Trade debtors	67,557	115,965
Prepayments and accrued income	14,892	11,957
Other debtors	<u>1,627</u>	<u>50,160</u>
	<u>84,076</u>	<u>178,082</u>

Debtors include £nil in respect of grants receivable at the year end. All amounts shown under debtors fall due for payment within one year.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

14. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	31.3.20	31.3.19
	£	£
Trade creditors	206,484	176,235
Taxation and social security	12,252	91,608
Accruals and deferred income	<u>222,619</u>	<u>233,107</u>
	<u>441,355</u>	<u>500,950</u>

15. OPERATING LEASE COMMITMENTS

The following operating lease payments are committed to be paid within one year:

	31.3.20	31.3.19
	£	£
Expiry date:		
Within 1 year	21,047	23,253
Between one and five years	<u>53,208</u>	<u>73,223</u>
	<u>74,255</u>	<u>96,476</u>

16. ANALYSIS OF NET LIABILITIES BETWEEN FUNDS

	Unrestricted	Restricted	31.3.20	31.3.19
	funds	funds	Total	Total
	£	£	£	£
Fixed assets	2	-	2	10,002
Current assets	698,587	183,918	882,505	1,005,545
Current liabilities	(441,355)	-	(441,355)	(500,950)
Pension scheme deficit	<u>(3,243,000)</u>	-	<u>(3,243,000)</u>	<u>(2,647,000)</u>
	<u>(2,985,766)</u>	<u>183,918</u>	<u>(2,801,848)</u>	<u>(2,132,403)</u>

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

17. UNRESTRICTED FUNDS

	Pension deficit	General funds	Designated funds	Total funds
	£	£	£	£
Balance at 1 st April 2019	(2,647,000)	241,158	75,000	(2,330,842)
Net income / (expenditure)	(596,000)	(43,324)	(15,600)	(654,924)
	<u>(3,243,000)</u>	<u>197,834</u>	<u>59,400</u>	<u>(2,985,766)</u>

Purposes of designated funds

The trustees have designated funds to assist in the future development of the charity. The funds set aside are for Business development, Arts development and a fund for a Minibus.

General fund

The general fund consists of the total of free reserves available to spend on the objectives of the charity.

18. RESTRICTED FUNDS

	At 1st April 2019	Incoming resources	Outgoing resources	At 31st March 2020
	£	£	£	£
Project fund				
Active streets – Big Lottery	82,282	88,997	90,900	80,379
Arts development	35,000	-	10,000	25,000
Awards for All	8,053	-	-	8,053
Curious Minds	10,755	39,540	35,474	14,821
Cycling project	12,248	-	1,768	10,480
MAPS	9,476	2,998	6,289	6,185
Mechanics	-	10,000	10,000	-
Boat House	-	5,000	-	5,000
Summer School	-	1,885	1,885	-
Up and active	40,625	428,169	434,794	34,000
	<u>198,439</u>	<u>576,589</u>	<u>591,110</u>	<u>183,918</u>

The restricted grants received in the year have been categorised above.

19. PENSION ARRANGEMENTS

The charity participates in the Lancashire County Pension Fund which is a funded defined benefit scheme providing benefits based on final remuneration. The assets of the scheme are held separately from those of the charity. Whilst this is a multi-employer scheme, the actuary is able to segregate the assets and liabilities relating to the charity. During the year, normal employer pension contributions of £219,507 (2019: £208,837) were paid to the scheme.

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

19. PENSION ARRANGEMENTS (CONTINUED)

The following calculations as at 31st March 2020 have been provided by the actuaries, Mercer Limited, using the projected unit actuarial costs method. Principal actuarial assumptions used by the actuary were as follows:

	31.3.20	31.3.19
	%	%
Rate of CPI inflation	2.10	2.20
Rate of increase in salaries	3.60	3.70
Rate of increase in pensions	2.20	2.30
Discount rate	2.30	2.50
Life expectancy of a male future pensioner aged 65 in 20 years' time	23.80	25.10
Life expectancy of a female future pensioner aged 65 in 20 years' time	27.30	28.20
Life expectancy of a male current pensioner aged 65	22.30	22.80
Life expectancy of a female current pensioner aged 65	25.50	25.50

The amounts recognised in the balance sheet are as follows:

	31.3.20	31.3.19
	£	£
Present value of funded obligations	(11,631,000)	(10,329,000)
Fair value of plan assets	8,388,000	7,682,000
Net pension deficit	<u>(3,243,000)</u>	<u>(2,647,000)</u>

Analysis of amounts charged to the Statement of Financial Activities:

	31.3.20	31.3.19
	£	£
Operating charge		
Current service cost	627,000	528,000
Past service cost	162,000	-
Curtailments	7,000	-
Administration expenses	11,000	9,000
Total operating charge	<u>807,000</u>	<u>537,000</u>
	31.3.20	31.3.19
	£	£
Other finance costs		
Expected return on pension scheme assets	(196,000)	(184,000)
Interest on pension scheme liabilities	262,000	237,000
Net charge	<u>66,000</u>	<u>53,000</u>
	31.3.20	31.3.19
	£	£
Total charge to resources expended in Statement of Financial Activities	<u>873,000</u>	<u>590,000</u>

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

19. PENSION ARRANGEMENTS (CONTINUED)

Analysis of the actuarial gains and losses shown in the Statement of Financial Activities:

	31.3.20	31.3.19
	£	£
Actuarial gains on assets	224,000	592,000
Actuarial losses on liabilities	(170,000)	<u>(743,000)</u>
Actuarial gain / (loss) recognised	<u>54,000</u>	<u>(151,000)</u>

Changes in the fair value of the defined benefit obligation are as follows:

	31.3.20	31.3.19
	£	£
Opening defined benefit obligation	10,329,000	8,792,000
Current service cost	627,000	528,000
Past service cost	162,000	-
Curtailments	7,000	-
Interest on pension scheme liabilities	262,000	237,000
Employee contributions	115,000	107,000
Actuarial losses	170,000	743,000
Benefits paid / transfers	(41,000)	<u>(78,000)</u>
Closing defined benefit obligations	<u>11,631,000</u>	<u>10,329,000</u>

Changes in the fair value of plan assets are as follows:

	31.3.20	31.3.19
	£	£
Opening fair value of plan assets	7,682,000	6,682,000
Expected return on plan assets	196,000	184,000
Actuarial gains	224,000	592,000
Employer contributions	223,000	204,000
Employee contributions	115,000	107,000
Administration expenses	(11,000)	(9,000)
Benefits paid / transfers	(41,000)	<u>(78,000)</u>
Closing fair value of plan assets	<u>8,388,000</u>	<u>7,682,000</u>

The split of assets between investment categories is as follows:

	2020	2020	2019	2019
	£	%	£	%
Equities	4,445,000	53.00	3,389,000	44.10
Government bonds	-	-	269,000	3.50
Other bonds	210,000	2.50	92,000	1.20
Property	713,000	8.50	714,000	9.30
Cash/liquidity	235,000	2.80	38,000	0.50
Other	<u>2,785,000</u>	<u>33.20</u>	<u>3,180,000</u>	<u>41.40</u>
	<u>8,388,000</u>	<u>100.00</u>	<u>7,682,000</u>	<u>100.00</u>

BURNLEY LEISURE
(A COMPANY LIMITED BY GUARANTEE)

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MARCH 2020

19. PENSION ARRANGEMENTS (CONTINUED)

Amounts for the current and previous periods are as follows:

	2020 £	2019 £	2018 £
Defined benefit obligation	(11,631,000)	(10,329,000)	(8,792,000)
Plan assets	<u>8,388,000</u>	<u>7,682,000</u>	<u>6,682,000</u>
	<u>3,243,000</u>	<u>(2,647,000)</u>	<u>(2,110,000)</u>

A full actuarial review of the scheme was undertaken as at 31st March 2020.

Following the full actuarial valuation at 31st March 2020, employer contributions were agreed to stay at a rate of 16.90% with effect from 1st April 2020.

The current estimate of employer contributions for the year ended 31st March 2021 is £293,000. Implied service cost is estimated at £619,000 and a net interest and administration cost at £82,000 resulting in the deficit increasing by an estimated £408,000 to £3,651,000.

20. RELATED PARTY TRANSACTIONS

Under an agreement dated 25th March 2014, the charity acquired the use of the community arts and leisure facilities in the Burnley area from the Burnley Borough Council, a related party by virtue of its grant funding to the charity. The community arts and leisure facilities include all the equipment at each site and enable the society to operate under its principal activity. The value of the equipment and the potential liability for the consideration are not included in the accounts in order to reflect the substance of the arrangement.

The charity operates from premises owned by the Burnley Borough Council.

During the period, the charity received grant funding from Burnley Borough Council of £449,078 (2019: £443,664).

Burnley Borough Council also provides professional services to the charity under a service agreement which amounted to £252,720 (2019: £246,793) in the period.

During the year sales of £22,066 (2019: £40,084) were charged to and expenditure of £16,604 (2019: £30,357) was charged by Burnley Borough Council.

During the year the charity received income of £18,990 (2019: £63,880) from Burnley Pendle and Rossendale Council for Voluntary Services, a related party that shares a Trustee with Burnley Leisure. In addition, the charity incurred £5,888 in costs from this related party.

During the year the charity received income of £617 (2019: £Nil) from Burnley Youth Theatre, a related party that shares a Trustee with Burnley Leisure. In addition, the charity incurred £1,455 in costs from this related party.

21. GOING CONCERN AND POST BALANCE SHEET EVENTS

In preparing this Annual Report and Accounts, the trustees have considered their statement made regarding preparation of the financial statements on a going-concern basis. The financial statements have been produced on a going concern basis, despite the existence of net total liabilities (including the pension scheme deficit) as at 31st March 2020 because the trustees are satisfied that the charity will meet all its obligations as and when they fall due over the foreseeable future. In forming this opinion, the trustees have paid particular regard to:

- a) The nature of and future prospects for the economic climate in which the charity operates;
- b) The adequacy of the liquidity in the business demonstrated through the current 12 month forecast;
- c) The continued support of the council;
- d) The remaining term to March 2029 of the management agreement with Burnley Borough Council;
- e) The competencies of the executive staff employed by the charity;
- f) The actual performance to date for the financial year ending 31st March 2021.
- g) The details included in the Report of the Trustees which sets out the impact Coronavirus has had on the charity.

The trustees are not aware of any other reportable post balance sheet events at the time of this report.

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Report to the Executive



DATE	March 2021
PORTFOLIO	Health & Wellbeing
REPORT AUTHOR	Simon Goff
TEL NO	477223
EMAIL	sgoff@burnley.gov.uk

Tree Management Policy

PURPOSE

1. To seek approval to adopt the updated Tree Management Policy.

RECOMMENDATION

2. The Executive is recommended to consider and approve the attached Tree Management Policy (Appendix 1.).

REASONS FOR RECOMMENDATION

3. The update of the Tree Management Policy is a key decision, as it will determine how the Council will manage and maintain trees on the 550 hectares of green space that it owns across the Borough.

SUMMARY OF KEY POINTS

4. The aims of the Tree Management Policy are to:
 - Identify the Councils 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
5. The Tree Management Policy is intended to act as a point of reference for the public, Councilors, Council Officers and professionally interested people to ensure a clear, consistent and structured approach to the management of trees in green spaces.

6. The Council first adopted a Tree Management Policy in 2007. It has now been updated and the following changes have been made:

- an amended schedule of relevant legislation
- a new system of prioritising
- a new system of inspecting trees, following amended best practice guidance.
- a new timescale for responding to enquiries
- changes in the resources of the Council's tree maintenance team
- information on Ash dieback disease

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. The costs of managing trees using the Council's in-house tree team are funded from the existing revenue budget.

POLICY IMPLICATIONS

9. The Policy identifies that urban trees make a significant contribution to achieving the Council's strategic objectives of Places, People and Prosperity.
10. The Tree Management Policy helps to ensure that the Council has a robust procedure for managing its tree stock, so meeting the Council's duties under the Occupiers Liability act and reducing the risk of liability claims against the Council

DETAILS OF CONSULTATION

11. Scrutiny committee

BACKGROUND PAPERS

12. None

FURTHER INFORMATION

PLEASE CONTACT:

Simon Goff

ALSO:

Roger Rawlinson

Green Spaces & Amenities Unit

Tree Management Policy

February 2021

1. Introduction

This policy identifies the Council's approach to the management of trees on land owned by the Council. It is intended to act as a point of reference for members of the public, councillors, council officers and professionally interested people to ensure a clear, consistent and structured approach to the management of Council owned trees.

The policy aims 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 from the public and councillors to prune or fell trees.

2. The benefits of trees in towns

Trees are vital to an environmentally sustainable and economically successful town. Some of the benefits that trees provide are listed (under the Council's Strategic Priorities) below:

Places

- Creating an attractive environment where people will choose to live
- Providing wildlife habitats
- Absorbing carbon dioxide whilst releasing oxygen
- Reducing air pollution
- Noise reduction
- Providing shade from the sun
- Contributing to energy conservation by reducing wind speeds

People

- Proven to reduce stress levels
- Contributing to the well-being of the community
- Bringing beauty to the Borough all year round

Prosperity

- Increasing property values
- Creating an attractive physical environment that encourages investment
- Screening ugly views

3. Burnley's trees and woodlands

Photographs from the early 20th century show a virtually tree-less industrial environment in Burnley and Padiham. A century of tree planting, by the Council, property owners and voluntary groups combined with natural regeneration of trees and woodland on vacant land has created a relatively green and leafy town. This rich legacy of urban trees and woodland will benefit future generations and contribute to the town's future prosperity.

The Council manages an estimated 35,000 trees within the town's parks, cemeteries, and amenity green spaces. There are a further 250,000 trees (estimated) growing on the 125 hectares (equivalent to 210 football pitches) of woodland that are owned and managed by the Council.

The Council's Forest of Burnley project planted 1.2 million trees between 1997 and 2002 to celebrate the new millennium. 500 hectares of new woodland were planted on private, local authority and United Utilities land. Woodland cover was increased from 3.5 % of land area to nearly 8% cover and these new woodlands sequester up to 3,000 tonnes of CO₂ per year.

The Forest of Burnley also planted an urban arboretum of 2,000 specimen trees in parks and open spaces.

4. The Council's responsibilities as landowner

As landowner, the Council has a duty to take reasonable care to ensure that trees growing on its land do not put persons and property at unreasonable risk of harm.

The Council is not expected to guarantee that a tree is safe. It is required to take reasonable care as could be expected by a reasonable and prudent landowner.

According to the [Health and Safety Executive](#) the risk of being struck and killed by a tree or branch falling is extremely low (in the order of one in 10 million for those trees in or adjacent to areas of high public use).

Statutory duties in respect of trees

- 4.1. Under **the Occupiers Liability Acts (1957&1984)** there is a duty upon the occupier to take such care as is reasonable to ensure visitors to their land shall be safe from harm.
- 4.2. **The Health and Safety at Work, etc. Act (1974)** and the **Management of Health and Safety at Work Regulations (1999)** places general duties upon employers to conduct their undertaking in such a way as to ensure, so far is reasonably practicable, that persons not in their employment who may be affected are not exposed to risks to their health and safety.
- 4.3. **The Highways Act 1980 and Local Government (Miscellaneous Provisions) Act 1976** give local authorities discretionary powers to deal with trees in private ownership that are felt to be endangering the highway or other neighbouring land that can be accessed by members of the public or property where a dangerous tree has been brought to their attention.
- 4.4. **The Wildlife and Countryside Act 1981** as amended by the **Countryside Rights of Way act 2000** and the **Habitat regulations 1994** places legal obligation on the protection of wildlife species and habitats.
- 4.5. **The Town and Country Planning Act 1990 and the Town and Country (Tree Preservation) (England) Regulations 2012** contain provisions for protecting trees with Tree Preservation Orders (TPO) and Conservation Areas. Permission must be sought from the Local Planning Authority (LPA) before any work can be carried out on a tree protected by a TPO. For trees contained within a conservation area, a notice of intent to carry out work must be submitted to the LPA prior to carry out the work. More information on TPOs including making an application can be found by following the [link](#).
- 4.6. **Anti-Social Behaviour Act 2003: Part 8 2005** Empowers Local Authorities to consider high hedges that are perceived to be causing a nuisance. The Council can only take action if the hedge contains mostly evergreen trees or shrubs, is over 2 metres tall and is affecting the enjoyment of a garden or home due to its size. The Council will only take action as a last resort and will make an administration charge to the complainant. The Council may serve notice on the owner to reduce the height of the hedge and to maintain it at a specified height. The hedge owner is responsible for the cost of any work required to reduce the height of the hedge. For more information on high hedges, please follow the [link](#).

5. How the Council will manage trees in parks and green spaces

The council manages trees in accordance with guidance in the National Tree Safety Group's document '*Common Sense Tree Management*' ([link](#)) which establishes nationally recognised basic principles for considering and managing tree safety in the public interest. The guidance provides an approach to managing trees where a balance is struck between the risks and benefits. The Council will use this document as a baseline for setting a standard of action for the management of the trees it owns.

All trees and groups of trees for which the Council is responsible have been categorised, or zoned, in relation to the risk they represent:

High use zones: areas such as well used areas of main parks, trees in open spaces close to busy roads, trees next to car parks, children's play areas and woodland footpaths.

Low use zones such as woodland areas away from the footpaths, infrequently used areas of parks and open spaces and generally inaccessible areas.

Staff in Green Spaces & Amenities, including gardeners and park rangers are trained to identify any obvious risk or hazards in trees in high use zones when carrying out their day-to-day duties and to report any issues to the tree officer or their team leader. Typically, these risks will include observing any hanging branches, the fruiting bodies of fungus appearing on trunks or branches, die-back of the canopy or early leaf drop and any splits in the trunk.

Parks & green spaces are formally inspected twice each year and there is a written record kept of the inspection, which includes a visual inspection of trees.

On occasions it is necessary to carry out more detailed inspections on a tree to determine the level of decay or dysfunction. Trees are inspected using the VTA (Visual Tree Inspection) method outlined in the *Body Language of Trees: A handbook for failure analysis*.

These inspections are undertaken by the Council's Tree Officer or a member of the tree team, qualified to the Arboricultural Associations Intermediate Tree Inspector level. The inspections are recorded on a detailed tree assessment form.

Occasionally, further detailed investigations may be required, involving one or more of the following: soil and root condition assessments, aerial inspections of upper trunk and crown, or other procedures to evaluate the nature of suspected decay and defects, including using specialist diagnostic tools, such as ultrasound.

Any work arising from inspections is added to the tree team's work programme in priority order.

Policy

- 5.1 Burnley Borough Council will use a risk-based system of tree management relying on a programme of regular inspection prioritised by potential hazard or risk and public usage.**
- 5.2 The work programme of the Council's tree team will be prioritised according to this risk-based approach.**

6. Wildlife and Conservation

Trees are essential to the biodiversity and wildlife of Burnley and support many species of insects, birds and mammals.

Tree works will be carried out whilst ensuring adherence to all wildlife and conservation laws and regulations including:

- Wildlife and Countryside Act 1981(amended 1996)
- Wildlife and Countryside (Amendment) Act 1999
- Countryside Rights of Way Act 2000
- Town and Country Planning Act (Trees) Regulations 1999 (amended 2008)
- Conservation (Natural Habitats) Regulations 1994 (amended 2010)
- European Habitats Directive 1992 (amended 2007)
- Biodiversity Act 2005 (amended 2008)

Before undertaking any tree work, the nature conservation value of individual trees will be assessed.

All trees are checked for signs indicating the presence of bats, which are protected by law. It is a criminal offence to recklessly or intentionally disturb bats or to damage or destroy a roost, whether bats are in a roost or not. If a tree is obviously dangerous, yet providing a statutorily protected wildlife habitat, mitigation measures will be agreed before any work proceeds.

Consideration is also given to the presence of nesting birds, especially during the period March to August and it is an offence to intentionally take damage or destroy the nest of any wild bird while it is in use or being built. Pruning or felling work will not normally be scheduled to take place in trees, woodlands and around hedgerows

during this period. If a nest is discovered during cutting work, work will be suspended around the area of the nest, as soon as it is safe to do so.

The trunks of dead trees provide important wildlife habitats. Where possible and safe to do so, dead trunks are left standing or lying on the ground, especially in woodland and branches are formed into habitat piles.

When tree work recommended to be carried out within a Conservation Area, the Tree Team will liaise with the Council's Planning Department in advance, although this is not a legal requirement when the council is carrying out the work.

Policy

- 6.1 All tree work carried out or ordered by the council will adhere to relevant acts and regulations listed above.**
- 6.2 Consideration will always be given to the longer-term impact of any tree pruning or felling on local wildlife.**
- 6.3 Tree work will be scheduled to take place in periods where the impact on local wildlife is minimised.**
- 6.4 Dead wood will be left standing or on the ground in habitat piles wherever possible and considered safe to do so.**

7. Tree Management Resources

The Council employs an 'in-house' team to manage its tree stock. This has recently expanded from 2 to 3 arborists to help deal with the increase in work resulting from Ash dieback disease.:

- **A Tree Officer (0.6 FTE):** Responsible for implementing a proactive tree inspection and tree risk management programme, which includes prioritising and scheduling any necessary tree work on council owned trees and maintaining and supervising a tree work programme for the council's tree team or contractors.
- **The Tree Maintenance Team:** Consists of three full-time qualified arborists. The team is trained to work at heights and are competent and experienced in felling or dismantling hazardous trees of all sizes in accordance with appropriate safety standards. The tree team carry out tree pruning to a high standard and in line with BS 3998 British Standard Recommendations for Tree Work (2010).

- **Additional Emergency Cover:** To provide additional resources for emergency tree work, following high winds where trees may have fallen, the Council can call upon a number of other gardening staff who have been trained and qualified to use chainsaws to assist with the clear up; The Councils apprentices trained to use chainsaws and fell small trees as part of their learning and development programme. The Council also retains a list of suitably equipped and qualified arboricultural contractors who can be called on to carry out work if necessary.
- **Volunteer Groups:** A group of woodland volunteers meet at Towneley Park to assist woodland management and the Council also works with Trees for Burnley, which plants trees and manages woodland on Council owned sites.

Policy

- 7.1 The Council will allocate sufficient resources to ensure that it is able to manage the trees that it owns.**
- 7.2 The Council will endeavour to maintain high standards of tree work, by ensuring all tree works are carried out to BS 3998 British Standards for Tree Work 2010 (and any subsequent revisions).**

8. Requests from the public

The Council receives requests from customers associated with trees growing on council land adjacent to private properties, especially when the trees are in leaf and also when leaf fall takes place in the autumn.

Following a request for work on trees (on Council owned land) an inspection will be arranged by the Tree Officer or a member of the Tree Team to assess the tree(s)

- Any tree which is classed as high risk will be inspected as soon as possible the same day or at the latest the following day and any necessary work actioned.
- For requests of a non-urgent nature, trees will be inspected within 20 working days, and any necessary work actioned within the timescales set down in the policy.
- Requests from customers for trees on land owned by Lancashire County Council or Calico Housing will be referred directly to them and the customer notified. We cannot always provide an update on the progress of these requests once they have been passed on.

Private Tree Enquiries

The Council does not normally carry out work to trees on private land, although they do have discretionary powers under the Local Government (Miscellaneous Provisions Act 1976), to make safe a tree on private property which is in imminent danger of causing damage to persons or adjacent property. These powers will only be invoked in exceptional circumstances.

The Council can only offer basic advice on private tree matters and will not mediate in disputes between neighbours over trees. Advice can be found by following this [link](#).

Policy

- 8.1 Service requests and complaints will be recorded on the Councils Achieve system and prioritised.**
- 8.2 A dangerous or potentially dangerous tree will be treated with urgency and normally inspected on the same or next day and any necessary work actioned.**
- 8.3 Requests of a non-urgent nature will be inspected within 20 working days.**
- 8.4 The Council will not mediate on disputes between private landowners in respect of trees and hedges.**

9. When will trees be felled?

The Council will avoid felling trees unless it is necessary for the following reasons:

- A dead or diseased tree that is a danger to the public.
- A tree which is lifting at the roots and failure is imminent.
- A tree obstructing or endangering a public highway, right of way, access to property or footpath, where the obstruction can't be overcome by pruning or other reasonable measures.
- A tree on Council owned land causing an actionable nuisance to an adjoining property, where actual damage to property has been proved to have been caused by the tree, or clearly if no action is taken, damage will imminently be caused. This

does not include general encroachment of branches and roots onto adjoining land where physical contact with buildings or structures is unlikely.

- A tree that is proven to be a contributor to soil shrinkage and serious structural damage, where pruning alone would not provide a solution. Damage to light structures such as garden walls, paving, etc. is relatively minor and removal of the tree would not normally be acceptable. Structural problems must be carefully investigated. Private owners will be expected to provide proof in the form of a structural engineer's report (or similar) that a particular tree is causing damage to the property.
- Trees which, in the judgment of the Council's Tree Team, are clearly of a size and species inappropriate for their location. Examples could include large Poplars which have been planted as pioneer species, Willows or Poplars where root encroachment to properties is identified, or conifers which would fall foul of the high hedges legislation.
- Thinning of trees to prevent overcrowding or removal for habitat improvement and landscape restoration in accordance with a management plan.
- Removal to allow authorised development. It may sometimes be necessary to remove trees to permit a development to take place.

Policy

- 9.1 Burnley Council will avoid felling trees unless it is considered necessary. Each case will be carefully judged on its merits following an inspection.**
- 9.2 If a tree must be felled a replacement tree will normally be planted, though not necessarily in the same place as the felled tree.**

10. When will trees be pruned?

Trees will not normally be pruned because pruning can weaken a tree and allow decay organisms to enter exposed tissue.

Pruning often causes a tree to respond by producing vigorous new growth, often undoing the purpose of the original pruning.

Older trees do not tolerate pruning as well as younger ones and substantial pruning can be damaging, particularly in species that do not naturally tolerate cutting.

The following are situations where pruning will be considered:

- A tree that is obstructing a public highway or public right of way. Generally, a minimum clearance of 2.4m will be maintained over pavements and 5.2 metres over highways.
- A tree causing a proven legal nuisance to an adjoining property.
- A tree that is causing soil shrinkage and structural damage to adjoining property, where it is felt that it is appropriate to restrict the size and moisture demand of the tree.
- Trees restricting access to property for maintenance or in physical contact with buildings or roofs.
- Trees interfering with street lighting, highway signage or other services.
- Trees obstructing Council-monitored CCTV surveillance cameras. Pruning will be the minimum necessary to maintain visibility without detriment to the health of the tree.
- Trees needing formative pruning to shape or train them during the early years.
- Removal of dead and diseased branches, where there is perceived to be a danger to public or property.
- Removal of epicormics (basal) growth to maintain sightlines or to allow mowing to be carried out close to the tree.
- To prevent easy access to adjoining properties by climbing the tree
- To prevent easy access into trees growing low over spiked railings, particularly along the boundaries of parks.

- To reduce load on a defective part of the tree

Policy

- 10.1 Tree pruning will only be undertaken where there is sound justification for the work. No pruning will be carried out if tree has been pruned within the last 5 years.**
- 10.2 Pruning will be carried out in line with British Standard BS3998: 2010 Tree Work Recommendations.**
- 10.3 When pruning is undertaken every effort will be made to ensure the natural shape and character of each tree is retained.**

Seasonal Nuisance

There are a variety of perceived nuisances associated with trees, most of which are minor or seasonal, but which give rise to complaints and requests for trees to be felled or pruned. Examples of such problems are:

- falling leaves,
- sap,
- honeydew,
- fruit, nuts,
- bird droppings
- falling blossom.
- reduction or increase of moisture to gardens.
- suckers or germinating seedlings in gardens.
- leaves falling into gutters, drains or onto flat roofs.
- the buildup of moss or algae on fences, paths or other structures

Policy

- 10.4 The Council will not fell or prune Council owned trees solely to alleviate problems caused by natural and / or seasonal phenomena.**

Light and views

One of the most common complaints received in respect of trees, situated within the built environment, is that they block light from properties, shade gardens and restrict views.

- There is no legal right to light concerning trees. The only right to light may be earned under the Prescriptions Act 1832, by which a person must have enjoyed light to a window in the dwelling for 20 years before the obstruction appeared.
- There is no right to direct sunlight or light to gardens and solar panels.
- There is no right to a view which is, or becomes, obscured by trees. Equally there is no right to not have a view if trees previously covered an undesirable feature such as a brick wall.

Policy

10.5 The Council will not fell or prune trees for reasons of light or views, unless they are blocking light from habitable rooms to a severe and unreasonable degree.

Television and satellite reception:

Interference appears to increase when trees are in leaf and in windy weather. This is especially the case with regards to satellite reception, as it appears to be more sensitive to interference than television reception. Experience has shown that pruning trees often fails to improve reception and once pruned re-grow quite quickly.

Policy

10.6 The Council will not prune trees solely because they are causing interference with television and satellite reception, unless complainants have taken other measures to improve reception without success and it can be proven that pruning will improve reception. In considering any action the Council will also take account of the amenity value of the trees concerned.

Appeals Against Decisions not to Prune or Fell Trees

In circumstances where a request to prune or fell a Council owned tree is turned down, adjoining owners may appeal under the Council's complaints procedure, which is available here: [link](#)

11. Implementing Tree Work

When a tree has been inspected by the Tree Officer and action is recommended, the work will be categorised to reflect the urgency of the situation, the degree of inconvenience being caused and the best time of year for the work to be undertaken.

Policy

The following categories will be used to prioritise tree works in parks and open spaces.

- Emergency: Dangerous trees requiring immediate attention.

The tree the team will be dispatched as soon as possible, including out of normal working hours.

- Priority A: Classified as essential works, associated with mitigation of lower-level risk, where tree failure is not considered imminent, such removal of dead trees in public areas, trees causing sightline issues for highway users. This may also include trees which require work due to approved construction work or development.

The Council will endeavor to ensure that priority a work is completed within 12 weeks of the job ticket being created.

- Priority B: Classified as desirable and will include any work that results from approved requests from local councilors or residents, park friends groups and non-essential highway tree work requests from Lancs County Council.

The Council will endeavor to ensure that priority B work is undertaken within 6 months of the works order being created.

- Priority C: Classified as non-essential or work of a general routine management such as formative pruning or thinning out poor specimens to favour growth of better specimens.

Priority C work will be normally be only be carried out during the months, when higher priority work is complete.

