



EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 26th October, 2022 at 6.30 pm

PRESENT

MEMBERS Councillors A Anwar (Chair), S Graham (Vice-Chair), J Harbour, S Hussain, M Lishman and M Townsend

OFFICERS

Lukman Patel	Chief Operating Officer
Howard Hamilton-Smith	Head of Finance and Property
Sarah Waddington	Senior Planner
Marie Shaw	Markets Manager
Carol Eddleston	Democracy Officer
Elizabeth Murphy	Planning Policy Manager attended remotely

41. Minutes

The minutes of the last meeting held on 21st September 2022 were approved as a correct record and signed by the Chair.

42. Declaration of Interest

There were no declarations of interest in any of the items on the agenda.

43. Urgent Executive Decisions

Members noted the Individual Member Decision made by the Executive Member for Housing and Development control on 27th September 2022 relating to the Affordable Warmth Grant.

44. Organisational Development Strategy

PURPOSE

To report on the revisions to the council's Organisational Development (OD) Strategy.

DECISION

That the Executive approve the council's revised Organisational Development Strategy.

REASON FOR DECISION

The strategy sets out how the council as an organisation needs to develop, to help it achieve its ambition for the borough as set out in the Strategic Plan.

45. Planning for Health Supplementary Planning Document

PURPOSE

1. The purpose of this report is to seek the adoption of Planning for Health Supplementary Planning Document (SPD).
2. The SPD has been prepared to support the implementation of Burnley's Local Plan. It has been the subject of formal statutory consultation. Once adopted, it will become a material consideration to be used in the determination of relevant applications.

DECISION

1. That Executive adopt the Planning for Health SPD.
2. That the Strategic Head of Economy and Growth be authorised to make any minor typographical corrections to the SPD required prior to its publication.

REASON FOR DECISION

To meet the commitment to preparing a Planning for Health SPD as set out in the Council's Local Development Scheme (LDS) and through the Council's involvement in the Pennine Lancashire Childhood Obesity Trailblazer Programme.

46. Residential Extensions Supplementary Planning Document

PURPOSE

1. The purpose of this report is to seek the adoption of the Residential Extensions Supplementary Planning Document (SPD).
2. The SPD has been prepared to support the implementation of Burnley's Local Plan. It has been the subject of formal statutory consultation. Once adopted, it will become a material consideration to be used in the determination of relevant applications.

DECISION

1. That Executive adopt the Residential Extensions SPD.
2. That the Strategic Head of Economy and Growth be authorised to make any minor typographical corrections to the SPD required prior to its publication.

REASON FOR DECISION

To meet the commitment to preparing a Residential Extensions SPD as set out in the Council's Local Development Scheme (LDS).

47. Council Tax Support Scheme 2023/24

PURPOSE

To seek approval to commence a public consultation on the plans to temporarily revise Burnley Borough Council's Council Tax Support Scheme for 2023/24.

DECISION

That the Executive:

1. Approve a statutory consultation of the Local Council Tax Support Scheme in accordance with Schedule 1A of the Local Government Finance Act 1992 and the Local Government Finance Act 2012 (as amended),
2. Approve for consultation a temporary revision to the Council Tax Support Scheme for the forthcoming financial year (2023/24) as set out in this report,
3. Delegate authority to the Head of Finance and Property to undertake the statutory consultation, and
4. Note that the consultation will run for an 8-week period which is expected to commence on 28th October 2022 and will guide the final recommendations to be placed before Full Council in February 2023 for the approval of a temporary revision to the Council Tax Support Scheme for 2023/24.

REASON FOR DECISION

To consult on the provision of temporary support, by increasing the level of subsidy to a maximum of 100%, for eligible working age claimants within the Council's Council Tax Support Scheme for 2023/24 to help alleviate some of the financial hardship caused by the cost-of-living crisis.

48. Strategic Risk Register

PURPOSE

To present the Executive with a Strategic Risk Register.

