



Meeting of the Burnley Borough Council

To be held at 6.30 pm on
Wednesday, 12th July, 2017



Sir or Madam,

Notice is given of a MEETING of the COUNCIL of the BOROUGH OF BURNLEY to be held at the TOWN HALL, BURNLEY, on

DATE: Wednesday, 12th July, 2017

starting at 6.30 pm

To transact the business specified below.

Lukman Patel
Head of Governance, Law, Property, and Regulation

Members of the public may ask a question, make a statement, or present a petition relating to any matter for which the Council has a responsibility or which affects the Borough.

Notice in writing of the subject matter must be given to the Head of Governance, Law, Property and Regulation by 5.00 pm 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: www.burnley.gov.uk/meetings. Requests will be dealt with in the order in which they are received.

A G E N D A

1. Minutes of the Last Meeting 7 - 20
To receive, as read, the Minutes of the proceedings of the previous Council meeting, and to confirm them or otherwise.
2. Declarations of Interest
To receive any declarations of interest.
3. Mayor's Communications
To receive communications (if any) from His Worship the Mayor.
4. Public Question Time
To receive questions, statements or petitions (if any) from members of the public.
5. Items for Decision by the Council 21 - 22
 - a) Business Rates-Discretionary Scheme 2017/18 23 - 36
To advise Members of the new measures to assist businesses that were

introduced in the Spring Budget (report enclosed, relevant Minute to follow)

- b) Council Tax Support Scheme 37 - 40
To seek approval to maintain the Council Tax Support Scheme broadly 'as is' for 2018/19, save for minor changes to the process of backdated claims, and to explain the reasons for suggesting that any changes identified as a result of the major review be implemented from 2019/20 rather than 2018/19 (report enclosed, relevant Minute to follow)
- c) Final Outturn Position 2016/17 41 - 56
To report the final position on the Council's revenue and capital accounts for 2016/17, performance of the 2016/17 capital investment programme and present the financing of capital expenditure incurred during 2016/17, and to seek approval of a revised 2017/18 capital budget after incorporating net carry forward commitments (slippage) from 2016/17 (report enclosed, relevant Minute to follow).
- d) Annual Treasury Management Review 2016/17 57 - 64
To inform members of the Council's treasury management activity during 2016/17 (report enclosed, relevant Minute to follow)
- e) Chief Executive Officer Appointment 65 - 68
To confirm arrangements for the appointment of a new Chief Executive (report enclosed)
- f) Summary of Executive Urgency 69 - 70
To inform Full Council of the urgent decisions made by the Executive regarding the implementation of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 from January 2016 To May 2017 (report enclosed).
- g) Constitutional Updates 71 - 74
To inform Members of the changes made to Part 3 of the constitution by the Leader, and to seek approval for an amendment to the delegation of the Monitoring Officer for Council functions regarding minor amendments (report enclosed)
6. Report from the Chair of Scrutiny 75 - 78
To consider the Scrutiny Chair's Cycle 1 Report to Full Council (report enclosed)
7. Strategic Plan Progress Reports 79 - 80
To consider Strategic Plan Progress Reports (reports enclosed)
- a) Cllr Mark Townsend - Leader 81 - 82

- b) Cllr John Harbour - Deputy Leader/Housing and Environment 83 - 86
- c) Cllr Mohammed Ishtiaq - Resources and Performance Management 87 - 88
- d) Cllr Lian Pate - Community and Leisure Services 89 - 90
- e) Cllr Sue Graham - Regeneration and Economic Development 91 - 92

8. Questions

To deal with questions (if any) relating to matters not contained in the Minutes before the Council and of which notice in writing has been received in accordance with Standing Order No. 10(2).

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FULL COUNCIL

BURNLEY TOWN HALL

Wednesday, 17th May, 2017 at 4.00 pm

PRESENT

MEMBERS

Councillors J Sumner (Chair), H Baker (Vice-Chair), G Birtwistle, C Briggs, B Brindle, M Brindle, F Cant, I Carmichael, S Chaudhary, J Cunningham, T Ellis, D Fleming, B Foster, R Frost, S Graham, J Greenwood, J Harbour, T Harrison, D Heginbotham, A Hosker, S Hussain, M Ishtiaq, M Johnstone, A Kelly, A Khan, L Khan, W Khan, M Lishman, S Malik, T Martin, E Monk, A Newhouse, L Pate, A Raja, P Reynolds, D Roper, A Royle, A Tatchell, C Towneley, M Townsend and C White

OFFICERS

Pam Smith	Chief Executive
Mick Cartledge	Chief Operating Officer
Lukman Patel	Head of Governance, Property, Law and Regulation
Asad Mushtaq	Head of Finance
Imelda Grady	Democracy Officer
Alison McEwan	Democracy Officer
David Farrar	Mayor's Officer
David Bristow	Deputy Mayor's Officer

1. Election of Mayor

It was moved by Councillor Andy Tatchell, and seconded by Councillor Ida Carmichael and

RESOLVED UNANIMOUSLY

That Councillor Howard Baker be elected Mayor of the Borough for the Municipal Year 2017/18.

(Councillor Jeff Sumner then vacated the Chair in favour of the Mayor).

His Worship the Mayor, Councillor Howard Baker then made and subscribed the Declaration of Acceptance of Office as required by Law.

2. Vote of Thanks to the retiring Mayor

It was moved by Councillor Gordon Birtwistle and seconded by Councillor Charlie Briggs that the grateful thanks of this Council be extended to the retiring Mayor for the services rendered by him during the past Municipal Year.

On being put to the vote, the motion was declared to be carried and it was

RESOLVED UNANIMOUSLY.

It was FURTHER RESOLVED –

That medallions be presented to Councillor Jeff Sumner, Mrs Lesley Sumner and Mr Lee Sumner as a token of the Council's appreciation of their services to the Borough during the Municipal Year now ending.

Cllr Sumner responded by reviewing the highlights of his period of office, thanking all those who had helped him.

He presented a decorative Shuttle to the Borough, accepted by the Mayor, as a token of his appreciation for all the help he had received, and in recognition of the Borough's Canal Heritage.

3. Appointment of Deputy Mayor

It was moved by Councillor Jeff Sumner, and seconded by Councillor Gordon Birtwistle and

RESOLVED UNANIMOUSLY

That Councillor Charlie Briggs be elected Deputy Mayor/Mayor Elect of the Borough for the Municipal Year 2017/18.

The Deputy Mayor, Councillor Charlie Briggs then made and subscribed the Declaration of Acceptance of Office as required by Law.

4. Mayor's Communications

The Chief Executive, Pam Smith, reported that His Worship the Mayor would be 'At Home' at the Town Hall, Burnley at 2.00pm on Tuesday 23rd May 2017.

She further reported that the Mayor's Charity Ball would be held on Friday 24th November 2017, at the Mechanics Theatre, Burnley.

5. Adjournment of Meeting

The Mayor adjourned the meeting at 4.40pm.

The meeting reconvened at 6.30pm

6. Minutes of the Last Meeting

The Minutes of the meeting of the Council held on the 12th April were confirmed and signed by the Chair.

7. The Executive and their portfolios for 2017/18

Consideration was given to changes to the Executive and their portfolios for 2017/18.

Councillor Mark Townsend informed Members of the resignations of Councillor Bea Foster as the Executive Member for Leisure and Culture, and of Councillor Wajid Khan as Executive Member for Resources and Performance Management on 17th May 2017. He informed Members of his appointment of Councillor Mohammed Ishtiaq as the Executive Member for Resources and Performance Management from 17th May 2017, and the changes to Portfolios as a result.