12. Woodland Management

The Council manages 125 hectares of woodland as listed below:

Woodland	Area in Hectares
Cemetery Woodland	6.62
Chicken Hill	0.61
Clifton Heights	4.62
Fiery Wood	1.23
Greenbrook Wood	8.96
Grove Lane Plantation	6.77
Healy Heights Woodland	7.94
Heasandford Woodland	7.74
Highfield Ave Woodland Planting	0.13
Jacky Wood	0.82
Kibble Bank AGS	2.50
Lodge Plantation	0.68
Memorial Park Woodland	0.87
Mill Hill Woodlands	12.31
Printers Fold	0.91
Ridge Ave Plantations	3.07
Rowley Country Park	20.00
Stonemoor Bottom AGS	4.87
Sweet Clough	5.16
Towneley Park woodland	30.00
	125.80

Woodland Management Policy

The Council's will:

- **ensure as far, as reasonably practicable, the safety of visitors to woodland.**
- **facilitate access to woodlands by providing and maintaining footpaths where appropriate**
- **encourage volunteer participation in woodland management projects.**
- **improve the quality of woodland habitats. Where appropriate dead wood and fallen trees will be left on site and dead trees will be left standing to encourage wildlife species diversity, unless there is an unacceptable safety risk by doing so.**
- **manage woodlands as a long-term sustainable resource.**

- **progress opportunities to plant new areas of woodland and restock areas of existing woodland where appropriate. Native species will be the preferred choice for planting and re stocking.**

13. Commemorative Tree Planting

The Council runs a commemorative tree scheme to encourage planting trees within parks and open spaces.

Members of the public or an organisation can sponsor a tree to commemorate the life of a person or pet, a special occasion or achievement.

A specimen tree is chosen, purchased and planted in a location agreed with the donor, (excluding Towneley Hall Grounds and the Crematorium, which are full). A post is provided in front of the tree on which a commemorative plaque can be placed.

The Council advises those purchasing commemorative trees that they may not place wreaths, floral tributes, toys or other artefacts on or around the tree.

The current cost is £350 and more information can be found by following the [link](#).

14. Volunteer Groups

Each of the main parks has an active friends' group and they will be consulted on any major tree issues affecting the park. They also help to provide funding for replacement trees.

There is a Woodland Volunteer Group which meets at Towneley Park on the first Wednesday of the month, activities include minor pruning work, planting, repairing woodland footpaths, Himalayan Balsam removal and fencing repairs.

The Wednesday Woodland group work closely with the independent volunteer group Trees for Burnley <https://www.treesforburnley.co.uk/>, who have been active in community, based woodland management, tree planting and helping to fund conservation projects in the Burnley area for many years.

15. Highway Trees

A highway tree is defined as a tree growing within the grass verge between the carriageway and the pavement. The tree lined avenues within the borough, such as Casterton Avenue, Eastern Avenue, Lockyer Avenue and Marsden Road are owned

by Lancashire County Council, which has its own programme of inspection for highway trees.

Burnley Borough Council acts as a contractor to LCC for highway tree work and only carries out work to highway trees on instruction from LCC Highway Engineers.

All enquiries regarding highway trees are reported directly to LCC Highways.

The Borough Council planted the majority of avenue and other highway trees in Burnley and Padiham, which now make such an important contribution to the environment of Burnley and Padiham and are a major benefit to the town.

There has been a steady loss of highway trees in recent years. Some have been removed because of their age and condition, others to make way for highway improvements and to allow house holders to construct driveways.

The County Council has a policy of not replacing trees that are removed, although it will allow the Borough Council to plant highway trees on condition that it takes on the maintenance.

Policy

15.1 Burnley Borough Council will encourage the County Council to conserve highway trees and to provide replacements trees where felling is necessary.

16. Trees in Social Housing Areas

Calico and other housing associations are responsible for maintaining trees within gardens of the houses that they manage and on any areas of open space they maintain within estates. Calico's Housing tree policy and reporting procedures can be viewed by following the [link](#)

17. Ash Die Back disease

Ash Dieback or Chalara was first discovered in Poland in 1992 and the first cases in the UK involved imported nursery stock in South East England in 2012. It has rapidly spread across the UK with the cases in Burnley being noticed in 2016 in small self-seeded saplings.

At present the disease has become widespread around the borough and can now be seen in the mature tree stock.

The disease is caused by the fungi (*Hymenoscyphus fraxineus*), which attacks vessels carrying water and nutrients around the tree. The disease initially causes wilting foliage, bark lesions, sparse crown and dead branches and ultimately results in the death of the whole tree.

There is an estimated 90% fatality rate, with only 10% showing some resistance of which approximately 2% are completely resistant.

The disease is expected to have an impact across various services:

Greenspaces: Increase in number of dead and dangerous trees to deal with in parks, open spaces and around footpaths in woodland areas and replacement planting costs. Already the Council has removed 116 Ash trees from Queens Park (Feb 2021).

Planning: An expected increase in applications to work on Ash trees covered by TPO's and within the Conservation Areas.

Property: Tree ownership issues and enquiries.

There could also be an increase in fallen twigs small branches and leaves for Streetscene to deal with and a likely increase in calls and enquiries via the Contact Centre. There may also be an increase in claims for damage arising from falling trees or branches.

Policy

15.1 Burnley Borough Council will develop and implement an Ash Dieback Action Plan following guidance that has been issued by the Tree Council

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HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2021 - 2026

REPORT TO EXECUTIVE



DATE	23 rd March 2021
PORTFOLIO	Housing
REPORT AUTHOR	Paul Gatrell
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PURPOSE

1. To seek approval from Members for the Homelessness and Rough Sleeping Strategy 2021 – 2026.

RECOMMENDATION

2. That Executive:
 - a) Approve the document included at Appendix 1 as Burnley's Homelessness and Rough Sleeping Strategy 2021 – 2026.
 - b) Approve the document included as Appendix 2 as Burnley's Homelessness and Rough Sleeping Strategy 2021 – 2026 Action Plan.
 - c) Approve the document included at Appendix 3 as Burnley's Homelessness Review.

REASONS FOR RECOMMENDATION

3. To ensure the Council meet its statutory duty to publish a Homelessness and Rough Sleeping Strategy to cover the period 2021 – 2026.
4. To ensure that the borough has a comprehensive strategy to effectively prevent and relieve homelessness and rough sleeping across the borough.

SUMMARY OF KEY POINTS

5. As part of the Homelessness Act 2002, the Homeless Reduction Act 2017 and the Governments Rough Sleeping Strategy 2018 each Local Authority has a duty to agree and publish a strategy document that details how the authority plans to tackle homelessness and rough sleeping over the following 5-year period.

6. There are three separate but sequential documents that make up the strategy.
- **The Homelessness Review** – that contains a comprehensive review and analysis of homelessness and rough sleeping in the borough (*labelled as Appendix 1 to the Homelessness and Rough Sleeping Strategy*).
 - **The Homelessness and Rough Sleeping Strategy** – that sets out the aims and priorities that will be the focus of service provision.
 - **The Action Plan** – which details the specific actions that will be undertaken to deliver the aims of the strategy and meet its priorities.
7. Work to tackle homelessness and rough sleeping cuts across several sectors and involves a broad range of services and organisations. The success of any strategy that aims to tackle these issues needs agreement and buy-in from partners and stakeholders. To achieve this a consultation exercise has been carried out during November and December 2020, to seek the views of partner agencies and stakeholders.
8. Due to the Covid – 19 pandemic it was necessary to adopt a different approach to the consultation programme that removed face to face and group meetings with significantly greater emphasis on online consultation. The strategy was published and advertised on the Council’s website and promoted through social media. A press release was issued and links to access the relevant information were sent to all partners and stakeholders and Members of the Council.
9. The consultation responses were supportive of the Strategy and Action Plan, and only resulted in a small number of minor changes to the document.
10. The strategy is a partnership document that sets out the central aims of the Council and the wider partnership that works to prevent homelessness and end rough sleeping. These aims are set out under 5 priority areas,
- **Universal Prevention:** *Ensure everyone knows about the housing options available in Burnley and where to go for help*
 - **Targeted Prevention:** *Reaching people earlier if they are at risk of becoming homeless in the future*
 - **Preventing and relieving homelessness at crisis point:** *Help to keep a home or find another one*
 - **Recovery:** *Helping homeless people who are vulnerable and need support to recover so they can manage a home in the future*
- Having a suitable range of Housing Options:** *a range of options for those in housing need and homeless people to move in to with support if needed*
11. The strategy will be implemented over the 5-year term. The action plan will be reviewed annually and updated as appropriate to monitor progress and ensure the document remains relevant and effective.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION
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12. There are no immediate cost implications associated with the recommendations in this report. Any future costs associated with the implementation of the Homelessness and

Rough Sleeping Strategy 2021 – 2026 will be properly identified and approved in line with Council procedures.

POLICY IMPLICATIONS

13. Approval of the recommendation in this report is necessary to allow the Council to meet its statutory duty to publish a Homelessness and Rough Sleeping Strategy.

DETAILS OF CONSULTATION

14. General open consultation through the Council website and social media platforms, the Burnley and Pendle Homelessness Forum that covers a range of professional, voluntary and statutory agencies, Calico Homes Ltd, and the Cross Party Homelessness Working Group.

BACKGROUND PAPERS

15. None

FURTHER INFORMATION

PLEASE CONTACT:

Paul Gatrell Ext 7230

ALSO: Wilma Waddingham Ext 7245

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**APPENDIX 1 - BURNLEY
HOMELESSNESS & ROUGH
SLEEPING STRATEGY
2021 - 2026**

Introduction

Burnley's Homelessness and Rough Sleeping Strategy for 2020-2025 has been developed during a period of unprecedented change and uncertainty. Whilst the housing and homelessness challenges will shape the detail of this strategy, the overarching context is the 2020 Covid-19 pandemic, which is having, and will continue to have, an impact in communities in our local area, as well as in the UK and globally.

Burnley Council and our partners will continue to respond to housing need and homelessness, and therefore the development of this strategy is important, but the medium and longer term impacts of the Covid-19 pandemic on housing and homelessness are not yet clear. We know that, more than ever before, we need to ensure the Action Plan which accompanies this Homelessness and Rough Sleeping Strategy is continually reviewed and when needed, can be updated or changed in response to learning during the pandemic, and any new trends or circumstances as a result of the pandemic.

The scope of the strategy is wider than the services delivered directly by Burnley Council. It supports the delivery of the Lancashire Health and Well-Being Board, the work of East Lancashire Clinical Commissioning Group, criminal justice agencies and other public and voluntary sector organisations. It also supports the work which takes place through the Burnley, Pendle and Rossendale Homelessness Forum, and work across several District Councils in East Lancashire, who work together on some aspects of homelessness, as well as Lancashire-wide work through our County Homelessness Group.

We have used data, other information and feedback to review homelessness in Burnley, its causes and how this effects different groups of people in our communities. The findings from the review have shaped this strategy. You can read the whole review in Appendix One.

Our aim must be to prevent homelessness occurring in the first place – this is the best outcome for people. But it also makes good financial sense for the Council and other public sector agencies locally to prevent homelessness, because the cost of homelessness on services is high. Currently a lot of our focus and resources are spent assisting people once the crisis of homelessness has already happened. One of the most important questions for us is how can we turn that around and help people earlier?

We also need to break the cycle of repeat homelessness and assist those who become homeless to find a home and, if needed, offer them support to make sure they do not experience homelessness again.

A structured approach to preventing homelessness and ending rough sleeping

The way we have structured the strategy broadly follows the Government’s 2018 Rough Sleeping Strategy, which looks at actions in 3 domains or areas: Prevention; Intervention; Recovery. We have made our strategy relevant for all forms of housing need and homelessness in Burnley by borrowing from the structure of the St Basils ‘Positive Pathway’. This puts more emphasis on the earlier ‘Prevention’ elements and adds in a final element on housing supply to address move on options.

We want to encourage people to seek early housing advice to resolve any problems and this could be delivered through actions in Priority Area 1 or 2 in the diagram below. Some people who are homeless do not need to ‘recover’ from homelessness as they do not have any specific support needs, only a need for housing, so they might get help through Priority Areas 3 and 5.

The success of the structured approach set out in this strategy lies in partnership working, with the Council taking a lead, but with other key stakeholders working with the Council to prevent homelessness and end rough sleeping.



The scope of the strategy

The strategy aims to ensure homelessness is addressed at whatever stage or circumstance people are in. It covers people who:

- Want or need general advice about housing options
- Are at risk of homelessness in the future
- Are already homeless
- Are rough sleeping
- Are staying in supported housing or temporary accommodation
- Are settling into their new home after becoming homeless

Links to other strategies and plans in Burnley and Lancashire

Burnley's Future: The Community Strategy for Burnley 2017 – 2020

Burnley Council's Strategic Plan 2020

Burnley Council's Housing Strategy 2016 - 2021

East Lancashire Clinical Commissioning Group Vision and Priorities

Lancashire County Council Corporate Strategy

Summary of our review in homelessness in Burnley

To develop this strategy, we conducted a review into homelessness and rough sleeping in Burnley during March, April and May 2020. A review is inevitably a collection and analysis of information taken at a moment in time. This review was undertaken during the Covid-19 pandemic though much of the data pre-dates the pandemic. The longer-term impact of Covid-19 on housing and homelessness is not yet known and the strategy and action plan take the uncertainty about impacts into account as far as possible.

The review is attached as Appendix One to this strategy.

The summary of key points from the review were:

- Burnley has a lower proportion of social housing in comparison to other North West and Lancashire authorities.
- The Housing Register indicates that the most significant demand is for 1 bed social housing, followed by 2 bed social housing.
- Burnley Council has had success in its work with private landlords through selective licensing to improve landlord management and housing standards in some areas and this work is continuing.
- Some properties in the private rented sector are affordable for people on low incomes claiming housing benefit or housing costs. However, it is not always possible to find private rented accommodation for larger families which is suitable in some areas.
- There is limited general, easy to access information provided by Burnley Council or through other agencies on housing options for local people or where to go for advice or assistance.

- Single people approached the Council for assistance due to homelessness in significantly higher numbers than families between July 2018 and June 2019. This trend has continued in more recent quarters.
- 63% of people who were threatened with homelessness within 56 days were people with no dependents (single or childless couples) and 37% were families.
- 91% of people who were already homeless when they contacted the Council were single.
- The most common cause of homelessness is due to 'family or friends no longer being able or willing to accommodate', followed by issuing of Section 21 notices for eviction from a private rented tenancy.
- 28% of people said their address at the time of contacting the Council was no fixed abode, 21% were living with family or friends and 18% were living in the private rented sector.
- The Prison Service and the Job Centre were most likely to refer clients who said they were threatened with homelessness or homeless under the 'duty to refer.'
- When the 627 people who approached Burnley between July 2018 and June 2019 because they were homeless or threatened with homelessness were asked if there were any areas of their lives they needed support with in order to be able to live in their own home, 383 (61%) said they did have one or more support need. Of these, 151 (40%) had 3 or more support needs.
- In terms of the type of support needs identified, by far the highest was support with mental health issues, followed by drug dependency; physical health or disability; a history of offending ; repeat homelessness ; one or more nights rough sleeping; alcohol dependency ; domestic abuse; and being a young person. There were other support needs, which are shown in the review document in Appendix One, but the ones listed above were the major ones.
- The Council helped to prevent 59% of people from becoming homeless between July 2018 and June 2019, which is the same as the overall rate for the North West region and slightly higher than the overall rate in England over the same period.
- 14% of people were assisted to stay in their current accommodation rather than move to new housing. This rate is significantly lower than the North West (27%) and England rates (35%) for the same period.
- The Council helped to relieve homelessness for 48% of people between July 2018 and June 2019, which is higher than the overall success rate for the North West (44%) region and higher than the overall rate in England (41%) over the same period.
- There is a high level of 'loss of contact' recorded as a reason for the Council to end either the prevention (23%) and relief duty (38%).
- In terms of which groups of people might be at higher risk of homelessness, there is equalities data in the review. Some key points were that people who are in poor health and are not in employment are significantly over-represented in terms of homelessness. Men are at higher risk of homelessness than women. People who identify as British Pakistani origin may be under-represented in terms of homelessness presentations, but this is based on comparing data from 2019 and the 2011 census.
- The number of households placed in temporary accommodation under statutory duties has been low, with no significant rise. This means that, in usual circumstances, around 8 households at any time are in temporary accommodation.

Most of these households are vulnerable single people who are or may have a 'priority need' for accommodation under Part 7 of the Housing Act 1996.

- However, over the period of Covid-19 lockdown, 33 households were placed into temporary accommodation. This was all single people who were at high risk of rough sleeping. 5 people were rough sleeping at the time, but 7 had been living with family or friend 6 were released from custody. The rest were either sofa surfing or had needed to move from supported accommodation and 1 person left hospital. Most of those placed were unlikely to have a 'priority need' for accommodation under homelessness legislation. 17 had an offending history. 20 of the 33 people were aged under 35.
- There is a gap in the range of local temporary accommodation options for people whose needs are complex. Whilst there is provision which is recognised as high quality and working well, it does not meet the needs of people who need a lot of support, including people who may be a risk to other people or to themselves. Some vulnerable people have stayed in bed and breakfast accommodation in a neighbouring authority as a result, where they have little support.
- There is some supported housing available for people who need it in Burnley but options are limited. One gap is resettlement support to assist people with managing when they are ready to move into their own tenancies.

Consultation

To be completed following consultation exercise.

The Public Sector Equality Duty

The Public Sector Equality Duty (Equality Act 2010) requires public bodies to have due regard of the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Burnley Council must have due regard for advancing equality, which involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The way in which services are delivered to people who are or may be homeless must consider and have regard for different protected characteristics. These are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This means that the design of policies and the delivery of services must include explicit consideration of equality issues and we must take action to ensure services are able to meet the diverse range of needs and these are reviewed regularly.

Whilst it is not only our legal duty to conform to the Public Sector Equality Duty, it makes good sense to ensure that services are provided appropriately and fairly to our customers in order to address homelessness amongst every group of people living in Burnley.

Monitoring progress in delivering this strategy

To ensure that we deliver against this strategy and update the Action Plan as needed over the next 4 years we will:

- Hold a session every 3 months with the Burnley, Pendle and Rossendale Homelessness Forum to share progress, ask for feedback and seek views on any possible changes
- Agree and set up reporting arrangements to Burnley Council Executive and Scrutiny Committee
- Hold meetings with people who have lived experience of homelessness to discuss progress and any changes

Priority Area 1: Universal Information and Advice: *Ensure everyone knows about the housing options available in Burnley, can help themselves or know where to go for help*

Why is this important?

Too many people are seeking help when they are already homeless. We need to reverse this and support people to plan ahead as much as possible, so they can live settled lives in local communities in Burnley and homelessness is not part of their experience.

The current model to address housing need which local authorities generally deliver is 'passive' not 'proactive'. We understand that if we plan all our services to be 'crisis focussed' we will always have crisis. Most of our activity and resources are currently directed to this area. If we plan more of our services to be 'earlier help' focussed, and encourage more self-help, we help to reduce the crisis of homelessness and the negative outcomes for individuals and communities that are the result of lives fractured by homelessness.

This priority area is about residents self-identifying their housing needs and planning their housing future through the support provided by local agencies, including the Council. The actions needed in this 'universal space' include making sure other organisations, like health services, Job Centre Plus and voluntary agencies, have a good understanding of the 'warning signs' of housing need including financial, employment and health factors, and that they can encourage self-help, give basic early advice, or contact the Housing Needs Service.

Management of expectations is important, in terms of what could be possible as housing options. Social housing is limited and there is significant demand for it, so for many it is an unrealistic option. We need to give people clear information so there is an increased understanding about the realities of housing options locally assisting people to help themselves whilst making sure they also know where to go for advice in the future.

What are the actions we can take to improve?

- Improve general information on Burnley Council's website about the housing options available, approximate costs, availability and how to access, for example:
 - Social rented housing
 - Private sector housing, including shared rented housing
 - Affordable rented housing
 - Shared ownership opportunities and the criteria to qualify
 - Older person housing
 - Lodging with a resident landlord
 - Moving in with family and friends

- Ensure Burnley continues to meet its legal duty to provide information on housing options, prevention options, advice and legal rights to some groups at higher risk of homelessness. This includes updated information for care leavers, people leaving custody or being discharged from hospital, victims of domestic abuse, former members of the armed forces and people with mental illness or impairment. Based on our equalities data, we will also add into this group young people and young men due to the higher rate of homelessness amongst single men

- Deliver general training/briefings with partner agencies who work in the 'universal' space, so other professionals and volunteers can encourage self-help, give basic advice and signpost people earlier if needed

- Try to reach young people early through providing relevant information to young people through on-line information, secondary schools and colleges

Priority Area 2: Targeted help: *Reaching people earlier if they are at risk of becoming homeless in the future*

Why is this important?

We need to try to identify and assist people at higher risk of homelessness much earlier than the statutory guideline, which is 56 days or less before homelessness is likely to occur. Our aim is simple – to avoid housing need becoming homelessness and rough sleeping altogether. When people become homeless outcomes tend to be poorer and costs to the Council and other agencies increase.

Actively reaching people at risk earlier is likely to become even more important because of the Covid -19 pandemic and the possible medium and longer term impacts of this, including a likely recession or economic downturn and impacts on the housing market.

If there are early signs of housing problems, the Council and other agencies can help to resolve these before homelessness becomes a real possibility. This might involve helping people to stay where they are or planning a move elsewhere.

In Burnley there are significant levels of deprivation evidenced through recurring themes in many services which support local people. Whilst anyone can become homeless, it is possible to identify people who are more likely to become homeless. Groups shown to be at higher risk of homelessness in Burnley include:

- Under 35 year olds
- Single men
- People on low incomes and those who are in debt
- People experiencing family or relationship breakdown
- People – mainly men - leaving prison
- People with a mental health illness
- People with substance misuse problems
- People - mainly women - experiencing domestic abuse
- Young people leaving the care of the Local Authority
- Refugees and people with no recourse to public funds

To reach people earlier, a strong partnership with other organisations is critical. Homelessness cannot be avoided by one agency or service alone taking action. If we are serious about reducing homelessness and ending rough sleeping in Burnley, we need every agency that has contact with people at risk of homelessness to play a part.

What are the actions we can take to improve?

- Create a whole Council and a Burnley-wide partnership commitment to prevent homelessness, including housing associations, public and voluntary agencies, private businesses and private landlords. Within this agree establish a ‘no wrong door’ approach.

- Encourage private landlords to call Burnley Council earlier for advice with arrears or anti-social behaviour issues with tenants, to prevent the threat of eviction
- Update and communicate protocols or referral arrangements and pathways with different organisations:
 - A 'pre-eviction protocol' with Calico housing association and other registered providers
 - A 'Leaving Care' protocol with Lancashire County Council and other district councils
 - The 16/17 year olds' protocol with Lancashire County Council and other district councils
 - A 'Prison Release' protocol with prisons and youth offending establishments, the CRC and Probation Service
 - The domestic abuse referral agreement between the Housing Advice Service and the Community Safety Partnership
 - The 'Hospital Discharge' protocol, to include in-patient mental health units
 - A 'Positive Decisions' protocol with Serco regarding people seeking asylum with leave to remain
 - The referral agreement with Inspire East Lancashire for people with alcohol or drug dependency
- Train Council officers and other agencies to identify the signs and symptoms that single people at high risk of rough sleeping might present with, to reach them earlier and offer more practical assistance
- Work with other District Councils and Children's Services to add into the regular homeless 16/17 year old meetings a focus on care leavers, so all young people who are leaving care or have left care but have housing issues can be discussed in a timely way with Children's Services
- Develop a new sanctuary scheme, which will enable victims of domestic violence and other forms of domestic abuse to remain safely in their own home after the perpetrator has left, through installing additional safety measures.

Priority Area 3: At the point of homelessness crisis: *Help to keep a home or find another one*

Why is this important?

Burnley needs to move to a more proactive, preventative approach, but we must ensure there is still an effective response for those who present as homeless in an emergency or crisis.

Crisis prevention and relief work is made up of a range of responses at the point where the threat of homelessness is imminent (defined as around 56 days or less before homelessness is likely to occur) or where someone is already homeless. In almost all instances, this work must take place under statutory duties set out in Part 7 of the Housing Act 1996, as

amended by the Homelessness Reduction Act 2017.

This means that where a homelessness application is taken and a statutory duty is owed to prevent or relieve homelessness, the Council must take 'reasonable steps' to assist the applicant in securing accommodation. This could be by 'retaining' the accommodation they already have, or if they cannot stay there, or are already homeless, then finding suitable alternative accommodation.

A 'Personal Housing Plan' must be created and is based on an assessment of the housing circumstances, housing needs and support needs that the applicant and anyone else in their household has. The 'reasonable steps' the Council will take, along with actions the applicant can take to help themselves, and any actions partner agencies will take must be set out in the Plan. It is important that where people can help themselves to resolve homelessness, the steps they will take are also part of the Plan.

The kinds of work this involves include:

- Negotiation and mediation with parents and family where there is a risk of homelessness from the family home
- Work with private and social landlords where they have issued a tenant with a notice to end the tenancy
- Planning with other organisations to assist people leaving institutions (e.g. prison, hospital, care) where there is no accommodation to move in to when they leave
- Provision of effective outreach services that contact people who are rough sleeping
- Options and advice for single people who are insecurely housed, sofa surfing and may be on the edge of rough sleeping
- Sanctuary schemes for adults and children affected by domestic abuse
- Provision of suitable emergency, short stay accommodation for some people

Homelessness can be either prevented or relieved through intervention at point of crisis; emergency accommodation is secured for those without other housing options; and there is coordinated action to prevent street homelessness and move people into accommodation.

A lot of data is already collected at this point through our casework management system and used to help understanding about causes of homelessness, which groups are experiencing homelessness and what is working well/not so well. This all assists in planning services with our partners.

What are the actions we can take to improve?

- Increase rates of homelessness prevention by training staff on use of prevention tools and actions. In particular, where there is a threat of eviction/exclusion from a family or friend's home or a tenancy, we need to improve targeted actions to prevent homelessness and help people to stay where they are and if needed, plan moves.

- Develop an offer for those still living with parents or family (i.e. newly formed households and some single people with support needs) to remain at home and wait for social or private rented housing rather than become homeless
- Develop an ‘offer to resolve’ package for work with private and social landlords, for all of the common notice causes: rent arrears, wanting a higher rent, alleged behaviour problems, rent gaps, landlord wishing to sell
- Develop a new Sanctuary Scheme, led by the Community Safety Partnership for people experiencing domestic abuse who can stay in their home with additional safety measures
- Hold partnership review meetings to learn from the new Outreach and Navigator Service for people who are rough sleeping, adapting services as necessary to reduce and eliminate rough sleeping in Burnley
- Develop emergency accommodation for single people who are rough sleeping, or at high risk of rough sleeping, through the development of A Bed Every Night (ABEN) in Burnley

Priority Area 4: ‘Recovery’ services: *Helping homeless people who are vulnerable, and need support as well as accommodation to recover so they can manage a home in the future*

Why is this important?

Our review has highlighted the extent and range of support needs, as well as housing needs, that many people who are homeless in Burnley have. For many people, homelessness is symptomatic of other issues in their lives – mental health problems, drug or alcohol dependency, offending behaviour and fractured support networks.

It is well evidenced that insecure housing and rough sleeping causes poor life outcomes. To recover, find and keep a home and end the cycle of homelessness, providing tailored and purposeful support is essential. This is particularly true for young people and more vulnerable adults, the majority of whom are single people.

We need a range of support options for people in Burnley that are recovering from homelessness and the issues that have led to this, to reduce any risks they face and help to increase the ‘protective’ factors in their lives.

The recovery from homelessness and the problems that have led to homelessness can take time. Support work needs to build up resilience and confidence and well as practical skills.

As well as having a home there are many other important factors to recovering from homelessness these include, knowing how to keep a home, good physical and mental health

and having a stable income. The importance of relationships and being part of a social network of people is often overlooked but can be essential for many people to recovery.

What are the actions we can take to improve?

We need to ensure the range of temporary accommodation and supported housing options better match the needs of people recovering from homelessness. This would be done through:

- Build on learning from the 'Everyone In' programme during the Covid-19 pandemic through a multi-disciplinary homeless, health and support needs assessment, as part of the 'Transforming Lives' work in Burnley to support vulnerable people.
- Continue to develop recovery options for people who are coming off the street through the Government funded 'Rapid Rehousing Pathway' work, those on the 'edge' of rough sleeping and other homeless people with support needs
- Develop short term self-contained leased accommodation options for people who have been rough sleeping or are at very high risk of rough sleeping
- Explore the development of a Housing First option in Burnley

Priority Area 5: Move on and support: *a range of options for people who are at risk of homelessness or who have experienced homelessness to move in to with support if needed*

Why is this important?

Homelessness, particularly amongst single people in Burnley, is exacerbated by limited access to suitable, settled accommodation. Developing sustainable housing options are a key part of the work in the next 5 years to reduce homelessness and move to a more prevention focused model of working. Simply put, without an increase of suitable options in both the private rented sector and in social housing, the current situation is likely to continue.

We need to create more options for single people before they are in crisis, which means they can avoid being insecurely housed and homeless and instead move in a planned way into suitable accommodation. Reaching people earlier to prevent homelessness, as set out in Priority Areas 1, 2 and 3 of the strategy, is critical but more housing stock needs to be available and accessible for people.

The wide range of needs of different households must be taken into account, including, for example, people with pets and those with high support needs who will continue to need housing related support.

What are the actions we can take to improve?

- Building on the work of Burnley Council's Good Landlord and Agent Scheme (GLAS) and the on-going improvements in the private rented sector through selective licensing, the Council will develop a new landlord incentive scheme for Burnley, with a number of different options that landlords can choose from. In particular this needs to increase the self-contained options in the private rented sector for some under 35 year olds who are recovering from rough sleeping and/or have complex needs and are assessed as unlikely to sustain accommodation in a shared environment
- Work with Calico to explore the development of more options for single people and childless couples, based on an agreed 'Tenancy Ready' approved programme

Appendix 2 - Burnley Homelessness and Rough Sleeping Strategy Action Plan 2021 – 2026

This Action Plan should be read in conjunction with the Homelessness and Rough Sleeping Strategy. The Action Plan needs to remain a live, working document which can be updated as needed and will be fully updated each year by the end of September.

It is based on our overarching aim: ***to prevent homelessness occurring in Burnley and assist those who do become homeless to find and keep suitable housing***

There are 5 priority areas for Burnley Council and our partners, and these are set out below with actions underneath them.

