



EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 1st December, 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
Lukman Patel	– Chief Operating Officer
Howard Hamilton-Smith	– Head of Finance and Property
Kate Ingram	– Strategic Head of Economy and Growth
Rob Dobson	– Head of Policy and Engagement
Alison McEwan	– Democracy Officer
Clare Jackson	– Housing Manager
Pete Milward	– Principal Planner

53. Minutes

The minutes of the last meeting were approved as a correct record.

54. Declaration of Interest

It was noted that the Monitoring Officer in consultation with the Chair of Audit & Standards Committee had granted a dispensation prior to the meeting for Item 15 – Fees & Charges as Members had pecuniary interests related to contracts for additional services (contract parking and garden waste service) delivered by the Council. In his opinion the number of persons affected would prevent the business from being transacted.

Contract Parking – Cllrs Anwar, Graham, Foster, Lishman and Harbour
Garden Waste – Cllrs Graham, Foster & Harbour

55. CPO - Empty Homes Programme

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.

REASONS FOR DECISION

1. 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.
2. These properties are long term vacant properties with some being vacant for over 10 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.

5 Prince Street Burnley vacant since 31st March 2010

5 Herbert Street Burnley vacant since 15th September 2010

9 Rylands Street Burnley vacant since 17th November 2010

11 Pritchard Street Burnley vacant since 6th January 2011

35 Herbert Street Burnley vacant since 7th October 2015

11 Kay Street Padiham Burnley vacant since 29th January 2016

4 Woodbine Road Burnley vacant since 5th May 2019

12 Sharp Street Burnley vacant since 1st July 2019

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

The Executive resolved:

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 (5 Prince Street Burnley) Compulsory Purchase Order 2021

The Burnley (5 Herbert Street Burnley) Compulsory Purchase Order 2021
The Burnley (9 Rylands Burnley) Compulsory Purchase Order 2021
The Burnley (11 Pritchard Street Burnley) Compulsory Purchase Order 2021
The Burnley (35 Herbert Street Burnley) Compulsory Purchase Order 2021
The Burnley (11 Kay Street Burnley) Compulsory Purchase Order 2021
The Burnley (4 Woodbine Road Burnley) Compulsory Purchase Order 2021
The Burnley (12 Sharp 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. To authorise the Head of Legal and Democratic Services 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 to authorise the Head of Legal and Democratic Services 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. To authorise the tendering of any renovation works in accordance with SOC 1, 15 and 16 and delegated power to accept the tender to the Head of Housing and Development Control.
6. To approve that the proceeds from the sale of the properties is recycled back into the Empty Homes Programme for further acquisitions and renovations.

56. Electrical Safety Policy

PURPOSE

To implement The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

REASON FOR DECISION

To improve electrical safety in the private rented sector to protect the health and safety of residents.

DECISION

That the Executive:

1. Approve the Enforcement Policy for Electrical Safety in the Private Rented Sector (Appendix 1).
2. Authorise the grant of delegated authority to the Head of Housing and Development, in consultation with the Executive Member, to approve minor amendments to the policy.
3. Note the request to the Leader to amend Part 3 of the Council's Constitution to include the following: *"To take all steps necessary to exercise and/or discharge the Council's functions, powers and duties under The, Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020"*.

57. Gambling Act 2005 Policy 2022-2024

PURPOSE

To seek the Executive's endorsement of the draft Gambling Policy Statement.

REASON FOR DECISION

To comply with the 3 year review required by the Gambling Act 2005.

DECISION

That Executive recommend that Full Council approve the draft Gambling Policy Statement.

58. Household Support Programme

PURPOSE

To propose a scheme for the household support fund.

REASON FOR DECISION

The proposed scheme is targeted towards a clearly defined need and is manageable given the size of the allocation and the time available to deliver it.

DECISION

The Executive resolved:

1. That the priority for Burnley Council's allocation of Household Support funding is the reduction of fuel poverty in low-income households with school age children.
2. That the Head of Policy and Engagement is given delegated authority to finalise a delivery plan for the scheme agreed by the Executive, in consultation with the Head of Finance and Property and the Executive Member for Community and Environmental Services.

59. Supplementary Planning Document_ Houses in Multiple Occupation (HMO) & Small Flats

PURPOSE

1. To seek approval to undertake formal public consultation on a draft Houses in Multiple Occupation and Small Flats Supplementary Planning Document (SPD).
2. The draft SPD (attached at Appendix A) has been prepared to support the implementation of Burnley's Local Plan. Once adopted, it will become a material consideration to be used in the determination of relevant applications.

REASON FOR DECISION

The Executive resolved:

1. To approve the draft House In Multiple Occupation and Small Flats SPD for public consultation for a seven week consultation period commencing in December 2021.
2. That, up to the start of the consultation period, the Strategic Head of Economy and Growth be authorised to make minor changes to the wording or layout of the draft SPD, providing that the changes do not materially change the meaning of the consultation document.