RESOLVED

That the Executive and their portfolios from 17th May 2017 be noted as follows:-

- Cllr John Harbour – Deputy Leader and Executive Member for Housing and Environment
- Cllr Sue Graham – Executive Member for Regeneration and Economic Development
- Cllr Mohammed Ishtiaq – Executive Member for Resources and Performance Management
- Lian Pate – Executive Member for Community and Leisure Services

8. Appointments to Committees, Working Groups and Panels 2017/18

Consideration was given to a report on Membership of the Council's Committee's, Working Groups and Panels for the 2017/18 Municipal Year.

RESOLVED

1. That that the list of Committees, Working Groups and Panels as set out in Appendix 1 to the report be approved as submitted.
2. That the Membership of the Council's Committees, Working Groups and Panels for the 2017/18 Municipal Year be approved as follows:

MEMBERSHIP OF COMMITTEES/WORKING GROUPS FOR 2017-18

SCRUTINY COMMITTEE-17 (10:4:2:1)

CHAIR – Andy Tatchell

VICE CHAIR – Margaret Brindle

Councillors	Councillors
Gordon Birtwistle - LD	Anne Kelly -LD
Margaret Brindle -FI	Lubna Khan -L
Jean Cunningham - L	Sobia Malik -L
Bea Foster - L	Tony Martin -L
Roger Frost - LD	Andrew Newhouse -C
Joanne Greenwood - L	Mark Payne -LD
Tony Harrison - L	Paul Reynolds -L
David Heginbotham - C	Andy Tatchell - L
Marcus Johnstone -L	

AUDIT and STANDARDS COMMITTEE-9 (6:2:1:0)

-to include 1 Executive member and the Chair of Scrutiny Committee

CHAIR – Jean Cunningham

VICE CHAIR – Tony Harrison

Councillors	Councillors
Jean Cunningham - L	Andrew Newhouse -C
Joanne Greenwood - L	Ann Royle -L
Tony Harrison - L	Jeff Sumner -LD
Mohammed Ishtiaq - L	Andy Tatchell - L
Margaret Lishman - LD	

DEVELOPMENT CONTROL COMMITTEE-16 (10:4:1:1)
-to include relevant Executive member

CHAIR – Frank Cant
VICE CHAIR – Arif Khan

Councillors	Councillors
Charlie Briggs -LD	Marcus Johnstone –L
Margaret Brindle -FI	Arif Khan –L
Frank Cant -L	Lubna Khan -L
Trish Ellis --L	Neil Mottershead -LD
Danny Fleming -L	Mark Payne -LD
Sue Graham -L	Tom Porter -LD
John Harbour -L	Asif Raja -L
Tony Harrison -L	Cosima Towneley -C

LICENSING COMMITTEE-15 (10:3:1:1)

CHAIR – Ann Royle
VICE CHAIR – Gary Frayling

Councillors	Councillors
Gordon Birtwistle -LD	Shah Hussain -L
Bill Brindle -FI	Mohammed Ishtiaq -L
Frank Cant -L	Anne Kelly -LD
Ida Carmichael -C	Sobia Malik -L
Saeed Chaudhary -L	Liz Monk -L
Jean Cunningham -L	Ann Royle -L
Danny Fleming -L	Christine White -LD
Gary Frayling -L	

**MEMBER STRUCTURES AND SUPPORT WORKING GROUP-12 (7:3:1:1)
To include Group Leaders**

Councillors	Councillors
Gordon Birtwistle -LD	Arif Khan -L
Margaret Brindle -FI	Margaret Lishman -LD
Frank Cant -L	Ann Royle -L
Jean Cunningham -L	Andy Tatchell -L
John Harbour -L	Mark Townsend -L
David Heginbotham -C	Christine White -LD

**LANCASHIRE POLICE AND CRIME PANEL
(1 Labour member and 1 Labour substitute)**

Councillors	Councillors
Sue Graham -L	Bea Foster -L

3 TIER FORUM -6 (4:1:1:0)

Councillors	Councillors
Jean Cunningham -L	Lubna Khan -L
Sue Graham -L	Lian Pate -L
David Heginbotham -C	Jeff Sumner -LD

**PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL)
ADJUDICATION JOINT COMMITTEE - 2
Include relevant Executive Member
and 1 member from largest opposition group (Lib Dem)**

Councillors	Councillors
Lian Pate -L	Tom Porter -LD

9. Appointment of Chairs and Vice Chairs of Scrutiny, Regulatory and other Committees 2017/18

With reference to Minute No. 8, the Council gave consideration to the appointment of Chairs and Vice-Chairs of the Scrutiny, Regulatory and Other Committees for the Municipal Year 2017/18.

RESOLVED

That the following appointments of Chairs and Vice-Chairs be made for the 2017/18 Municipal Year for Scrutiny, Regulatory and Other Committees:-

Scrutiny Committee	Chair: Andy Tatchell Vice Chair: Margaret Brindle
Audit and Standards Committee	Chair: Jean Cunningham Vice Chair: Tony Harrison
Development Control Committee	Chair: Frank Cant Vice Chair: Arif Khan
Licensing Committee	Chair: Ann Royle Vice Chair: Gary Frayling

10. Appointments to Outside Bodies for 2017/18

Consideration was given to the Council's appointments to Outside Bodies for 2017/18.

RESOLVED

1. That the Outside Bodies list for 2017/18 be approved as set out below:-

REPRESENTATION ON OUTSIDE BODIES FOR THE MUNICIPAL YEAR 2017/18

	Outside Body	Qualification 2017/18	Appointed 2017/18
1.	Barnfield and Burnley Developments Limited -Directors	Leader Chief Executive	Cllr Mark Townsend Pam Smith

	Outside Body	Qualification 2017/18	Appointed 2017/18
2.	Burnley & Pendle Children's Partnership	Any Executive Member	Cllr John Harbour
3.	Burnley Education Trust	Chief Executive	Pam Smith
4.	Burnley Leisure – Directors (E)	Any Members	2 Cllr Tony Harrison Cllr Asif Raja
5.	Burnley Pendle and Rossendale Council for Voluntary Service – Executive Committee	Any Members	2 Cllr Tony Martin Cllr Bea Foster
6.	Burnley and Pendle Citizens Advice Bureau (E)	Executive Member for Community and Leisure Services 1 Experienced Opposition Member	Cllr Lian Pate Cllr Ida Carmichael

	Outside Body	Qualification 2017/18	Appointed 2017/18
7.	Burnley Private Rented Sector Forum (D/E)	Executive Member for Housing and Environment Chair of Scrutiny Committee	Cllr John Harbour Cllr Andy Tatchell
8.	Burnley Town Centre Partnership	Executive Member for Regeneration and Economic Development Vice Chair of Scrutiny Committee	Cllr Sue Graham Cllr Margaret Brindle
9.	Calico Board of Management – Annual General meeting Voting Rights (E)	Chief Operating Officer	Mick Cartledge
10.	East Lancashire Health and Well Being Partnership	Any Executive Member	Cllr Lian Pate
11.	East Lancashire Into Employment Co. Ltd – Directors	Executive Member for Regeneration and Economic Development	Cllr Sue Graham

	Outside Body	Qualification 2017/18	Appointed 2017/18
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 Tony Harrison Sub: Cllr Margaret Brindle
13.	Lancashire Waste Partnership	Executive Member for Community and Leisure Services	Cllr Lian Pate
14.	Local Government Association	Leader	Cllr Mark Townsend
15.	Marketing Lancashire (previously called Lancashire Tourism Forum)	Executive Member for Regeneration and Economic Development	Cllr Sue Graham
16.	North Western Local Authorities Employers' Organisation	Executive Member for Resources and Performance Management Sub: Any Executive Member	Cllr Mohammed Ishtiaq Sub: Cllr Mark Townsend

