

EXECUTIVE

Monday, 12th June, 2023
6.30 pm





EXECUTIVE

ROOMS 2 & 3, BURNLEY TOWN HALL

Monday, 12th June, 2023 at 6.30 pm

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 or at the Contact Centre, Parker Lane, 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.

AGENDA

1) *Apologies*

To receive any apologies for absence.

2) *Minutes*

5 - 8

To approve as a correct record the Minutes of the meeting held on 12th April 2023.

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) *Declaration of Interest*

In accordance with the Regulations, Members are required to declare any personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda 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) Right To Speak

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

7) Urgent Executive Decisions

9 - 10

To inform the Executive of any Urgent Executive Decisions taken since the last meeting.

8) Executive Individual Decisions

11 - 12

To note any Executive Individual Decisions taken since the last meeting.

9) Executive Outside Body Appointments

13 - 22

To make those appointments to Outside Bodies which are required to be made by the Executive:

- Barnfield and Burnley Developments Limited
- Housing Joint Venture Contract
 - Council Representatives
 - Stakeholder Representatives

10) Executive Sub-committee and Joint Committee Appointments

23 - 26

To make those Sub-committee and Joint Committee appointments which are required to be made by the Executive:

- Traffic Regulation Order Sub-committee
- Pennine Lancashire Leaders and Chief Executives Joint Committee (PLACE)

MEMBERSHIP OF COMMITTEE

Councillor Afrasiab Anwar (Chair)
Councillor Sue Graham (Vice-Chair)
Councillor John Harbour

Councillor Lubna Khan
Councillor Mark Townsend

PUBLISHED

Friday, 2 June 2023

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EXECUTIVE

BURNLEY TOWN HALL

Wednesday, 12th April, 2023 at 6.30 pm

PRESENT

MEMBERS

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

OFFICERS

Lukman Patel	– Chief Operating Officer
Paul Gatrell	– Head of Housing & Development Control
Rob Dobson	– Head of Policy and Engagement
Alison McEwan	– Democracy Officer

97. Apologies

Apologies were received from Cllr Shah Hussain.

98. Minutes

The minutes of the last meeting were approved as a correct record and signed by the Chair.

99. Additional Items of Business

Alison McEwan confirmed that there was an additional item of business – Lease Renewal & Capital Works – The Mall, Charter Walk. This was a private item and would be considered as the last item of the meeting.

100. Right To Speak

Cllr Alan Hosker addressed the meeting under the Right to Speak policy and spoke on dog related issues on the Padiham Greenway.

Cllr Margaret Lishman responded.

101. Minutes of Individual Decisions

The minutes of Individual Executive Decisions were noted.

102. Empty Homes and Facelifting 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.
3. To seek approval for a programme of external property Facelifting works on Piccadilly Road, Albion Street, Baker Street, Raglan Road and Willis Street in Trinity.

REASONS FOR DECISION

4. 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.
5. The majority of the properties are long term vacant properties, being empty, in one case for 12 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.

10 Penistone Street Burnley vacant since 24th January 2011

71 Albion Street Burnley vacant since February 2016

6-8 Whitefield Street Hapton vacant since 3rd March 2018

23 Bramley Avenue Burnley vacant 26th February 2022

17 Pheasantford Street Burnley vacant since 28th July 2022

6. 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.
7. To use facelifting as a regeneration tool in certain areas to improve the external appearance of blocks, to assist in raising property values, to assist in raising demand and so reducing the number of empty properties and to encourage complementary investment in the properties by their owners.
8. There are over 80 properties in the proposed face-lifting scheme. Property surveys need to be undertaken in late April and May 2023 to ensure the work can be tendered at the beginning of June 2023 for completion of the actual sandblasting, repointing and new gutters during the summer months of July to September 2023.