The Priority areas are:

- **Universal Prevention:** *Ensure everyone knows about the housing options available in Burnley and where to go for help*
- **Targeted Prevention:** *Reaching people earlier if they are at risk of becoming homeless in the future*
- **Preventing and relieving homelessness at crisis point:** *Help to keep a home or find another one*
- **Recovery:** *Helping homeless people who are vulnerable and need support to recover so they can manage a home in the future*
- **Having a suitable range of Housing Options:** *a range of options for those in housing need and homeless people to move in to with support if needed*

We know that it is important that actions to end the most acute form of homelessness - rough sleeping - are clear and easy to find. Many of the actions below are indirectly about this - for example, by earlier prevention work and having more housing options for single people. However, in order to make sure you can find the actions which are directly about assisting people at crisis point who are rough sleeping or on the edge of rough sleeping and helping them to recover from homelessness, these actions are shaded in orange.

Priority One is Universal Prevention: *Ensure everyone knows about the housing options available in Burnley and where to go for help*

How will we know if we achieve this?

- Fewer people will approach the Council when they are already homeless or imminently at risk of homelessness (defined as being at risk of becoming homeless within 56 days or less)

Action to support this priority	Which partners will be involved in the delivery of this?	When will this be achieved?	Outputs and milestones	Progress updates
<p>1.1 Improve general information on Burnley Council’s website about housing options, including approximate costs, availability and how to access, for example:</p> <ul style="list-style-type: none"> ○ Social rented housing ○ Private sector housing, including shared rented housing ○ Affordable rented housing ○ Shared ownership opportunities and the criteria to qualify ○ Older person housing 	<p>The Housing Needs Service</p>	<p>Short term – by the end of September 2021</p>	<p>Website is reviewed</p> <p>Ideas that could work in Burnley are taken from a range of other local authority websites</p> <p>Revisions to text and style, layout and links are made</p> <p>Website changes are added and go live</p>	

<ul style="list-style-type: none"> ○ Lodging with a resident landlord ○ Moving in with family and friends 			Links to the new pages are added to other relevant local agencies' websites	
<p>1.2 Ensure Burnley continues to meet its legal duty to provide information on housing options, prevention options, advice and legal rights to those groups at higher risk of homelessness. This includes updated information for care leavers, people leaving custody or being discharged from hospital, victims of domestic abuse, former members of the armed forces and people with mental illness or impairment. Based on our equalities data, we will also add into this group, young people aged under 25 and single men aged under 35, due to the higher rate of homelessness amongst single men</p>	The Housing Needs Service Manager	Short term - by the end of September 2021	<p>Conduct a review of the current information held on the website</p> <p>Ideas that could work in Burnley are taken from a range of other local authority websites</p> <p>Refresh/update text</p> <p>Add in sections for young people and single men under 25</p> <p>Consider how to disseminate the information more widely to reach different groups of people, in particular those in custody who may not be able to access the internet</p> <p>New pages go live on the website and information is</p>	

			<p>sent out in paper or another format where needed</p> <p>Information for some 'harder to reach' groups is communicated /shared with relevant agencies</p>	
<p>1.3 Deliver general training/briefings with partner agencies which work in the 'universal' space, so other professionals and volunteers can encourage self-help, give basic advice and signpost people earlier if needed</p>	<p>The Housing Needs Service Manager</p>	<p>Medium term – by the end of September 2022</p>	<p>Carry out update briefings for partner agencies about changes to legislation, policy and practice locally and also include the learning from Covid-19</p> <p>Discuss with the Homelessness Forum the most effective ways to hold training/briefing sessions with voluntary and community sector agencies</p> <p>Consult with Burnley Action Partnership (BAP)</p> <p>Set a timetable for a round of briefings to statutory and voluntary agencies/groups</p>	

			Deliver all sessions to agencies and partners across the sector	
1.4 Reach young people earlier by providing relevant information to young people through on-line information, secondary schools and colleges	The Housing Needs Service Manager Youth agencies	Medium to long term – by the end of September 2023	<p>Housing Needs Service to discuss with relevant youth agencies how they can be involved and assist in reaching young people</p> <p>Contact colleges and schools, including pupil referral units to test appetite for involvement/co-operation</p> <p>Consider learning to date from HAPI and trailblazer activity</p> <p>Review examples in other local authority areas of upstream work with young people</p> <p>Draw up package(s) for young people’s learning (e.g. website, video, board games, classroom sessions)</p>	

			Agree timetable for delivery and implement	
Priority Two is Targeted Prevention: <i>Reaching people earlier if they are at risk of becoming homeless in the future</i>				
How will we know if we achieve this?				
<ul style="list-style-type: none"> Fewer people will approach the Council when they are already homeless or imminently at risk of homelessness (defined as being at risk of becoming homeless within 56 days or less) 				
Action to support this priority	Which partners will be involved in delivery of this?	When will this be achieved?	Outputs and milestones	Progress updates
2.1 Create a whole Council and a Burnley-wide partnership commitment to prevent homelessness and rough sleeping, including housing associations, public and voluntary agencies, private business and private landlords. Within this agree a 'no wrong door' approach.	Burnley Council Homelessness Forum members Private landlords via GLAS (Good Landlord Accreditation Scheme)	Medium term by the end of December 2022	Multi –agency workshop(s) held on the development of a Burnley commitment to prevent homelessness early From this, development a simple message of what a 'No Wrong Door' approach means in Burnley Sign up key partners to a Burnley wide 'statement of intent' to prevent	

	<p>Registered Providers, Burnley Action Partnership, Troubled Families programme</p> <p>Other statutory agencies including Children's and Adults Social Care, Job Centre, Probation and Health</p>		<p>homelessness earlier in communities</p> <p>Launch shared commitment with press release(s) and communicate key messages about agencies working together</p> <p>Communicate with agencies about early warning signs/symptoms of homelessness and where to signpost for early assistance</p>	
<p>2.2 Encourage private and social landlords to call Burnley Council earlier for advice with arrears or anti-social behaviour issues with tenants to prevent the threat of eviction</p>	<p>Burnley Council</p> <p>Private Sector Housing Manager</p> <p>The Housing Needs Service Manager</p>	<p>Short term by end of April 2022</p>	<p>Review examples from other local authority areas as part of this work</p> <p>Engag with Pennine Community Credit Union Ltd regarding their offer on repayments</p> <p>Agree internally and with partners the packages of support the local authority</p>	

	<p>Burnley and Pendle Citizens Advice Bureau</p>		<p>and other partners can offer landlords and tenants to prevent homelessness pre – 56 days (e.g. use of Discretionary Housing Payments, prevention funding, supporting of applications to DWP for APAs, Credit Union loans and agreeing repayment schedules)</p> <p>Review and refresh pre-action protocol with local Registered Providers, highlighting the need to avoid serving Ground 8 notices following Covid -19 and what support might be offered</p> <p>Meet with private landlords to discuss ways to encourage Burnley’s private landlords to contact the Council before serving S21 or Ground 8 notices if there are concerns about arrears</p>	
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			<p>as a result of the impact of Covid -19.</p> <p>Agree how support from the Council and other partners can be implemented.</p>	
<p>2.3 Develop a new sanctuary scheme, which will enable victims of domestic violence and other forms of domestic abuse to remain safely in their own home after the perpetrator has left, through installing additional safety measures.</p>	<p>The Housing Needs Service Manager</p> <p>Burnley Community Safety Partnership</p> <p>Providers of services to victims of domestic abuse</p>	<p>Short term – by the end of September 2021</p>	<p>Meet to review the previous and current sanctuary scheme and learning from this experience</p> <p>Agree operational principles, thresholds, access points and management of any new scheme.</p> <p>Work up project proposal and costings for a new scheme</p> <p>Seek approval from Community Safety Partnership for the new scheme</p>	

<p>2.4 Update and communicate protocols or referral arrangements and pathways with different organisations:</p> <p>A 'pre-eviction protocol' with Calico housing association and other registered providers</p> <p>A 'Leaving Care' protocol with Lancashire County Council and other district councils</p> <p>The 16/17 year olds' protocol with Lancashire Council Council and other district councils</p> <p>A 'Prison Release' protocol with prisons and youth offending establishments, the CRC and Probation Service</p> <p>The domestic abuse referral agreement between the Housing Advice Service and the Community Safety Partnership</p> <p>The 'Hospital Discharge' protocol, to include in-patient mental health units</p>	<p>The Housing Needs Service Manager with:</p> <p>Registered Providers</p> <p>Other District Councils and Children's Social Care</p> <p>The Probation Service and CRC</p> <p>Community Safety Partnership</p> <p>Acute Health Service managers</p>	<p>Medium to long term – complete by the end of September 2023</p>	<p>Meet to review and update protocols</p> <p>Agree and make written changes</p> <p>Sign off /approval of protocols</p> <p>Arrange briefings with staff groups to update them on the new/updated protocols</p>	
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<p>A 'Positive Decisions' protocol with Serco regarding people seeking asylum with leave to remain</p> <p>The referral agreement with Inspire East Lancashire for people with alcohol or drug dependency</p>	<p>Serco</p> <p>Inspire</p>			
<p>2.5 Train Council officers and other agencies to identify the signs and symptoms that single people who are rough sleeping or at high risk of rough sleeping might present with, in order to reach them earlier and offer more practical assistance</p>	<p>The Housing Needs Service Manager</p> <p>Gateway Manager</p> <p>Other representatives from the Homelessness Forum</p>	<p>Medium to long term - From October 2022 to March 2024</p>	<p>Devise a short training course or briefing that can be delivered to relevant Council staff and other agencies.</p> <p>Within the course/briefing materials outline the specific local actions officers of the Council or other agencies need to take if they believe someone is rough sleeping or at high risk of rough sleeping.</p> <p>Develop the course so it can be delivered either on- line or face-to face in staff/team meetings.</p>	

			Disseminate training and briefing sessions across relevant Council services and agencies	
2.6 Work with other District Councils and Children's Services to add into the regular homeless 16/17 year old meetings a focus on care leavers as well, so all young people who are leaving care or have left care but have housing issues can be discussed in a timely way with Children's Services	East Lancashire District Councils' homelessness lead officers Lancashire County Council Children's Social Care Services	Medium to long term - complete by the end of September 2024	Establish terms of reference for a 'care leaver panel' in East Lancashire, learning from other 'panels' in other areas of England. Pilot the panel for 6 months and review accommodation and other outcomes for care leavers Amend the process based on feedback and add to the Burnley and Lancashire 'Local Offer' to care leavers (as set out in the Children and Social Work Act 2017)	
Priority Three is Preventing and relieving homelessness at crisis point: <i>Help to keep a home or find another one</i>				
How will we know if we achieve this?				

- The proportion of people approaching the Council at the point they are already homeless reduces to 45 % or less from a baseline of 62% (taken from 12 months data July 18 – June 19)
- The proportion of successful ending of the prevention duty increases overall to 65% or more from a baseline of 59% (taken from 12 months data July 18 – June 19)
- The proportion of people at the point of the ‘prevention duty’ who retain the accommodation they are already in increases to 35% or more from a baseline of 14% (taken from 12 months data July 18 – June 19)
- The proportion of successful ending of the relief duty increases overall to 55% or more from a baseline of 48% (taken from 12 months data July 18 – June 19)
- The number of people who are rough sleeping reduces to nil by 2022, taken from a baseline of 8 (taken from the rough sleeping annual count/estimate in Autumn of 2019)
- A reduction in homelessness re-applications

Action to support this priority	Which partners will be involved in delivery of this?	When will this be achieved?	Outputs and milestones	Progress updates
<p>3.1 Increase rates of homelessness prevention by training staff on the use of prevention tools and actions. In particular, where there is a threat of eviction/exclusion from a family or friend’s home, or a tenancy, improve targeted actions to prevent homelessness and help people to stay where they are or if necessary plan a move.</p>	<p>The Housing Needs Team</p>	<p>Short term – by the end of March 2022</p>	<p>Outline the training needs for the Service(s), learning objectives/outcomes and methodology</p> <p>Decide on in-house/internal delivery or external delivery of training</p> <p>Commission training and invite relevant partners as appropriate</p>	

			<p>Set dates for training</p> <p>Seek feedback and ensure learning is embedded into practices within the team.</p> <p>Make changes to the process as required.</p>	
<p>3.2 Develop an offer for those still living with parents or family (i.e. newly formed households and some single people with support needs) to remain at home and plan moves into social or private rented housing rather than become homeless.</p>	<p>The Housing Needs Team Manager</p> <p>HAPI</p>	<p>Short term – by the end of March 2022</p>	<p>Review components of other models in other local authority areas and select elements that could work in Burnley</p> <p>Put together a package of prevention tools to be offered at the discretion of the Housing Needs Service and partners where planned moves are a safe option</p> <p>Monitor take up and outcomes of the new offer</p>	
<p>3.3 Develop an ‘offer to resolve’ package for work with private and social landlords, for all of the common notice causes i.e. rent arrears, seeking a higher rent,</p>	<p>Burnley Council’s Selective Licensing Team</p>	<p>Priority - by the end of December 2021</p>	<p>Draw up a package of offers for landlords, using local knowledge and landlord insights together with experience from other local</p>	

<p>alleged behaviour problems, rent gaps, landlord wishing to sell</p> <p>Note: this links to Action 2.2</p>	<p>The Housing Needs Team Manager</p>		<p>authorities and nationally available free resource kits.</p> <p>Undertake short cost benefit analysis to ensure potential offers provide value for money against costs of homelessness</p> <p>Consult with private landlords via the GLAS (Good Landlord Accreditation Scheme) and Private Rented Sector Forum</p> <p>Agree how Selective Licensing Team and Housing Needs Team will work together to ensure a joint approach</p>	
<p>3.4 Develop a new Sanctuary Scheme, led by Community Safety Partnership for people experiencing domestic abuse who can stay in their home with additional safety measures</p>	<p>The Housing Needs Service</p> <p>Burnley Community Safety Partnership</p> <p>Providers of services to</p>	<p>Short term – by the end of September 2021</p>	<p>Meet to review the previous sanctuary scheme and learning from this experience</p> <p>Agree operational principles, thresholds, access points and management of any new scheme.</p>	

	victims of domestic abuse		Work up project proposal and costings for a new scheme Seek approval from Community Safety Partnership for the new scheme	
3.5 Hold partnership review meeting(s) to reflect on learning from the 'Everyone In' programme during Covid-19 and the new Outreach and Navigator Service for people who are rough sleeping. Adapting services as necessary in order to reduce and eliminate rough sleeping in Burnley	Housing Needs Service Gateway – Outreach and Navigator Service Health Services Community Safety Partnership Members of the Homelessness Forum	Priority – by the end of November 2021	Hold a meeting(s) with partners to share learning from different perspectives Seek views of people who were accommodated through the 'Everyone In' programme Agree what needs or must end once Covid-19 restrictions are lifted and what partners will or can continue to do Where resources/capacity and legal powers allow, adapt services to better reach people and offer assistance to secure accommodation and support	
3.6 Develop more suitable emergency accommodation for single people who are rough	Burnley Council - The Housing	Short to medium term –	Devise a model for Burnley based on learning from the	

<p>sleeping or at high risk of rough sleeping through the development of A Bed Every Night (ABEN) in Burnley</p>	<p>Needs Service Manager</p>	<p>by the end of March 2022</p>	<p>Covid-19 'Everyone In' programme (see action 3.5)</p> <p>Seek permissions to proceed with commissioning of a new service</p> <p>Draw up a service specification</p> <p>Award contract with commencement date of April 2022</p>	
<p>Priority Four is Recovery: <i>Helping homeless people who are vulnerable and need support to recover so they can manage a home in the future</i></p>				
<p>How will we know if we achieve this?</p> <ul style="list-style-type: none"> • There is an increase in temporary accommodation placement options within Burnley for people with complex needs • Planned moves from supported accommodation and temporary accommodation increase to 90% or higher • Customer feedback from providers shows 80% satisfied or very satisfied with the services they have received • A reduction in homelessness re-applications 				
<p>Action to support this priority</p>	<p>Which partners will be involved in delivery of this?</p>	<p>When will this be achieved?</p>	<p>Outputs and milestones</p>	<p>Progress updates</p>

<p>4.1 Undertake a multi-disciplinary homeless health and support needs audit, as part of the ‘Transforming Lives’ work in Burnley to support vulnerable people. Note: this should take forward local learning from the ‘Everyone In’ programme in operation during the Covid-19 pandemic (see Action 3.5)</p>	<p>Lancashire County Council Adult Social Care – commissioners of housing related support</p> <p>Burnley Council Housing Needs Service</p> <p>Gateway – Outreach and Navigator Service</p> <p>Inspire substance misuse service</p> <p>Other members of the Homelessness Forum</p>	<p>Short term – by the end of December 2021</p>	<p>Undertake an audit of health and support needs of people who are homeless, with a focus on those who are rough sleeping or ‘on the edge’ of rough sleeping</p> <p>Draw on the 2015 Homeless Health Need audit toolkit from Public Health England and Homeless Link</p> <p>Identify health needs, support needs, gaps in services and where there are barriers to homeless people accessing services</p> <p>Make recommendations for adapting services or providing them differently</p>	
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<p>4.2 Continue to develop recovery options for people who are coming off the street through the Government funded ‘Rapid Rehousing Pathway’ work, those on the ‘edge’ of rough sleeping and other homeless people with support needs</p>	<p>Lancashire County Council Burnley Council Health agencies</p>	<p>Short term – by the end of September 2021</p>	<p>Hold meetings led by commissioners of services with representatives from other key agencies</p> <p>Agree possible variations in contracts using findings and recommendations from the Health and Support Needs Assessment and the learning from ‘Everyone In’ programme</p> <p>Meet with providers of services to discuss proposed variations to contracts, implications, consultation processes and dates for changes to commence</p>	
<p>4.3 Explore the option of developing short term self-contained leased accommodation options for people who have been rough sleeping or are at very high risk of rough sleeping (note this links to Action 5.1 below)</p>	<p>The Housing Needs Manager The Private Sector Housing Manager</p>	<p>Priority – by the end of March 2022</p>	<p>Identify how many units of 1 bed accommodation are needed and the terms of any lease</p> <p>Work on the modelling of the cost of the accommodation to the local authority</p>	

			<p>Work with Gateway on the the amount of support hours needed and cost of support</p> <p>Seek approval for setting up new lease agreements</p> <p>Communicate need for leased 1 bed self-contained accommodation with GLAS landlords</p> <p>Enter into lease agreements</p>	
4.4 Explore the development of a Housing First option in Burnley	The Housing Needs Manager	Medium to long term – by the end of September 2025	<p>Learn from Housing First models in other parts of England and the MHCLG evaluation of Housing First pilots</p> <p>Based on health and support needs audit, project likely demand for Housing First.</p> <p>Seek views of partners and members of the Homelessness Forum</p>	

Priority Five is Having a suitable range of Housing Options: *a range of options for people in housing need and*

homeless people to move in to with support if needed

How will we know if we achieve this?

- An increase in private rented lettings to homeless households
- An increase in social housing options for single people
- A reduction in homelessness re-applications

Action to support this priority	Which partners will be involved in delivery of this?	When will this be achieved?	Outputs and milestones	Progress updates
<p>5.1 Build on the work of Burnley Council’s Good Landlord and Agent Scheme (GLAS) and the on-going improvements in the private rented sector through selective licensing, to develop a new landlord incentive scheme, to increase the supply of suitable private rented accommodation to homeless households (note this will link to Actions 2.2, 3.3 and 4.3 above)</p> <p>In particular the focus needs to be on increasing the self-contained options in the private rented sector for some under 35 year olds who are recovering from rough sleeping and/or have complex needs and are</p>	<p>Burnley Council:</p> <p>The Private Sector Housing Manager</p> <p>The Housing Needs Service</p> <p>The Selective Licensing Team</p>	<p>Short term – by the end of April 2022</p>	<p>Identify local obstacles in accessing suitable PRS housing for homeless households, and the elements and key learning from other private rented sector (PRS) access schemes in other local authority areas</p> <p>Consider the wide range of needs of prospective tenants and likely levels of demand.</p> <p>Cost out incentives which are likely to work most effectively in Burnley and if there are cost implications, how these might be funded</p>	

<p>assessed as unlikely to sustain accommodation in a shared environment</p>			<p>Test out and consult on proposed incentives with GLAS landlords</p> <p>Seek approval for a new scheme if necessary</p> <p>Launch new scheme with GLAS and other landlords</p>	
<p>5.2 Explore the development of more social housing options for homeless single people and childless couples, based on an agreed 'Tenancy Ready' approved programme</p>	<p>Calico</p> <p>The Housing Needs Service Manager</p> <p>The Gateway Service</p>	<p>Medium term – by the end of September 2023</p>	<p>Identify the potential obstacles which prevent letting one-bed properties to homeless households and ways to increase landlord confidence.</p> <p>Address obstacles in a piece of structured work through a task and finish group of stakeholders, to cover:</p> <ul style="list-style-type: none"> ○ A Tenancy Ready scheme ○ A regular lettings meeting/panel to agree readiness move on for single homeless people in Gateway or 	

			<p>other short stay accommodation</p> <ul style="list-style-type: none"> ○ Tenancy support options (see Action point 5.4) ○ Alternative Payment Arrangements 	
<p>5.3 Help people to sustain tenancies through creating tenancy support function to offer floating support to new tenants who have low support needs in the early stages of their tenancy (Note links to Action 5.1 and 5.2 as part of increasing landlord confidence to take homeless households)</p>	<p>Burnley Council Private Sector Housing Manager</p> <p>The Housing Needs Service Manager</p> <p>Registered Housing Providers</p>	<p>Medium term – by the end of March 2023</p>	<p>Draw up the possible roles and responsibilities of the function and consult with social and private landlords as service users</p> <p>Make the business case for the cross-tenure tenancy support function using available data on repeat homelessness, costs of homelessness and landlord and tenant feedback</p> <p>Identify potential resource to deliver tenancy support</p>	
<p>5.4 Explore the option of Burnley Council increasing their property acquisition in order to house more homeless households.</p>	<p>Burnley Council Private Sector Housing Manager</p>	<p>Long term – by the end of September 2024</p>	<p>Research the pros and cons of different models of property acquisition and management, learning from</p>	

This option would enable purchasing empty homes or other stock from the open market			other authorities and national research/toolkits	
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**APPENDIX 3 - BURNLEY
HOMELESSNESS & ROUGH
SLEEPING REVIEW APRIL 2020**

Burnley Review of Homelessness April 2020

Introduction

The Homelessness Act 2002 requires all local housing authorities to compile a Homelessness Strategy and to renew the strategy at least every five years. In order to do that, a review of homelessness needs to take place, which informs both the development of the new strategy and the action planning needed to deliver the objectives within the strategy. This review document is the background document which we have used to inform the new homelessness strategy and the action plan for Burnley.

The issues surrounding homelessness in any local area are multi-faceted and complex. This document sets out a wide range of information about homelessness in Burnley, which will inform our new Homelessness and Rough Sleeping Strategy and the action plan.

We have followed the Government's Homelessness Code of Guidance in preparing this review. Chapter 2 of the Code sets out the minimal requirements that a review should cover. Based on this we have split the review into 2 sections:

- 1) The local housing context and data available on homelessness
- 2) The current activity and resources available to manage homelessness services

The housing context and data section will cover much of the detail set out in the Code of Guidance:

- General information about Burnley's social and economic context
- Homelessness casework records and other local sources of data
- Trends in homelessness approaches and in underlying causes
- Which cohorts may be more likely to become homeless or be threatened with homelessness
- The profile of households who have experienced homelessness
- Equality monitoring data, including that relating to homelessness applications and outcomes
- The range of factors that may affect future levels of homelessness in Burnley
- The personal and structural factors that may contribute to people becoming homeless;
- Any planned legislation or local policy changes that are likely to impact on levels of homelessness for particular groups in the district.

The part which outlines current activity and resources will cover the following:

- Financial resources within the Council specifically for homelessness
- Other services to support homeless people, not provided directly by or on behalf of the Council
- What do we do now to prevent homelessness?
- Types of accommodation available to people who are homeless or threatened with homelessness
- What we know about our prevention work – which activities are the most successful, are there gaps and which groups are easier to assist and why?
- How do we assist people rough sleeping to come off the streets and into recovery and support services?

- What types of temporary accommodation are available in Burnley?

Whilst there are specific legal duties placed on local housing authorities in England in terms of homelessness, which are outlined below, it is useful to note that this is not the whole picture, in terms of the services delivered by different agencies and services. Many of the services that can prevent homelessness occurring in the first place or support people who are recovering from homelessness do not sit within a legal framework and whilst of these are some are delivered by Burnley Council, some are delivered by other organisations.

Changes to the homelessness legislation that will inform this Review

The homelessness legislation changed on the 3rd April 2018, when Part 7 of the Housing Act 1996 was amended to incorporate the Homelessness Reduction Act (HRA) 2017. This is a significant change, with many commentators describing it as the biggest change in homelessness for 40 years.

This Act does not replace the previous legislation but adds on some new duties. These aim to ensure local authorities intervene earlier to prevent homelessness and to take 'reasonable steps' to assist people who are eligible to prevent homelessness or 'relieve' their homelessness.

It is important to set out the basic elements of the legislation at this point in the Review, so the reader can then understand some of the tables and data set out later in this document.

The overall aims of the Act are to reduce homelessness by:

- Improving the quality of the advice available
- Refocusing local authorities on prevention work and within a new legal framework
- Increasing support for single people
- Joining up services to provide better support for people, especially those leaving prison/hospital and other groups at increased risk of homelessness, such as people fleeing domestic abuse and care leavers

The Act requires local authorities to give free information and advice on:

- Preventing homelessness and securing accommodation when homeless
- The rights of people who are homeless or threatened with homelessness
- How to get help
- Information on tenants' rights, rights to benefits, advice on debt, rent and mortgage arrears, help for people at risk of violence and abuse and advice on how to obtain accommodation in the social sector and private rented sector.

There is a new 'Prevention Duty':

Local Authorities' must take reasonable steps to prevent homelessness for any eligible applicant, at risk of homelessness within 56 days, regardless of priority need. This can involve assisting them to stay in their current accommodation or helping them to find a new place to live. The local authority

must be satisfied that any accommodation retained or found under the prevention duty must have a reasonable prospect of being available for 6 months or more.

There is also new 'Relief' Duty:

Local authorities have a 56 day duty to take 'reasonable steps' to help the applicant to secure suitable accommodation. Accommodation must be suitable, and the local authority must be satisfied it has a reasonable prospect of being available for at least 6 months. Help could be, for example, providing a bond guarantee, funding a rent deposit, or working with a private landlord to make properties available. Where an eligible applicant who is homeless has or may have a 'priority need' for accommodation they must be offered temporary accommodation.

If the relief duty activity fails after 56 days, and the applicant is still homeless, the tests of priority need and intentionality are applied to ascertain if the person is owed the 'main' homelessness duty. If they are not owed the main duty, the 'relief duty' can continue at the discretion of the local authority.

Assessments and Personal Housing Plans:

Councils must carry out a holistic assessment of the applicant's housing circumstances, their housing needs and any support needs they have which need to be addressed for them to be able to sustain accommodation in the future. This assessment will result in developing a Personal Housing Plan with them, that sets out the 'reasonable steps' that the Council and the applicant, if applicable, other professionals, will take in order to prevent or relieve their homelessness.

A new 'Duty to Refer' on some public bodies:

Some public bodies must refer (with consent) details of any person they are aware of who is at risk of homelessness, within 56 days, to the housing department. The list of the public bodies are:

- prisons
- youth offender institutions
- secure training centres
- secure colleges
- youth offending teams
- probation services (including community rehabilitation companies)
- Jobcentre Plus
- social service authorities
- emergency departments
- urgent treatment centres
- hospitals in their function of providing inpatient care
- Secretary of State for defence in relation to members of the armed forces

Prevention and relief duties can be ended in a number of ways including:

- The 56 days of prevention or relief duty has expired
- If an applicant becomes homeless during the 'Prevention Duty' stage, that duty ends and a new 'relief' duty would be owed for 56 days

- Refusing of an offer of suitable accommodation that is likely to be available for 6 months or more
- Deliberate and unreasonable non-co-operation with the Personal Housing Plan, after a formal warning notification
- Becoming intentionally homeless from accommodation provided as a 'reasonable step'
- Securing suitable accommodation that has a reasonable prospect of being available for a minimum of 6 months
- No longer being 'eligible'
- Withdrawal of the homelessness application

Care Leavers:

In addition to having a local connection to the authority who looked after them, a care leaver will also have a local connection with an area if they have lived there for 2 years, including some time before their 16th birthday.

More detail on this can be found on the Government website, where there is an overview of the legislation and what it means in practice in the MHCLG Homelessness Code of Guidance. See here for the link:

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>

Section 1: The local housing context and data available on homelessness

General information about Burnley's social and economic context

The borough of Burnley is situated in Lancashire, 21 miles north of Manchester and 20 miles east of Preston and covers an area of 42 square miles.

There are two main urban settlements, focused on Burnley and Padiham and a number of small villages and hamlets in the rural area of the borough. Burnley is one of the main urban centres in Lancashire along with Blackpool, Blackburn and Preston. It serves a wide catchment that includes parts of Pendle, Rossendale and Calderdale.

The population of Burnley at the 2011 census was 87,059. Between 1991 and 2011 Burnley's population fell by 4.5%. This is in contrast to a 12.7% rise in England as a whole over the same period. The Office of National Statistics estimated in its' Labour Market Survey of 2018/19 that the population of Burnley had risen slightly to 88,500.

In terms of the age profile of the population, there is a growing proportion of older people within the borough, due to a combination of people living longer, lower birth rates and outward migration of younger age groups. Burnley's Strategic Housing Market Assessment (2016) predicted the proportion of households headed by people aged 65 and over would increase from 27.2% in 2012 to 35.4% by 2032.

Based on the 2011 Census, 51.9% of the population is female in Burnley. Around 87.3 % of the

population in Burnley reported their ethnicity as White British or Irish, with the second highest overall ethnic grouping being people of Asian origin who made up 11% of the population. Of this group, 5,924 people reported a Pakistani background and 2,425 people reported a Bangladeshi background. A more detailed breakdown on ethnicity in Burnley is available here: https://www.nomisweb.co.uk/census/2011/DC2101EW/view/1946157091?rows=c_ethpuk11&cols=c_sex

The 2011 Census indicated that Burnley has levels of limiting long-term illness which are above the regional and national averages, at 22.5%, compared with 20.2% at a regional and 17.6% at a national level.