	Outside Body	Qualification 2017/18	Appointed 2017/18
17.	Over Fifties Forum	Any Member	Cllr Bea Foster
18.	Police and Crime Commissioner Quarterly Community Safety Portfolio Holders	Executive Member for Community and Leisure Services	Cllr Lian Pate
19.	Regenerate Pennine Lancashire Combined Body -(From 101214) NOW "GROWTH LANCASHIRE"	1 Public Sector Director Leader and An Alternate Director -the Executive Member for Regeneration and Economic Development	Cllr Mark Townsend and Cllr Sue Graham

SECTION 2 - PERIOD APPOINTMENTS

	<u>Outside Body</u>	<u>Qualifications 2017/18</u>	<u>Appointed 2017/18</u>
20.	Burnley Acorn Fund- (periods of four years)	3 Members (from Oct 2016 to Oct 2020) *1 Any Member to fill vacancy due to Cllr Howard Baker (Mayor Elect) becoming ex officio from May 2017 (from May 2017 to Oct 2020) Director of Resources Ex Officio	Already appointed 2016; (from Oct 2016 to Oct 2020) Cllr Jean Cunningham Cllr Ann Royle Appointed 2017; (from May 2017 to Oct 2020) Cllr Andy Tatchell Section 151 Officer-Asad Mushtaq Ex Officio
21.	Stocks Massey Bequest-Representative Trustees (periods of four years)	Any Executive Member (term May 2017-May 2020) Chair of Scrutiny Committee (term expires May 2018)	Cllr John Harbour (term May 2017-May 2020) Cllr Andy Tatchell (term expires May 2018)

2. That the Head of Governance, Law, Property and Regulation be given delegated authority, in consultation with the Leader, to agree Calico's 4 independent persons nominations to its Board.

11. Updates to the Constitution

Consideration was given to a number of proposed updates to the constitution regarding the Regulation of Investigatory Powers Act (RIPA).

RESOLVED

1. That a delegation added to Part 3 of the Constitution by the Leader for the Head of Governance, Property, Law and Regulation regarding the Regulation of Investigatory Powers Act (RIPA) be noted.
2. That an Urgent Executive decision made by the Chief Executive, and related waiver of call-in (agreed by the Chair of Scrutiny), and associated Urgent Council decision made by the Chief Executive (consulted on with the Mayor), regarding Grove Lane in Padiham be noted.

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Items for Decision by the Council



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REPORT TO THE EXECUTIVE



DATE	12/07/2017
PORTFOLIO	Resources
REPORT AUTHOR	Deborah Davies
TEL NO	01143 999096
EMAIL	deborah.davies@liberata.com

PURPOSE

1. To advise Members of the new measures to assist businesses that were introduced in the Spring Budget. There has been a delay in receiving the detail (due to the General Election) but the Government is advising that there is no reason that Councils cannot proceed with implementing their schemes. There is an element of discretion within the new measures and we are seeking advice on whether Members wish to modify the suggested scheme (at Appendix 1).

RECOMMENDATION

2. It is recommended that:
the Executive recommends to Full Council to:
 - approve the Discretionary Relief Scheme set out in Appendix 1
 - approve the associated updates to the Council's Discretionary Rate Relief Policy (Appendix 3).

REASONS FOR RECOMMENDATION

3. The attached scheme incorporates Government objectives in providing funding for local schemes. Help should be directed at those ratepayers who faced the biggest increases in their bills and / or who occupy the properties with lower rateable values. It also allows for flexibility to ensure that expenditure remains within the funding allocated by Government.

SUMMARY OF KEY POINTS

4. In the 2017 Spring Budget the Chancellor announced three new relief schemes to support businesses:
 - a. Supporting Small Businesses;
 - b. New Business Rate Relief for pubs; and
 - c. New Discretionary Relief Scheme
5. Due to changes in rateable value brought about by the revaluation, a small number of ratepayers face large increases as a result of the loss of small business or rural rate relief. The transitional relief scheme supports ratepayers who face large increases in their bills because of changes to their rateable values but it does not provide support in respect of changes in reliefs. Therefore, those ratepayers who are losing some or all of

their small rate business or rural rate relief may be facing very large percentage increases in bills from 1 April 2017. The Supporting Small Businesses relief will help those ratepayers by ensuring that the increase per year in the bills of these ratepayers is limited to £50 per month.

6. The Government has also announced a new relief scheme for pubs that have a rateable value of below £100,000. Under the scheme, eligible pubs will receive a £1,000 discount on their bill. The relief will have effect for 2017/18 and 57 businesses within the borough are expected to benefit from the £1,000 reduction. It is proposed that the relief will be awarded without the need for qualifying premises to complete an application form. The Council's Discretionary Rate Relief Policy will be updated to take account of this new relief.

7. The third relief scheme announced by the government is a £300m fund, payable over 4 years, for local authorities to develop their own discretionary schemes to deliver relief to ratepayers who have experienced large increase in bills following the 2017 revaluation.

8. The funds will be allocated to Councils via a formula and Burnley is due to receive the following (maximum) funding:-

2017/18	£100,000
2018/19	£ 44,000
2019/20	£ 18,000
2020/21	<u>£ 3,000</u>
Total	£165,000

The proposed scheme will only award relief to the maximum funding levels detailed above, therefore there may be some fine tuning required once all potential qualifiers are identified. Relief will be awarded as a local discount (under s47 discretionary powers), and local authorities reimbursed under s31 grant.

9. Resources to local authorities have been allocated by calculating the total increase in bills (excluding transitional and other reliefs), for every property in England where the rateable value for 2017/18 is less than 200k and the increase in the 2017/18 bill is more than 12.5%

10. In designing the relief scheme, we had to take into account any other reliefs that the ratepayer will be entitled to; this is because this discretionary relief will be the last applied to an account. As the relief is awarded as a local discount, awards will be subject to State Aid considerations. The maximum threshold for State Aid is €200k over 3 years. This rule essentially works to exclude national / chain businesses from the scheme.

11. The government has stated that councils must consult on their proposed schemes with major precepting authorities. The government published its own consultation paper on the scheme but publication of the responses has been delayed by the subsequent calling of the general election. The government is encouraging the consideration of relief schemes, but these are not required to be implemented until after the end of the consultation exercise. In recent weeks the government has stated that it expects councils to move ahead with implementing their schemes.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

12. As mentioned above the government will fund the schemes (up to a maximum of £100k in the first year of the discretionary scheme). The scheme will be adjusted to ensure that the costs of the scheme do not exceed the funding provided. Appendix 2 details the businesses that may be in scope and the potential relief to be awarded.

POLICY IMPLICATIONS

13. Will be incorporated into the existing Discretionary Rate Relief Policy

DETAILS OF CONSULTATION

14. Other Lancashire authorities and Liberata sites

15. A Government consultation exercise took place earlier in 2017 on a Discretionary Business Rates Relief Scheme;

<https://www.gov.uk/government/consultations/discretionary-business-rates-relief-scheme>

APPENDICES & BACKGROUND PAPERS

16. Appendix 1 – Draft scheme

17. Appendix 2 - Method for identifying potential qualifiers

18. Appendix 3 – Discretionary Rate Relief Policy

19. No Background Papers.

FURTHER INFORMATION

PLEASE CONTACT:

Deborah Davies

ALSO:

Nick Hardwick

Appendix 1 – Draft Discretionary Relief Scheme (2017/18)

Local Aims

As the aim of the scheme is to assist ratepayers facing increases in their bills, the proposal is that an additional percentage discretionary relief be applied to the accounts of ratepayers who have had an increase in their rateable value **and** are being asked to pay more in business rates in 2017 than they did in 2016. The relief is for locally based businesses which are occupied and trading. The ratepayer must have been in occupation on 31st March 2017.