DECISION

That the Executive authorises:

- i. The Head of Housing and Development Control in consultation with the relevant Executive Member to 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 (10 Penistone Street Burnley) Compulsory Purchase Order 2023

The Burnley (71 Albion Street Burnley) Compulsory Purchase Order 2023

The Burnley (6-8 Whitefield Street Hapton Burnley) Compulsory Purchase Order 2023

The Burnley (23 Bramley Avenue Burnley) Compulsory Purchase Order 2023

The Burnley (17 Pheasantford Street Burnley) Compulsory Purchase Order 2023.

- ii. 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.
- iii. 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.
- iv. 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
- v. The tendering of any renovation/building works and face-lifting works in accordance with SOC 1, 15 and 16 and delegates power to accept the tender to the Head of Housing and Development Control.
- vi. That the proceeds from the sale of the properties is recycled back into the Empty Homes Programme for further acquisitions and renovations.

103. Household Support Fund

PURPOSE

To seek approval to deliver a fourth Household Support Fund scheme (HSF4).

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 HSF4 scheme is supporting low income households of working age.
2. That the Head of Policy and Engagement is given delegated authority to finalise a delivery plan for the scheme, in consultation with the Head of Finance and Property and the Executive Member for Finance and Performance.

104. Exclusion of the Public

Members determined to exclude the public from the meeting before discussion took place on Minutes 104 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.

105. Lease Renewal and Capital Works, The Mall Charter Walk

PURPOSE

To seek approval for capital expenditure towards the cost of combining and renovating two units The Mall, Charter Walk Shopping Centre, Burnley, as part of the terms of a lease renewal.

REASON FOR DECISION

The expenditure will facilitate the conversion of two units at The Mall into a single unit. It will enable the retention of an existing tenant and a vacant unit in the shopping centre being brought into use.

DECISION

That the Executive authorises capital expenditure as set out in the report.



URGENT EXECUTIVE DELEGATED DECISION BY THE CHIEF EXECUTIVE

BURNLEY TOWN HALL

PRESENT

OFFICERS Alison McEwan - Democracy Officer

4.	Lease of additional land to Burnley Boys and Girls Club, Barden Lane, Burnley
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Purpose To approve terms for the lease of additional land to Burnley Boys and Girls Club for the construction of a new extension and improvements to their existing facilities.

Reason For Decision To update the existing arrangements and enable the Club to secure external grant funding to undertake improvements to their Clubhouse and external facilities.

The decision is urgent in order to meet deadlines and criteria for external funding.

Decision That the Chief Executive using urgency powers under Part 3 of the Constitution (Executive Functions) authorise:

1. The grant of a new lease on the same general terms and conditions as the existing lease including the additional land needed be approved on the outline terms set out in the report.
2. The Head of Finance and Property to agree detailed terms, and
3. The Head of Legal and Democratic Services to complete the legal documentation necessary to give effect to the decision.

Decision made by: Chief Executive

Date: 20th April 2023

Decision Published on: 20th April 2023

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INDIVIDUAL DECISION BY THE EXECUTIVE MEMBER FOR RESOURCES AND PERFORMANCE

BURNLEY TOWN HALL

PRESENT

OFFICERS Alison McEwan - Democracy Officer

1. Health & Housing Co-ordinator

- Purpose** The purpose of this report is to seek approval to enter a Memorandum of Understanding (MoU) with Lancashire County Council for a pilot project relating to hospital discharge.
- Reason For Decision** To provide a single point of access for people with housing related issues that impact on timely hospital and bed based intermediate care discharge or may result in unnecessary admission to hospital.
- To remove barriers, find both temporary and more permanent solutions for people that result in improved environments leading to a positive impact on people's independence, dignity and mental health and wellbeing.
- Decision** That the Executive Portfolio Holder for Resources & Performance delegates Authority to the Head of Housing and Development Control to enter the MoU attached as Appendix 1 to this report.
- Decision made by:** Councillor Sue Graham
Executive Member for Resources & Performance

Date: 25/05/2023
Decision Published on: 25/05/2023

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REPORT TO FULL COUNCIL



DATE	23rd May 2023
PORTFOLIO	None
REPORT AUTHOR	Carol Eddleston
TEL NO	01282 475973
EMAIL	ceddleston@burnley.gov.uk

Outside Bodies Appointments for 2023/24
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PURPOSE

1. To seek appointments to the Council's Outside Bodies for 2023/24.

RECOMMENDATION

2. That Members approve the Outside Bodies list 2023/24 as outlined in Appendix 1.

REASONS FOR RECOMMENDATION

3. To ensure that the list of Outside Bodies to which the Council appoints Members and Officers contributes to the Council's Objectives.