There are high levels of poverty and related forms of disadvantage in Burnley. In the 2019 Indices of Multiple Deprivation, **Burnley is ranked as the 6th most deprived local district authority area in England**, out of 317 district authorities. The Indices scoring is based on:

- **Income Deprivation:** the proportion of the population experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings.
- **Employment Deprivation:** the proportion of the working-age population in an area involuntarily excluded from the labour market. This includes people who would like to work but are unable to do so due to unemployment, sickness or disability, or caring responsibilities.
- **Education, Skills and Training Deprivation:** the lack of attainment and skills in the local population. The indicators fall into two sub-domains: one relating to children and young people and one relating to adult skills.
- **Health Deprivation and Disability:** the risk of premature death and the impairment of quality of life through poor physical or mental health. The domain measures morbidity, disability and premature mortality but not aspects of behaviour or environment that may be predictive of future health deprivation.
- **Crime:** the risk of personal and material victimisation at local level.
- **Barriers to Housing and Services:** the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing such as affordability.
- **Living Environment Deprivation:** the quality of the local environment. The indicators fall into two sub-domains. The 'indoors' living environment measures the quality of housing; while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

The full set of information can be found here:

<https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>

Information produced by the Office for National Statistics shows that between October 2018 and September 2019, 28.6% of people of working age (between the ages of 16 – 64) were economically inactive in Burnley. This compares to 22.6% across all of the North West and 21.1% across all of

Great Britain. Not everyone in this group is actively seeking work, as some may be students, already retired or have young children. Just over a third were on long term sickness benefits.

See the link here for more information:

<https://www.nomisweb.co.uk/reports/lmp/la/1946157091/report.aspx?town=Burnley#tabempune mp>

More detailed information about Burnley can also be found here:

<https://www.lancashire.gov.uk/lancashire-insight/area-profiles/local-authority-profiles/burnley-district/>

Burnley's Housing Strategy includes a wide range of information about the local housing market. This was last written in 2016, and is due to be updated in 2021. The strategy can be found here:

<https://www.burnley.gov.uk/sites/default/files/Housing%20Strategy%202016.pdf>

There is more detail about the housing market in the housing strategy. Three key points are:

- 1) There is a **relatively high proportion of privately rented property**, with a very significant concentration in some wards and less social rented accommodation as a proportion of tenure. In the 2011 Census, the tenure status was as follows:

Tenure Type	Burnley	North West	National
Owner Occupier	65%	64.5%	63.5%
Private Rented	19.4%	15.4%	16.3%
Social Rented	14.1%	18.3%	18.2%

- 2) The **proportion of private rented property has been increasing**. The proportion of private rented properties has risen from 9.3% in 2001 to 19.4% in 2011. Out of 39 local authority areas Burnley is ranked the 4th highest in the Northwest for the percentage of the population living in the private rented sector (PRS). Between the 2001 Census and the 2011 Census, the number of people living in the PRS increased by 85%. Private rented accommodation is more concentrated in the 2 urban areas of Burnley and Padiham and as noted above is more concentrated in some wards within the 2 towns.
- 3) There is a **higher occurrence of property disrepair** which is more heavily concentrated in the private rented sector. 71% of the stock in Burnley was built before 1919, compared to 24.6% nationally. The 2009 Private Sector House Condition Survey (PSHCS) found that 33% of pre-1919 stock had Category 1 hazards. 43.6% of all housing, across all tenure types was assessed as 'non-decent' compared to 36.7% nationally. Private rented stock had the highest proportion of 'non-decent' stock at 46.3%. The proportion of non-decent dwellings which were owner occupied was 45.5% and housing association stock was 31.3%.
- 4) There is a **higher occurrence of empty homes** in Burnley. In 2016, there were 2,384 empty homes in the borough, representing 6% of the overall housing stock. There is a downward trend however: in 2018 this was down to 2,261 and by 2019 the figure was 2, 089.

Affordability of private rented accommodation in Burnley

Even though rents in Burnley in the private sector are low, if compared to other parts of England and within the North West, they can still be unaffordable for many single people on low incomes who would need to claim housing costs through the welfare benefit system. Where there is a difference between the levels of the Local Housing Allowance (LHA) and the market rents, people need to make up the difference from their own income. There is no exact way of measuring this gap but the table below is an indication of the gap for single people in particular.

At the time of writing this review in late March and early April 2020, the Government, as part of the response to the Coronavirus outbreak, has made a significant announcement regarding the LHA levels. The Chancellor announced in March 2020 that from April 2020 the LHA rates will be set at levels that mean housing support from the benefits system should be sufficient to cover the cheapest 30% of all rental properties in any local area.

This will go some way to reverse the reductions made by the Government to the LHA levels since 2012, when the rates increased with inflation until 2015, and then were subject to the four-year nominal freeze that affected most means-tested benefits.

The levels are set through a Broad Rental Market Area (BRMA) assessment of rental costs, and Burnley is almost entirely within the West Pennine BRMA. The table below sets out the increase from 2019/20 to 2020/21 against the market rents.

Size of accommodation	LHA rates PCM for Burnley 2019/20	LHA rates PCM for Burnley 2020/21	Average rent costs in Burnley PCM *	Lowest third of the market rental costs over 12 months Jan. to Dec. 2019^
1 room in a shared house	£271.14	£303.34	£368	Not available
1 bed	£338.93	£350.01	£351	£337
2 bed	£369.35	£389.99	£425	£357
3 bed	£430.35	£449.99	£550	£437
4 bed	£596.64	£650.00	£713	Not available

*Taken from the figures for 2018/19 from the Office for National Statistics.

^Taken from BBC website page 'Where Can I Afford to Buy or Rent?' <https://www.bbc.co.uk/news/business-23234033>

What is the demand for and supply of social housing?

Social housing is owned by Registered Providers in Burnley. Burnley Council transferred 4,700 units of social housing to Calico Homes in 2010. This has now reduced to 3,486 properties. Burnley Council have 50% nomination rights for all general needs voids within the Calico portfolio. In addition to its general needs housing, Calico Homes also own and manage other accommodation services for vulnerable people, including those at risk of homelessness. These are outlined in Section 2 of the Review.

There are a number of other housing associations which own some properties in the local authority area:

Accent Group

Your Housing

Hanover Housing Association

Muir Group

Housing 21

Anchor Housing

Great Places

Burnley Council's allocations policy is a sub-regional one and also covers Blackburn with Darwen, Burnley, Pendle, Hyndburn and Rossendale, which are all partners in the "B-With-us" Choice Based Lettings (CBL) Scheme. The housing register, which is managed through the CBL scheme, B-With-Us, had 1,541 households registered and waiting for social housing in Burnley in 2018/19.

The allocations policy was amended in early 2020. The changes were made to ensure the policy was up to date with the legal requirements and also incorporated the following changes:

Local Connection – introduction of a local connection criteria in order to qualify to join the register

Housing-related debt- greater clarity in terms of how housing debts owed will be considered under the new scheme.

Homeowners- to help ensure best use of stock by only allocating to those persons who are unable to secure alternative accommodation, thus applicants who have equity in a property of £120,000 will be disqualified from joining the housing register.

Deliberate worsening of circumstances – this is a new policy and intended to ensure that applicants do not deliberately worsen their circumstances in order to be awarded higher priority.

Suspensions – greater clarity in terms of eligibility and qualification criteria

Banding changes – rearrangement of some of the criteria within bands to ensure that those in a 'reasonable preference' category continue to receive sufficient priority. This includes the addition of a fifth band and the end of cumulative need. There is more on the banding changes specifically in relation to homelessness in Section 2 of this document.

Of those people on the Housing Register in 2018/19, the demand for different property sizes was as follows:

1 bedroom	2 bedroom	3 bedroom	4 bedrooms
833	470	195	43

Of the 1,541 people on the housing register, 510 had some priority or 'reasonable preference' awarded. This is then sub divided into the reason for awarding reasonable preference. Some

people within the 'reasonable preference' groups are given a higher priority, or 'additional preference' due to the urgency of their situation and this is shown in the 2 columns on the right side of the table below.

Reasonable Preference awarded	Homeless within meaning within Part VII of Housing Act, regardless of whether there is a statutory duty to house them	Owed a duty or are occupying accommodation secured by any such authority under the Act	Occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions	Need to move on medical or welfare grounds, including grounds relating to a disability	Need to move to a particular locality in the authority, where failure to meet that need would cause hardship (to themselves or to others).	And of the households in reasonable preference groups, how many have urgent housing needs & are given additional preference	of which, how many are members of the Armed Forces community
Numbers waiting on the 2018/19 Housing Register with 'reasonable preference'	10	106	200	169	6	203	29

There were 472 lettings in 2018/19.

Waiting times on the housing register in Burnley from April 2019 to March 2020

	1 Bed/Bedsit	2 Bed	3 Bed	4 Bed	Average waiting time per Band
Band 1	146 days	404 days	148 days		232 days
Band 2	160 days	206 days	303 days	483 days	288 days
Band 3	178 days	241 days	289 days		236 days
Band 4	112 days	171 days	311 days	293 days	221 days
Average waiting time for property type across all bands	149 days	255 days	262 days	388 days	

Homelessness casework records and other local sources of data

For this review, we are drawing on a range of information sources:

- **Casework information from our work under statutory duties.** Since April 2018, when the Homelessness Reduction Act commenced, a new system, called 'H-CLIC' has been used in England to record statutory homelessness. See below for more information on this.
- **Information from our partners.** We sent out a request for information to 30 agencies and services, emailing in total 80 different people that work in those organisations with some

customers or clients who are or may be at risk of homelessness.

- **Other information that we record outside the H-CLIC requirements.** This includes people who contact us for advice and information because they have a housing need and the numbers of people who are sleeping rough in Burnley.

Alongside the new duties to prevent and relieve homelessness for everyone who is eligible and homeless, or threatened with homelessness within 56 days, from the 3rd April 2018 new case level information collection requirements were set out for local housing authorities to adhere. All cases where a homelessness application is taken should be reported to the Ministry for Housing, Communities and Local Government (MHCLG) through a quarterly return, known as H-CLIC.

H-CLIC replaced the P1E as the means for local authorities to report updates on all new statutory homelessness assessments and cases from April 2018. Because this is a new system for recording and the legislation has changed so significantly, the Government's statutory homelessness statistics are classed as 'experimental'. The April – June 2018 period was one where all local authorities were getting used to the new systems and processes. Please note that for the purposes of this review we have used 12 months of data, from July 2018 to June 2019.

The key point to note for the purposes of this review is that much of the data which was recorded prior to the changes to the homelessness legislation cannot be compared directly to data recorded for H-CLIC after the Homelessness Reduction Act changes commenced in April 2018. Where it is possible to make some comment on the data trends across the different data sets, we will do so.

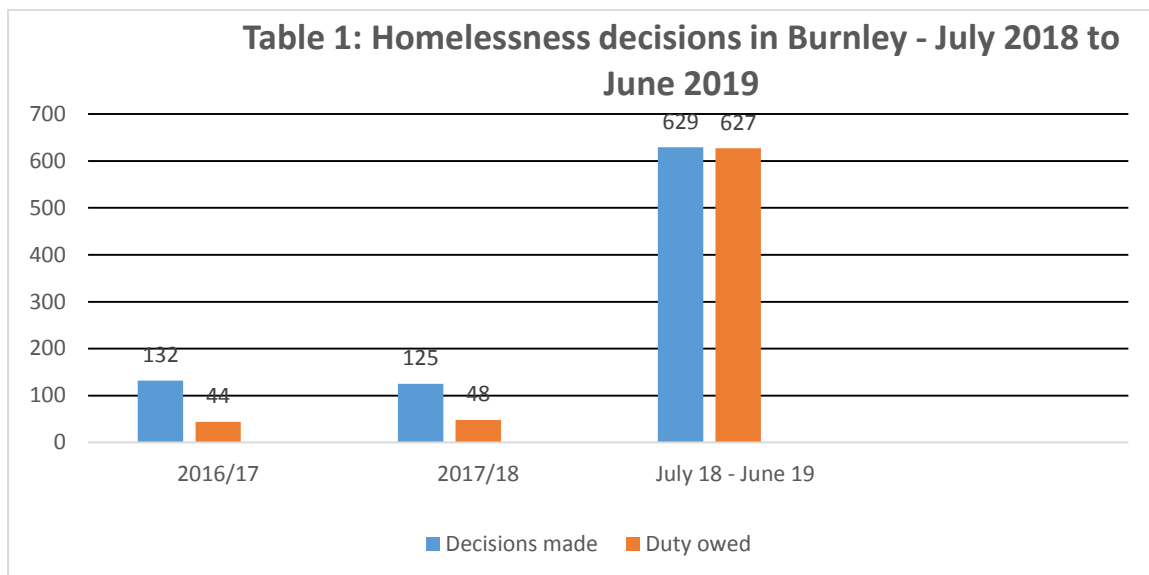
What do we know about how many households in Burnley are threatened with homelessness or actually homeless?

The changes to the homelessness legislation were introduced to offer earlier assistance to prevent people who are at risk of homelessness. The period a household can be assisted if they are at risk of homelessness has moved from a 28 day threshold to 56 days threshold and in some instances local authorities can use their discretion and take applications over 56 days.

In addition, the change in the law gave more statutory assistance to eligible single people and childless couples, in terms of preventing or relieving their homelessness, as the test to assess if someone has a 'priority need' or not is applied later in the process, giving more time to assist people.

These factors mean that comparing quarterly or annual data sets before April 2018 and any after that point is not straightforward. The rise in numbers of applications has risen, but particularly single people may well have been getting assistance before April 2018 through advice and assistance outside the homelessness legislation.

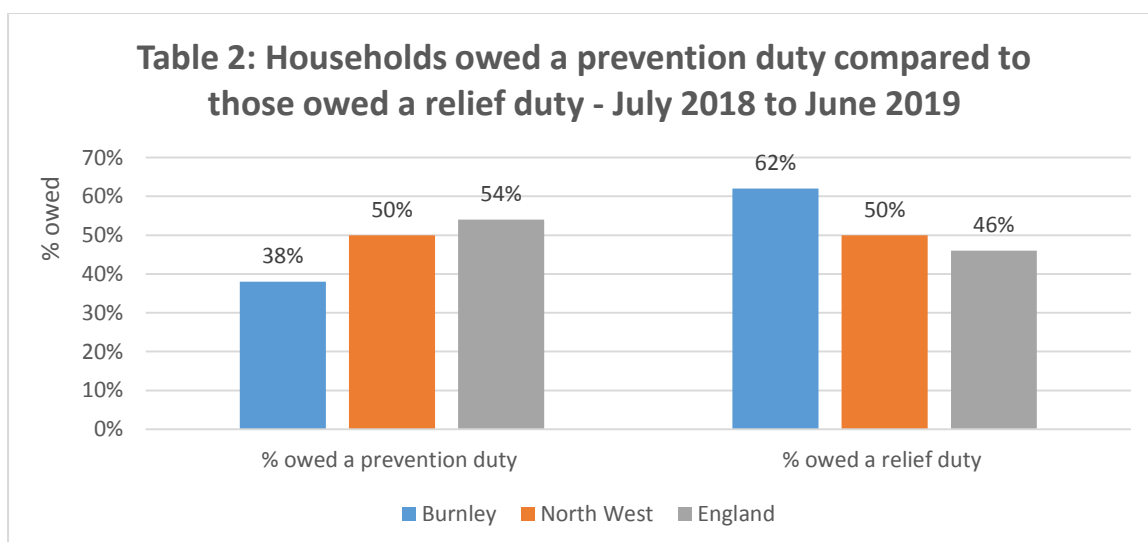
The first table shows the numbers of homelessness decisions made and the numbers owed a statutory duty. Note this includes households who are threatened with homelessness.



The contrast in the table above is significant above. The Homelessness Reduction Act 2017 was introduced to assist more people and different tests are applied at different points, so the data is not, by itself, easily comparable, as many people may have been getting assistance outside the legislative framework before April 2018. Of the 629 households who made a homelessness application and had a decision in 2018/19, only 2 households were not owed any statutory duty and were found to be not homeless or threatened with homelessness. This is a low number compared to the North West as a whole, where 5% households were not owed any duty in the same year and also nationally, where 7% were found to be not homeless.

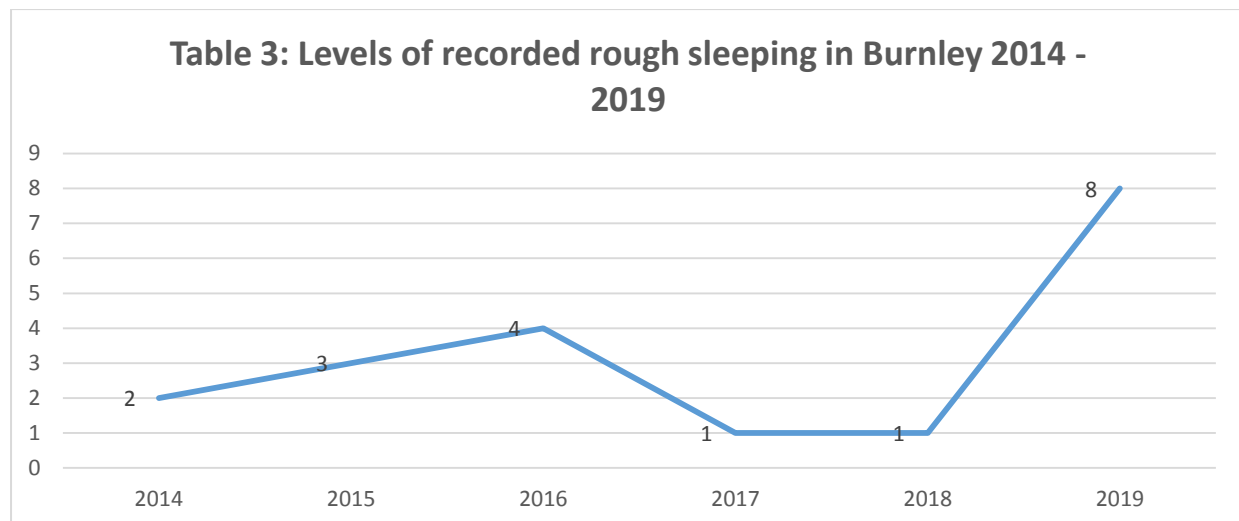
People who come to ask for help, or are referred for help, before they are homeless are offered support under the ‘prevention’ duty – Section S195 of the Housing Act 1996, and households who are already homeless are offered support under the ‘relief’ duty – Section 189B of the same Act.

Table 2 below shows the percentage of households owed a prevention duty in comparison to those owed a relief duty. This shows that a higher proportion of households present as already homelessness in Burnley when compared to the North West overall and England.



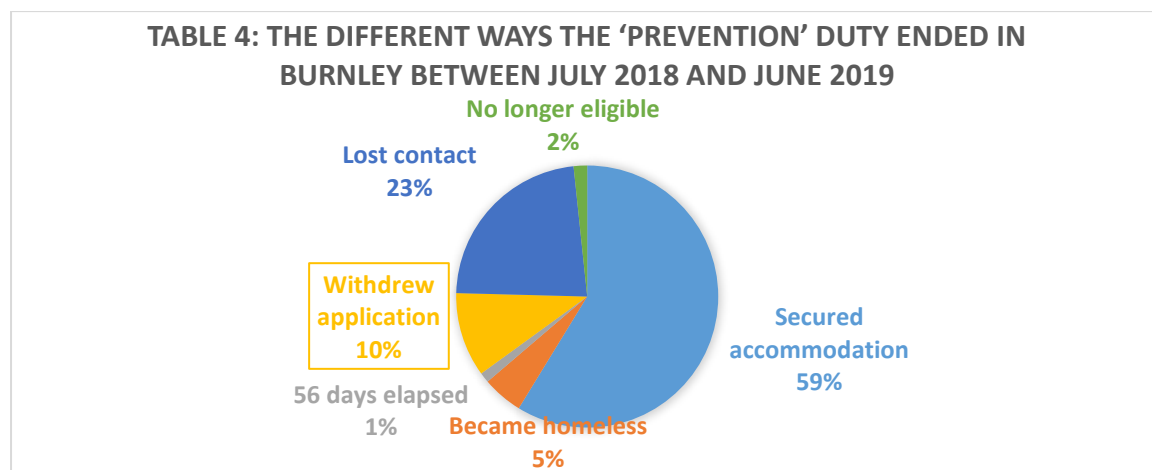
The most acute form of homelessness is rough sleeping. In most local authority areas not everyone who is rough sleeping has approached the Council for help and therefore they may not appear in the statutory homelessness statistics set out in Table 1 and 2 above.

Later in this document there is more detail on what we know about rough sleeping in Burnley and what we and our partners are doing about this currently. But to give an overview of rough sleeping numbers at this point, Table 3 sets this out. The Council are required to complete a count of people rough sleeping or provide an estimate each year to the Ministry of Housing, Communities and Local Government (MHCLG). In Burnley an estimate is made based on a range of local information and using a nationally agreed methodology. This takes place in November each year. Table 3 sets out the numbers estimated in Burnley over the last 6 years based on this methodology.



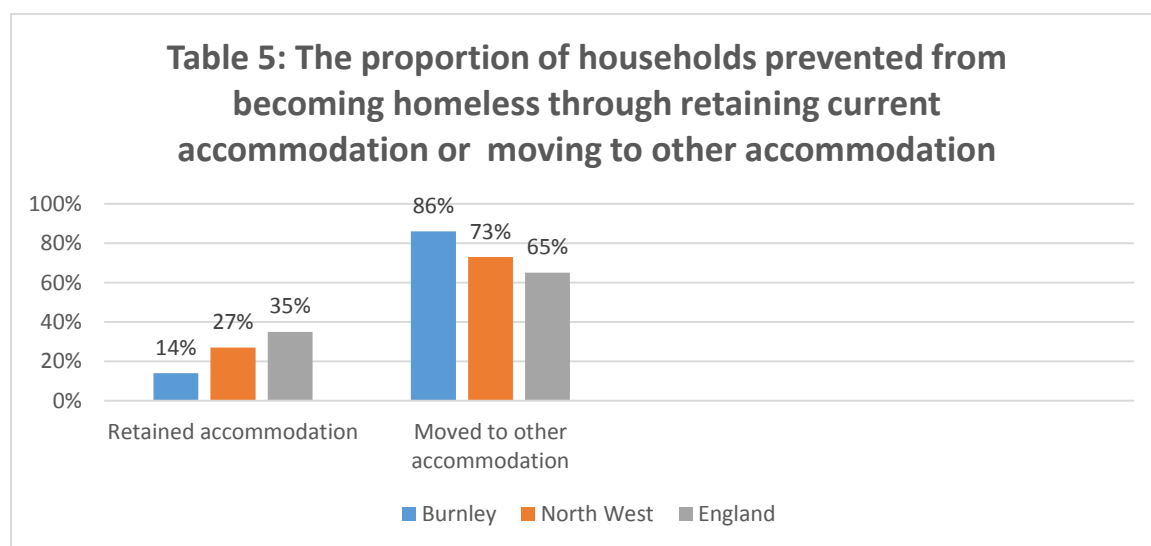
How successful is the Council at preventing homelessness?

Between July 2018 and June 2019, 240 households who were owed a prevention duty had the duty ended. This is set out in Table 4 below. For 59% this was a positive outcome, in that they secured accommodation. This position for Burnley mirrors the North West overall and is slightly higher than the all-England figure of 57%.



Note that the prevention duty can also be lawfully ended through other means: ‘non co-operation’, ‘refusal of a suitable offer’ or ‘not known’, but none of these 3 categories was used by Burnley over this period.

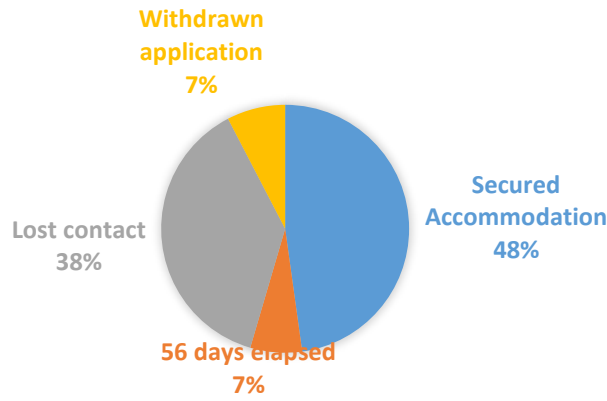
Assisting an applicant to secure accommodation can be broadly split into 2 sub-outcomes : the applicant is assisted to move to new accommodation or they retain their current accommodation because they are assisted to resolve whatever was the underlying cause(s) of the threat of homelessness. In both scenarios, the accommodation must be suitable, and the local authority need to be satisfied that this has a ‘reasonable prospect’ of being available for six months or more.



How successful is the Council at relieving homelessness?

Between July 2018 and June 2019, 377 households who were owed a ‘relief’ duty had the duty ended. Table 6 below sets this out, in terms of how the duty was ended. For 48% this was a positive outcome, in that applicants who were homelessness were assisted to secure accommodation. Overall, in the North West region 44% of applicants had their homelessness relieved, whilst nationally, 41% of applicants had. The relief duty can also be lawfully ended through other means which are not shown on the table below. This is because either the category was not used (for ‘non –co-operation’ and ‘not known’) or it was used only once in the year (for ‘refusal of a final offer’, ‘no longer eligible’ and ‘intentionally homeless for accommodation provided’).

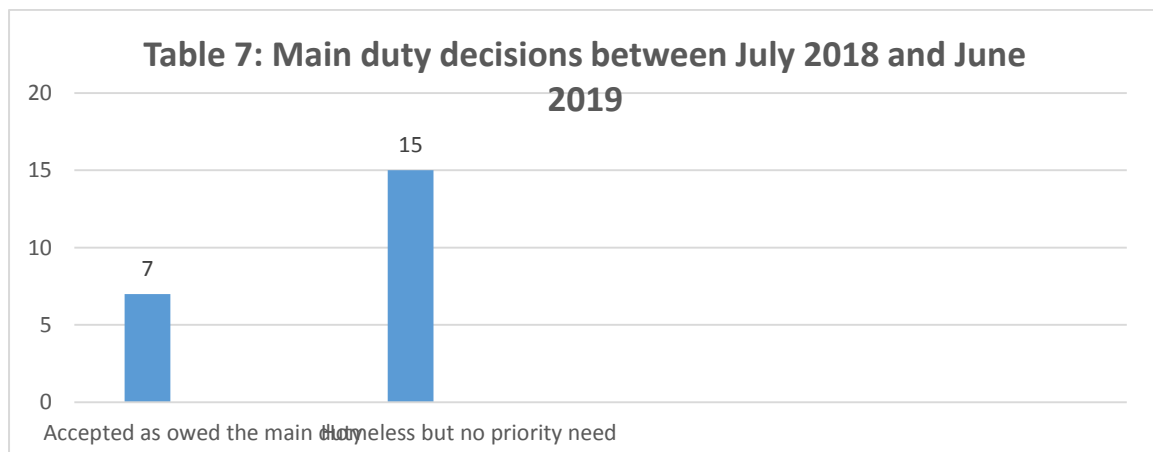
**TABLE 6: THE DIFFERENT WAYS THE 'RELIEF' DUTY ENDED IN BURNLEY
BETWEEN JULY 2018 AND JUNE 2019**



The number of households accepted as owed the 'main' homelessness duty has fallen in England because of the change in legislation, which brings the 'prevention' and 'relief' options in before the 'main' duty is applied. Most people are assisted before they reach the 'main' duty point. This makes direct comparisons to the year 2017/18 difficult.

In Burnley in the year 2017/18, before the change in the legislation, 127 'main' duty decisions were made and of these, 41 were accepted as owed the main duty. For 78 applicants the decision was that they did not have a 'priority need' and the 'main' accommodation duty was not owed as a result. There were very low numbers of 'intentionally homeless' and 'not homeless' decisions.

As Table 7 below sets out, the numbers of 'main duty' decisions are low since the commencement of the Homelessness Reduction Act, as most people will be getting assistance before this point. The majority of decisions at the 'main duty' point in Burnley are that applicants do not have a priority need. This predominantly be people who are single or in couples where there are no dependent children.



The most recent data on acceptances of the main duty, taken from April 2019 – March 2020, shows that of the 7 households which were owed the main duty, the basis of this was:

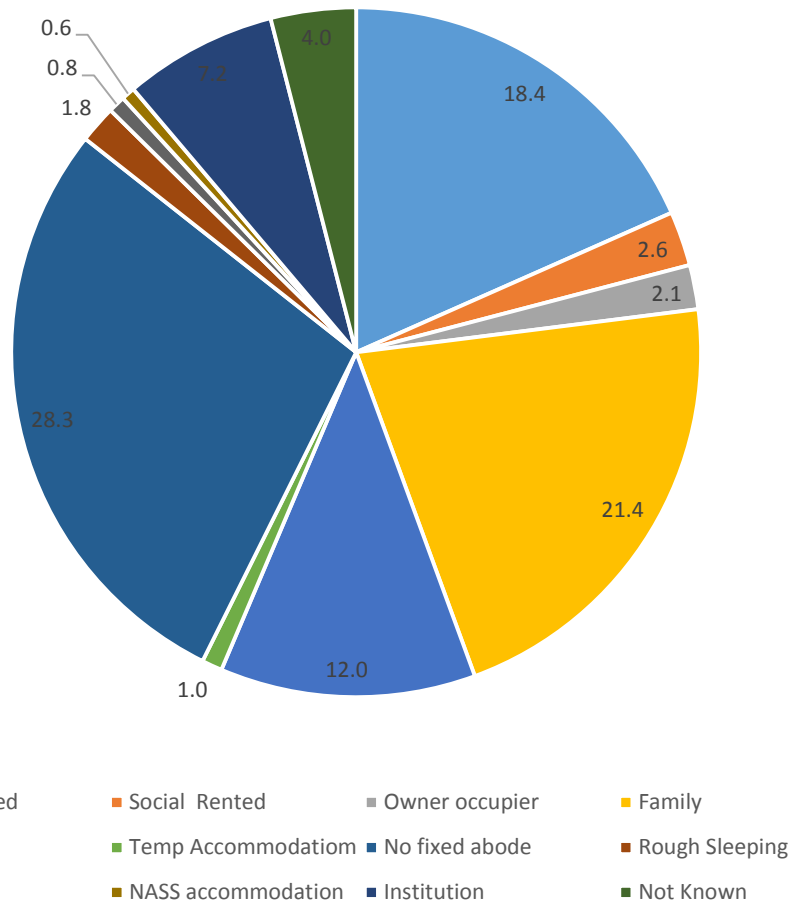
- 3 were households that included dependent children
- 2 were care leavers age 18 – 20
- 1 was a household assessed as vulnerable as a result of physical disability/ill health

- 1 was a household assessed as vulnerable due to mental health problems

Where were people living at the time they became homeless or were threatened with homelessness?