Buildings in the following categories will not qualify for the discretionary relief:

Accountants	Advertising rights	Amusement arcades
Banks / building societies	Betting Shop	Car-parks
Cash convertors	Colleges	Communication stations
Employment agencies	Estate / letting agents	Financial advisors
Government buildings	Hospitals etc	Insurance brokers
Payday lenders	Local authority buildings	Schools
Solicitors	Surgeries	Universities

The scheme percentages detailed below should be considered as a starting point. These figures may need to be adjusted once all the potential qualifiers are identified, in order to ensure that we meet, but do not exceed our spending targets. The amounts are calculated as a percentage of the increased amount payable after all other reliefs have been applied

Year	2017/18	2018/19	2019/20	2020/21
Discretionary relief %	60	25	10	2.5

Qualification Criteria

1. Increase in rateable value *and* business rates liability in April 2017

Ratepayer has an increased rateable value and a higher rates bill in 2017 than in 2016.

2. Property is not on the list of excluded categories detailed above

3. Rateable Value is under £200 000

As per the government's scheme criteria.

4. Property should be occupied and trading

It is not envisaged that relief will be given to empty properties; meeting both criteria should ensure that the relief is not awarded where a rates avoidance scheme might be operating.

5. Property is not subject to mandatory relief

80% relief would already be in place against any increase.

6. Business should be local

The scheme seeks to target local, and not national or chain businesses. In addition, this should remove the added complication of State Aid. The identification of national/local businesses can be somewhat subjective so a definition would need to be agreed if this criterion was adopted.

7. State Aid

No award will be given if it is likely to break State Aid rules (€200k over 3 years).

8. Allow for Adjustments (after award)

The scheme needs to allow for in-year adjustments to relief awarded following change in circumstances for ratepayers (such as a change in RV, award of another relief, or vacation of the premises). Relief awarded will be apportioned.

9. Minimum Award

Awards will only be applied where the amount is £5 or greater.

Examples:

Property Description	Business Rates payable 2016	Rateable Value Increase	Business Rates payable 2017	Increase Before disc relief	Less disc'y relief @ 60% yr1	Net rates	Net increase
Nursery School	£8,228.00	7,000	£9,441.63	£1,213.63	£728.18	£8,713.45	£485.45
Spar shop	£17,146.50	4,000	£17,941.00	£794.50	£476.70	£17,464.30	£317.80
Town centre restaurant	£42,493.50	11,000	£46,223.50	£3,730.00	£2,238	£43,985.50	£1,492
Town centre business	£7,986.00	3,250	£8,553.01	£567.01	£340.21	£8,212.80	£226.80
Local hairdresser	£ Nil	1,450	£1,114.48	£1,114.48	£668.69	£445.79	£445.79

Appendix 2 – Identifying potential qualifiers:

Using the criteria detailed in Appendix 1 the entire database of rates payers was filtered as follows:

Description	Number remaining
Total business rates accounts	3902
Identify businesses with more to pay than last year	524
Apply rateable value cap of £200,000	510
Remove properties with mandatory relief	481
Remove empty properties	399
Remove excluded categories, national stores etc	251
Identify properties with an increase in rateable value from 2010 list	160



National Non- Domestic Rates

Discretionary Rate Relief Policy

National Non- Domestic Rates

Discretionary Rate Relief Policy

1. Purpose

- 1.1 To set out the Council's policy for processing requests for Discretionary Rate Relief for Non Domestic Rates.

2. Charitable/ Not for Profit Discretionary Relief.

- 2.1 The legislation for Councils to grant discretionary rate relief to charities, certain not for profit or philanthropic bodies and community amateur sports clubs is set out in Section 47 of the Local Government Finance Act 1988 (LGFA).
- 2.2 To qualify for discretionary relief your organisation must :-
- be a charity and the property used wholly or mainly for a charitable purpose (whether of that charity or of that and other charities)
 - be a property used for recreational purposes which is occupied by a club, society or other organisation, not established or conducted for profit
 - be concerned with education, social welfare, science, literature or fine arts, or have objectives which are charitable or otherwise philanthropic or religious
 - be of primary benefit to the residents of Burnley
- 2.3 Each application for discretionary relief will be considered individually on its own merits.
- 2.4 Discretionary relief will not normally be considered for public sector or public sector type organisations such as government bodies / housing associations and the like.
- 2.5 Burnley Council will first determine entitlement to mandatory charitable relief under section 43(6) of the LGFA1988. This is awarded at a rate of

80% to charities or trustees of a charity in respect of occupied properties where the premises are wholly or mainly used for charitable purposes.

- 2.6 Discretionary relief can vary between 1% and 100% for any organisation that does not qualify for mandatory relief. For a recipient of mandatory relief, discretionary relief may be awarded up to a maximum value of 20%

Table 1: Guidance on rate relief for charities

Guidance on Rate Relief for Charitable and Non –Profit making organisations		
1.	100%	Relief (mandatory and/or discretionary) to be granted to organisations whose work is beneficial to the community at large, or who actively encourage membership from a full cross section of the community, or who provide facilities which directly or indirectly relieve the local authority of the need to do so.
2.	80%	Mandatory relief to be granted to organisations with charitable status but which do not meet the criteria set out in 1 above.
3.	80%	Discretionary relief to be granted to organisations that do not have charitable status but <ul style="list-style-type: none"> a) Actively encourage membership from particular groups in the community, for example young people, women, older age groups, disabled people, ethnic minorities etc. or b) Make facilities available to people or groups other than members, for example use by schools, casual public sessions etc.
4.	70%	Discretionary relief to be granted to qualifying organisations that do not have charitable status but provide training or education for members or conduct schemes for particular groups to develop their skills
5.	70%	Discretionary relief to be granted to qualifying organisations that do not have charitable status but whose main purpose is to provide sporting facilities of a physical nature excluding 'games room' type facilities, but which also have a social aspect with a licensed bar.

- 2.7 No relief will be granted to any organisation with membership rates are set at such a level to exclude the general community.

- 2.8 An application form must be completed for this relief and must be supported with a copy of the organisation's constitution and the most recent audited accounts and report.
- 2.9 The Council will award discretionary relief for a period of twelve months. Review forms will be issued prior to the end of this twelve month period should a further award be requested.
- 2.10 The decision to award discretionary charity and not for profit relief will be made by the Director of Resources.

3. Hardship Relief

- 3.1 Section 49 of the Local Government Finance Act 1988 provides the Council with the power to remit or reduce the payment of rates where it is satisfied that the ratepayer would sustain hardship if it did not do so, and where it is reasonable to do so having regard to the interests of Council Tax payers within the borough.
- 3.2 Each application for hardship relief will be considered individually on its own merits:
- When assessing whether the ratepayer would face hardship the Council will require a written request from the ratepayer to include the latest trading accounts and a projection of those accounts for a further two years. In the case of partnerships and sole traders the Council may also require the personal financial details of relevant individuals to assist with any decision.
 - The ratepayer must be able to demonstrate that he is offering a unique service to his locality, which would not be replaced were his business to close, and which is of specific benefit to Council Tax payers within the locality of the business.
 - Alternatively, the business must offer a specific service to vulnerable groups or provide significant employment throughout the borough as a whole, which is of significant benefit to Council Tax payers in the borough as a whole.
 - The award of relief must be capable of enabling the ratepayer to continue trading to the end of the financial year in which the relief is granted.

