

EXECUTIVE

Monday, 19th December, 2016
6.30 pm





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BURNLEY TOWN HALL

Monday, 19th December, 2016 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 Governance, Law & Regulation by 5.00pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall or the Contact Centre, Parker Lane, Burnley. Forms are also available on the Council's website www.burnley.gov.uk/meetings.

AGENDA

1) *Apologies*

To receive any apologies for absence

2) *Minutes*

To approve as a correct record the Minutes of the meeting held on 6th December 2016.

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3) *Minutes of Individual Decisions*

To note the Individual Executive Decisions made since the last meeting, as set out below;

Minute 5- Organisation Review

4) *Additional Items of Business*

To determine whether there are any urgent items of business.

5) *Declarations of Interest*

Members are required to declare any interests and/or declare if S106 of the LGFA 1992 applies to them.

6) *Public Question Time*

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

7) Exclusion of the Public

To determine during which items the public are to be excluded from the meeting, and to consider the public's exclusion from them before discussion takes place on the grounds of exempt information being disclosed.

a) Private Items

Details of any representations received by the Executive about why any of the following reports should be considered in public-none received.

Statement in response to any representations- not required

8) Land at Kinross Street 7 - 12

To consider disposal of land for development at Kinross Street

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

9) Pennine Empty Homes Programme 13 - 18

To consider a report on Pennine Empty Homes Programme

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

MEMBERSHIP OF COMMITTEE

Councillor Mark Townsend (Chair)
Councillor John Harbour (Vice-Chair)
Councillor Beatrice Foster

Councillor Sue Graham
Councillor Wajid Khan
Councillor Lian Pate

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EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 6th December 2016 at 6.30 pm

PRESENT

MEMBERS

Councillors Mark Townsend (in the Chair), Bea foster, Sue Graham, John Harbour, Wajid Khan and Lian Pate.

OFFICERS

Pam Smith	-	Chief Executive
Mick Cartledge	-	Director of Community Services
Lukman Patel	-	Head of Governance, Law, Property and Regulation
David Donlan	-	Accountancy Division Manager
Mike Waite	-	Head of Corporate Engagement
Eric Dickinson	-	Democracy Officer

ALSO IN ATTENDANCE

69. Minutes

The Minutes of the Meeting held on the 21st November 2016 were confirmed as a correct record and signed by the Chair.

70. Declaration of Interest

Councillor Bea Foster declared a personal and prejudicial other interest in the Item on Community Buildings.

71. Community Buildings - Establishing Leases/Community Asset Transfer

Councillor Bea Foster left the room and did not take part regarding this item.

Purpose To approve a draft Community Asset Transfer Policy for consultation.

To approve further negotiations with existing community building users with a view to agreeing community asset transfers by way of long lease for continued community use.

Reason for The recommendation is in line with the Council's Medium Term Financial Strategy, and the 2016 Asset Management Strategy agreed

Decision by Executive. This set out that the plan in respect of the community buildings 'for 2016/17 is to a) establish robust cost, condition, suitability and management criteria and b) consider community asset transfer where appropriate'.

Adoption of a Community Asset Transfer Policy following appropriate consultation would set a framework for requests to transfer land and buildings to be considered under.

Decision (1) That the finalisation of a Community Asset Transfer Policy be authorised by the Head of Governance, Property, Law and Regulation in consultation with the Executive Member for Resources, following a two month period of consultation; and

(2) That the agreement of heads of terms for, and the subsequent completion of, the long lease of six community buildings, be authorised to the Head of Governance, Property, Law and Regulation in consultation with the Executive Member for Resources.

72. Revenue Budget Monitoring Cycle 2

Purpose To report the forecast outturn position for the year as at 31st March 2017 based upon actual spending and income to 30th September 2016.

Reason for Decision To give consideration to the level of revenue spending and income in 2016/17 as part of the effective governance of the Council and to ensure that appropriate management action is taken to ensure a balanced financial position.

Decision (1) That the projected revenue budget forecast underspend of £123k be noted (see the overview table in paragraph 6);

(a) That Full Council be recommended to approve the latest revised budget of £15.223m as shown in Appendix 1;and

(b) That Full Council be recommended to approve the net transfers from earmarked reserves in the quarter of £32k as shown in Appendix 4.