To understand the causes of homelessness, there are several data sources in the H-CLIC statistics to draw from. Firstly, data on where applicants were living at the point they approached the Council can give some context to what has driven their homelessness, although this alone does not tell us why someone became homeless. This information is based on the assessment of an applicants' housing circumstances. Taken together, the highest percentage was applicants were living with either family (21%) or with friends (12%). However, 'No fixed abode' (28%) was the highest single reported housing circumstance and is likely to include people who are sofa surfing in very unsettled circumstances and are homeless on that basis. A small number of people said they were rough sleeping (2%). Around 18% were living in private rented accommodation. It is useful to note that 7% had been living in an institution and of this group, which was 45 applicants in total, 38 had left custody. This will warrant some further exploration.

Table 8: Where applicants were living at the point they became homeless or threatened with homelessness, shown as a percentage, taken from July 18 -June 19 data

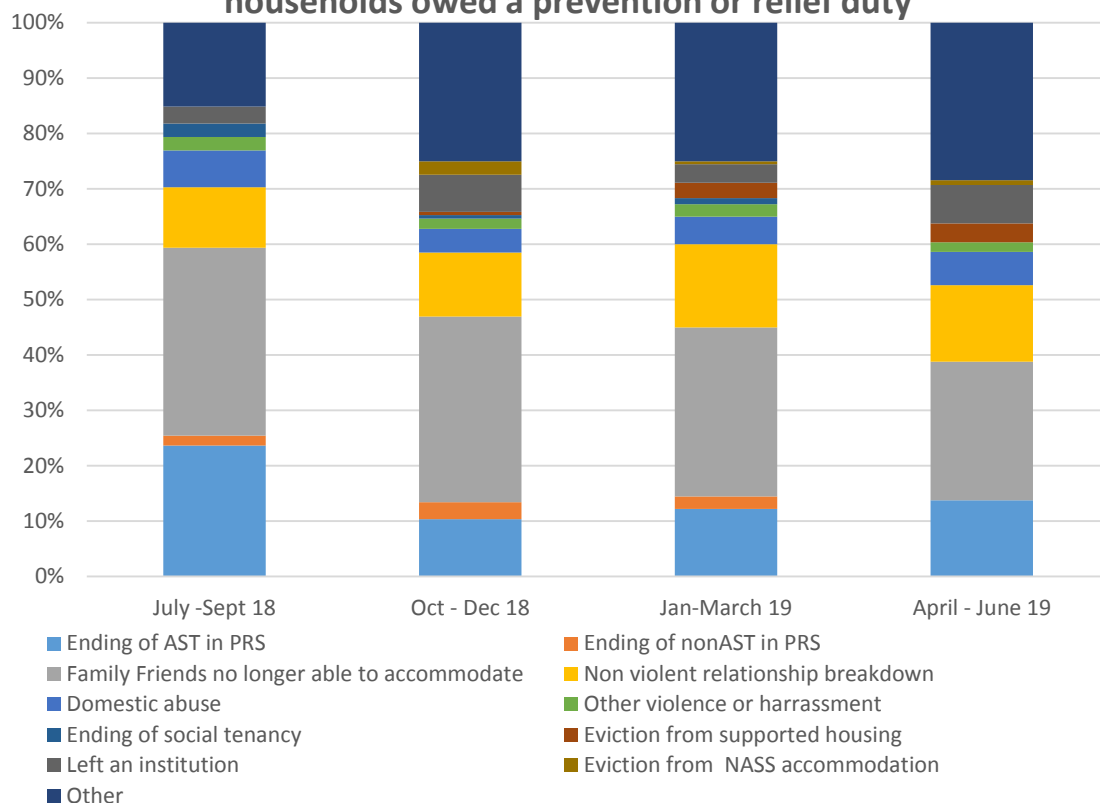


In Table 9 below, the data from July 2018 to June 2019 shows that there is some consistency regarding the main causes of homelessness in Burnley and also read across with Table 8 above in terms of accommodation at the point of approaching the Council for assistance. Across all 4 quarters, the 5 main known causes of homelessness are:

- family or friends asking the applicant to leave;
- the ending of an Assured Shorthold Tenancy (AST) in private rented accommodation (PRS)
- non-violent relationship breakdown
- domestic abuse
- leaving an institution (e.g. prison or hospital)

However, the 'Other' category is recorded as the second highest cause - this is a significant proportion, but is unclear in terms of what this is telling us and warrants more focus, in terms of why officers in the Council are using this category so frequently. It may refer to the very unsettled position of those people who are sofa surfing between different sorts of accommodation.

Table 9: Reason for loss of last settled accommodation for households owed a prevention or relief duty



Which groups of people are at higher risk of becoming homeless or threatened with homelessness in Burnley?

More single people with no dependent children or childless couples approach the Council seeking assistance than families – see Tables 10 and 11 below. Whilst this is a national trend, which is more pronounced since the commencement of the new homelessness legislation in April 2018, a higher proportion of households who approach Burnley Council for assistance are single or childless couples, in comparison to both the North West as a whole and all of England. This particularly the case when applicants are already homeless and are owed the relief duty, as set out in Table 11 below.

Table 10: Percentage of families and single people owed prevention duties between July 2018 - June 2019

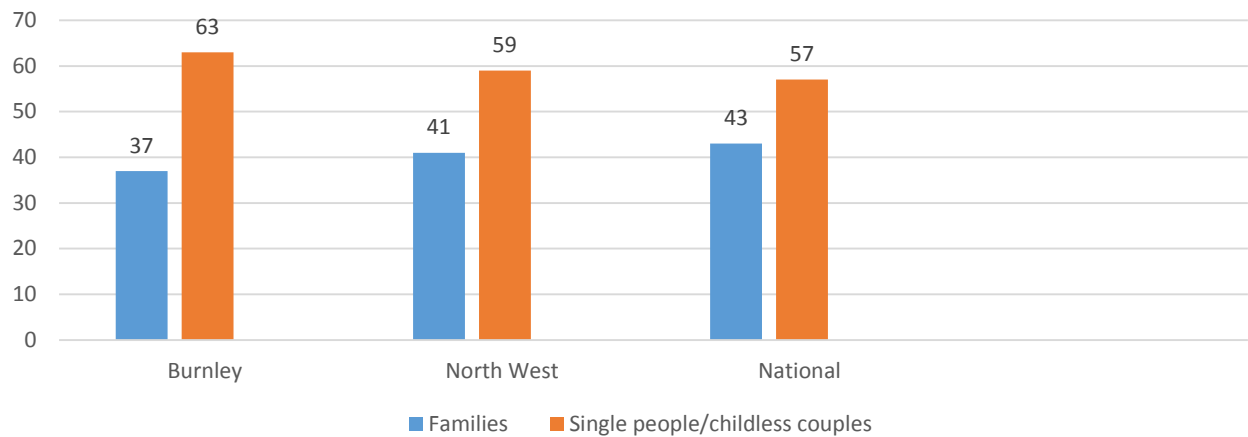
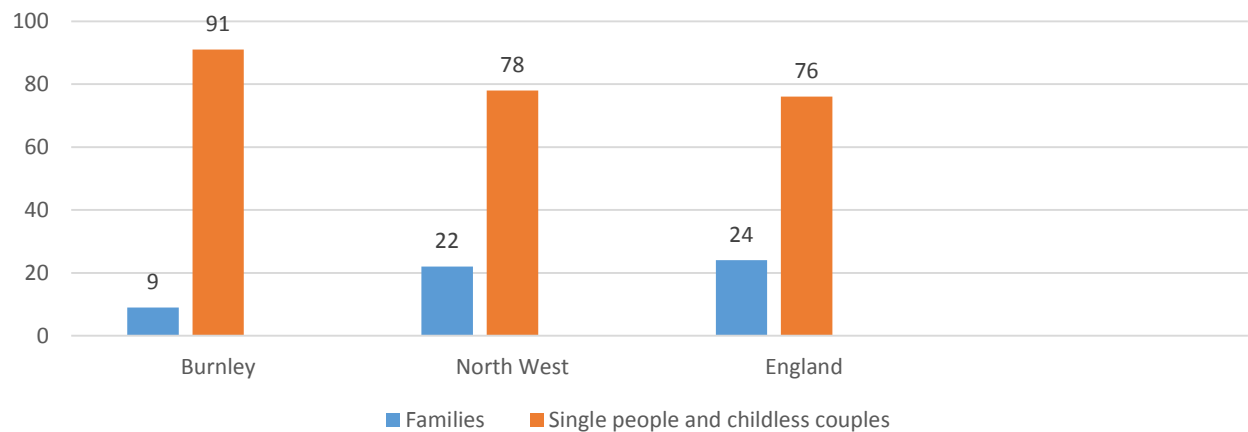


Table 11: Percentage of families and single people owed relief duties between July 2018 - June 2019



The new homelessness legislation placed a duty on some public bodies to refer to a housing authority anyone that they believe is or may be at risk of homelessness within 56 days. The referral can only take place with the consent of the client. The referral in itself does not automatically trigger a homelessness application as the housing authority would need to be satisfied that there was reason to believe the person was homeless or may be at risk of homelessness within 56 days. Whilst this duty is still relatively new, as it commenced 6 months after the Homelessness Reduction Act, it does give an indication of some of the other public agencies working with people who have a housing need.

Referrals made to Burnley Council by public bodies subject to the 'Duty to Refer' between October 2018 and September 2019 are set out below.

TABLE 12

Referring body	Number of referrals between Oct 2018 and Sept 2019
-----------------------	---

Prison Service	23
Adult Social Care	1
Children's Social Care	9
Probation Service	11
Community Rehabilitation Company	8
Job Centre *	13
Hospitals	5
Mental Health Acute Inpatient	7

*Referrals from the Job Centre are higher than reported above, but the referral process through a confidential portal and information requested by the local authority is not always followed by DWP, making it difficult to contact clients.

In addition, some referrals were received for the same period of time from the following agencies:

TABLE 13

Agency making the referral	Number of referrals between Oct 2018 and Sept 2019
-----------------------------------	---

Mental health service - community based	4
Faith organisations	3
Police	1
Street Services to rough sleepers	10
NASS	1
Refuge	1
Supporting Housing provider	3
Housing association	2
Youth Services	1
Children's Services' Early Help services	4

We have looked at our statistics in relation to different groups of people, including those groups which are included within the protected characteristics set out in the Public Sector Equality Duty. This is important to understand if any groups are over or underrepresented our statistics. This will then help to inform any changes to priorities and services to address any in-balances or possibilities of direct or indirect discrimination.

In the table below the age group of 18 – 25 year olds appear to be over represented in homelessness figures in comparison to the overall population.

TABLE 14: AGE OF HOMELESS APPLICANTS IN 2019/20 COMPARED TO THE OVERALL POPULATION

Age	% of Homeless applicants (and number)	2011 census : % of population
0-15	N/A*	19.7%
16-17	0.7% (10)	2.6%
18-25	22.9% (322)	9%
26-65	59.9% (842)	52.5%
	Note: below is a further breakdown of this wide age group but no comparison with Census data is possible: 26-35 yr olds: 26.5% (373) 36-65 yr olds: 33.3% (469)	N/A
66+	1.4% (20)	22.2%

*Applications can only be taken from people aged 16 and over. The percentages for homelessness applications have been adjusted to take into account the assumed proportion of the population (19.7%) aged under 16 age group so a direct comparison of the percentages is possible.

In the table below, men are over-represented in the homelessness statistics, indicating as a group men are at higher risk of homelessness in Burnley.

TABLE 15: GENDER OF HOMELESS APPLICANTS IN 2019/20 COMPARED TO THE OVERALL POPULATION

	% of Homeless applicants (and number)	2011 census : % of population
Female	42.7% (510)	50.8%
Male	57.2% (683)	49.2%
Transgender	0	-
Prefer not to say	0	-

The table below indicates that there are no groups which are significantly over-represented in terms of ethnicity, although people identifying as British Pakistani are slightly under-represented in the homelessness statistics.

TABLE 16: ETHNICITY OF HOMELESS APPLICANTS IN 2019/20 COMPARED TO THE OVERALL POPULATION

Ethnicity	% of Homeless applicants (and number)	2011 census : % of population
White English/Scottish/Northern Ireland	86% (1,027)	85.5%
White Irish	0.8% (10)	0.6%
Gypsy or Irish Traveller	0.4% (5)	0
Other White	2.3% (28)	1.2%
Mixed multiple groups –White & Black Caribbean	0.08% (1)	0.3%
Mixed multiple groups – White & Black African	0.1% (2)	0.1%
Mixed Multiple groups – White & Asian	0.6% (8)	0.5%
Any other mixed multiple groups ethnic background	0.3% (4)	0.2%
Asian British Indian	0.4% (5)	0.4%
Asian British Pakistani	4.6% (56)	6.8%
Asian British Bangladeshi	1% (12)	2.8%
Asian British Chinese	0.08% (1)	0.3%
Other Asian Background	0.5% (7)	0.8%
Black African Caribbean Black British African	0.2% (3)	0.2%
Any other Black African Caribbean background	0.08% (1)	0
Other Ethnic Group – Arab	0.08% (1)	0.1%
Any other Ethnic Group	0.4% (5)	0.2%
Don't Know – refused	1.4% (17)	-

TABLE 17: NATIONALITY OF HOMELESS APPLICANTS IN 2019/20 COMPARED TO THE OVERALL POPULATION

Nationality	% of Homeless applicants (and number)	2011 census : % of population
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UK national	95.6% (1122)	92.3%
Irish	0.4% (5)	0.6%
EU and EEA nationals*	4.1% (49)	1.3%
Non EEA country nationals^	1.4% (17)	5.8%

*note that the time lag between the census and the homelessness data and test of eligibility should be considered in relation to this comparison

^Note that this figure is not directly comparable as the test of eligibility will apply

There are several different ways of presenting information about health and disability. Caution should be used if making direct comparisons with the 2011 Census data to see if people with a disability or ill health are over or underrepresented in the homelessness statistics. We have both the self-reported claims of physical ill health and disability and information on benefit related claims (for ESA, incapacity benefit and Disability benefit) in the table below to show that there is not one reliable source of data and that this may be an area which warrants more focus in the future.

TABLE 18: ILL HEALTH AND DISABILITY OF HOMELESS APPLICANTS IN 2019/20 COMPARED TO THE OVERALL POPULATION

	% of Homeless applicants (and number)	2011 census : % of population
Self-reported physical ill health & disability	13.1% (154)	31%

	% of Homeless applicants (and number)	NOMIS Labour Market Profile 2019 :% of population in Burnley
Claiming benefit on the basis on long term illness or disability	27.1% (319)	10.9%

The table below shows data on sexual orientation of applicants. This indicates that people identifying as lesbian, gay, bisexual or transgender are over-represented in the homelessness figures.

TABLE 19: SEXUAL ORIENTATION OF HOMELESS APPLICANTS IN 2019/20

	% of Homeless applicants (and number)	2018 Population Survey, Office of National Statistics for the North West as a %
Heterosexual	84% (988)	96.7%
Gay Lesbian	2% (24)	1.8%
Prefer not to say	9% (107)	0.1%

Other

6% (74)

0.5%

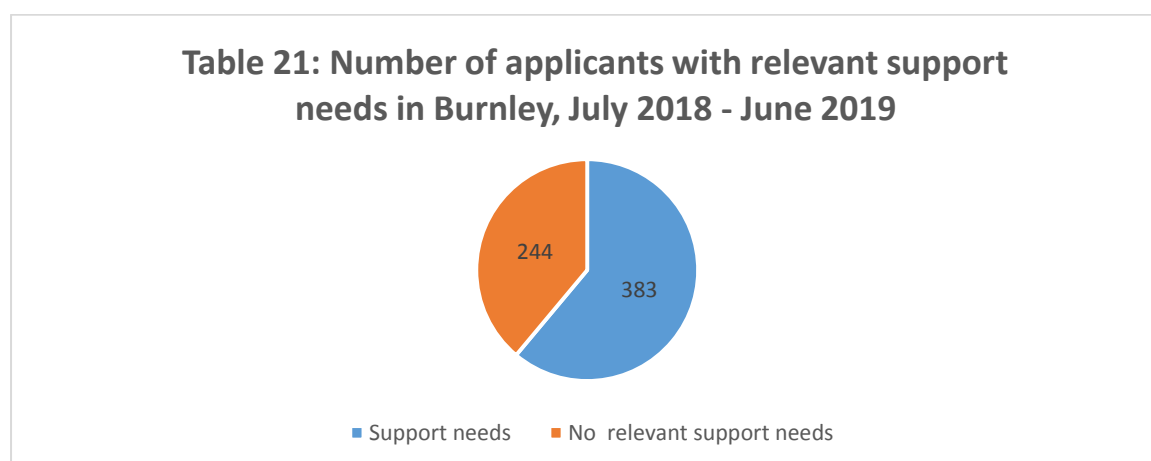
Finally, it is clear that economic activity is a protective factor in terms of reducing the risk of homelessness in Burnley. People who are not in paid work are at a much higher risk of becoming homeless.

TABLE 20: OVERALL ECONOMIC STATUS OF HOMELESS APPLICANTS IN 2019/20 COMPARED TO THE OVERALL POPULATION

	% of Homeless applicants (and number)	NOMIS Labour Market Profile 2019 :% of population in Burnley
Economically active (part time, full time, self-employed or in training/apprenticeship)	15.4% (181)	74.2%
Economically inactive (due to sickness or disability, unemployed seeking work, carer for children or others in family, retired, students)	72.9% (856)	25.8%
Didn't report/refused to report during homelessness assessment	13.2% (156)	N/A

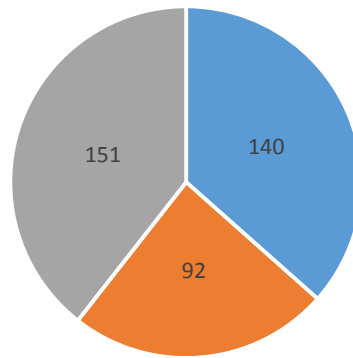
What do we know about the support needs of people who homeless or threatened with homelessness in Burnley?

The assessment process under the new homelessness legislation requires Councils to find out about any particular issues that an applicant might need support within order to have and to sustain suitable accommodation. Table 21 sets out the overall numbers:



Some applicants have more than 1 support need and this is recorded as well. Of the 383 people who were assessed as having support needs over the 12 month period shown in Table 21 above, this can further broken down into how many support needs were identified (Table 22 below) :

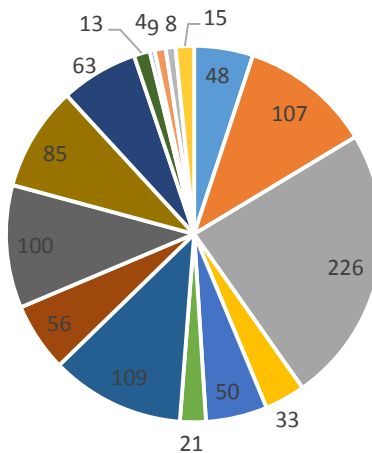
Table 22: Number of assessed support needs for each applicant in Burnley, July 2018 - June 2019



■ 1 support need ■ 2 support needs ■ 3 or more support needs

The final table below on assessed support needs highlights the different types of support needs. Note that the support needs of young people are assessed by age and legal status (16/17 year olds, 18 – 25 year olds, care leavers aged 18 – 20, care leavers aged 21+ and young parents) but we have grouped these together for the purposes of highlighting overall youth related support needs.

Table 23: The assessed support needs of applicants in Burnley by type of support, July 2018 - June 2019



■ Young person under 25 (48) ■ Physical ill health /disability (107) ■ Mental health (226)
 ■ Learning disability (33) ■ Domestic abuse (50) ■ Abuse (non domestic) (21)
 ■ Drug dependency(109) ■ Alcohol dependency (56) ■ Offending history (100)
 ■ Repeat homelessness history (85) ■ History of rough sleeping (63) ■ Sexual exploitation (13)
 ■ Former asylum seeker (4) ■ Old person (9) ■ Served in armed forces (8)
 ■ Access to ETE (15)

What do we know about people who are rough sleeping in Burnley?

Some people who sleep on the streets or outside do so for relatively short periods of time, days or

weeks, whilst for other people, this could be for several months or years. Like many other areas of England, there are some people who have spent significant periods of time living in hostels, sofa surfing and at times rough sleeping and there are some people who are 'new' to homelessness and rough sleeping.

Since July 2019, when a new service, funded by MHCLG's 'Rapid Rehousing Pathway', set up a team of 'navigators' to work with people who are rough sleeping, more detailed understanding about people who are rough sleeping has been available. This is a new cross-borough service and has been developed between Blackburn with Darwen, Hyndburn, Burnley, Pendle, Rossendale and Ribble Valley.

The data we have looked at locally and other qualitative evidence informs the picture about people who are rough sleeping in Burnley. In part this is drawn from the annual estimates the Council has undertaken, as well as more recent information taken during the Covid – 19 pandemic, when the local authority offered accommodation to everyone who was rough sleeping or at high risk of doing so. This was part of the England-wide 'Everyone In' programme to offer accommodation to everyone who was rough sleeping during the 'lockdown' which started in late March 2020.

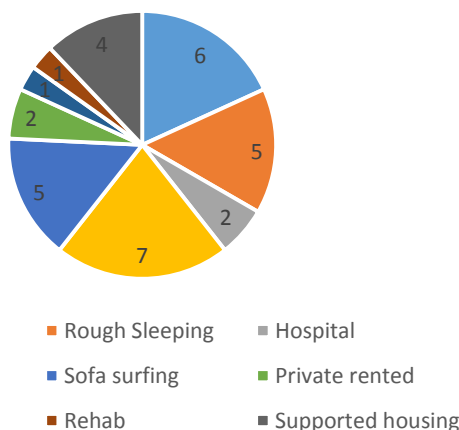
Until November 2019 the annual estimate on single night in November has had very low numbers. The last estimate was 8 and from this we collected some very basic information:

- 7 were men, 1 person was a woman
- All were aged over 26 and were UK nationals

Over the 'lockdown' during the Covid-19 pandemic, with the support of the Rapid Rehousing Pathway 'navigators', the Council has in accommodated 33 people through the England-wide 'Everyone In' programme aimed at people who are already rough sleeping or at high risk of doing so.

The information that the Council has about the people who have taken up offers of accommodation is the most up to date and detailed information available and assists in understanding more about single people who are either rough sleeping or are at high risk of homelessness.

Table 24: Where the 33 people were staying/living prior to accommdoation through 'Everyone In'



In addition to the 5 people who were rough sleeping before 'Everyone In', there were 3 other people who were known to be rough sleeping and were offered accommodation several times but did not take up the offer.

In terms of the profile of people who accepted accommodation:

- 30 of the 33 were men
- 2 women were pregnant
- 32 people had a local connection to Burnley
- 11 were assessed as having or likely to have a 'priority need' for accommodation
- 17 of the 33 people reported they had a history of offending behaviour
- 28 people were white British, 2 were of white and Asian heritage, 1 was Asian Pakistani and 1 was a Gypsy/Traveller

Table 25: Age of people taking up 'Everyone In' accommodation

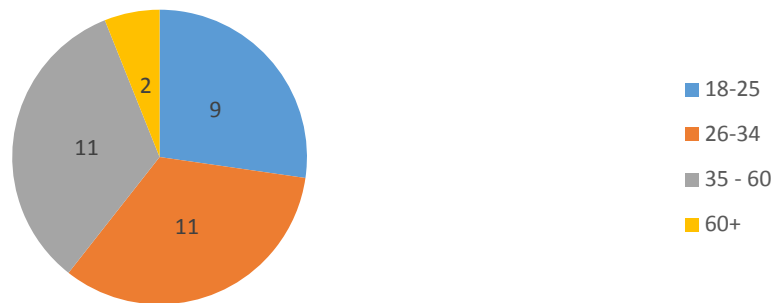
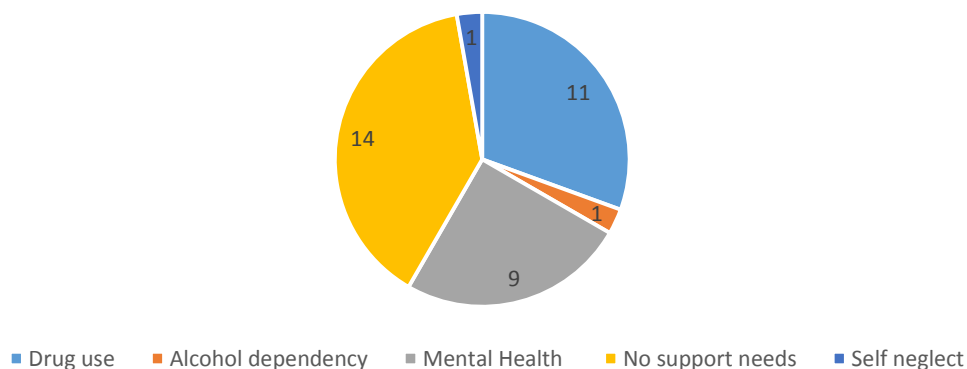


Table 26: Assessed main support needs of people in 'Everyone In' accommodation



It should be noted that the majority of people who took up short term accommodation offers through 'Everyone In' were not rough sleeping, but they were at risk of this form of homelessness without help from the local authority.

More information on support needs and pathways in and out of rough sleeping for those who end up rough sleeping in Burnley should emerge over time through this work.

For planning purposes, we base our assumptions about the needs of rough sleepers on local information and knowledge and national research, which has been cited by the Government in the 2018 Rough Sleeping Strategy. This is the 2015 Hard Edges Report, mapping severe and multiple disadvantage in England by Professor Suzanne Fitzpatrick and Professor Glen Bramley, and can be viewed here:

<https://lankellychase.org.uk/wp-content/uploads/2015/07/Hard-Edges-Mapping-SMD-2015.pdf>

Severe and multiple disadvantage is defined as a combination of 2 or more of: homelessness, substance misuse, mental health problems and involvement in criminal justice system. Poverty is also an underlying feature but is not taken into account in the methodology used to assess the extent of severe and multiple disadvantage.

The report findings include evidence of higher concentrations of multiple and severe disadvantage in some areas, cities and large towns in the North of England, seaside areas and London Boroughs.

What legislative or local policy changes might impact on levels of homelessness for particular groups in Burnley?

At a National level

Changes brought in as a result of the Covid 19 pandemic:

This review has been undertaken during the outbreak of the coronavirus (Covid -19). The short, medium and long term impact of the pandemic on the economy, public services and society is not yet known.

Funding was announced for English authorities to support vulnerable people during the Covid -19 pandemic and distributed to local authorities by the Government. This funding is not ring-fenced. £1.6 billion was announced in March 2020, of which Burnley received £75,175. A further £1.6 billion was announced in April 2020, of which Burnley received £882,080.

In order to assist those at risk of homelessness in **rented accommodation**, the Government introduced some new measures in March 2020, some of which are short term. These include:

- All landlords will have to give renters 3 months' notice if they intend to seek possession. This is in place until 30 September 2020 and the Government has signaled that both the end point and the 3 month notice period can be extended if needed. This covers most tenants in the private and social rented sectors in England.
- A suspension of housing possessions action will initially last for 90 days from 27/3/2020, but this may be extended if needed. This measure is intended to protect private and social renters, as well as those with mortgages and those with licenses covered by the Protection from Eviction Act 1977.

- Both Universal Credit and Housing Benefit will increase and from April, Local Housing Allowance rates will be updated to cover the lowest 30% of market rents in each area. This is expected to be long term and remain in place after the pandemic is over.
- Protecting landlords with Buy to Let mortgages from proceedings leading to re-possession.
- £500 million has been made available to support households experiencing financial hardship.
- As part of the workers' support package, the Government will pay up to 80% of a worker's wages, up to a total of £2,500 per month, where workers are placed on the Coronavirus Job Retention Scheme.

In addition to the above, some work is underway to extend the 'pre-action protocol' on possession proceedings to include private renters and to strengthen its remit. It is intended this would increase engagement between landlords and tenants to resolve disputes and landlords will have to reach out to tenants to understand the financial position they are in and reasonable repayment terms. This is hoped to alleviate pressures on people renting both social and private accommodation.

The Government also announced in early May 2020, during the pandemic, its intention to support an amendment in the Domestic Abuse Bill which will mean those who are homeless as a result of domestic abuse will have a priority need for accommodation. Until the legislation is passed there is no further guidance about this.

The Government is committed to ending rough sleeping by end of this Parliament which is in 2024. In order to deliver this, a programme based on the 2018 Rough Sleeping Strategy has been developed. Funding has been allocated to local authorities in England, including Burnley. More detail on this is set out in Section 2 of this review.

Local authorities in England were initially allocated £3.2 million funding for the Covid-19 pandemic response for people rough sleeping. The 'Everyone In' programme has been to find accommodation and support for people who were sleeping rough or approached as homeless with no available accommodation, regardless of if they have a 'priority need' for accommodation or not. In May 2020 the Government announced that the £381 million to end rough sleeping over the next 4 years (first outlined in the March 2020 budget) , would increase to £433 million and £160 million would be available in the next 12 months to keep people off the streets and find 3,300 new homes.

Welfare changes:

The Chancellor announced in the March 2020 budget that the **Shared Accommodation Rate exemption groups will be expanded from 2023** to include:

- Young people under 25s who have spent 3 months or more in resettlement accommodation/hostel accommodation will be immediately exempt from the SAR on leaving resettlements. Note that currently this only applies to young people leaving resettlement accommodation once they reach the age of 25.

- Single people who are under 35 and need accommodation due to being a victim of domestic abuse or modern-day slavery
- Care leavers up to the age of 25. Note that currently this only applies to care leavers up to the age of 22.

Housing reform changes:

Private renting tenants have some more protections, brought in over the last 5 years:

The Tenant Fees Act 2019 bans private landlords and letting agents from charging a ‘relevant person’ (a tenant, licensee, guarantor or person acting on their behalf) any fee unless it is a ‘permitted payment’. Where a local housing authority is acting on behalf of someone in helping them to secure accommodation under homelessness duties, they are exempt from the restrictions. A ‘permitted payment’ includes rent, a tenancy deposit (up to maximum of five or six weeks’ rent), a holding deposit (up to maximum of one week’s rent), a fee in the event of a ‘relevant default’, damages for breach of agreement, in connection with tenant’s request for a change in their tenancy agreement or in respect of council tax, utilities, communication services and TV licence.

The Deregulation Act 2015 introduced protection for private rented tenants against retaliatory evictions. Retaliatory eviction is where a tenant makes a legitimate complaint to their landlord about the condition of their property and instead of making the repair the landlord serves them with an eviction notice. All new Assured Shorthold Tenancies starting on or after 1 October 2015 are covered by the provisions in the Act.