- 3.3 The decision to award hardship relief will be made by the Director of Resources.
- 3.4 Relief may be granted at an appropriate amount up to 100% of the full charge.
- 3.5 An application form must be completed for this relief.
- 3.6 The start date of the relief shall not be earlier than the start of the financial year in which the application was made. Relief shall be awarded to the end of the financial year in which the application was made, with a new application being required from the ratepayer in respect of any hardship relief requested for subsequent financial years.

4. Part Occupied Relief

- 4.1 Section 44a of the LGFA allows the Council to request that the Valuation Officer apportions the rateable value of a property between the parts that are occupied and those unoccupied if it appears to the authority that this situation will remain for a short period of time only.
- 4.2 The use of section 44a is a discretionary power conferred on the Council and does not alter the general rule that occupation of part of a property constitutes occupation of the whole of the property.
- 4.3 The application of section 44a is intended to apply to those properties where there are practical difficulties in either occupying the premises or vacating the premises. It is not intended that all properties which temporarily become partly unoccupied should have their liability reduced.
- 4.4 An application form must be completed for this relief.
- 4.5 An application must be made whilst the property is in a state of part-occupation, so that the Council can inspect it and observe the current situation. The Council will not normally consider retrospective applications.
- 4.6 The decision to award part occupied relief will be made by the Director of Resources.

5. Discretionary Localism Relief

- 5.1 The Council can give discretionary relief under section 47(5a) of the LGFA to any ratepayer it wishes provided that the ratepayer meets the test of it being right to award relief having regard to the interest of the authority's Council Tax payers.
- 5.2 An application form must be completed for this relief.
- 5.3 The decision to grant discretionary localism relief will be made by the Council's Director of Resources.
- 5.4 Any decision will consider the interest of the authority's Council Tax payers in relation to the cost and benefit to the Council and how such a decision will support the strategic objectives of the Council.

6. Additional and Temporary Reliefs granted under s47

- 6.1 S47 / Temporary Reliefs Section 47 of the Local Government Finance Act 1988 has been amended by the Localism Act 2011 to give Councils the power to give a discretionary discount on business rates.
- 6.2 The discount may be awarded to any property or business as determined by the Council. The discount can apply to an individual account or a group of accounts for a similar business type or facing a similar issue.
- 6.3 There is a financial implication to awarding discounts under Section 47 as such awards are locally funded, thereby having a direct impact on taxpayers of the Borough.
- 6.4 The Government has also determined that local authorities can use their discretionary powers under Section 47 to provide reliefs to support national initiatives to promote economic growth and provide additional support for businesses.
- 6.5 Reliefs granted under these national initiatives following will be reimbursed in full by Government by way of specific grants to Local Authorities.

- 6.6 Burnley Council will seek to support these initiatives where possible and will advise ratepayers of the qualifying criteria and how to apply
- 6.7 If criteria need to be set locally these will be agreed by Members and the details made available to ratepayers.

7. Appeals Process

- 7.1 As the reliefs outlined are discretionary awards there is no statutory right of appeal against any decisions that are made. An organisation can, however, appeal in writing to the Council within one month of the original decision to request a review.
- 7.2 Depending on the type of relief requested, the Council will deal with appeals by referral to a nominated reviewer as outlined in Table 2 below.
- 7.3 The reviewer will determine the appeal within 15 working days, and the outcome will be notified to the applicant in writing.
- 7.4 If an appeal is unsuccessful then judicial review is the only way in which a billing authority, under its power to award discretionary relief, may be challenged.

Table 2 - Decision making process – Discretionary Reliefs

Type of Discretionary Relief	Decision Maker	Reviewer in case of appeal
Charity/Not for profit discretionary relief	Director of Resources	Portfolio Holder for Resources
Hardship relief	Director of Resources	Portfolio Holder for Resources
Discretionary Localism relief	Director of Resources	Portfolio Holder for Resources
Part Occupied relief	Director of Resources	Portfolio Holder for Resources
Additional / Temporary reliefs	Revenues Manager	Head of Revenues and Benefits

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Council Tax Support - planning for 2018 and beyond

REPORT TO THE EXECUTIVE



DATE	4th July 2017
PORTFOLIO	Resources
REPORT AUTHOR	Deborah Davies
TEL NO	01143 999096
EMAIL	deborah.davies@liberata.com

PURPOSE

1. To seek approval to maintain the Council Tax Support Scheme broadly 'as is' for 2018/19, save for minor changes to the process of backdated claims, and to explain the reasons for suggesting that any changes identified as a result of the major review be implemented from 2019/20 rather than 2018/19.

RECOMMENDATION

2. It is recommended that:
the Executive recommends to Full Council to:
 - approve the changes to the Council Tax Support Scheme with respect to backdated claims, as set out in paragraph 8
 - maintain all other aspects of the Council Tax Support Scheme for 2018/19
 - note the timelines for the continuing review of the scheme in time for implementation in 2019/20

REASONS FOR RECOMMENDATION

3. It was previously planned to undertake a major review of the CTS scheme during this year, but subsequently the roll-out of Universal Credit 'full service' was implemented on 17th May 2017. Therefore its full impact will not be known until late 2017 / early 2018. In light of this it is recommended that it would not be appropriate to implement a further significant change to the support that is available to residents on lower incomes until the full impacts of Universal Credit are known.
4. Over the next 3 to 4 years Burnley Council can expect the housing benefit caseload to fall by approximately one half, to around 4,500 to 5,000 claims. This is due to more residents transferring to universal credit and having their housing costs met that way. Time is required to understand the possible impact that this change will have on the way potential and existing Council Tax Support claimants use our services.

SUMMARY OF KEY POINTS

5. The Council's local Council Tax Support Scheme replaced Council Tax Benefit from April 2013. The Council's scheme, based on the previous Housing / Council Tax Benefit Scheme, was approved by Full Council in December 2012. The old Council Tax Benefit scheme was largely retained within the local support scheme and has continued to protect pensioners, as prescribed by Central Government.
6. Burnley Borough Council's Council Tax Support Scheme has remained unchanged since April 2015, except for the annual uprating of applicable amounts / premiums. The CTS scheme no longer exactly mirrors the Housing Benefit Scheme, although many of the same principles apply. As more claimants transfer from housing benefit to Universal Credit the differences between the CTS and HB schemes will become less noticeable. This divergence opens up the possibility for innovation when creating a new CTS scheme. An example might be the creation of a scheme based on income bands, much simpler than a full means test as now. Using one London borough as an example – the lowest income band is £0-£150 with the bands rising in £50 increments all the way up to £401-£450. Support in the lowest band is awarded at 80%, reducing by 10% per band down to 20% for the highest band.
7. It is suggested that over the remainder of 2017 and early 2018 research and testing should be done on different options for the scheme. Alongside this work we will be developing an understanding of the impact of the changing housing benefit workload. Throughout all of this period we will be working with Members to ensure that any proposals reflect the values and objectives of the Council. We would look to consult with the public on proposed changes to Council Tax Support during the summer of 2018.
8. There is one aspect of the current CTS scheme that it is recommended to change from 2018/19. Currently claims for Council Tax Support from working age claimants can be backdated for up to six months where an applicant shows 'good cause' for doing so (i.e. providing a detailed justification of why they did not claim at the earlier time). With the rise in Universal Credit some claimants are not claiming CTS when they first become eligible, usually because they are unaware that a separate claim to a different body is required. It is suggested that the CTS scheme be changed removing the need to demonstrate 'good cause' before a claim can be paid from a date earlier than the official claim date. In addition, the maximum backdate period of 6 months is recommended to be removed.
9. This will mean that the claimant no longer has to make a separate request for backdated support, allowing support to be awarded more quickly and removing uncertainty for the claimant. Under the current scheme the maximum length of time support can be backdated is 6 months, meaning that even where it is clear that a claimant would have been entitled to support at an earlier date it cannot be awarded. Removing this limitation ensures that claimants will receive an accurate council tax bill at the earliest opportunity, allowing for more time to pay and a reduced likelihood of falling into arrears and getting caught up in the recovery cycle.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

