



EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 14th July, 2021 at 6.30 pm

PRESENT

MEMBERS

Councillors A Anwar (Chair), S Graham (Vice-Chair), B Foster, J Harbour, M Lishman and A Raja

OFFICERS

Mick Cartledge	– Chief Executive
Howard Hamilton-Smith	– Head of Finance and Property
Kate Ingram	– Strategic Head of Economy and Growth
Joanne Swift	– Head of Streetscene
Clare Jackson	– Housing Manager
Imelda Grady	– Democracy Officer

ALSO IN ATTENDANCE

Councillor Alan Hosker

14. Minutes

The Minutes of the last meeting held on 17th June 2021 were confirmed.

15. Exclusion of the Public

IT WAS RESOLVED

That the public be excluded from the meeting before discussion relating to Minute 28 took place in view of the nature of the business to be transacted. If the public were present there would be a disclosure withing the meaning of Part VA of the Local Government Act 1972.

Minute 28 contained information relating to the financial or business affairs of any particular person (including the authority holding that information).

16. Right To Speak

Councillor Alan Hosker spoke under the Request to Speak Policy on the recycling review and blue bins in Padiham; taxi matters including, door, badges, driver conduct and vehicle testing; Anti social behaviour; and the weed control in Padiham and Ightenhill areas.

The relevant Executive Members for Community and Environmental Services and Health and Wellbeing responded to Councillor Hosker. In respect to taxi licensing matters and anti social behaviour the Executive members stressed the need for the public to be encouraged to report incidents to the relevant departments and agencies so that appropriate action could be taken.

17. Individual Executive Decisions

IT WAS RESOLVED

That the individual decision taken by the Executive Member for Resources and Performance in respect of the climate change budget commitment for electric mowers be noted.

18. Anti-Social Behaviour Policy

PURPOSE

To seek Executive approval of the proposed Anti-Social Behaviour Policy 2021-24

REASON FOR DECISION

- 1.The policy outlines the Council's approach to how it will deal with and support our communities and partner agencies in dealing with anti-social behaviour.
- 2.The proposed policy reflects that whilst the Council has no statutory obligations to publish an ASB Policy and Procedures document, a clear and concise document would formalise the Home Office Minimum Standards, our existing procedures and reflect the best practice adopted by other Local Authorities.

DECISION

That the Anti-Social Behaviour Policy 2021-24 be approved.

19. 2020/21 Final Outturn Revenue Budget

PURPOSE

To report the provisional position on the Council's revenue accounts for 2020/21.

REASON FOR DECISION

To conclude the revenue budget monitoring process for 2020/21 and report the final outturn position as outlined in the Council's Statement of Accounts for 2020/21.

DECISION

That Full Council be recommended to approve;

- a) The provisional final position on the Council's revenue account for 2020/21 shows a net underspend of £31k which has been transferred to the Revenue Support Reserve. The projected overspend from the outturn position estimated during quarter 3 budget monitoring was £49k.
- b) The transfers to/from Earmarked Reserves totalling a net £5.058m increase to reserves (see Appendix 2).
- c) The approval of additional revenue budget carry forward requests from Heads of Service totalling £2.198m (see Appendix 3)

20. 2020/21 Final Outturn Capital Budget

PURPOSE

To report to Members on the performance of the 2020/21 capital investment programme and present the financing of capital expenditure incurred during 2020/21.

To seek approval of a revised 2021/22 capital budget after incorporating net carry forward commitments (slippage) from 2020/21.

REASON FOR DECISION

To conclude the capital budget monitoring process for 2020/21 and report the final outturn position as outlined in the Council's Statement of Accounts for 2020/21.

To increase the 2021/22 Council capital programme for amounts carried forward from 2020/21 and other budget adjustments as shown in Appendix 3.

DECISION

That Full Council be recommended to approve:

- a) The final position on capital spending and financing of £11.915m for 2020/21 as shown in Appendices 1 & 2, which equates to 87% of the final resources position.
- b) The revised capital budget for 2021/22 totalling £20.527m as outlined in Appendix 3, (including net carry forward of £1.735m).

21. Annual Treasury Management Report Review of 2020-21 Activity

PURPOSE

To inform members of the Council's treasury management activity during 2020/21.

REASON FOR DECISION

To comply with the regulations issued under the Local Government Act 2003 to produce an annual treasury management report review of activities and the actual prudential and treasury indicators for 2020/21. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital

Finance in Local Authorities (the Prudential Code). Performance against the approved prudential and treasury indicators are shown in Appendix 1.

During 2020/21 the minimum reporting requirements were that Full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Full Council 26 February 2020)
- a mid-year treasury update report (Full Council 16 December 2020)
- an annual review following the end of the year describing the activity compared to the strategy (this report).

The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activities. This report is therefore important, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Scrutiny Committee before they were reported to Full Council. Member training on treasury management issues was undertaken during the year on 10 March 2021 in order to support Members' scrutiny role.

DECISION

That Full Council be recommended to note the annual treasury management activity for 2020/21.

22. Additional Restrictions Grant - Update

PURPOSE

The purpose of the report is to seek approval for the use of the remaining Additional Restrictions Grant Funds.