In April 2019 the **Government signaled it was considering abolishing ‘no fault’ evictions**. This would mean bringing in new legislation which would end Section 21 evictions and only allow landlords to issue notices to tenants in specific circumstances. The consultation has now closed and the outcome of this is not yet known. Section 21 notices are reported to be the second highest cause of homelessness in Burnley, which mirrors the national position.

Local

Burnley Council has introduced **selective licensing in some areas** in order to improve private landlord management standards and improve property conditions. This means every private landlord in a selective licensing area has to be licensed in order to legally rent to a tenant. The areas covered by selective licensing since 2016 are:

- **The Burnley Wood and Healey Wood**
- **The Leyland Road area**
- **The Ingham and Lawrence Street area**

Since November 2019 the following areas were also designated as selective licensing areas:

- **The Trinity area**
- **The Queensgate**
- **The Gannow area**
- **The Daneshouse and Stoneyholme area**

In order to deliver this a Selective Licensing Team works in all the areas, alongside a wider Housing

Conditions Enforcement Team, that works all over the local authority area.

Burnley Council have noted there are many benefits from this approach including: improved working relationship with landlords, reduced anti-social behaviour and environmental crime, reductions in empty homes, more collaborative work between landlords and tenants

Section 2: The current activity and resources available to manage homelessness services

This part of the review outlines the resources available to the local authority as well as current services available to give advice and support to people who may have housing problems, be threatened with homelessness. Where people are already homeless, the options for accommodation and support are outlined. Where any relevant monitoring information is available, this is also provided.

Financial resources

Burnley Council has financial resources to support work on both preventing homelessness and also relieving homelessness, including targeted funding which is specifically aimed at assisting people who are rough sleeping.

The Government conducted a 1 year spending review in the Autumn of 2019, so the funding figures below are all known for 2020/21 but beyond this there is not yet any certainty about funding.

We have set the funding out in 2 headings: General Homelessness Prevention and Relief and below that a heading specifically for Rough Sleeping work, but there is some cross over between these, as people rough sleeping who are eligible could access services under the Homelessness Reduction Act and would be able to get some assistance on that basis as well as through the targeted rough sleeping funding services.

General Homelessness Prevention and Relief funding for 2020/21:

TABLE 27

Source of funding	Description of funding terms & use	Amount
Central Government funding to local authorities	From the general funding (Core Spending Power) local authorities make local decisions about the core funding for their homelessness services.	£13.9 million Note this is the total core funding for all services from Government to Burnley Council.
Flexible Homelessness Support Grant(FHSG)	Ring fenced for any work on prevention or relief of homelessness, can include staffing and costs of temporary accommodation.	£60,597

Homelessness Reduction Grant	This was the 'new burdens' funding for Councils to implement the new homelessness legislation and was originally for 2 years. It has continued as a grant for 2020/21. This can be used for any work on homelessness including additional staffing	£70,423
Homelessness Prevention funding	This is a named line in the overall Core Spending Power funding for local authorities from central Government. It can be used for any work on preventing homelessness, including funding other agencies to provide services to support people at risk of homelessness	£108,662 Of this the Housing Options Service received £17,599 for 20/21.
Discretionary Housing Payments (DHP)	DHP is funding that is available through the Dept for Work and Pensions (DWP) to local authorities to assist people on a one off or short term basis if they are in receipt of housing costs/housing benefit and where there is a shortfall in their rent. Guidance set out how this may be used and DHP use for prevention of homelessness is a significant element of its function. It is at a local authority's discretion if they wish to award DHP over the amount awarded by DWP but can only do so up to an overall limit.	£321,111 The overall limit for DHP spend for Burnley is £802,778

TABLE 28: Targeted funding to reduce and end Rough Sleeping

Source of funding	Description of funding terms & use	Amount and financial year
Burnley Council	One off funding amount agreed for 2020/21 to support work to end rough sleeping through development of a night shelter	£45,000 for 2020/21
MHCLG Rough Sleeping Initiative funding	Funding agreed with MHCLG and shared across the following neighbouring authorities, as well as Burnley: Blackburn with Darwen, Rossendale, Pendle, Hyndburn, Ribble Valley	£184,000 for 2020/21
MHCLG Rapid Rehousing Pathway	Funding for 1 year for 2 navigators covering Burnley, Pendle and Rossendale	To cover all 3 local authority areas: £35,000 in 2019/20 £61,250 for 2020/21
MHCLG Cold Weather Fund	Funding to be used for emergency provision during cold weather e.g. winter night shelters or additional bed spaces in hostels etc.	£16,165 for 2019/20

What do agencies do now to help to prevent homelessness occurring in Burnley?

The services below offer advice and support to different groups of people in different circumstances. Where a move to different accommodation is needed because the person/household cannot remain where they are, the aim is to plan ahead and avoid any risk of homelessness.

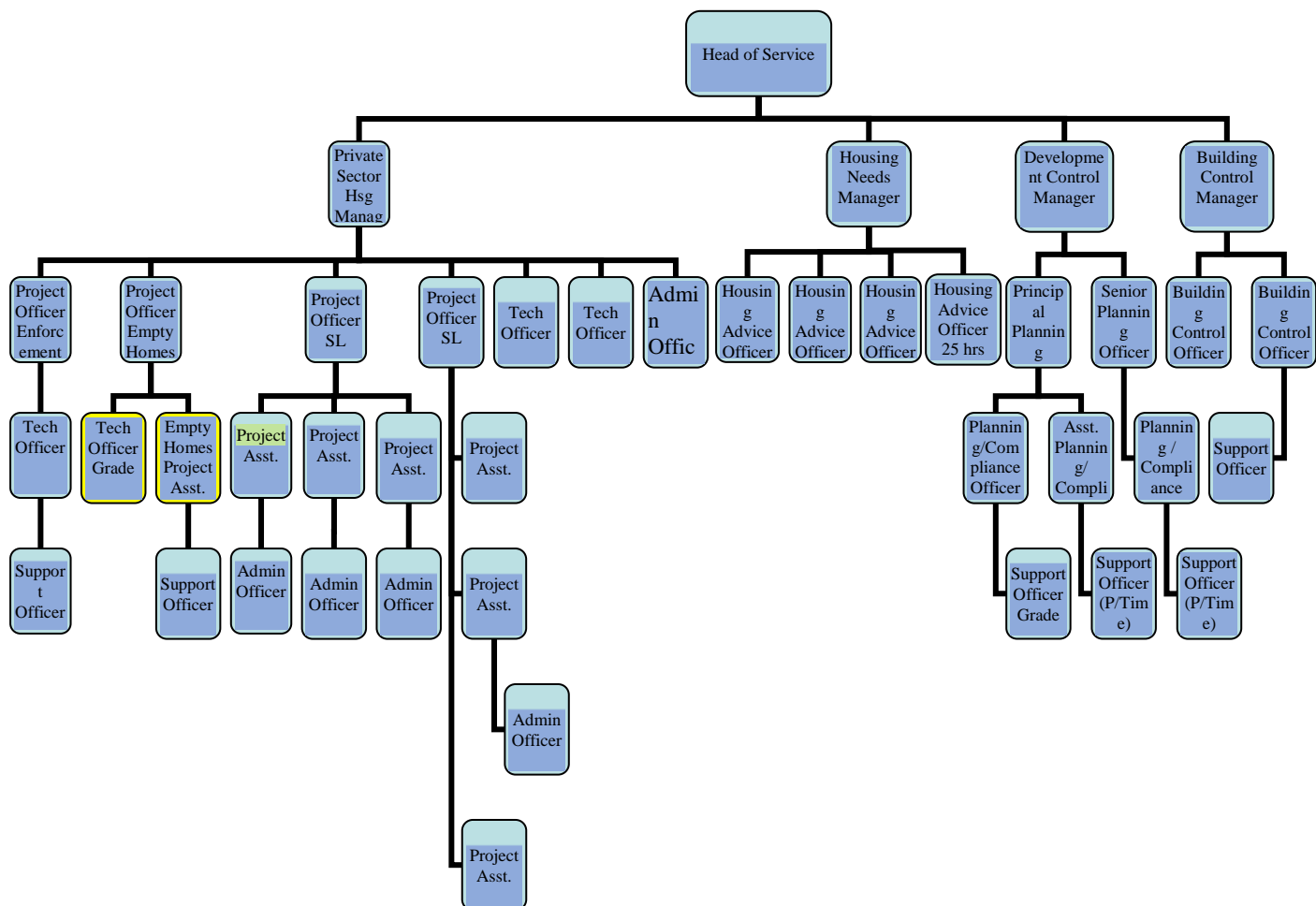
Most of the services below will offer people advice and assistance where homelessness may be a threat in the future, but they are not at risk of homelessness within 56 days, as set out in the Homelessness Reduction Act.

There is a multi-agency Homelessness Forum for Burnley, Pendle and Rossendale which meets quarterly and many of the organisations and services listed in the section below attend this. In addition, a Lancashire –wide Homelessness Forum meets quarterly.

Burnley Council's Housing Needs Service will offer people threatened with homelessness within 56 days assistance under Part 7 of the Housing Act 1996. In Burnley this can include:

- Negotiation with landlords or with parents/family/friends to prevent eviction
- Use of Discretionary Housing Payments to access housing or in specific circumstances, pay off some arrears so the person can remain in their accommodation
- Referral to advice agencies such as the Citizen's Advice Bureau or Lancashire County Council Welfare Rights Service
- Referral to other support services such as SMILE Mediation Service, which can offer family mediation
- Referral to the Pennine Community Credit Union for support with savings and loans
- Rent deposits through cashless bonds or in cash in some instances, can be offered to assist people to move to other accommodation in the private rented sector
- Help with registering for social housing
-

In addition to working with households which are homeless or threatened with homelessness within 56 days, the Housing Needs Service offers advice and assistance under S179 of the Housing Act 1996 to people who are not threatened with homelessness within 56 days, but are seeking advice due to concerns about homelessness in the future. The Service sits within the part of the Council will is focused on housing issues for local residents.



Where the Housing Needs Service sees someone and the case is an ‘advice only’ one, it is not reported to the Government through H-CLIC, as there is no requirement to do this. However, local authorities do collect some data on ‘advice only’ cases to assist them in planning services in the future. Many of the ‘advice only’ cases are very general advice on housing, for example, how to find a rented property or join the housing register.

TABLE 29: Housing Advice only cases from 01/04/19 – 31/03/20

Arrears (social housing) – pre notice	1
Arrears (private landlord) – pre notice	9
Agency referral – no contact	17
Affordability	3
B-with-Us	16
Bond/rent in Advance	12
DHP	4
Disrepair	15
Harassment from landlord	4
Homeless refused to make application	10
Impact on welfare reform	1
Mortgage difficulties/arrears	2
Overcrowding	3
Unsuitable due to health issues	3

Seeking general advice*	559
Duplicate approach (case already open)	151
Total	810

*General advice queries are usually about renting or finding other accommodation where there is no specific focus to the query beyond the generic enquiry

The **Housing Conditions Enforcement Team** within the Council works across the whole of the authority on enforcement of statutory requirements for landlords. There is strong collaboration between this team and the Housing Advice Service. Through this work some vulnerable clients have been identified and some have been assisted into more appropriate accommodation, either in the Private Rented Sector or into social housing.

Shelter Lancashire provide advice, information and a casework service to people in housing need and who are or may be threatened with homelessness. In 2018/19 the Shelter service assisted 166 people in Burnley, 57 of which needed 'initial advice' only, a further 102 needed more complex 'casework' support and a more specialist 'second tier' service involving legal advocacy to 7 people. Of those assisted, 76 were single people or couples with no dependents and 61 had dependent children or were pregnant.

Burnley and Pendle Citizen's Advice Bureau

The Citizens Advice Bureau (CAB) works with people living in both Pendle and Burnley local authority areas. It is estimated that 55% of people who had advice from the CAB were from Burnley. The breakdown of primary nature of enquiries and advice areas highlighted:

37% of advice was about debt

20% of advice was about Universal Credit

14% of advice was about other benefits and tax credits

4% of advice was about housing

4% of advice was about employment

Lancashire County Council's Welfare Rights Service

The Service works across all 12 District Councils and promotes the take up of benefits, gives advice and information to people claiming benefits and with managing payments of utility bills. Where needed, the Service will follow up benefit issues with the DWP or local Housing Benefit Offices on behalf of a client. They are also able to represent clients through appeals processes.

There is no available data on the breakdown of clients per District.

Services for people who may be at risk of homelessness due to domestic abuse

The Community Safety Partnership in Burnley co-ordinates work to support people who are at risk of domestic abuse. Advice and support are available through Lancashire Victim Services, funded by

the Police and Crime Commissioner and Lancashire County Council. Women's Aid also offer services in Lancashire.

Independent Domestic Violence Advisers offer an outreach service. Additional safety measures, such as additional locks, an alarm and cameras can be introduced into a victims' home in order that they can remain.

There is no longer a Sanctuary Scheme in Burnley. Over time the way in which this service was delivered changed and as a result there was limited connectivity between the Housing Needs Service in the Council and the delivery agent, which was not based in Burnley. This is now a gap in terms of homelessness prevention.

Identification of and support to people who may be at risk of homelessness when leaving hospital

Burnley Council is signed up to the East Lancashire Hospital Discharge Protocol. This is an agreement between the East Lancashire Hospitals Trust and corresponding District Councils (Burnley; Blackburn with Darwen; Ribble Valley; Hyndburn, Rossendale and Pendle).

It was developed in 2010 and reviewed in 2012. Whilst this document does need some updating to reflect changes in the law and local policies and personnel, it is reported to be working well in practice, suggesting that the ways of working set out in the protocol are embedded within the agencies' work together.

Services for people with mental health problems

Mental health was reported as the most prevalent support need in Burnley amongst people who are homeless or threatened with homelessness. Until 2018 there was a Mental Health and Housing Team in Burnley but due to budget pressures this is no longer in place.

The Community Mental Health Team are based at the Mental Health Resource Centre in Gannow Lane in Burnley and there is also a community-based Crisis Team. The Council's Homelessness Service works with both of these.

There is no Mental Health Hospital Discharge Protocol in place, but Burnley Council are contacted directly if a patient is due to be discharged but has no accommodation to go to.

Services for people with substance misuse problems

Inspire East Lancashire provide treatment services in Burnley for people with drug or alcohol related problems. The Service can offer advice, counselling, group work, harm reduction and de-tox or residential rehabilitation.

The Inspire Service includes the 'Comfort Zone' which provides a daytime drop in facility, including showers, free packs of toiletries, a laundry, clothing, hot drinks and snacks and a lounge area.

Services to people who may be at risk of homelessness when leaving custody

The Community Rehabilitation Company (CRC) for Cumbria and Lancashire supervises low risk offenders on release from custody. Shelter is one of the partners within the CRC contract and they provide support to people in prison as part of the 'Through the Gate' programme, which plans for and assists people who are leaving custody. Services include helping with accommodation, finance and debt. Shelter also works with service users in the community, providing the same support but combined with a mentoring service.

It should be noted that the Government has announced its intention to end early all the CRC contracts and to return to a single service, headed up by the National Probation Service.

The National Probation Service supervise high risk offenders on release from custody including planning for accommodation on leaving custody.

In terms of joint working, referrals under the 'duty to refer' vary in quality and some can be made close to the day of release, allowing little time for plans to be made for accommodation.

People leaving custody with no accommodation are not usually able to move into settled accommodation immediately but spend some time in short stay supported housing or temporary accommodation. A relatively high proportion of people referred do not come to the Council on the day of their release. Some people come several days or weeks after they have been released.

There is some on-going misunderstanding locally about what constitutes a local connection for people who are homeless on release from custody or whilst still working with the Probation Service. This may be because the Probation Service Office is based in Burnley but covers 2 other local authority areas as well.

Services for young people

Note: There are some supported housing services for young people which are set out later in this section.

Services for young people who are leaving care in Lancashire

All care leavers have support through a Personal Adviser in Lancashire until they are 25 years old. The Care Leaver Local Offer for Lancashire sets out the range of support care leavers will get and includes support from the Leaving Care Service with preparing for leaving care and managing more independently as well as practical help with accommodation, for example:

- **Rent deposit, bond and administrative fees**
- **Setting Up Home Allowance** - for appliances, bedding, furniture and contents insurance
- **A Television licence for 1 year**
- **Removal costs**
- **A starter pack for setting up home** – a one-off payment of £70 towards utilities, cleaning and food
- **Council Tax exemption until the age of 25**

Until the change in the B-With Us allocations policy in 2020, care leavers would only be in Band A if they were threatened with homelessness. This has now changed and care leavers are awarded Band A in the new scheme if they are determined by Children’s Services and the relevant local housing authority as ready to live independently at the conclusion of their looked after placement.

A post within the Lancashire’s Leaving Care Service has been funded for 2 years by the Department for Education to work across the whole County to prevent care leavers from rough sleeping. The funding will end in March 2021.

Work with 16/17 year olds who may be at risk of homelessness

A joint protocol is in place between the 12 District Councils and Lancashire County Council’s Children’s Services in relation to homeless 16/17 years. This was agreed in 2017. In order to work effectively together there is a bi-monthly meeting in East Lancashire to discuss joint working and ensure the protocol is working effectively.

The changes in the homelessness legislation and new joint statutory guidance issued in April 2018 mean that this joint protocol needs updating.

SafeSpace run HAPI (Homelessness Awareness and Prevention Interventions) which provides advice and information to 14 – 25 year olds, including Positive Action in the Community work in schools and a mediation service.

Between January 2019 – Feb 2020, in addition to their work in schools, SafeSpace assisted 144 young people from Burnley with advice and support. Most of the young people were aged 18 and over.

They also offer an advocacy service and attend meetings with Lancashire Children’s Services on behalf of Burnley Council in relation to any 16/17s who are homeless.

M3 Project also has a prevention service called The Listening Project which provides advice, support and mediation using trained young volunteers for young people aged 14-17 who are at risk of homelessness.

Services for people who may be at risk of homelessness as refugees or following a decision from the Home Office on their asylum claim

Serco hold the contract with the Home Office for provision of accommodation and support to people seeking asylum who are awaiting decisions in the North West. Burnley Housing Advice Service meets with Serco every quarter. An informal agreement is place that where an individual or family get leave to remain the Serco officer will email the Housing Advice Service. This generally works well.

Burnley is also part of the Lancashire-wide work to support Syrian refugees resettle in the UK. The Housing Advice Service in Burnley Council lead on this work, with Calico housing association providing properties. The Housing Advice Service furnish and ensure they are ready for families to move into.

Additional support for refugees in Burnley is provided through a local voluntary agency, New Neighbours Together. This service is reported to be a valuable additional source of advice and support to refugees. It is run by volunteers, with a range of different funding streams to support its work. It offers a drop-in facility, where refugees can access advocacy, English As a Second Language (ESOL) classes, access to clothing and essential goods, social and cohesion activities, a befriending service, a women's group.

Accommodation options to prevent and relieve homelessness in Burnley

Supported housing

Gateway in Burnley provides accommodation through a newly built 30 unit supported accommodation scheme for people with support needs including some people with complex needs, who are homeless. Gateway is owned and managed by Calico Homes, which is part of the Syncora group. Gateway aims to support people away from homelessness through providing high quality short stay accommodation and support which focusses on recovery from homelessness - counselling, training, employability and practical life skills.

All the 30 units of accommodation in the Gateway scheme are for single people. Within this there are 4 rooms for people who need emergency accommodation.

Burnley Council can place some people into Gateway as a form of temporary accommodation under homelessness duties, or as a supported housing option to prevent or relieve homelessness if single people do not have a priority need.

In addition, there are 4 'step-down' units for single people who are not yet ready to manage their own accommodation but no longer need a high level of support.

Over the winter period, Gateway have provided an additional 6 'SWEP (Severe Weather Emergency Protocol)' beds.

Calico provide 3 units of accommodation for families with complex needs.

Emmaus provide supported housing in Burnley for adults aged over 18 who have been homeless and are able to work in their social enterprise. There are 24 flats and 6 move on flats. In 2019, 156 referrals were made to the scheme, but these were not only from people in Burnley, as referrals can come from other area, however referrals are not monitored in a way which enables this review to identify how many people were from Burnley.

Stepping Stone provide accommodation and support for young people aged 16 – 21 in Burnley, which are funded through Lancashire County Council.

Lancashire Dispersed Housing (LDH) and Burnley Accommodation Sites (BAS) are separate schemes, which young people can progress through. Both provide accommodation and support for young people (16-21) at risk of homelessness. Young people can refer directly into the service, be referred by a professional or are referred via the Access to Resources Team (ART) at Lancashire County Council.

LDH can accommodate up to 85 young people in shared accommodation across East Lancashire – Burnley, Pendle, Hyndburn & Rossendale. Young people have their own lockable room but share kitchen, lounge and bathroom facilities; it is usually two people sharing one property.

BAS can accommodate up to 22 young people in self-contained single tenancy flats with staff on site, with two projects, one in Burnley and one in Padiham.

Both projects provide housing management and tenancy-related support centred upon independent living and successful move on into own accommodation or in to LDH, and also signpost and work in partnership with other agencies to deliver support to those with more complex needs.

The M3 Project runs 2 supported housing services, one is for teenage parents and the other is a supported lodgings scheme for young people.

The Supported Lodgings scheme covers all 5 East Lancashire authorities and operates for single young people aged 16-21 years. It provides a maximum of 13 placements and referrals normally come from Lancashire County Council Access to Resources Team, prioritised for looked after or homeless young people. Other referrals from outside agencies are also accepted, as are self-referrals from young people themselves.

It provides a lodgings type placement with support in the household of an adult volunteer (usually single but sometimes a couple) for between 56 days and 2 years depending on the age and care history of the young person. Further support for young people comes in the form of a key worker who will work with the young person around a support plan and help them move on to more independent accommodation when ready.

The Teenage Parent service also covers the East Lancashire area and is aimed at pregnant young

women or young mothers who are homeless and in need of both accommodation and support. The service uses fully furnished 2 bed properties from local social landlords in which to place and then support young families. The age range is from 16-21 year old and support can be given for up to 2 years. Referrals come from a variety of sources including Children's Social Care, Health Visitors, Children's Centres and young parents themselves.

Currently M3 Project is also developing a community based floating support project called A Place of Your Own. This will provide advice and support through adult community supporters for young people aged 18-21 who are moving on from supported accommodation into their own independent accommodation, or young people living independently for the first time.

Safespace

SafeSpace is a supported accommodation project based in East Lancashire for 16 – 21 year olds who are homeless or at risk of becoming homeless, including young people who are leaving care. Care leavers who are 'former relevant' and from Lancashire aged between 21 and 25 can also live in the accommodation provided.

Whilst there is no accommodation in the area of Burnley Council, it is possible to refer young people from Burnley to the services provided in Pendle and in Rossendale. Referrals can be made through the ART (Access to Resource Team) at Lancashire County Council, the Safe Space HAPI (Homelessness Awareness and Prevention Interventions), or by district councils or direct referral.

In Pendle there are 19 rooms (4 emergency rooms and 15 rooms which are longer stay). All the longer stay rooms are self-contained, the emergency rooms have their own bathroom but share living space and kitchen.

The service based in Rossendale is in Rawtenstall and comprises of 14 rooms of self-contained accommodation, 9 longer stay units and 5 emergency units.

SafeNet, which is part of the Syncora collaboration, run the domestic abuse accommodation services in Burnley. The Refuge houses 20 women and their families. There are 9 dispersed properties for people fleeing domestic abuse, including one house for men, through the SafeNet Men's Project.

In addition, there is a more specialist services, called Janes Place, which has 15 flats for women with complex needs.

SafeNet had 61 referrals from women and 3 from men living in Burnley in 2018/19.

Use of Temporary Accommodation

Based on 6 quarters of data, from July 2018 to December 2019, there were relatively low numbers of households in Temporary Accommodation (TA). Each quarter is set out below, so the household

type and TA type can be seen. Note the figures do not necessarily represent new admissions into TA but could be households who have been in TA for several months. There was a 'spike' in admissions in the last available quarter of data where the number increased from 2 to 8 households. All of these were single people with no dependent children.

As noted earlier in this document, the use of TA rose in March, April and May 2020, whilst this review was being drawn up. This is due to accommodation being offered to all people who were rough sleeping or at high risk of doing so during the Covid-19 pandemic and 33 people taking up the offer. However, this was a 'one-off' situation and should not, by itself, significantly increase TA use in the longer-term future.

Table 30: Temporary Accommodation by household type and accommodation type

Quarter	Total	Families	Children	Single people	LA/RP stock	Hostel	Bed&Breakfast	Out of area
July-Sept 18	1	0	0	1	0	0	1	1
Oct-Dec 18	2	1	2	1	1	0	1	1
Jan-March 19	5	1	2	4	0	0	5	4
April –June 19	6	1	5	5	0	4	2	1
July –Sept 19	2	1	5	1	1	0	1	1
Oct – Dec 2019	8	0	0	8	Not available	Not available	Not available	Not available

The use of different types of TA varies. This may be due to the particular issues with the TA itself, or the complexity of a person's needs, or particular issues within a family, which means placing them into the available suitable TA is not possible. Most TA is managed by Calico's Gateway service. There is a small amount of Temporary Accommodation which the Housing Needs Service manage directly, comprising of 1 property with up to 4 bedrooms and 1 property with 2 bedrooms.

B&B type accommodation out of the area is used on a regular basis. In almost every case this is for single people and childless couples on an emergency basis. As soon as possible Burnley Council's Housing Needs Service try to find alternative accommodation within the local authority area. In many cases this is accommodation in the Gateway scheme, which also has some support attached.

On very rare occasions, with particular circumstances, a family may be placed into B&B for a short period, but this is not a usual occurrence.

As outlined in Section 1 above, there are some social housing options for people in Burnley, through Registered Providers, but compared to the regional and national positions, Burnley has a smaller proportion of social housing available for people to rent.

Based on the Housing Register for 2018/9, there is a significantly higher overall demand for 1 and 2 bedroom accommodation in social housing, compared to larger properties.

Access to Social Housing for homeless people

The way in which social housing is allocated across the Registered Providers is set out in the B-with Us Allocations Policy, of which Burnley Council is a partner, with other local authorities which are part of the cross-authority agreement. The allocations policy has recently changed, and the general changes are set out in Section 1 of this review. In terms of homelessness and the allocation of social housing, the new banding reflects the changes in the homelessness legislation, brought in by the Homelessness Reduction Act 2017, which amended Part VII of the Housing Act 1996.

Band One:

- An applicant assessed by a local authority partner under homelessness legislation and who is owed the 'main' duty under S193(2) of the Housing Act 1996. This is where a relevant local authority partner has a legal duty to secure accommodation for households who are homeless, eligible, have a priority need and are unintentionally homeless
Within this, details of expectations regarding bidding, accepting a suitable offer, what happens if the offer is refused and a local authority 'proxy' bidding on behalf of applicants is set out in the policy document.
- An applicant assessed by a local authority partner as owed a Section 195(2) Prevention Duty or 189B(2) Relief Duty, and who is likely to have a priority need and be unintentionally homeless, whether a decision to that effect has been made or not, and either provided temporary accommodation to meet a section 188 Interim Accommodation Duty if homeless or is at risk of being placed in temporary accommodation if they become homeless
And where one or more of the following issues apply:
 - The local authority partner may be at risk of failing a legal duty under homelessness legislation
 - There would be considered to be significant financial implications of placing the applicant and household in interim accommodation
 - The applicant requires a specific type and/or size of property that rarely becomes available, such as a three bedroom bungalow or an adapted four bedroom house, or a location where vacancies rarely occur

Band Two:

- An applicant assessed by a local authority partner as being owed a duty to help prevent their homelessness – a section 195(2) duty of the Housing Act 1996
- An applicant assessed by a local authority partner as being owed a duty to help relieve their homelessness – a section 189B(2) duty of the Housing Act 1996

Band Three:

- An applicant who is homeless or at risk of homelessness within the meaning of Part VII of the Housing Act 1996 but who have not been awarded a duty as described for Band One or Band Two. This would be in circumstances where they:
 - Are found to be intentionally homeless from their previous settled address or from any accommodation made available by the local authority because they are homeless
 - Have refused suitable accommodation that had a reasonable prospect of being available for at least six months
 - have been notified that they have deliberately and unreasonably refused to cooperate with the steps set out in their Personal Housing Plan
 - do not have a priority need for accommodation
 - are referred to another local authority which is not a partner local authority under the local connection criteria
 - have voluntarily ceased to occupy as their only principal home the accommodation made available for their occupation
 - have been owed the prevention or relief duty as described in Band Two but 56 days have expired since the respective duty commenced

For many single people who are homeless but do not have a priority need for housing, the allocations policy banding means they will not be awarded a level of priority which might assist them to access social housing more quickly. The relative paucity of supply of social housing and the current over demand for 1 bedroom accommodation mean that a simple change to the allocations scheme and banding would not in itself be a solution, as more housing for single people and couples without dependents is needed.

Private rented housing

The Council must be satisfied a property is suitable before making an offer to a household which is homeless or threatened with homelessness. This is set out in Chapter 17 of MHCLG's Homelessness Code of Guidance. As outlined earlier in this review, the suitability of private rented accommodation is a key issue in Burnley which is being addressed by the Council in its work to drive up housing standards through enforcement and selective licensing in some areas.

Affordability is part of the suitability assessment as well as the standards of repair and health and safety. As set out in Section 1 of this review, the private rented sector is not always affordable for some people on low incomes, despite the relative low cost of this option in comparison to other areas in the North West and the growth in private renting generally over the last decade in Burnley.

The Housing Advice Service support people to access the Private Rented Sector with a rent bond guarantee and can also assist people to access Discretionary Housing Payments.

Which groups of people we work with are harder to assist and why?

- Young people aged 18 – 25 who are not care leavers but do have support needs. Most do not reach the threshold for Adult Social Care and so have fewer options than care leavers for supported housing
- Other under 35 year olds who are single where social housing would be the most appropriate option but where they do not have a priority need and have a low banding on Choice Based Lettings Scheme
- Under 35s who are single where the private rented sector would meet their needs for accommodation if it was self-contained, not shared, but because they are subject to the Shared Accommodation Rate, options are limited
- Larger families with a need for 3 or 4 bedroom social housing or a private rented property
- Families where parents have high level support needs, such as drug or alcohol dependency or mental health issues and require accommodation and intensive support
- People with one or more of the following issues: coming out of custody/offending background; substance misuse problems/addiction; mental health problems - as shown in Section 1 of the review these are the top 3 support needs identified and the numbers suggest there is not enough specialist advice or provision for people with these issues

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Food Safety Delivery Plan (reviewed 2020/2021)

REPORT TO EXECUTIVE



DATE	23rd March 2021
PORTFOLIO	Community & Environmental Services
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PURPOSE

1. In order to meet statutory requirements, the Council’s Environmental Health and Licensing Team is responsible for Food Safety enforcement and must have in place approved plans. In line with the Constitution, approval of the Food Safety Delivery Plan will be sought from Full Council.