10. Removing the backdate limit is unlikely to result in significantly more awards being made; calculations for the cost of the scheme were made based on previous year's entitlement and it is not that more people are becoming entitled, but that the claims are not being made in a timely fashion. Thus it is not anticipated that there will be any significant financial impact.
11. Regarding the CTS scheme from 2019, it could be built into the calculations that the cost cannot be greater than the current scheme (so the scheme will be designed to fit the budget)

POLICY IMPLICATIONS

12. These changes would result in minor policy amendments for the Council Tax Support scheme in 2018/19.

DETAILS OF CONSULTATION

13. Not yet applicable

BACKGROUND PAPERS

14. None.

FURTHER INFORMATION

PLEASE CONTACT:

Deborah Davies

ALSO:

Amjad Rana

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REPORT TO EXECUTIVE



DATE	4 July 2017
PORTFOLIO	Resources & Performance Management
REPORT AUTHOR	David Donlan
TEL NO	(01282) 477172 or 01282 425011 x7172
EMAIL	ddonlan@burnley.gov.uk

2016/17 Final Outturn Position

PURPOSE

1. To report the final position on the Council's revenue and capital accounts for 2016/17
2. To report to Members on the performance of the 2016/17 capital investment programme and present the financing of capital expenditure incurred during 2016/17
3. To seek approval of a revised 2017/18 capital budget after incorporating net carry forward commitments (slippage) from 2016/17.

RECOMMENDATION

4. That the Executive Members are requested to recommend that Full Council approve:
 - a) The final position on the Council's revenue account for 2016/17 and the net overall surplus, compared with the revised budget of £377k as shown in the table in paragraph 8 which equates to approximately 2.5% of the net revenue budget.
 - b) The transfers to/from Earmarked Reserves totalling a net £1.059m to reserves (see Appendix 2).
 - c) The approval of additional revenue budget carry forward requests from Heads of Service totalling £201k (an increase of £141k) from those previously approved in February 2017 (see Appendix 3).
 - d) The final position on capital spending and financing of £6.790m for 2016/17 as shown in Appendices 4 & 5, which equates to 85% of the final resources position.
 - e) The revised capital budget for 2017/18 totalling £12.794m as outlined in Appendix 6, (including net carry forward of £0.727m).

REASONS FOR RECOMMENDATION

5. To conclude the revenue and capital budget monitoring process for 2016/17 and report the final outturn position as outlined in the Council's Statement of Accounts for 2016/17.
6. To increase the 2017/18 Council capital programme for amounts carried forward from 2016/17 and other budget adjustments as shown in Appendix 5.

SUMMARY OF KEY POINTS

Revenue Outturn position

Revenue Surplus

7. Members will recall that there were three quarterly budget monitoring reports to the Executive during 2016/17. These reports disclosed that there were anticipated variations in spending and income compared with the revised budget. The third and most recent in-year monitoring report to Full Council, in February 2017, estimated a surplus of £0.276m for the year on the revenue account.
8. The final position on the Council's revenue account for 2016/17 was a net overall surplus, compared with the revised budget, of £0.377m (see Appendix 1). A summary of the major variances is shown in the table below:

Summary of 2016/17 Major Variances	£'000
Underspends / Increased Income	
Treasury management expenses and income savings	(232)
Additional Planning income	(71)
Disabled renovations grant income increase	(43)
Utility cost savings	(199)
Reduced impairment allowance for general debtors	(66)
Other net underspending in services	(128)
Increased Expenditure / Reduced Income	
Increased provision for legal expenses	55
Revenue contributions to capital schemes	88
Employee redundancy costs	219
Total Underspend	(377)

9. Reserves Transfers
The Executive is asked to recommend to Full Council approval of the movements in earmarked reserves being a net overall increase in the year of £1.059m – see Appendix 2 – from £6.973m at the start of the year to an end position of £8.032m.

The overall increase is due mainly to the revenue surplus of £0.377m (to the transformation and growth reserves) and the contribution to the business rates volatility reserve of £0.759m which includes the Council share of the business rates pool benefit.

The balance of General Reserves has remained at £1.379m.

Capital Outturn position

Budget Changes and Expenditure Outturn Position:

10. After incorporating all the recommendations approved throughout the financial year, the original capital budget of £6.931m [approved at Full Council on 24 February 2016] was revised up to a final position of £7.501m per the cycle 3 capital monitoring report presented to the Executive on the 13 February 2017.
11. Appendix 4 shows the final resources and outturn position. Additional resources have been utilised in financing the outturn expenditure position totalling £452k split between:-
- £435k of brought-forward funding from 2017/18 (“reverse slippage”), utilising in advance, resources originally approved within the 2017/18 capital programme at Full Council on 22 February 2017. The two main schemes that are ahead of planned schedule are Vision Park, requiring £389k, and disabled facilities renovations which required £41k from the 2017/18 budget allocations.
 - £17k of other additional resources identified
12. Therefore, the final position available to finance capital expenditure in 2016/17 totalled £7.952m. The final outturn level of expenditure incurred for 2016/17 totalled £6.790m which gives a net underspend of £1.162m or 85% spend against the final resources position.
13. Appendix 5 lists the financing elements of each scheme within the 2016/17 capital programme spend, totalling £6.790m.
14. Carry Forward Requests (slippage)
Members are asked to note that a net £0.727m (£1.162m slippage less £0.435m reverse-slippage) is the total that has been recommended to be carried forward into 2017/18 – see Appendix 4. The following table shows the proposed financing of this slippage from 2016/17 to 2017/18:

Summary of Financing Elements of Slippage into 2017/18	£	£
Prudential Borrowing		11
Capital Receipts		111
VPI Receipts		59
Revenue Contributions to Capital Outlay		74
Grant Funding & Contributions		
Residual HMR Grant	344	
Homes & Communities Agency Grant	56	
Lancashire Enterprise Partnership	(107)	
Housing Capital Grant	66	
Disabled Facilities Grant	(41)	
3rd Party Contributions	154	
Total External Grant Funding & Contributions		472
Total Net Slippage		727

Revised Capital Budget for 2017/18

15. Members are asked to approve a revised capital budget for 2017/18 after incorporating the adjustments identified within this outturn report.
16. Appendix 6 details the 2017/18 capital programme financing elements along with incorporating the year end resources adjustments and brought-forward funding elements identified within this outturn report, and incorporating the carry forward requests. This results in a revised capital programme totalling £12.794m.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

17. As shown in the body of the report and appendices

POLICY IMPLICATIONS

18. The final outturn position is reflected in the Statement of Accounts which shows the spending by the Council in pursuit of declared objectives in that financial year and the reserves and balances available for future spending which was signed off by the Head of Finance on the 31 May 2017 (in advance of the statutory deadline of the 30 June 2017) and is to be reported to the Audit and Standards Committee on 26 July 2017.