REASON FOR DECISION

On 31 October 2020, the Government announced the introduction of additional support for Local Authorities under national and Local Covid Alert Level 3 restrictions. It is for local authorities, within the broad parameters set out in the ARG Guidance, to determine how to use the fund. The Council approved a scheme on the 14th November 2020 and it was revised in January 2021 following further announcements in December 2020.

The Council has committed £2.5m of funding to over 508 businesses to date. There is £503,000 of funding remaining to be committed. The recommendations and revised proposals reflect the amount of money available and the revisions in restrictions since the ARG scheme was last approved earlier this year and aim to support those businesses most affected by on-going restrictions.

DECISION

1. That the proposals for the use of the remaining ARG grant as set out in paragraph 12 be approved; and

2. The delegated authority be given to the Strategic Head of Economy and Growth in consultation with the Head of Finance and Property and Executive Member for Economy and Growth to agree the detailed criteria and associated policy.

23. Selective Licensing

PURPOSE

To approve the consultation and evidence gathering for the proposal to designate the following areas for selective licensing

- a. Burnley Wood with Healey Wood
- b. Leyland Road

REASON FOR DECISION

To enable the statutory consultation of residents, landlords and stakeholders in the proposed selective licensing areas and wider consultation boundary.

To ensure the consultation includes a statement of case, proposed fee structure and proposed licence conditions to assist in the delivery and analysis of the statutory consultation.

To enable any issues to be addressed and evaluated before presenting the final report for the proposed selective licensing areas to the Executive Committee in December 2021.

The Ingham and Lawrence Street selective licensing area has not been included in further proposals as the analysis shows that the low demand for housing has improved sufficiently across the area.

DECISION

1. That approval be given to the proposed selective licensing designation areas and consultation boundary as detailed in:
 - Map 1 The Burnley Wood with Healey Wood proposed Selective Licenising area 2022 to 2027 (Appendix 4a);
 - Map 2 The Leyland Road proposed Selective Licenising area 2022 to 2027 (Appendix 4b).
2. That approval be given to the draft statement of case for the proposed selective licensing areas (Appendix 1), the proposed fee structure (Appendix 2) and, the proposed licence conditions (Appendix 3).
3. That Officers be authorised to undertake the statutory consultation exercise for the proposed selective licensing areas.
4. That delegated authority be given to the of Head of Housing and Development Control in consultation with the Portfolio Holder to make any necessary final amendments to the draft statement of case, the proposed fee structure and the proposed licence conditions.

24. Empty Homes Project

PURPOSE

1. To seek approval to make several Compulsory Purchase Orders (CPOs) for long term vacant properties in the private sector.
2. To dispose of the properties in accordance with the Council's Disposal of Empty Dwellings Policy and scheme of delegation or to Calico Homes as appropriate.

REASONFOR DECISION

The owners of these properties have been contacted and have either not responded at all or have given no reasonable proposals for renovating the property or bringing it back into housing use.

These properties are long term vacant properties, being empty, in one case for 19 years. Without intervention by the Council through acquisition by agreement or CPO the properties may remain vacant, continue to deteriorate, attract anti-social behaviour, fly-tipping and arson, all of which cause fear in local residents, resulting in a declining neighbourhood.

77 Tarleton Street Burnley vacant since 18th September 2009

1 Laburnum Close Burnley vacant since 17 March 2017

11 Fifth Avenue Burnley vacant since 12th April 2018

40 Caernarvon Avenue Burnley vacant since 15th February 2007

10 Ruskin Avenue Padiham Burnley vacant since 2nd May 2016

28 Spenser Street Padiham Burnley vacant since 1st May 2017

14-16 Boundary Street Burnley vacant since 19th October 2015

9 Fir Street Burnley vacant since 29th May 2017

23 Harley Street Burnley vacant since 17th May 2012

17 Pritchard Street Burnley vacant since 26th April 2018

26 Pritchard Street Burnley vacant since 1st September 2009

13 Grange Street Burnley vacant since 10th March 2008

75 Lindsay Street Burnley vacant since 1st September 2007

15 Brush Street Burnley vacant since 6th August 2001

6 Waterbarn Street Burnley vacant since 22nd August 2016

Through the Vacant Property Initiative and Empty Homes Programme over 130 properties have been acquired, refurbished and re-sold or re let, bringing those properties back into use and providing high quality accommodation.