RECOMMENDATION

2. Executive recommends to Full Council to approve the Food Safety Delivery Plan (reviewed 2020/2021), detailed at Appendix 1 to this report.

REASONS FOR RECOMMENDATION

3. To formally review past performance and agree a framework for the future delivery of effective, risk based, proportionate and consistent food safety services.

SUMMARY OF KEY POINTS

4. Food Safety Act 1990 Codes of Practice provides a framework within which the Food Safety Team must operate when carrying out its public protection duties in relation to food safety. The Food Standards Agency requires the Council to have plans in place to control these activities. The Food Safety Delivery Plan has been prepared to satisfy the statutory requirements and outline the services to be provided over the coming year.

5. Burnley Food Safety Delivery Plan

This Plan is a requirement of the Food Standards Agency and has been drawn up in accordance with the Food Standards Agency’s Framework Agreement (amendment 5, April 2010). This ensures a consistent approach across England and Wales, which enables the Food Standards Agency to address how the

council is performing. It also allows the Food Standards Agency and Local Authorities to compare and contrast performance and service delivery.

It sets out:

- An outline of the key services and work activity delivered.
- The Council's statement on food safety and the links with corporate priorities and objectives
- A profile of the Borough including the political and managerial arrangements.
- The demands on the service
- Summary of service activity in relation to premises inspection, complaints investigation, advice, sampling, infectious diseases, food safety incidents, liaison arrangements and promotional activities
- The resources deployed to meet these demands.
- Quality assessment procedures and performance indicators

6. Key services and work activity delivered by the Food Safety Team include:-

- Carrying out routine, programmed inspections of local food businesses.
- Responding to Service requests including food complaints and hygiene of premises complaints
- Investigating notifications of infectious diseases and local outbreaks, which may be associated with food.
- Promoting food safety and best practice by working closely with local businesses
- Working with the Food Standards Agency to run and maintain the Food Hygiene Rating Scheme

7. As we know, 2020/21 and to date has been an unprecedented period in light of the Covid19 pandemic. Since February 2020, significant additional duties in relation to the regulation, implementation and inspection of the duties and powers regarding Covid 19 have fallen on local authority Environmental Health teams to administer. Environmental Health & Licensing have played a vital role in explaining rules and regulations to the local businesses and local communities and supporting businesses in how to operate in a safe, covid- secure way. As such, certain BAU functions have required review.

As can be seen from Table 6 of Appendix 1, for figures relating to 2019/2020 the Food Safety Team have maintained a high level of performance. The Team were unable to complete the full intended inspection programme due to Covid19 restrictions in February and March 2020 (The programme runs from April 2019 to March 2020). However, the team have still performed well against the inspection programme, and have undertaken a high number of inspections with compliance levels of food businesses being maintained at 97%.

For the inspection programme that runs from April 2020 to March 2021, due to officers having to prioritise Covid19 duties during the Covid19 Pandemic we have taken guidance from the Food Standards Agency and have prioritised higher rated businesses and new businesses over the last few months. This work has been maintained, in accordance with the Food Standards Agency

recommendations and the Council have maintained a food safety inspection regime whilst many authorities within the current climate have suspended this work to re-purpose environmental health resource for the Covid19 response. The Council recognises that this work is important to maintain community confidence at a time when food outlets continue to operate.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. Food Safety Regulation is a core statutory service delivered by Environmental Health and Licensing Team. It remains provided in existing service budgets.

POLICY IMPLICATIONS

9. As national regulators, the Food Standards Agency set and monitor national standards. The framework for local plans is prescribed to ensure “official controls” are consistently delivered across the country. Through audit, and annual returns they monitor local authorities to ensure that local controls are effective, and they have intervention powers where delivery fails to meet the required standard

DETAILS OF CONSULTATION

10. Scrutiny and Executive will be consulted prior to Full Council decision

BACKGROUND PAPERS

11. None

FURTHER INFORMATION

PLEASE CONTACT: Jayne Enright

ALSO: Karen Davies

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BURNLEY BOROUGH COUNCIL

**Food Safety Delivery Plan
2020/2021**



Burnley
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Burnley Food Safety Delivery Plan

1. Introduction

- 1.1 Burnley Food Safety Delivery Plan
- 1.2 Profile of Burnley
- 1.3 The Council Structure
- 1.4 The Management Structure
- 1.5 Burnley Borough Council Statement of the Food Safety Service

2. Service Aims and Objectives

- 2.1 Service aims – Food Hygiene and Infection Control Service
- 2.2 Links to Council objectives
- 2.3 Service Objectives
- 2.4 Links with other Plans

3. Food Safety Team

- 3.1 Food Safety Team
- 3.2 Food standards
- 3.3 Scope of the Food service
- 3.4 Data Profiles
- 3.5 Local Challenges
- 3.6 Access to the service
- 3.7 Enforcement Policy

4. Service Delivery

- 4.1 Food Premises Interventions
- 4.2 Food Related Complaints
- 4.3 Primary Authority Scheme
- 4.4 Advice to Businesses
- 4.5 Food Sampling and Inspection
- 4.6 Control and Investigation of Outbreaks of Food Related Infectious Diseases
- 4.7 Food Safety Alerts and Incidents
- 4.8 Liaison with other organisations
- 4.9 Consumer Education and Health Promotion

5. Resources

- 5.1 Financial Allocation
- 5.2 Staffing
- 5.3 Staff development
- 5.4 Local Initiatives, joint working and external grant funding

6. Service Quality and Improvement

- 6.1 Quality Assessment
- 6.2 Regional Peer Group Auditing
- 6.3 National Auditing
- 6.4 Commitment to Service Improvement

7. Service Review

- 7.1 Quality Review and Continuous Improvement

8. Covid19 and how it has impacted on our service unit.

- 8.1 Food Safety Delivery
- 8.2 Covid19 Work

1. INTRODUCTION

1.1 Burnley Food Safety Delivery Plan

This document is the Burnley Food Delivery Plan. This Plan is a requirement of the Food Standards Agency and has been drawn up in accordance with the Food Standards Agency's Framework Agreement (amendment 5, April 2010). This ensures a consistent approach across England and Wales, which enables the Food Standards Agency to address how we are doing and allows useful comparison for benchmarking performance with other local authorities to be undertaken of performance and service delivery.

It sets out:

- An outline of the key services and work activity delivered
- The Council's statement on food safety and the links with corporate priorities and objectives
- A profile of the Borough including the political and managerial arrangements
- The demands on the service
- Summary of service activity in relation to premises inspection, complaints investigation, advice, sampling, infectious diseases, food safety incidents, liaison arrangements and promotional activities
- The resources deployed to meet these demands
- Quality assessment procedures and performance indicators

1.2 Profile of Burnley

The borough of Burnley is situated on the western edge of the Pennines, 21 miles north of Manchester. Along with Blackburn, Blackpool and Preston, Burnley is a key business, service and retail centre in Lancashire. Burnley has a diverse population of around 87,000 and an area of 42.7 square miles, situated at the confluence of the River Calder and Brun and with the Leeds Liverpool canal running through the borough.

Burnley has strong sense of identity and pride that stems back from its long manufacturing history. The connectivity of the Borough today is primarily by its road and rail links that services the town's residents, employers and service suppliers.

One of the unique things about Burnley is the mix of our industrial heritage and our growing modern and innovative sectors and facilities. One minute you can be in a state-of-the-art laboratory and the next in a traditional canal-side café.

Growing the economy of the town and maintaining a clean, green and safe Borough are key strategic priorities of the Council for its residents.

Our growing status as a university town goes hand in hand with our digital jobs success. In fact, we rank second in the UK for digital jobs growth. During 2014-2015 alone, we saw annual growth of almost 162%, compared to 2% across Great Britain and 30% across the rest of the North West. With UCLan committed to having 4,000 university students in Burnley by 2025, we are excited to see this sector further expand.

Other accolades include Burnley being named as one of the UK's leading Tech Towns in a recent report by Tech Nation which identified Burnley as one of the top 16 towns in the UK for the growth of its digital sector. Burnley was positioned 2nd in the UK for digital jobs growth in 2018. Burnley continues to buck national trends with private sector jobs growth figures consistently ranking in the UK's top ten (Burnley 9.7%, Lancashire 3.0%, North West 5.9%, UK 5.9% ONS BRES).

1.3 The Council Structure

Burnley Council is divided into 15 wards served by 45 councillors. The Council is based on a Cabinet structure with 6 Portfolios, a Leader and 5 Executive portfolio holders; there are 4 Committees including 1 Scrutiny Committee. The Food Safety Team sits within the Community and Environmental Services Portfolio.

The Key Corporate objectives, governance arrangements, and decision-making timetables are outlined in 4 key corporate documents:

- The Council's Constitution & Scheme of Delegation
- Strategic Plan
- Forward Plan of key Decisions and Private Meetings
- Burnley's Community Strategy

1.4 The Management Structure

The Council management structure comprises the Chief Executive, a Chief Operating Officer and 7 Heads of Service.

The Food Safety Team sits within Streetscene. The Environmental Health and Licensing Manager have responsibility for environmental health and licensing functions. The team shares an office with the Environmental Protection and Safety Team, which is beneficial to service delivery and joint working, particularly as the Food Safety Team also has responsibility for enforcing health and safety within food premises. However currently we are all working from home, with just one officer covering the office daily.

From 1st January 2016 the Council procured a strategic partner to deliver a range of services within a reduced cost base. The Environmental Health and Licensing functions form part of the suite of services that are now outsourced to the private sector.

The overall aim of the contract with respect to Environmental Health is:

“To provide a professional environmental health and licensing service that protects the public and assists businesses to meet their public health obligations”.

Officers currently working for Burnley Borough Council delivering the food safety service are now seconded to the strategic partner, Liberata. A detailed contract for delivery has been developed to ensure an effective contractual relationship, continuity of service delivery, risk management and the maintenance of high-quality services.

The Strategic Partnership arrangements that are in place between the Council and Liberata maintain a robust approach to ensure that strong performance of the Council's regulatory provisions and services are maintained. In relation to the purpose of this report and the Council's annual review of food safety enforcement, Members of the Council's Scrutiny Committee have reviewed the Delivery Plan, activity to date and have recognised the strong performance of the Team in maintaining food standards.

Up to February 2020, the Team maintained a high level of performance in terms of numbers of food inspections carried out. As we were advised from the FSA to discontinue with inspections due to Covid19 issues towards the end of February, 2020, we could not complete the food safety delivery programme. From the end of Feb/beginning of March 2020 we then entered a new phase where officers from all teams spent most of their time supporting and advising businesses in the borough on the `working safely guidance` and other public health issues relating to the Covid19 Pandemic.

1.5 Burnley Borough Council Statement on the Food Safety Service

The overarching purpose of the service is to:

- protect the health of the public through its statutory and non-statutory responsibilities in food safety and a variety of public health measures; and
- ensure quality food for healthier communities

2.0 SERVICE AIMS AND OBJECTIVES

2.1 Service Aims - Food Hygiene and Infection Control Service

- Safeguard public health through the regular inspection of food premises at a frequency appropriate to the risk
- Respond to complaints from the public and other agencies relating to food safety.
- Promote good practice in food hygiene through the provision of education, advice and training.
- Discharge the Council's statutory and other responsibilities in a positive and efficient manner, in line with relevant enforcement protocols.
- Ensure advice and assistance is readily accessible to the public and businesses alike
- Investigate the occurrence of food related infectious disease, prevent the spread and take action to prevent recurrence or enforcement action as appropriate
- Carry out programmed and reactive food sampling and microbiological swabbing to support local, national and regional programmes and investigations

2.2 Links to Council Objectives

Burnley Borough Council has a range of corporate objectives covering the four themes, “People”, “Places”, “Prosperity” and “Performance”.

People:	Creating flourishing, healthy and confident communities
Places:	Making the Borough a place of choice
Prosperity:	Promoting transformational economic change for Burnley
Performance:	Ensuring a continuous focus on improvement in all aspects of the Council’s performance.

Environmental Health and the Food Safety Service cuts across the four corporate themes by:

- Improved health standards – responding to broader public health initiatives to improve the health and wellbeing of citizens.
- Developing a diverse business base with an entrepreneurial culture and supporting business growth.
- Embedding the partnership with Liberata within the Council's budget, strategic vision and commercial strategy.
- Proactively supporting the borough’s businesses to innovate and expand and make the borough a natural choice for business relocation.

2.3 Service Objectives

The Environmental Health & Licensing Service act on the front line. They directly provide services that affect people’s daily lives. We provide protection to users of taxis, customers of food businesses, employees in offices, shops and warehouses and help to those suffering the effects of noise nuisance. We police premises which pollute the atmosphere and monitor a whole range of

activities that help to make the Borough healthier. Our role is not only to regulate and enforce, but also to help and advice, so that businesses can thrive and residents and visitors to the Borough have improved health choices.”

Service objective from March 2020.

Changes on local authority powers and duties resulting from Coronavirus had a profound affect on Environmental Health & Licensing. The Covid19 Pandemic forced the UK Government into lockdown from March 2020. The Government response was to take a host of complex measures, including restrictions on public transport and international travel, school & workplace closures, bans on public gatherings and other steps to create social distancing. These interventions represented an unprecedented challenge for local governments. The focus needed at the household and community level highlights the pivotal role that local government have had to play in response to the crisis. Environmental Health & Licensing have played a vital role in explaining rules and regulations to the local businesses and local communities and supporting businesses in how to operate in a safe, covid- secure way.

Key Food Safety objectives include:-

- Establish and deliver a programme of targeted and risk-based interventions and inspections in food premises, providing advice on legal obligations and taking an escalated approach to enforcement action.
- Improve the proportion of food businesses with Food Hygiene Ratings of 3, 4 or 5.
- Monitor, record and report on the programme of activities to relevant bodies to ensure the Council's obligations are being met, resources are targeted appropriately, and steps are taken to make any necessary improvements.
- Investigate the occurrence of food related infectious disease and take the necessary action to prevent the spread or recurrence, working collaboratively with Public Health England and other key partners
- Deliver a programme of targeted proactive sampling of food products.
- Offer a comprehensive advice and support service to business regarding any relevant food legislation and compliance, offering specific support for those wishing to establish a food business within the Borough.
- Investigate complaints about food products or food establishments and take any action that is required on a coordinated local, sub-regional, regional or national basis.
- Work collaboratively across Lancashire with other Environmental Health and Trading Standards professionals to ensure consistency, improvement and the delivery of an effective high-quality service
- Advise, provide support and enforce Health and Safety standards within food businesses
- Work in collaboration with partners in addressing key health inequalities in the Borough.
- Proactively obtain feedback from food businesses regarding the service to ensure continuous improvement in service deliver.
- Support the on-going professional development of officers to deliver high quality services that meet the needs of the public and the requirements of the Gold Standard Investors in People status of the Council.
- Implement the Council's appraisal system for training needs and performance based on the principles of Continuing Professional Development (CPD) and meeting the requirements of the relevant professional bodies including the Chartered Institute of Environmental Health

2.4 Links with other Plans:

Food safety activities support and link to the following key Council and inter-agency plans:

- PHE North West 2017 Outbreak Plan
- PHE C&L Care Home OB Plan 2018
- East Lancashire Equality and Inclusion Strategy 2014 to 2017
- Burnley Council Major Emergency Plan September 2019
- Burnley Multi-Agency Flood Plan September 2019
- Lancashire Resilience Forum. (Outlines roles and responsibilities of organisations including District and Unitary Councils)
- Business Continuity Policy - April 2016
- Principles and Practice Recommendations for the Public Health Management of Gastrointestinal Infections 2018

3 FOOD SERVICE

3.1 Food Safety Team

The Food Safety Team is overseen by the Environmental Health and Licensing Manager and the Principal Officer. Both are qualified Environmental Health Officers (EHO's) and experienced in food safety matters.

The Principal Officer heads a team of 3 (2.1 FTE) with 1 Environmental Health Compliance Officers (0.8 FTE) and 2 Workplace Compliance officers (1.3 FTE). The EHCO holds the EHORB Higher Certificate and Higher Certificate in Food Control. Activities are undertaken in line with the professional requirements as outlined in the Code of Practice.

The service is also supplemented through consultants who undertake a range of lower risk inspections (Categories C and D) but no enforcement activity. On occasions, further technical expertise is sought from external professionals to assist with more complex matters.

3.2 Food Standards

The Trading Standards functions within the Borough are carried out by Lancashire County Council. There is a good working relationship between the two services and a good track record of liaison via the Lancashire Food Officers' Group and joint working initiatives.

3.3 Scope of the Food Service

The Service is delivered by the Food Safety Team with additional support as outlined above. The team complies with the Food Standards Agency Codes of Practice and Local Government Regulation guidance for the purposes of food safety including the Regulators' Code. Enforcement action is undertaken in accordance with the Council's Enforcement Policy and follows a graduated approach.

Areas of core service delivery include:

- Developing and delivering a programme of planned food hygiene interventions meeting statutory obligations as set out in the Food Standards Agency Code of Practice. The programme will be focussed on those businesses that are not broadly compliant and with Food Hygiene Ratings of 0, 1 or 2 and those premises that are unrated.
- Implementing alternative approaches such as coaching and mentoring to deal with non-compliance
- Operating the Food Standards Agency Food Hygiene Rating Scheme in accordance with the Brand Standard for all relevant food businesses and taking the necessary steps to publicise the ratings.

- Approving and regulating any food activities and premises requiring approval and subject to Regulation EC No 853/2004
- Consideration of any requests from a business or making approaches to businesses for the purpose of entry into a Primary Authority relationship with them.
- Responding to complaints about food premises and the fitness and wholesomeness of food sold in the Borough
- Planning and implementing an annual food and environment sampling programme for microbiological quality and chemical purposes and participation in the Lancashire Food Officer Group programmes as resources permit.
- Acting on Food Standards Agency alerts and incidents in accordance with recommended action and relevant parts of the Code of Practice
- Preparation of contingency plans to be used in the event of an incident or when the Major Incident Plan is invoked
- Maintaining and recording food establishment registration applications and maintaining the register in accordance with the relevant statutory provisions and Code of Practice.
- Investigating and liaising with Public Health England to deliver infectious disease and outbreak investigation and control.
- Service promotion including press releases and articles, leaflets, talks and presentations to relevant parties, seminars, conferences, displays and exhibitions. This includes national initiatives such as National Food Safety Week.
- Preparation of evidential files and reports to the Council for use in legal action, court proceedings or formal Committee hearings.
- The management of any contractors engaged to undertake duties

3.4 Data Profiles

We have adopted a new specialist cloud- based system, Uniform, by Idox, for managing and reporting across Environmental Health. Through smart technology Idox have evolved their front-line services in response to the changing needs of society and claim the system will deliver improved outcomes for the citizens within the borough of Burnley.

We can now fully utilise the database, however we still need to develop and set up the reporting side of the system. The next phase is to use the mobile app to give officers the option to work on site, which will involve improving access to the database. We continue to move towards a digital system to improve service efficiencies and reduce paper-based records.

The following Table provides a summary of the last 4 years of Food Businesses and their risk rating profiles. The ratings are defined in the FSA Food Law Code of Practice with A representing the highest risk premises and E the lowest which are subject to a self-assessment and reporting procedure.

Table1: Number of Food premises by Risk Rating Category

Risk Rating Category (Inspection Frequency)	No. of Food premises 2016/2017	No. of Food premises 2017/2018	No. of Food Premises 2018/2019	No. of Food Premises 2019/2020
A (At least every 6 months)	3	0	2	0
B (At least every 12 months)	30	30	27	29
C	125	116	123	120

(At least every 18 months)				
D (At least every 24 months)	345	367	352	349
E (Alternative strategy for inspection)	377	380	378	392
Unrated	25	20	24	30
Outside Programme	11	18	23	17
TOTAL	916	931	929	937

Table 2: Premises Approved Under EC Regulation 853/2004

The following table highlights those premises which require approval under EC Regulation No. 853/2004 due to the specific nature of their activities.

Approved premises	2016/17	2017/2018	2018/2019	2019/2020
Approved Fish processing premises	2	2	2	2
Meat and meat products approved premises	2	2	2	2
Milk and milk products approved premises	1	1	1	1
The approved treated stomachs establishments	1	1	1	1
Stand - alone Cold Store	1	1	1	1

Table 3: Premises Profile

The following table provides the detail of the types of premises within the Borough.

Description	No. of premises 2016/17	No. of premises 2017/18	No. of premises 2018/2019	No. of premises 2019/2020
Primary producers	3	3	3	3

Manufacturers/processors	21	21	24	23
Distributors/transporters	5	9	14	13
Retailers	280	270	268	269
Restaurants and other caterers	605	624	615	626
Importers/Exporters	2	4	5	3
TOTAL	916	931	929	937

Table 4: Service Requests

The following is a summary of requests for service received by the Food Safety Team since

Request type (includes all requests for service relating to any food business)	2015/16	2016/17	2017/2018	2018/2019	2019/2020
	Infectious diseases	130	99	144	112
Advice requests	261	354	429	287	218
Complaints regarding Hygiene at premises	94	83	66	300	324
Advice on unfit/contaminated food	12	6	10	2	N/A – no longer have the category
Complaints re unfit/contaminated food	44	59	54	64	91
Food Hygiene Re-rating visits	28	30	9	23	15
Total	574	633	712	788	776

*We have moved to a new MIS (Management Information System) where the recording method is slightly different. We no longer record advice on unfit/contaminated food, these will be merged into advice & complaints re unfit/contaminated food.

Table 6: Levels of Compliance in Food Businesses

The following table indicates the number of broadly compliant premises across the Borough which is a key performance measure used within the service

Year	Total number premises	Total Number of Businesses within the programme	Total No broadly compliant within the programme	Target %	Actual %
2014/15	867		794	100	92
2015/16	899		848	100	93
2016/17	893		872	100	98*
2017/18	929		860	100	98**

2018/19	937		864	100	97**
2019/20	926	771	750	100	97
2020/21	908	776	761		98

*This excludes the number of unrated businesses and premises outside the programme

** This excludes the no. of unrated businesses and premises outside the programme

In 2019/2020 we completed 245 inspections and there were 37 businesses on the intervention programme that were not visited which were due in February/March 2020. This was due to restrictions on entering and inspecting premises due to Covid19.

3.5 Local Challenges

The service faces the following challenges:

- A high number of takeaways/restaurants and temporary food stall undertake their food preparation out of traditional office hours.
- A high turnover of businesses where the food business operator can change and a new business requires a new inspection and a new rating.
- Understanding the cultural issues and needs of the ethnic minorities who operate food businesses in the borough and whose first language may not be English
- Reducing staff resources and uncertainties regarding the future model for delivery and the potential impact on the service.
- Economic downturn and local economic deprivation is reflected in the reluctance of some smaller local food businesses to invest in repairs and refurbishment of their premises.

3.6 Access to the Service

The Service is delivered from the Council offices at Parker Lane, Burnley. The Public can access the service via telephone, e-mail or in person by visiting the Contact centre on Parker Lane in Burnley. Normal business hours are 9 am to 5pm Monday to Friday.

Out of hours work is also undertaken from time to time as the need arises.

In addition, a 365-day/24 hour telephone contact service is available for appropriate emergencies.

The authority has actively participated in Inter-Authority Auditing (IAA) through a programme of audit agreed through the Lancashire Food Safety Group.

3.7 Enforcement Policy

The Food Safety service operates in accordance with the Regulators Code, the Code for Crown Prosecutions and the Human Rights Act.

Copies of the Compliance and Enforcement Policy for the Food Safety Team are currently unavailable and are under review.

4. SERVICE DELIVERY

The aim of the Food Safety Team is to ensure the protection and good health of consumers in the Borough by enforcing relevant statute, Regulations and by educating and promoting high standards of quality and safety within the food manufacturing, catering and retail establishments of the Borough.

Delivery of the Food Hygiene Control Service is carried out in accordance with national procedures, Good Practice and guidance including:

- Food Law Code of Practice
- Food Law Practice Guidance
- Food Standards Agency Guidance
- The Brand Standard for FHRS

- Burnley BC Compliance and Enforcement Policy
- The Regulators' Code

4.1 Food Premises Interventions

The term "Intervention" refers to any reactive or planned visit to a food business in the course of delivering the Food Safety service. The Food Safety Team will undertake a programme of comprehensive and targeted interventions at food premises to ensure compliance with relevant legislation and the promotion of best practice. The frequency of inspections is determined by risk assessment for each type of food business and each Food business will be allocated a risk category ranging from A to E where "A" is considered to be highest risk.

4.2 Food Related Complaints

The Food Safety Team will consider, and where appropriate investigate food complaints or requests for service in accordance with internal procedures and relevant Codes of Practice.

Where necessary, samples will be submitted for analysis. Where appropriate intelligence will be gathered from complaint investigations and used to inform sampling programmes or project based work.

4.3 Primary Authority Scheme

There are currently no primary Authority Agreements with food businesses based in Burnley. The Primary Authority scheme is now regulated by the Regulatory Delivery Division of The Department for Business, Energy and Industrial Strategy (BEIS) The scheme covers trading standards, environmental health and licensing functions and for the first time businesses will be able to form a statutory partnership with a single local authority, which will provide robust and reliable advice that other councils must take into account when carrying out inspections or dealing with non-compliance.

The scheme builds on the foundation created by voluntary home and lead authority initiatives and looks to further develop consistent and proportionate enforcement across the country. It will affect how the Service carries out inspections and takes enforcement action at those businesses subject to a primary authority agreement.

4.4 Advice to Businesses

The Food Safety Team provides an advice service, which, encourages, advises and assists businesses to comply with food safety legislation.

If a business requires bespoke advice which can only be delivered at the premises there is a charge per hour for this advice.

4.5 Food Sampling and Inspection

The Food Safety Team undertakes programmed and reactive local sampling in a manner specified by relevant legislation, Codes of Practice and other guidance sources. Ad hoc project-based sampling of food, drink and the food environment activity is undertaken in liaison and co-ordination with other Lancashire Environmental Health Services and Public Health England in accordance with an agreed sampling programme and current resources.

A documented sampling programme for each year will be followed, considering local needs and priorities, subject to available resources and using a risk- based approach.

Examples of food sampled examined as part of the programme included the following foods:-

- Milk
- Ready to eat cooked meats and meat products
- Pies

4.6 Control and Investigation of Outbreaks of Food Related Infectious Disease

This Food Safety Team is responsible for investigating the notification of infectious diseases or suspected infectious diseases. The objective is to minimise the risk of spread of the disease and where possible, identify the source. Notifications may arise as formal notifications from G.P.'s or through informal routes such as laboratory notifications, self -notifications etc. Investigations are carried out by either the Council or Public Health England depending on the nature of the specific disease notification. The Council has a Joint Major Outbreak Plan for Managing an Outbreak of Food Poisoning or Communicable Disease in the Community developed in conjunction with partner agencies. Managing the investigation into major outbreaks can be very resource intensive and include the issuing of sample pots, visiting affected premises, and interviewing patients.

4.7 Food Safety Alerts and Incidents

This Food Safety Team responds to food safety alerts and incidents in accordance with FSA Code of Practice and good practice to ensure that public health is safeguarded. Alerts are received directly from the FSA using their automated notification system and acted upon accordingly.

4.8 Liaison with Other Organisations

The Food Safety Team works with other enforcement agencies, partners and other stakeholders for the purpose of developing consistency of enforcement, openness and transparency. The following table details the regular, ongoing liaison with external partners:

Partner Organisation type	Brief description
Other Local Authorities/Scientific support	Lancashire Food Liaison Group – Enforcement issues, sampling, policies, best practice, training, inter-authority audits etc. Public Health England – Food Sampling and examination, Communicable Disease control. Public Analyst – Chemical analysis etc. Environmental Health Lancashire Lancs County Council Trading Standards –Food Standards/Allergens
Local professionals	East Lancs Primary care Trust – working together on health promotion, infectious disease control, health inequalities etc.
Professional bodies and Agencies	CIEH- professional practice, consultation, training. FSA – statutory plans, guidance, training, annual returns, consistency of enforcement, best practice, training.

Within Burnley Borough Council, the Food Safety Team currently links with all services. Liaison is particularly strong for food safety issues with:

- Development control – for planning and building control applications
- Legal and Corporate Services – for litigation purposes

- Licensing
- Environmental Protection & Safety Team
- Market Hall Management
- Street Scene
- Building Control

4.9 Consumer Education and Health Promotion.

Health promotion remains an important element to the on-going commitment to improving public health and tackling health inequalities.

Although this element of the service is non-statutory, Burnley remains committed to supporting local Health promotion activity where resources permit.

We will continue to support local initiatives and local campaigns, working closely with other local or National partners to maximise the Impact and resources.

5. RESOURCES

5.1 Staffing

The Food Safety Team has an establishment of:

	Officer	FTE - Management	FTE- Operational
Management	Environmental Health and Licensing Manager	0.25	0
Delivery	Team Manager	0.2	0.8
	Env Health Compliance Officers	0	1.0
	Workplace Compliance Officer	0	1.0
Support	Admin	0.25	0.7

NB This core is supplemented by the use of consultants to undertake some lower risk inspection work.

All Food enforcement staff involved in service delivery meet the Qualifications, Experience and Training and Competence criteria contained within the Food Law Code of Practice. Each Officer has been individually authorised in accordance with their qualification and experience as described in this Code.

5.2 Staff Development

The Council has successfully obtained Investors in People award and is committed to retaining this. As part of this process all staff undergo an annual Performance and Development review which includes training needs. These individually identified training and development needs are carried forward after consideration by Managers. The Food Safety Team operates a documented procedure for the recording of qualifications, training and competencies.

Officers in the Food Safety Team have undertaken Lead Auditor training to assist in the operation of Inter-Authority Auditing with other Lancashire Councils.

The Council supports personal development by offering opportunities to attend internal courses and supporting attendance at external courses. In addition, the Authority offers internal training courses on a range of subjects, primarily concerned with personal development issues.

Previous training courses have included:-

1. Best Practice Day
2. Legal training
3. Outbreak Training
4. Sampling training
5. Consistency Training/FHRS Consistency Exercise

5.3 Local Initiatives, Joint Working and External Grant Funding

The Food safety Team has an excellent track record of joint working on local initiatives and success in securing external grant funding. Examples include:-

- Food Safety mentoring for local Businesses
- Implementing the National Food Safety Rating Scheme
- Joint initiatives with Trading Standards
- Business Events targeting the lower rated premises to improve compliance and allergen management
- Joint initiative with Public Health England Re: Infectious Disease Studies
- Delivery of Allergen Training with Trading Standards

6. SERVICE QUALITY AND DEVELOPMENT

6.1 Quality Assessment

The quality of the Food Law Enforcement Service in Burnley is monitored in various ways and was audited by the Food Standards Agency in November 2009 as part of its national review of IAA's.