DECISION

That the Executive approve the Strategic Risk Register.

REASONS FOR DECISION

1. The Executive is required to approve the Strategic Risk Register pursuant to the Risk Management Strategy.
2. The Audit and Standards Committee has recommended the register to the Executive.

49. Rough Sleeping Initiative

PURPOSE

To seek approval to accept the funding award for the rough sleeper initiative programme (RSI) in Burnley and implement a programme of services targeted at reducing rough sleeping and supporting recovery.

DECISION

That the Executive:

1. Approve acceptance of the revenue funding award of £88,666 from the Department for Levelling Up, Housing and Communities to be utilised to fund a Temporary Accommodation Officer post to work along side the housing needs team.
2. Delegate authority to the Head of Housing and Development Control to negotiate and enter into the relevant agreements for the receipt of the funding and the delivery of the services, with Rossendale Borough Council as lead local authority, Pendle Borough Council as partner local authority, and Calico Homes as service provider.

REASON FOR DECISION

To continue to provide support to rough sleepers and people at risk of sleeping rough in the Borough.

50. The 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.

DECISION

That the Executive:

1. Authorise the Head of Housing and Development Control in consultation with the relevant Executive Member 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 (2 Haydock Street Burnley) Compulsory Purchase Order 2022
The Burnley (23 Laithe Street Burnley) Compulsory Purchase Order 2022
The Burnley (41 Grange Street Burnley) Compulsory Purchase Order 2022
The Burnley (55 Brennand Street) Compulsory Purchase Order 2022
The Burnley (44 Bar Street Burnley) Compulsory Purchase Order 2022
The Burnley (53 Elmwood Street Burnley) Compulsory Purchase Order

2022

The Burnley (29 Albert Street Burnley) Compulsory Purchase Order 2022

The Burnley (54 Hart Street Burnley) Compulsory Purchase Order 2022

The Burnley (6 Clarence Street Burnley) Compulsory Purchase Order
2022

The Burnley (48 Piccadilly Road Burnley) Compulsory Purchase Order
2022

2. Authorise the Head of Legal and Democratic Services 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. 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. Authorise, subject to confirmation by the Secretary of State, 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. Authorise the tendering of any renovation/building works in accordance with SOC 1, 15 and 16 and delegate power to accept the tenders to the Head of Housing and Development Control.
6. Approve that the proceeds from the sale of the properties be recycled back into the Empty Homes Programme for further acquisitions and renovations.

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, being empty, in one case for approximately 15 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.

2 Haydock Street Burnley vacant since 9th January 2021

23 Laithe Street Burnley vacant for approximately 15 years

41 Grange Street vacant since 1st September 2007

55 Brennand Street vacant since 11th January 2013

44 Bar Street vacant since 31st March 2017

53 Elmwood Street vacant since 15th November 2017
29 Albert Street vacant since 7th May 2019
54 Hart Street vacant since 28th October 2019
6 Clarence Street Burnley vacant since 1st April 2021
48 Piccadilly Road Burnley vacant since 6th June 2021

Through the Vacant Property Initiative and Empty Homes Programme over 150 properties have been acquired, refurbished and re-sold or re let, bringing those properties back into use and providing high quality accommodation.

51. Market Rights Policy

PURPOSE

To consider and approve the Markets Rights Policy.

DECISION

That the Executive:

1. Approve the revised Markets Rights Policy set out in Appendix A.
2. Approve the fees set out in Schedule one of Appendix A.
3. Delegates Authority to the Strategic Head of Economy and Growth in consultation with the Executive Member of Economy and Growth to receive and determine applications for market licences.

REASONS FOR DECISION

1. The Council's current Market Rights Policy dates back to 2004 and is very restrictive, permitting only markets operating for charitable purposes and car boot sales
2. The revised policy aims to protect the Council's market rights but provide flexibility to permit some markets where there are clear economic and community benefits.