DETAILS OF CONSULTATION

19. None.

BACKGROUND PAPERS

20. None

FURTHER INFORMATION

PLEASE CONTACT:

**David Donlan – Accountancy Division
Manager**

ALSO:

Revenue Underspending 2016/17

Appendix 1

Forecast underspend at 31/12/16 - Cycle 3

<u>In Period Jan to March</u>	<u>Cumulative</u>
	<u>(276)</u>

Closure Variances

Expenditure Savings

Further Salary savings	(20)		
Additional Water savings	(19)		
Reduced Provision for bad debtors	(66)		
Additional Energy savings	<u>(43)</u>	(148)	

Increased Income

Planning fee income	<u>(33)</u>	(33)	(181)
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Increased Expenditure

Increased Legal Expenses Provision	<u>55</u>	55	
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Reduced Income

Business Rates income shortfall	<u>31</u>	31	86
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Other Minor net overspends/(underspends)			(6)
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Underspend for year			<u>(377)</u>
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Earmarked Reserves	Balance at 31 March 2015 £000s	Net transfers In/(Out) 2015/16 £000s	Movements between Reserves £000s	Balance at 31 March 2016 £000s	Net transfers In/(Out) 2016/17 £000s	Movements between Reserves £000s	Balance at 31 March 2017 £000s
Specific Reserves							
Taxi Licensing Reserve	25	(12)	-	13	(1)	-	12
Selective Licensing	344	94	-	438	(58)	-	380
Local Development Framework Reserve	71	96	-	167	(17)	-	150
Housing Benefit Admin Subsidy Reserve	176	(62)	-	114	9	(89)	34
Transport & Plant Replacement Reserve	51	45	-	96	(96)	-	-
Rail Services Reserve	90	(16)	-	74	-	(54)	20
Revenue Grants Unapplied Reserve	114	(3)	-	111	265	-	376
Flood Reserve	-	-	300	300	(65)	-	235
Primary Engineer Reserve	-	55	110	165	(30)	-	135
Town Centre Management Reserve	-	550	50	600	(225)	-	375
Town Centre Master Plan Reserve (New)	-	-	-	-	-	143	143
Burnley Bondholders Reserve (New)	-	-	-	-	2	36	38
	871	747	460	2,078	(216)	36	1,898
Strategic Reserves							
Transformation Reserve	2,945	14	(245)	2,714	35	-	2,749
Growth Reserve	2,415	(19)	(215)	2,181	481	(36)	2,626
	5,360	(5)	(460)	4,895	516	(36)	5,375
Collection Fund Reserve							
Business Rates Retention Volatility Reserve	1,212	(1,212)	-	-	759	-	759
Total	7,443	(470)	-	6,973	1,059	-	8,032

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Requests for Revenue Budget Carry Forwards from 2016/17 into 2017/18

Appendix 3

Service Unit / Task

Details

Amount Requested £	Budget 2016/17 £	Forecast Spending 2016/17 £	Remaining 2016/17 £	Approved by Council in Cycle 3 £
30,000	30,000	-	30,000	30,000
15,000	15,000	-	15,000	-
45,000	45,000	-	45,000	30,000
39,600	80,656	41,056	39,600	-
25,000	85,235	41,100	44,135	-
64,600	165,891	82,156	83,735	-
7,578	54,808	37,160	17,648	-
7,578	54,808	37,160	17,648	-
10,000	55,318	45,318	10,000	10,000
10,000	55,318	45,318	10,000	10,000
10,000	10,000	-	10,000	-
22,597	50,000	27,403	22,597	20,000
41,212	41,212	-	41,212	-
73,809	101,212	27,403	73,809	20,000
200,987	422,229	192,037	230,192	60,000

Regeneration and Planning Policy

Remaining balance of the £50k agreed contribution to the Barnfield and Burnley (Developments) Joint Venture company, that is funded 50 : 50 between Barnfield Investment Properties and the Council

Burnley Business Awards

Carry forward of 2016/17 budget to contribute towards the bi-annual event in 2017/18

Green Spaces

Cremator realignment

Spending slipped into first week of April

Minibus

Head of Service was unable to procure before year end.

Governance, Law and Reg'n (inc Property)

Housing JVC - Professional services

Unspent budget committed in 2017/18.

People & Development

Training

With the new structure just coming into place and with the intention to run a senior leadership programme, carry forward of potentially remaining funds is required. Alternatively the monies could be put to use to put back in place an individual fund for professional development/study.

Corporate Budgets

Corporate Budgets

Point to Point costs at Padiham Leisure centre

Finance transformation

The work on the finance transformation is on-going. There have been a few issues that required resolving that have made the overall project slip. The project strands of intelligent scanning of creditor invoices and asset management accounting will require development in the new year.

Leisure Client contingency

Gym equipment at Padiham Leisure Centre (as approved at March Exec)

Totals

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Final Capital Outturn Position for 2016/17

Appendix 4

Appendix 4

Scheme Name	Final Budget Position Approved by Executive	Additional Resources Utilised at Year End		Resources no longer required as Schemes completed within budget	Final Resources Position At Year End	Expenditure Outturn Position	Expenditure Outturn to Final Rources Position as at Year End	Slippage Requested
		Additional Financing made available at Year End	"Reverse Slippage" Budgets utilised from 2017/18					

GREEN SPACES AND AMENITIES

Prairie Sports Complex	16,630	13,893	-	-	30,523	30,523	100%	-
Towneley Hall Works	1,468	-	-	(1)	1,467	1,467	100%	-
Brun Valley Forest Park	14,549	-	-	(990)	13,559	13,559	100%	-
Play Area Improvement Programme	9,800	-	-	(87)	9,713	9,713	100%	-
Vehicle and Machinery Replacement	205,467	-	4,448	-	209,915	209,915	100%	-
Extension of Burnley Cemetery	5,000	-	-	-	5,000	-	0%	5,000
Thompson Park Restoration Project	36,061	-	846	-	36,907	36,907	100%	-
	288,975	13,893	5,294	(1,078)	307,084	302,084	98%	5,000

STREETSCENE

Towneley River Training Walls	123,672	-	-	-	123,672	96,489	78%	27,183
Car Park Improvements	10,000	-	-	-	10,000	10,000	100%	-
CCTV Infrastructure	30,000	-	-	-	30,000	14,227	47%	15,773
Burnley Town Centre Pedestrianisation Upgrade	782,104	-	-	-	782,104	678,819	87%	103,285
Padiham Pump Track - Phase 2	18,000	-	-	(320)	17,680	17,680	100%	-
Alleygate Programme	58,100	-	-	(19)	58,081	58,081	100%	-
Bus Shelter Replacement	8,700	-	-	-	8,700	8,700	100%	-
	1,030,576	-	-	(339)	1,030,237	883,996	86%	146,241

REGENERATION AND PLANNING POLICY

Weavers Triangle - Starter Homes	115,836	-	-	-	115,836	59,815	52%	56,021
University Technical College	22,500	-	-	-	22,500	-	0%	22,500
Market Safety Works	222,520	140	-	-	222,660	82,504	37%	140,156
Infrastructure & Highways Improvements	40,009	1,599	-	-	41,608	-	0%	41,608
Public Realm	32,191	-	-	-	32,191	32,191	100%	-
Burnley Vision Park	1,344,338	771	389,136	-	1,734,245	1,659,085	96%	75,160
Former Baxi Site	-	450	-	-	450	450	100%	-
	1,777,394	2,960	389,136	-	2,169,490	1,834,045	85%	335,445

FACILITIES MANAGEMENT

Leisure Centre Improvements	101,301	-	-	-	101,301	72,829	72%	28,472
Energy Efficiency of Council Buildings	12,320	-	-	-	12,320	9,213	75%	3,107
Contribution to Shopping Centre Redevelopment	375,000	-	-	-	375,000	375,000	100%	113,634
Padiham Town Hall - Flood Works	751,219	-	-	-	751,219	637,585	85%	-
Land at Royle Road	-	500	-	-	500	500	100%	-
	1,239,840	500	-	-	1,240,340	1,095,127	88%	145,213