6.2 Regional Peer Group Auditing

The Service is audited annually by peers from other Lancashire councils as part of the Inter-Authority Audit (IAA) scheme.

6.3 National Auditing

- The Food Service makes returns to the Food Standards Agency (FSA) on an annual basis. The FSA now use central surveillance methods on data to monitor local authorities

6.4 Commitment to Service Improvement

We regularly review existing policies and procedures to ensure our policies and procedures reflect local circumstances, good practice and National policy. Examples of National reports and papers influencing local procedures and priorities includes:-

- Findings from Inter-Authority Audits
- Findings from FSA audits/FSA Consistency exercises
- Review of the Service against the FSA Framework Agreement on Local Authority Food Law Enforcement
- The national Food Standard Agency guidance on the National Food Hygiene Rating Scheme
The "Brand Standard"

Regulating our Future

Commercialisation/commercial opportunities – changing the way we operate

In line with many other local authorities the food safety service is looking to become more commercial in the way it operates.

Recent commercial developments which are of benefit to both our local businesses, members of the public and the council include:

- A service that allows businesses to request a re-rating visit under the Food Hygiene Rating scheme. The business pays for the visit, which is based on a cost recovery fee, which benefits the business in terms of improving compliance and enhancing their customer image to boost trade.
- Introduction of a bespoke advisory service, again based on cost recovery that allows businesses to request an advisory visit from us to discuss the operation of their business and go through the 3 areas that the FHRs is based on, hygiene, structure and management.
- Assisting other local authorities in improving compliance in their boroughs by implementing projects, pioneered within the borough to target lower rated businesses and mentor them through educating them at workshops and mentoring them in the management of their food business.
- Assisting other local authorities in auditing officer training and competency including undertaking accompanied inspections and review of systems and procedures.

7. SERVICE REVIEW

7.1 Quality Review and Continuous Improvement

Service delivery will be regularly reviewed in line with this plan, and giving due consideration of National regulations, good practice and local priorities.

8. COVID19

8.1 Food Safety Delivery

Guidance from the FSA:

The FSA have extended the period for temporary deviation from the prescribed intervention frequencies set out in the Food Law Code of Practice until 30 June 2021. This will be kept under review.

The FSA have reminded us that the focus should remain on:

- physical onsite interventions for high risk and noncompliant establishments. These should be preceded by remote assessment where appropriate to help target what to consider onsite.
- to prioritise onsite visits to those establishments which are overdue on a risk priority basis.
- ongoing proactive surveillance to obtain an accurate picture of the local business landscape and, where new and emerging risks are identified.
- the inspection of new businesses/those opening after prolonged closure/those changing the nature of their operations.
- urgent reactive work including, but not limited to, following up on food incidents, investigating foodborne disease outbreaks, following up on complaints.

They state that failing to do so could be detrimental to public health, place additional pressure on the health service and would also put the local authority at risk.

Local authorities should also take account of any direction or expectations set in relation to measures required to control the spread of COVID-19 during the local lockdown by their own local authority and Public Health England.

Total interventions for food (from 01/04/20 to 09/02/21)

In line with FSA guidance and controlling the spread of Covid19, we have:

- completed 34 higher risk-rated inspections.
- completed 46 New Inspections.
- Responded to 551 service requests for food.
- contacted our manufacturers and approved premises and asked them for their Covid19 Risk assessments.
- Sent out over 100 self -assessments to our lower rated businesses and new businesses to allow us to prioritise and inspect the higher risk new businesses.
- Sent out emails to all our food businesses updating them on government guidance and regulations.
- Sent out via emails posters/leaflets to all our food businesses to enable them to display and communicate relevant messages to their customers on social distancing/hand hygiene/wearing face coverings.
- Updated new guidance /regulations and advice on our website.
- Made available various resources and tools on the website for businesses to use.
- Kept Councillors and colleagues up to date on initiatives carried out.
- Targeted the higher risk food businesses in the more deprived areas of the borough and delivered poster packs to these food businesses and assessed their compliance with covid secure measures and gave advice where necessary. Taking follow up action if necessary.

8.2 Covid19 work

As advised by the FSA, the majority of the Team has taken direction from the local authority/PHE and Central Government and has had to prioritise Covid19 duties to control the spread of Covid19 from March 2020 to the current day.

Both Licensing and Environmental Health Teams have worked together to control the spread of Covid19.

The Environmental Health Team have:

- Responded to 1142 Service Requests
- Managed and responded to over 30 workplace outbreaks. Officers have given advice to many of our largest manufacturers/warehouses/distribution centres. They have supported them throughout the outbreaks, offering advice with regards to covid19 secure measures/risk assessments/infection control/working practices. They have completed workplace checklists and liaised with the Workplace Health Protection Team at Lancashire CC and Public Health England. A number of the outbreaks have occurred over a period of a few months and have involved weekly meetings and updates with employees and LCC/PHE.
- Officers have also been involved in referring our larger businesses who have over 100 employees to the army who have then worked alongside our businesses, setting up a system of lateral flow testing and training up employees within the business so they can continue to deliver the programme to help control the spread of Covid19 in the workplace.

- Worked closely with businesses and sent regular updates to businesses via emails and texts throughout the pandemic. Updating businesses on the restrictions that apply and how to comply with new social distancing rules and regulations/hand hygiene advice and the wearing of face coverings.
- Working with businesses to provide them with the tools to comply with Covid19 Regulations and guidance . We have provided them with posters/leaflets/examples of Covid19 Risk Assessments. We have worked with the comms team and graphics and translated posters to Urdu/Bengali
- Covid Marshalls have worked with Environmental Health and hand delivered posters/letters to businesses throughout the borough. Helping businesses to get their business covid secure prior to opening up after lockdown.
- Covid Marshalls have continued to monitor businesses over the last few months to check on covid19 compliance. They have completed worksheets and referred non-compliant businesses to Env Health for follow-up visits/action.
- Officers have had to keep up to date with relevant government Regulations and Guidance and have had to understand the Regulations and produce template Notices/warning letters/warning emails throughout the Pandemic.
- Officers have had to keep up to date on the legislative changes in relation to Brexit issues including the issuing of Health Certificates for exporting foods.
- We have developed Covid19Monitoring checklists and have carried out targeted interventions at food retails businesses/chip shops/close contact services e.g.barbers/hairdressers. We have carried out over 30 visits to chip shops and over 100 visits to food retail businesses.
- In August 2020 we agreed to manage and deliver the Track and Trace service for all local authority referred cases of Covid19(Those that the national system could not contact!). Environmental Health have had to train officers from the housing team/streetscene/hub and then manage the allocation of cases and all the queries that then arise from a team of 12 contact tracers. In some cases, officers have had to door knock on resident's houses to check they are ok and to try get in touch with them by leaving a letter. The database has to be kept up to date and weekly returns completed. This has been an enormous task and very time consuming. The track and Trace team have responded to over 1000 cases. They have done an amazing job.
- Officers in the Environmental Health Team have also had to respond to hundreds of concerned members of the public with regard to covid19. We have answered these calls directly so they are not necessarily logged as service requests, and provided consistent advice to members of the public, some have simply wanted us to reassure them if they can travel to their loved ones at Christmas and what the latest government guidance is. Many have wanted advice on the covid testing centres and where and when they were operating/advice on self- isolating/household contacts /travelling/worship/symptoms/general public health issues.
- The Environmental Health Team have also had to deal with an increase in welfare funerals.

- More recently the Environmental Health Team have also been involved in setting up the Community Testing Centres for Covid19 for people who are not able to work from home. These have been used by Council staff also who can visit these centres prior to carrying out their visits so they can reassure businesses that they have tested negative prior to entering the business.
- Officers have received numerous complaints concerning businesses. Officers have had to deal with some very complex cases and have had to have regards to all the government advice and guidance before answering queries and have continuously had to keep on top of the changes in the legislation and guidance as we have moved into and out of national and local tiered lockdowns. This in itself has been a very difficult and time -consuming task.
- The Environmental Health and Licensing Team have kept a spread sheet and logged all visits/queries/incidents relating to Covid19 since March 2020. We have logged 2371 entries. We use this spreadsheet to enable us to complete both local and central government returns on a weekly basis.

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Health and Safety Intervention Plan (reviewed 2020/2021)

REPORT TO EXECUTIVE



DATE	15th February 2021
PORTFOLIO	Community & Environmental Services
REPORT AUTHOR	Jill Wolfendale
TEL NO	01143999065
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PURPOSE

1. The regulatory team responsible for Health & Safety at Work enforcement must have in place an intervention plan to meet the requirements of statutory guidance. This report formally consults the Committee on the plans prior to their approval at Full Council.

RECOMMENDATION

2. Executive recommends to Full Council to approve the Health and Safety Intervention Plan (reviewed 2020/2021), detailed at Appendix 1 to this report.

REASONS FOR RECOMMENDATION

3. Section 18 of the Health & Safety at Work Act 1974 and the subsequent National Local Authority Enforcement Code for Health and Safety (The Code) provide frameworks within which the Environmental Health & Licensing Team must operate when carrying out its public protection duties within workplaces. The frameworks require the Council to have plans in place to control these activities, and mechanisms for review. The intervention plan appended to this report has been prepared to satisfy the statutory requirements.

SUMMARY OF KEY POINTS

4. The Health & Safety Intervention Plan has been produced to outline the health and safety regulation duties undertaken by Burnley Borough Council's health and safety team. The regulation of health and safety is split between local authority (LA) regulators and the Health and Safety Executive (HSE), the businesses we regulate as the LA are mostly in the service sector and include offices, shops, restaurants, care homes, hotels, tyre and exhaust fitters and warehouses. The HSE regulate health & safety in factories, hospitals, council run premises, schools, colleges, construction and agricultural premises.
5. The approach to health and safety regulation changed significantly in 2013, following the recommendations Löfstedt Report in 2011 and as an outcome of the Red Tape Challenge on health and safety. The changes resulted in the National Local Authority Enforcement

Code for Health and Safety which is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. Responsibility for managing health and safety risks lies with the businesses who create the risk, however, health and safety regulators an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to the wider public health agenda.

Examples of some interventions carried out in 2019/2020 were inspections following complaints from members of the public, which resulted in the discovery of serious breaches requiring enforcement Notices. We also sent out advice to catering establishments on gas safety and electrical safety.

The first part of 2020 was dominated the COVID19 pandemic. Officers in all teams have worked hard to support and advise businesses in the borough on the `working safely` guidance. Since the start of the pandemic EH & Licensing officers along with covid officer colleagues have carried out over 2,300 interventions with businesses in Burnley, this includes visits/ re visits, specific emails, letters and telephone calls. Officers have dealt with hundreds of requests for advice from businesses and the public on The Health Protection (Coronavirus Restrictions) Regulations, in addition to working with Public Health England and Lancashire HealthProtection to investigate and manage workplace outbreaks. The hope is that towards the end of 2021 we can continue to pick up interventions listed as national priorities such as falls from heights and violence in the workplace.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

6. Health and Safety regulation is a core statutory service delivered by the Environmental Health & Licensing Team, under contract to Liberata UK Ltd.

POLICY IMPLICATIONS

7. As national regulators the Health & Safety Commission set and monitor national standards. The framework for local plans is prescribed to ensure “official controls” are consistently delivered across the country. Through audit, they monitor local authorities to ensure that local controls are effective, and they have intervention powers where delivery fails to meet the required standard.

DETAILS OF CONSULTATION

8. Scrutiny and Executive will be consulted prior to Full Council decision

BACKGROUND PAPERS

9. None

FURTHER INFORMATION

PLEASE CONTACT: Jill Wolfendale

ALSO: Karen Davies

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Environmental Health & Licensing Section

Health and Safety Intervention Plan

Reviewed 2020/2021

Contents

Page	
3	Introduction
4	Our commitment to Improving Health and Safety Outcomes
5-6	Service Aims & Objectives
7	Delivery of Priorities
8	Profile of the Local Authority
9	Organisation Structure
10	Scope of the Health and Safety Service
11-15	Service Delivery Output 2019/20
16-17	Table 1 – 2019/20 workplan review
18	Table 2 - Workplan 2020/21

Introduction

The Health & Safety Intervention Plan has been produced to outline the health and safety regulation duties undertaken by Burnley Borough Council's health and safety team. Health and safety regulation is split between local authority (LA) regulators and the Health and Safety Executive (HSE), the businesses we regulate as the LA are mostly in the service sector and include offices, shops, restaurants, care homes, hotels, tyre and exhaust fitters and warehouses. The HSE regulate health & safety in factories, hospitals, council run premises, schools, colleges, construction and agricultural premises.

The approach to health and safety regulation changed significantly in 2013, following the recommendations in "Reclaiming health & safety for all: an independent review of health & safety legislation" by Professor Ragnar Löfstedt in 2011 and as an outcome of the Red Tape Challenge on health and safety. The changes resulted in the [National Local Authority Enforcement Code for Health and Safety Enforcement](#), which is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk-based approach to targeting. Whilst the primary responsibility for managing health and safety risks lies with the businesses who create the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to the wider public health agenda.

This Code sets out what is meant by 'adequate arrangements for enforcement' and replaces the existing S18 Standard, it concentrates on the following four objectives:

- a) Clarifying the roles and responsibilities of business, regulators and professional bodies to ensure a shared understanding on the management of risk.
- b) Outlining the risk-based regulatory approach that LAs should adopt with reference to the Regulator's Compliance Code, HSE's Enforcement Policy Statement and the need to target relevant and effective interventions that focus on influencing behaviours and improving the management of risk.
- c) Setting out the need for the training and competence of LA H&S regulators linked to the authorisation and use of HSWA powers; and
- d) Explaining the arrangements for collection and publication of LA data and peer review to give an assurance on meeting the requirements Of the Code.

Our commitment to Improving Health and Safety Outcomes

Burnley Council's 10 year vision for the Borough (*Burnley Council's Strategic Plan Updated Feb 2020*).

“Burnley and Padiham will be places where families choose to live because of our clean, safe neighbourhoods, beautiful parks and unspoilt countryside. Businesses will choose to invest in our borough because of our skilled workforce, our diverse, competitive, modern economy and a supportive council”.

Our values:

One Burnley –Leading the Way

One Council –Working Together

One Team –Ambitious for Burnley

Burnley Borough Council has a range of corporate objectives covering the four themes, “People”, “Places”, “Prosperity” and “Performance”.

People: Creating flourishing, healthy and confident communities

Places: Making the Borough a place of choice

Prosperity: Promoting transformational economic change for Burnley

Performance: Ensuring a continuous focus on improvement in all aspects of the Council's performance.

Service Aims and Objectives

To this end Environment Health and Licensing Service's overall aim is to:

"Ensure that Burnley is a safe and healthy place of choice to live work and enjoy leisure time. We act on the front line directly providing services that affect people's daily lives. We provide protection to users of taxis, customers of food businesses, employees in offices, shops and warehouses and help to those suffering the effects of noise nuisance. We police premises which pollute the atmosphere and monitor a whole range of activities that make the Borough a healthier place to be".

This intervention plan details how the Health and Safety Team intend to meet these objectives.

The aim of the health and safety service is to protect the health, safety and welfare of employees in the borough and to safeguard others, principally the public, who may be exposed to risks from work activity.

The Health and Safety service is a core Statutory function, within the Environmental Health & Licensing service, as such the aim is to set priorities within our health & safety intervention programme that contribute to the health, safety and welfare of those exposed to work activities, the intervention plan aims to meet all of the requirements of the mandatory guidance issued under Section 18 of the Health and safety At Work etc Act 1974 that requires each local authority to make adequate arrangements for the enforcement of health and safety legislation.

Officers working for Burnley Borough Council delivering the health and safety service were seconded to the strategic partner, Liberata from January 2016. The Council will work with Liberata to deliver the Council's health and safety service from January 2016. A detailed contract for delivery has been developed to ensure an effective contractual relationship, continuity of service delivery, risk management and the maintenance of high-quality services.

Progress on all key areas of service unit activity will be fed into a balanced scorecard and reported to Members throughout the year. The key performance indicator relating to environmental health compliance services for 2019/20 is.

EHLPI 1: % of Programmed EH&L compliance inspections and interventions delivered in line with statutory targets.

The specific Key Performance Indicators measured for health and safety regulation are;

- Number of inspections of higher risk activities due on workplan undertaken (identified within HSE national code)
- Due Cat A (as per s18 risk rating) rated Inspections undertaken
- Non-inspection 'face to face' intervention due on workplan undertaken
- Non-inspection 'other contact' intervention due on workplan undertaken (information distributed, including information sent with food S/A)

Delivery of Priorities

Our delivery priorities will be achieved by;

- A proactive intervention programme which prioritises high risk or poor performing businesses over low-risk businesses
- Investigating workplace accidents in line with the service's accident investigation policy
- Responding to service requests in line with the service's expected standards
- Delivery of identified local priorities and HSE national priorities where appropriate.
- Delivery and participation in interventions that aim to reduce health inequalities as they relate to delivery in the workplace.
- Partnership working – work with other Council Departments, Environmental Health Lancashire, Environment Agency, Police, fire Officers, HMRC, joint work with Health and Safety Executive, and with Public Health England and other organisations to meet local and national targets or initiatives.
- Ensure enforcement decisions are consistent with our Enforcement Policy, the HSC's Enforcement Policy Statement and the Enforcement Management Model. (ensures proportionate, consistent, transparent and accountable enforcement - part of the Better Regulation agenda)
- Train and develop our staff to ensure competence. (encourages staff retention/recruitment and ensures credibility with local business)

Profile of the Local Authority

Burnley has a population of around 87,000 and an area of 42.7 square miles. It is 21 miles north of Manchester and 20 miles east of Preston, at the confluence of the River Calder and River Brun, with the Leeds-Liverpool canal running through the Borough. Neighbouring local authorities are Lancashire's Hyndburn, Ribbles Valley, Pendle, Rossendale; and Calderdale in West Yorkshire.

During the Industrial Revolution Burnley became one of Lancashire's most prominent mill towns; at its peak it was one of the world's largest producers of cotton cloth. Burnley has strong economic links with the cities of Manchester and Leeds, as well as neighbouring towns along the M65 corridor. This is helped by excellent road and rail links including the recent reopening of the direct train line to Manchester.

In 2013, in recognition of its success, Burnley received an Enterprising Britain award from the UK Government, for being the "Most Enterprising Area in the UK".

Other accolades include Burnley being named as one of the UK's leading Tech Towns in a recent report by Tech Nation which identified Burnley as one of the top 16 towns in the UK for the growth of its digital sector. Burnley was positioned 2nd in the UK for digital jobs growth in 2018. Burnley continues to buck national trends with private sector jobs growth figures consistently ranking in the UK's top ten (Burnley 9.7%, Lancashire 3.0%, North West 5.9%, UK 5.9% ONS BRES). The town was also named the friendliest place in the UK by the Financial Times

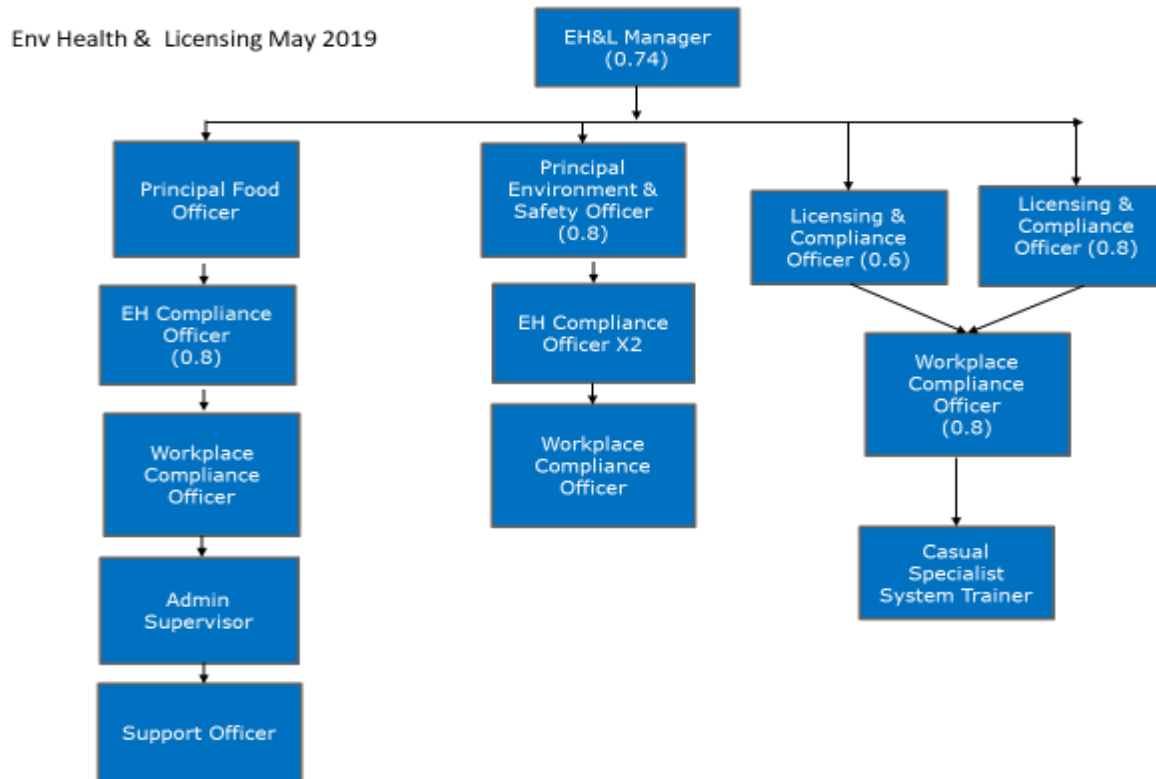
Burnley Council is divided into 15 wards served by 45 councillors. The Council is based on a Cabinet structure with 5 Portfolios, a Leader and 4 Executive portfolio holders; there are 4 committees including 1 scrutiny committee. The health and safety team sits within the Community & Environmental Services portfolio.

The Key Corporate objectives, governance arrangements, and decision-making timetables are outlined in 4 key corporate documents:

- The Council's Constitution & Scheme of Delegation
- Strategic Plan 2019/2020
- Forward Plan of key Decisions and Private Meetings
- Burnley's Community Strategy

Organisational Structure

Health and Safety Law Enforcement responsibilities are mainly discharged by the health and safety team with a range of support functions provided by a small complement of support staff, which also provides support for officers throughout the Environmental Health & Licensing service unit. The unit covers a number of functions which include health and safety regulation, food safety regulation, licensing, and environmental protection. Officers in the Food Safety team also undertake some health and safety work, particularly regarding 'Matters of Evident Concern' observed during food safety inspections. FTE refers to number of full-time equivalents working on Health and Safety.



Scope of the Health and Safety Service

The Health and Safety Team is responsible for providing the following services;

- The programmed and reactive inspection of business premises.
- Advice to new and existing business premises
- Other visits including advice and complaints investigation.
- The investigation of reported accidents
- Licensing of skin piercing premises
- Maintain a register of cooling towers
- Enforcement action in accordance with the Enforcement Policy.
- Workplace health promotional activities.
- Enforcement of Smokefree Legislation
- Advice in relation to events through Events Safety Group

Service Delivery

LAC 67-2 (Revision 9) Title: Setting Local Authority Priorities and Targeting Interventions

This Local Authority Circular, which was revised in 2020, provides LAs with guidance and tools for setting their health and safety priorities and targeting their interventions to enable them to meet the requirements of the Code. The LAC states that;

'In delivering their priorities LAs should ensure their planned regulatory activity is focussed on outcomes. The Code provides flexibility for LAs to address local priorities alongside the national priorities set by HSE.

LAs should construct their work plan to deliver specific outcomes. The plan is likely to consist of work to deliver those national priorities set by HSE, work to deliver local priorities and be accompanied by an inspection programme that meets the requirements of the Code'.

Annex A of the LAC Outlines a summary of national planning priorities

Brexit has changed rules and procedures for some businesses. There is specific guidance for these industries and work activities:

- Chemicals industry and the safe management of chemicals
- Placing civil explosives on the market
- Manufacture and supply of new work equipment

Exiting the EU may have implications in the future for UK health and safety legislation. Current changes do not affect local authority enforced premises.

Service delivery Interventions 2019/2020

Intervention Type	Number of interventions/ visits to 31/3/20	Number of interventions/ visits from 1/4/20 to 10/2/21
Proactive Inspection	Targeted Using National/local Intelligence	
	0	0
Other Visits/face to face contacts	0	1 (excludes covid19 visits)
Other Contact/ Interventions	168 Self assessments 97 Service requests & other contacts	407 self-assessments* 591 Service requests & other contacts *increase in self assessments sent due to pandemic
Visit to investigate health & safety related incidents.	0	Note Visits undertaken to businesses in response to Covid related concerns and to offer advice have been recorded differently. So not reported here. However, since the start of the pandemic EH & Licensing officers along with covid officer colleagues have carried out <u>over 2,300</u> interventions with businesses in Burnley, this includes visits/ re visits, specific emails, letters and telephone calls
Visits to investigate H&S complaints	2	
Visits following requests for H&S service from businesses.	2	
Revisits following earlier intervention.	0	

Service Delivery

Enforcement

All enforcement action will be taken by authorised and competent officers and in accordance with the Health and Safety Enforcement Policy. The following actions may be taken following an inspection or investigation.

Enforcement Action	Description	Number issued 2019/20	Number issued. 2020/21*
Improvement Notice	Legal Notice requiring works to be completed within a minimum of 21 days	3	0
Prohibition Notice	Legal Notice prohibiting an activity being carried out where there is a serious risk of injury	1	0
Deferred Prohibition Notice	As above but with a time delay allowing certain actions to be taken before the Notice comes into force	0	0
Simple Caution	May be offered in certain circumstances instead of prosecution	0	0
Prosecution	Where the health and safety offences are dealt with at Court	0	0

***Note: Notices have been issued in relations to breaches of Coronavirus Restrictions not under Health and Safety At Work Act 1974**

Liaison with Other Organisations	<p>Formal and informal relationships exist with the following organisations;</p> <ul style="list-style-type: none"> • Health and Safety Executive (HSE) • Environmental Health Lancashire Health and Safety Officers Group • Environmental Health Lancashire Chief Environmental Health Officers • Public Health England • Ofsted • Lancashire County Council - Safeguarding • Lancashire Fire Service • Lancashire Police Service • Burnley Council Regeneration & Planning Policy • Better Regulation Delivery Office (BRDO) • United Utilities • HMRC • GENGA Partner organisations 				
Staff Allocation	<p>Staff resources devoted to health and safety enforcement work as of 31 March 2020</p> <table border="1" data-bbox="577 882 1216 1074"> <tr> <td>No of HSWA Warranted Officers</td> </tr> <tr> <td>5</td> </tr> <tr> <td>Full Time Equivalent of warranted officers time spent on HSWA activity</td> </tr> <tr> <td>1.7</td> </tr> </table>	No of HSWA Warranted Officers	5	Full Time Equivalent of warranted officers time spent on HSWA activity	1.7
No of HSWA Warranted Officers					
5					
Full Time Equivalent of warranted officers time spent on HSWA activity					
1.7					

Staff Development and Competency	<p>The service is committed to the continuing development of individual members of the team. The Council operate under the Investors in People Standards. Staff competency and training needs are assessed as part of the Corporate Performance and Development Reviews which are annually – any training or development needs that are identified at the review are fed into an annual training plan which links to the budget planning process.</p> <p>In line with revised Section 18 Standard our procedures will be reviewed to include the use of the HSE’s Regulators Development Needs Assessment Tool (RDNA)</p>
The Regulators Code	<p>The Regulators’ Code came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006, replacing the Regulators’ Compliance Code. It provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.</p> <p>Nearly all non-economic regulators, including local authorities and fire and rescue authorities, must have regard to it when developing policies and procedures that guide their regulatory activities.</p> <p>We are currently reviewing all our policies to ensure they comply with the Regulators Code</p>

Table 1

Health and Safety Workplan What we did last year 2019/20

	Interventions	Outcomes
Accident/Major Investigations	<p>2019/20</p> <p>A prohibition Notice and a number of improvement Notices were issued following investigations into a serious complaint about structural defects within a retail premises. The defects were as a result of years poor maintenance and lack of investment by the company into the structure of the building. As a result, employees were left working in unacceptable conditions and at risk of serious harm or injury.</p>	<p>2019/20</p> <p>Following the Notices, the company carried out significant works to the building and refurbished the ground floor of the shop.</p>
Health and Safety inspections	<p>It was planned that we would carry out a number of inspections in warehouses & care homes</p>	<p>Issues re staffing prevented proactive inspection in the first half of the year as H&S staff were having to assist in other teams. Reactive work on H&S was prioritised.</p>
Complaints/ Requests for Service	<p>As already outlined from March 2020 the number of service requests related to the pandemic was unprecedented. Prior to March service requests and complaints were mainly in relation to general health and Safety conditions, consultations on new licensing applications and skin piercing licences.</p>	<p>From the beginning of March team members pulled together to try and respond as quickly as possible to all the requests received from business and members of the public in respect of the new restrictions. Fortunately, extra staff resources were provided to assist to team to meet the ever-increasing demands throughout the rest of 2020 to date.</p>

Table 2

Health and Safety Workplan What we are doing in 2020/2021

Interventions	Outcomes
Accident investigations	Continue to investigate any accident that indicative or poor health and safety management or fit criteria outlined in the Councils Accident Investigation Policy
Complaints and requests for service	Continue to respond to all complaints and request for service within the service target response times
Inspections	Proactive inspections will be carried out in line with the National Code and LAC 67/2 (Rev 6). Proactive inspections of warehouse premises in relation to workplace transport and work height will continue this year.
Other. Other service demands	<p>Continue to work with other Lancashire authorities through the health and safety officers' group to identify local or national H&S issues</p> <p>We hope to recruit to the team following a staff member leaving once this post is filled this should allow for more time to be dedicated to H&S. Due to long term sickness, we are also having to cover another post through use of a consultant. Covid work is continuing to take up much of all the teams' resources.</p>

Page 203

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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 Community Safety Annual Report Review Groups Work Programme</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 Leisure Trust Annual Report (moved from February 2021) Food Safety Delivery Plan (Annual Update) (moved from February 2021) Health & Safety Delivery Plan (Annual Update) (moved from February 2021)</p>

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