73. Capital Budget Monitoring Cycle 2

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

Reason for Decision To effectively manage the 2016/17 capital programme.

Decision (1) That Full Council be recommended to approve a new Capital Scheme for the Padiham Pump Track – Phase 2, totalling £18,000

which is fully funded as per paragraph 5a of the report;

- (2) That Full Council be recommended to approve the revised capital budget for 2016/17 totalling £8,878,322, as outlined in Appendix 1;
- (3) That Full Council be recommended to approve the proposed financing of the revised capital budget totalling £8,878,322 as shown in Appendix 2;and
- (4) That the latest estimated year end position on capital receipts and contributions be noted showing an assumed balance of £2,466,296 at 31st March 2017, in Appendix 3.

74. Fees and Charges 2017-18

- Purpose** To inform Members of the Council's proposed fees and charges from 1st January 2017.
Additional information was provided to Members about proposed amendments regarding Towneley Hall in Paragraph 8 of the report, Interment Fees on Page1 of Appx A and the introduction of VAT on land charges on page 29 of Appx A.
- Reason for Decision** To set the Council's fees and charges from 1st January 2017 and assist in finalising the 2017/18 budget process.
- Decision** That Full Council be recommended;
- 1) That the proposed tariff of fees & charges as amended from 1st January 2017 be approved as outlined in Appendix A of the report;
 - 2) That the Head of Finance be authorised in consultation with the relevant Head of Service to determine any new charges or changes to existing charges relating to the preparation and approval of the 2017/18 revenue budget;
 - 3) That the Executive Portfolio Members be authorised to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum; and
 - 4) That the Head of Regeneration and Planning Policy be authorised in consultation with the Executive Member for Resources and Performance Management and the Section 151 Officer to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market.

75. Health and Safety Intervention Plan

Purpose	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 Executive on the plans prior to their approval at Full Council.
Reason for Decision	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. The intervention plan appended to this report has been prepared to satisfy the statutory requirements and outline the services to be provided over the coming year.
Decision	That Full Council be recommended to approve of the Health and Safety Intervention Plan for 2016/2017, detailed in Appendix 1 to this report.

76. Food Law Enforcement Plan

Purpose	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.
Reason for Decision	To establish the necessary statutory plans to ensure that regulatory services are set up to be delivered in a way that is effective, risk based, proportionate and consistent.
	The Council's Constitution requires Full Council approval for the Food (Official Controls) Delivery Plan 2016/2017
Decision	That Full Council be recommended to approve the Food (Official Controls) Delivery Plan 2016/2017.

77. Exclusion of the Public

Purpose	To consider when it may be relevant to exclude the public from the meeting, and clarify the order of the agenda.
Reason for Decision	Minute Number 78 contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).
Decision	That the public be excluded from the meeting before discussion takes place on the items relating to Minute 78 since in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972.

78. Workforce Planning

- Purpose** To inform and seek agreement from the Executive to implement proposed workforce reductions, previously outlined at the Executive meeting on 20th September 2016, as part of the budget savings for 2017/18. Consultation responses from the 5th December 2016 Scrutiny Committee were considered. Additional information was provided regarding the outcome of consultation with the 5th December 2016 Scrutiny Committee
- Reason for Decision** To ensure that the Council is placed in the best position to manage the reduction in core funding that will take place in the next financial year.
- Decision**
- (1) That the proposed workforce changes as set out Appendix 1 be approved to give annual savings of £349,000, contributing towards the budget savings for 2017/18, full details of which were presented to Full Council on 28th September 2016;
 - (2) That within Appendix 1 the deletion of 12 occupied posts (9.16 FTE) be approved;
 - (3) That the Head of People and Development be authorised to issue redundancy notices to the employees concerned if no suitable alternative employment can be found;
 - (4) That the creation of 1 administrative post and hour variations in 2 further posts resulting in a net workforce reduction of 17 posts (13.9FTE) be noted;
 - (5) That the cost of redundancy and pension strain be noted as being likely to be in the order of £150k to be funded from a forecasted in-year underspending in 2016/17; and
 - (6) That the comments received from the 5th December 2006 Scrutiny Committee following consultation on the report be noted.

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

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