SUMMARY OF KEY POINTS

4. Since Full Council in May 2007, there has been an agreed criteria for the inclusion of an Outside Body (OB) as set out below;
 1. The appointment was a Statutory requirement
 2. The appointment would make a direct and significant contribution to the Council's Strategic Objectives
 3. There was not significant cost and resource implications for the Council set against any benefit accrued.
 4. There would be a detrimental effect on the Council if it were not represented.
 5. The appointment would raise the profile of the Council at a National or Regional level

5. It should be noted that the majority of appointments to OBs are made by Full Council but are by qualification to the relevant Executive Member, as informed by their Executive Portfolios. In addition some OBs are appointed to directly by the Executive due to their function.

6. For completeness, please note that there are also two Leaders meetings which the Leader is invited to attend as a Lancashire Leader and which meet regularly during the year-
- i) a Lancashire District Leaders Forum which is attended by District Leaders only (without Officers, apart from the Chair's secretariat support), and
 - ii) a more formal Lancashire Leaders Meeting which includes District, Unitary, and County Council Leaders and their Chief Executives.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None.

POLICY IMPLICATIONS

8. None.

DETAILS OF CONSULTATION

12. OB Appointees, Management Team, Group Leaders.

BACKGROUND PAPERS

13. None.

FURTHER INFORMATION

PLEASE CONTACT:

ALSO:

REPRESENTATION ON OUTSIDE BODIES 2023/24

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Appointed 2023/24</u>
1.	Barnfield and Burnley Developments Limited - Directors *Appointed by the Executive.	Leader Chief Executive	At 14 th June Executive Cllr Anwar-L Chief Executive	Leader Chief Executive	To be appointed at 12 th June Executive
2.	Burnley & Pendle Children's Partnership	Any Executive Member	Cllr Margaret Lishman-LD	Any Executive Member	Cllr Lubna Khan
3.	Burnley Leisure – Trustees (D/E)	Any 2 Members (except Executive Members) (July 2022 FC appointments made; -1 Member for 2 years to July 2024, and -1 Member for 3 years to July 2025 - then both for 2 years in future)	Cllr Cunliffe-G Cllr Lewis-L	N/A	N/A Until July 2024 Until July 2025

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Appointed 2023/24</u>
4.	Burnley Pendle and Rossendale Council for Voluntary Service – Executive Committee	Any 2 Members	Cllr Syeda Kazmi-L Cllr Anne Kelly-LD	Any 2 Members	Cllr Syeda Kazmi - L Cllr Anne Kelly - LD
5.	Burnley and Pendle Citizens Advice Bureau	Executive Member for Community and Environmental Services 1 Experienced Opposition Member	Cllr Shah Hussain-L Cllr Mike Steel-C	Executive Member for Community Services & Wellbeing 1 Experienced Opposition Member	Cllr Lubna Khan – L Cllr Jacqueline Inckle - LD
6.	Burnley Private Rented Sector Forum	Executive Member for Housing Chair of Scrutiny Committee	Cllr John Harbour-L Cllr Howard Baker-LD	Executive Member for Housing Chair of Scrutiny Committee	Cllr Harbour - L Cllr Gail Barton - L
7.	Burnley Improvement District Board	Strategic Head of Economy and Growth	Kate Ingram	Strategic Head of Economy and Growth	Kate Ingram
8.	Burnley Together Steering Group	Executive Member for Health and Well Being Chief Operating Officer	Cllr Margaret Lishman-LD Lukman Patel	Executive Member for Community Services and Wellbeing Chief Operating Officer	Cllr Lubna Khan – L Lukman Patel