DECISION

1. That the Head of Housing and Development Control in consultation with the relevant Executive Member approve in pursuance of the powers obtained under Section 17 of the Housing Act 1985 (as amended) to make the following compulsory purchase orders for the purpose of renovation and/or re-sale by the most appropriate method:

The Burnley (77 Tarleton Street Burnley) Compulsory Purchase Order 2021

The Burnley (1 Laburnum Close Burnley) Compulsory Purchase Order 2021

The Burnley (11 Fifth Avenue Burnley) Compulsory Purchase Order 2021

The Burnley (40 Caernarvon Avenue Burnley) Compulsory Purchase Order 2021

2021 The Burnley (10 Ruskin Avenue Padiham Burnley) Compulsory Purchase Order

2021 The Burnley (28 Spencer Street Padiham Burnley) Compulsory Purchase Order

The Burnley (14-16 Boundary Street Burnley) Compulsory Purchase Order 2021

The Burnley (9 Fir Street Burnley) Compulsory Purchase Order 2021

The Burnley (23 Harley Street Burnley) Compulsory Purchase Order 2021

The Burnley (17 Pritchard Street Burnley) Compulsory Purchase Order 2021

The Burnley (26 Pritchard Street Burnley) Compulsory Purchase Order 2021

The Burnley (13 Grange Street Burnley) Compulsory Purchase Order 2021

The Burnley (75 Lindsay Street Burnley) Compulsory Purchase Order 2021

The Burnley (15 Brush Street Burnley) Compulsory Purchase Order 2021

The Burnley (6 Waterbarn Street Burnley) Compulsory Purchase Order 2021

2. That the Head of Legal and Democratic Services be authorised to agree terms for the acquisition of the properties, to acquire the properties in this report by agreement as an alternative to compulsory purchase in accordance with the terms of delegation.
3. That the Head of Legal and Democratic Services be authorised to make minor amendments, modifications or deletions to the CPO schedule of interests and map, should this be necessary, and to finalise the making and submission of the CPO, including promoting the Council's case at public inquiry, if necessary.
4. Subject to confirmation by the Secretary of State the Head of Legal and Democratic Services be authorised to secure full title to and possession of the CPO land as appropriate by:
 - Serving notice of confirmation of the CPO on all interested parties
 - Serving notice of intention to execute a General Vesting Declaration
 - Executing the General Vesting Declaration
 - Serving Notices to Treat and/or Entry as appropriate
 - Acquiring land and interests by agreement if possible
5. That the tendering of any renovation works in accordance with SOC 1, 15 and 16 be authorised and delegated power to accept the tender be given to the Head of Housing and Development Control.
6. That approval be given for the proceeds from the sale of the properties is recycled back into the Empty Homes Programme for further acquisitions and renovations.

25. Covid -19 Community Recovery Plan Update

PURPOSE

To update the Executive on the community recovery plan and to set out funding proposals for the next two year.

REASON FOR DECISION

The original strategy is funded up to the end of 2021. Using the council's existing covid response budget, over the next two years, Burnley Together will take action to have a positive effect on the wider determinants of population health, now that the immediate pandemic response phase is drawing to a close.

DECISION

1. That approval be given to the proposals for covid community recovery set out in section 6 of this report.
2. That the Head of Policy and Engagement be given delegated authority to put the above recommendation into effect

26. Platinum Jubilee and Armed Forces Day

PURPOSE

To recommend that the council establish a budget for the Queen's Platinum Jubilee celebrations and for an Armed Forces event in Towneley Park.

REASON FOR DECISION

In 2022, Her Majesty The Queen will become the first British Monarch to celebrate a Platinum Jubilee, seventy years of service, having acceded to the throne on 6th February 1952 when Her Majesty was 25 years old.

Throughout the year, Her Majesty and members of the Royal Family will travel around the country to undertake a variety of engagements to mark this historic occasion culminating with the focal point of the Platinum Jubilee Weekend in June.

An extended bank holiday, from Thursday 2nd to Sunday 5th June, will provide an opportunity for the people of Burnley to come together to celebrate the historic milestone. The four days of celebrations will include public events and community activities, as well as national moments of reflection on The Queen's 70 years of service.

Armed Forces day in 2022 falls on 25th June. Councillor Cosima Towneley, through the Covenant group and in her role as Armed Forces champion, has asked the council to help organise an armed forces event in Towneley Park. Councillor Towneley is expected to become Mayor of the Borough in 2022.

DECISION

That Full Council be recommended to establish a budget of £20,000 from the revenue support reserve, for the Platinum Jubilee celebrations and an Armed Forces Day event to be held in summer 2022.

27. Strategic Risk Register

PURPOSE

To approve the Strategic Risk Register

REASON FOR DECISION

To ensure that Risks are appropriately monitored and recorded.

DECISION

That the Strategic Risk Register be approved.

28. Charter Walk

PURPOSE

The purpose of this report is to seek approval to acquire the property edged red on the attached plan (appendix1) via a competitive tender process.

REASON FOR DECISION

The Charter Walk Shopping Centre is an important asset in Burnley Town Centre that contributes significantly to the vitality and viability of the town and to the wider economic and social wellbeing of the borough. The ownership of this asset will enable the Council to actively manage and regenerate the shopping to the benefit of the borough in line with the Council's wider aspirations for the town centre.

DECISION

1. That approval be given to the proposal and financial business case set out in this report;
2. That delegated authority be given to the Strategic Head of Economy and Growth in consultation with the Executive Member of Resources and Performance to submit a bid within the financial parameters set out in this report;
3. That Full Council be recommended to approve the borrowing and approve the revision of the capital programme as set out in this report;
4. That delegated authority be given to the Strategic Head of Economy and Growth in consultation with the Head of Finance and Property and COO to negotiate final terms; and
5. That delegated authority be given to the Head of Legal and Democratic Services to complete all legal documents necessary to give effect to this decision.