60. Additional Restrictions Grant scheme amendment

PURPOSE

To seek approval for the proposed revisions to the use of the remaining Additional Restrictions Grant Funds.

REASONS FOR DECISION

1. 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 revised the scheme in January 2021 following the second lock down period and again in July 2021 after the end of the restrictions period.
2. The remaining budget must be committed by 31st March 2022. The recommendations and revised proposals reflect the amount of money available, the lifting of all restrictions in summer 2021 and the transition from response to recovery with a new emphasis on assisting businesses to recover and invest.

DECISION

The Executive noted the corrections to the report and resolved:

1. To approve the proposals for the use of the remaining ARG grant as set out in paragraph **10**.
2. To delegate authority to 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 final policy detail.
3. To delegate authority to Strategic Head of Economy and Growth in consultation with the Head of Finance and Property and Executive Member for Economy and Growth to agree any further changes to the use of ARG in response to arising situations and the limited time to commit the allocation.

61. Revenue Budget Monitoring q2 2021/22

PURPOSE

1. To report the forecast outturn position for the year as at 31 March 2022 based upon actual spending and income to 30 September 2021.
2. Members are asked to note the financial impact of the Coronavirus pandemic as can be seen in paragraph 5. In view of these exceptional times the revenue monitoring position is uncertain.

REASON FOR DECISION

To give consideration to the level of revenue spending and income in 2021/22 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

The Executive RESOLVED to:

- a. Note the projected revenue budget forecast position of a net overspend of £86k, as summarised in Table 1 and detailed in Appendix 1.
- b. Note that further income compensation is to be received for the period April – June 2021. Where these income losses are more than 5% of a council's planned income from sales, fees and charges, the government will cover them for 75p in every pound lost. See paragraph 13 for further details.
- c. Approve the establishment of a new collection fund deficit reserve. See paragraph 6 for further details.

The Executive also RESOLVED to seek approval from Full Council for:

- d. The latest revised net budget of **£15.419m** as shown in Table 1, and
- e. The net transfers from earmarked reserves of **£2.166m** as shown in Appendix 2.

62. Capital Budget Monitoring Q2 2021/22

PURPOSE

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

REASONS FOR DECISION

To effectively manage the 2021/22 capital programme.

DECISION

1. The Executive RESOLVED to:

- a. Recommend to Full Council, approval of net budget changes totalling an increase of £2,914,922 giving a revised capital budget for 2021/22 totalling £42,396,218 as detailed in Appendix 1.
- b. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £42,396,218 as shown in Appendix 2.
- c. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £1,124,576 at 31 March 2022 as shown in Appendix 3.

63. Fees & Charges from 1st January 2022

PURPOSE

To inform Members of the Council's proposed fees and charges from 1 April 2022.

REASON FOR DECISION

To set the Council's fees and charges from 1 April 2022 and assist in finalising the 2022/23 budget process.

DECISION

That the Executive recommend to Full Council:

1. Approval of the proposed tariff of fees & charges from 1 April 2022 with an increase of 2.0% as outlined in Appendix A attached, with a range of exceptions as outlined in the report.
2. To authorise the Head of Finance and Property, in consultation with the relevant Head of Service, to determine any new charges or changes to existing charges relating to the preparation and approval of the 2022/23 revenue budget.
3. To authorise the Executive Portfolio Members to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum.
4. To authorise the Strategic Head of Economy and Growth, in consultation with the Executive Member for Resources and Performance Management and the Head of Finance and Property, to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market.

64. Treasury Management Mid-year update 2021/22

PURPOSE

To report treasury management activity for the first half year of 2021/22 covering the period 1 April to 30 September 2021.

REASON FOR DECISION

To inform members of the treasury management activity in the first half of 2021/22 and to fulfil statutory and regulatory requirements.

DECISION

The Executive RESOLVED to:

Note the treasury management activities undertaken during the period 1 April to 30 September 2021, AND TO

Recommend that Full Council;

- Endorse the mid-year update on Treasury Management Strategy for 2021/22 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.
- Approve the revised Operational Boundary and Authorised Limit for external debt as set out in Appendix 1 to this report.

65. Exclusion of the Public

That the public are to be excluded from the meeting before discussion takes place on Minute 52 relating to Pioneer Place on the grounds that 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 Schedule 12A of the Local Government Act 1972.

66. Banking Contract

PURPOSE

1. To update Members on progress made towards the agreement of a new banking contract and to secure banking services for the next 3 years in line with value for money requirements.
2. To seek approval of a new contract with the Council's existing bankers for the period 1 January 2022 to 31 December 2024.

REASON FOR DECISION

To update Members on market testing the cost of the Council's banking facilities, negotiations in reducing banking costs and to recommend the approval of a further 3 year contract with HSBC UK.

DECISION

The Executive RESOLVED to:

- a) note the report,
- b) waive standing orders SOC 15 and SOC 16 – requiring quotations and tenders to be invited, and
- c) approve the awarding of a further 3-year contract for the Council's banking services as set out in the report.