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Appointed 2023/24</u>
		Head of Policy and Engagement	Rob Dobson	Head of Policy and Engagement	Rob Dobson
9.	Covid 19 Economic Recovery Board	Leader Experienced Opposition Member	Cllr Afrasiab Anwar-L Cllr Karen Ingham-C	Leader Experienced Opposition Member	Cllr Afrasiab Anwar – L Cllr Gordon Birtwistle - LD
10.	East Lancashire Health and Well Being Partnership	Executive Member for Health & Wellbeing	Cllr Margaret Lishman-LD	Executive Member Community Services & Wellbeing	Cllr Lubna Khan - L
11.	Growth Lancashire (E)	1 Public Sector Director - Executive Member for Economy and Growth	Cllr Mark Townsend-L	1 Public Sector Director - Executive Member for Economy and Growth	Cllr Mark Townsend - L
12.	Housing Joint Venture Contract *Appointed by the Executive	Council Representative s- Executive Member for Housing Chief Operating Officer	At 14 th June Executive Cllr John Harbour-L Chief Operating Officer	Executive Member for Housing & Green Spaces Chief Operating Officer	To be appointed at 12 th June Executive

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Appointed 2023/24</u>
		<u>Stakeholder Representative</u> s- Leader - Chief Executive -Strategic Head of Economy and Growth	At 14 th June Executive Cllr Afrasiab Anwar-L Chief Executive Kate Ingram	Leader - Chief Executive -Strategic Head of Economy and Growth	To be appointed at 12 th June Executive Leader Chief Executive Kate Ingram
12.	LCC Health Scrutiny Committee (same Membership for Joint Lancashire Health Scrutiny Committee)	Any Member of Scrutiny Committee Sub: Any Member of Scrutiny Committee	Cllr Gail Barton-L Cllr Gordon Birtwistle-LD	Any Member of Scrutiny Committee Sub: Any Member of Scrutiny Committee	Cllr Fiona Wild – L Cllr Gail Barton - L
14.	Lancashire Waste Partnership	Executive Member for Community and Environmental Services	Cllr Shah Hussain-L	Executive Member for Community Services & Wellbeing	Cllr Lubna Khan - L
15.	LEP Scrutiny Committee	Any Member (except Leader) Sub: Any Member (except Leader)	Cllr Mark Townsend-L Cllr Gordon Birtwistle-LD	Any Member (except Leader) Sub: Any Member (except Leader)	Cllr Mark Townsend-L Cllr Gordon Birtwistle - LD
16.	Local Government Association	Leader	Cllr Afrasiab Anwar-L	Leader	Cllr Afrasiab Anwar - L

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Appointed 2023/24</u>
17.	North Western Local Authorities Employers' Organisation	Executive Member for Resources and Performance Management Sub: Any Executive Member	Cllr Sue Graham-L Cllr Margaret Lishman -LD	Executive Member for Resources and Performance Sub: Any Executive Member	Cllr Sue Graham – L Cllr Lubna Khan
18.	Pennine Prospects	Any Member	Cllr Sue Graham-L	Any Member	Cllr Sue Graham-L

SECTION 2 - PERIOD APPOINTMENTS

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Nominated 2023/24</u>
19.	Burnley Acorn Fund- (periods of four years)	3 Any Members (to expire Oct 2024) 2 Members required due to retirement of Cllr Cant and Foster in May 2022 (to Oct 2024) Section 151 Officer Ex Officio	Cllr Syeda Kazmi-L (from May 2022 to Oct 2024) Cllr Gordon Birtwistle-LD (from May 2022 to Oct 2024) Cllr Ann Royle (from Nov 2020 to Oct 2024) Howard Hamilton-Smith (Section 151 Officer Ex Officio)	3 Any Members (to expire Oct 2024) Just 1 Member required due to retirement of Cllr Royle in May 2023 (to Oct 2024) Cllr Syeda Kazmi-L (from May 2022 to Oct 2024) Cllr Gordon Birtwistle-LD (from May 2022 to Oct 2024) Section 151 Officer Ex Officio	Cllr Nussrat Kazmi – L (to Oct 2024) Howard Hamilton-Smith
20.	Stocks Massey Bequest-Representative Trustees (periods of four years)	Any Executive Member (Term May 2020 – May 2023)	Cllr John Harbour (Replaced Cllr Emo at FC 29 October for term November 2020 – May 2023) Cllr Howard Baker	Any Executive Member (New term May 2023 – May 2027)	Cllr John Harbour - L (May 2023 – May 2027) Cllr Gail Barton - L

	<u>Outside Body</u>	<u>Qualification 2022/23</u>	<u>Appointed 2022/23</u>	<u>Qualification 2023/24</u>	<u>Nominated 2023/24</u>
		Chair of Scrutiny Committee (Term May 2022 - May 2024)		Chair of Scrutiny Committee	(May 2022-May 2024)

Meetings held in Daytime, unless as stated below;

E - Evening

D/E - Daytime/Evening

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Constitution and appointments of Committees, Working Groups and Panels for the 2023/24 Municipal Year

REPORT TO FULL COUNCIL



DATE	23/05/2023
PORTFOLIO	None
REPORT AUTHOR	Carol Eddleston
	01282 475973
	ceddleston@burnley.gov.uk

PURPOSE

1. To update the appointments to Committees, Working Groups and Panels for the 2023/24 Municipal Year.

RECOMMENDATION

2. The Appointments Council is asked to:
 - i. Approve the committees, working groups and panels to be appointed as outlined in Appendix 1 to the report, including their size and terms of reference; and
 - ii. Approve the membership of each of the committees, working groups, forums and panels as outlined in Appendix 2 (**completed lists to follow**).

REASONS FOR RECOMMENDATION

3. To comply with legislation and to ensure that the Council continues to have an effective decision-making structure.

SUMMARY OF KEY POINTS

4. At the beginning of the Municipal Year the Council is required to decide which committees, working groups and panels to establish for the ensuing year and to make the appointments in accordance with the statutory political balance calculation where relevant, and as required by the Local Government and Housing Act 1989.
5. Burnley Borough Council Elections have been held in May 2023, and therefore Members are required to establish and appoint to committees, working groups, and panels for 2023-24 Municipal Year.
6. A list detailing the nominations to serve on the committees, working groups, and panels will be circulated as a supplement to this agenda, and Members will be asked to approve these nominations.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None

POLICY IMPLICATIONS

8. None

DETAILS OF CONSULTATION

9. Management Team, Group Leaders

BACKGROUND PAPERS

10. Political Balance Calculation (after election).

FURTHER INFORMATION

PLEASE CONTACT: Alison McEwan

**Burnley Borough Council
Constitution of Committees, Working Groups, Panels and Boards
for the Municipal Year 2023/24**

EXECUTIVE APPOINTMENTS

The following appointments are to be made by the Executive at its first meeting of the new Municipal Year on 12 June 2023.

**Traffic Regulation Order Sub Committee
3 Executive Members**

To consider objections made to Traffic Regulation Orders and powers to amend or confirm Traffic Regulation Orders or refer them to the Executive for a decision.

2022/23 appointments were: Cllrs Graham, Harbour and Hussain

**Pennine Lancashire Leaders and Chief Executives Joint Committee (PLACE)
by qualification**

Representation on the Joint Committee consists of the Leader, with the substitute being the Deputy Leader.

The Committee is constitutionally and legally a statutory joint committee between Burnley and other Pennine Lancashire Local Authorities to oversee the role of Regenerate Pennine Lancashire. Political balance requirements are not necessary for the appointments due to the low number of Members being appointed.

2022/23 appointments were: Leader Cllr Anwar and sub Deputy Leader Cllr Graham.

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