HOUSING AND DEVELOPMENT CONTROL

Emergency Work Grant	83,751	-	-	-	83,751	75,171	90%	8,580
Disabled Facilities Grant	1,400,000	-	40,964	-	1,440,964	1,440,964	100%	-
Energy Efficiency	88,637	-	-	-	88,637	78,405	88%	10,232
Empty Homes Programme	950,000	-	-	-	950,000	910,195	96%	39,805
Interventions, Acquisitions & Demolitions	441,086	-	-	-	441,086	103,990	24%	337,096
Market Support	75,617	-	-	-	75,617	9,300	12%	66,317
	3,039,091	-	40,964	-	3,080,055	2,618,025	85%	462,030

CHIEF EXECUTIVE

Ward Opportunities Fund	124,715	-	-	-	124,715	56,517	45%	68,198
	124,715	-	-	-	124,715	56,517	45%	68,198

Final Capital Outturn Position for 2016/17	7,500,591	17,353	435,394	(1,417)	7,951,921	6,789,794	85%	1,162,127
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CAPITAL 2016/17 - FINAL SPEND POSITION

Ledger Code	Scheme Name	Final Budget Position £	Final Spend Position £	FINANCING ELEMENTS											Total Revised Budget £			
				Prudential Borrowing £	Revenue Contributions / Reserves £	Residual HMR Grant £	Housing Capital Grant £	Disabled Facilities Grant £	Heritage Lottery Fund £	Lancashire Enterprise Partnership £	ERDF £	Lancashire Environment Fund £	Homes & Communities Agency £	Capital Receipts £		Vacant Property Initiative Receipts £	S106 Payments / 3rd Party Contributions £	
SERVICE UNIT: GREEN SPACES AND AMENITIES																		
C7703	Prairie Sports Complex	16,630	30,522.98	-	13,892.98	-	-	-	-	-	-	-	-	-	16,630.00	-	-	30,522.98
C7632	Towneley Hall Works	1,468	1,466.53	-	-	-	-	-	-	-	-	-	-	-	1,466.53	-	-	1,466.53
C7623	Brun Valley Forest Park	14,549	13,559.35	-	-	-	-	-	-	-	-	-	-	-	1,942.00	-	11,617.35	13,559.35
C7687	Play Area Improvement Programme	9,800	9,713.40	-	-	-	-	-	-	-	-	-	-	-	8,449.40	-	1,264.00	9,713.40
TRFLT	Vehicle and Machinery Replacement	205,467	209,914.90	-	209,914.90	-	-	-	-	-	-	-	-	-	-	-	-	209,914.90
C7647	Extension of Burnley Cemetery	5,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C7680	Thompson Park Restoration Project	36,061	36,906.82	-	-	-	-	-	32,600.00	-	-	-	-	-	-	-	4,306.82	36,906.82
		288,975	302,083.98	-	223,807.88	-	-	-	32,600.00	-	-	-	-	-	28,487.93	-	17,188.17	302,083.98
SERVICE UNIT: STREETSCENE																		
C8015	Towneley River Training Walls	123,672	96,488.75	-	-	-	-	-	-	-	-	-	-	-	96,488.75	-	-	96,488.75
C5259	Car Park Improvements	10,000	10,000.00	-	-	-	-	-	-	-	-	-	-	-	10,000.00	-	-	10,000.00
C5239	CCTV Infrastructure	30,000	14,227.02	14,227.02	-	-	-	-	-	-	-	-	-	-	-	-	-	14,227.02
C5249	Burnley Town Centre Pedestrianisation Upgrade	782,104	678,819.04	523,753.00	148,000.00	-	-	-	-	-	-	-	-	-	7,066.04	-	-	678,819.04
C5269	Padiham Pump Track - Phase 2	18,000	17,680.00	-	3,000.00	-	-	-	-	-	-	9,947.00	-	-	2,733.00	-	2,000.00	17,680.00
C1534	Alleygate Programme	58,100	58,081.24	-	-	-	-	-	-	-	-	-	-	-	58,081.24	-	-	58,081.24
C5245	Bus Shelter Replacement	8,700	8,700.00	-	-	-	-	-	-	-	-	-	-	-	8,000.00	-	700.00	8,700.00
		1,030,576	883,996.05	537,980.02	151,000.00	-	-	-	-	-	-	9,947.00	-	-	182,369.03	-	2,700.00	883,996.05
SERVICE UNIT: REGENERATION AND PLANNING POLICY																		
CWTSH	Weavers Triangle - Starter Homes	115,836	59,815.06	-	-	-	-	-	-	-	-	-	59,815.06	-	-	-	-	59,815.06
CWUTC	University Technical College	22,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MKT03	Market Safety Works	222,520	82,504.15	59,984.15	22,520.00	-	-	-	-	-	-	-	-	-	-	-	-	82,504.15
C1552	Infrastructure & Highways Improvements	40,009	-	-	-	-	-	-	-	-	(86,323.21)	-	-	-	-	-	86,323.21	-
C1553	Public Realm	32,191	32,191.04	-	-	21,344.00	-	-	-	-	-	-	-	-	-	-	10,847.04	32,191.04
C1551	Burnley Vision Park	1,344,338	1,659,084.52	1,081,891.76	7,448.00	-	-	-	561,250.00	-	-	-	-	-	8,494.76	-	-	1,659,084.52
C1558	Former Baxi Site	-	450.00	-	-	-	-	-	-	-	-	-	-	-	450.00	-	-	450.00
		1,777,394	1,834,044.77	1,141,875.91	29,968.00	21,344.00	-	-	561,250.00	(86,323.21)	-	59,815.06	-	-	8,944.76	-	97,170.25	1,834,044.77
SERVICE UNIT: FACILITIES MANAGEMENT																		
PTY14	Leisure Centre Improvements	101,301	72,829.24	72,829.24	-	-	-	-	-	-	-	-	-	-	-	-	-	72,829.24
PTY15	Energy Efficiency of Council Buildings	12,320	9,213.00	-	9,213.00	-	-	-	-	-	-	-	-	-	-	-	-	9,213.00
C1440	Contribution to Shopping Centre Redevelopment	375,000	375,000.00	150,000.00	225,000.00	-	-	-	-	-	-	-	-	-	-	-	-	375,000.00
PTY17	Padiham Town Hall - Flood Works	751,219	637,584.83	-	114,874.00	-	-	-	-	-	-	-	-	-	-	-	522,710.83	637,584.83
C1425	Land at Royle Road	-	500.00	-	-	-	-	-	-	-	-	-	-	-	500.00	-	-	500.00
		1,239,840	1,095,127.07	222,829.24	349,087.00	-	-	-	-	-	-	-	-	-	500.00	-	522,710.83	1,095,127.07
SERVICE UNIT: HOUSING AND DEVELOPMENT CONTROL																		
C3660	Emergency Work Grant	83,751	75,171.10	-	-	-	-	-	-	-	-	-	-	-	-	-	75,171.10	75,171.10
C3630	Disabled Facilities Grant	1,400,000	1,440,964.47	-	-	-	-	1,440,964.47	-	-	-	-	-	-	-	-	-	1,440,964.47
C3680	Energy Efficiency	88,637	78,405.05	-	-	-	-	-	-	-	-	-	-	-	50,437.05	-	27,968.00	78,405.05
C3640	Empty Homes Programme	950,000	910,194.50	-	-	-	-	-	-	-	-	-	-	-	-	-	910,194.50	910,194.50
HCP	Interventions, Acquisitions & Demolitions	441,086	103,989.51	-	-	103,989.51	-	-	-	-	-	-	-	-	-	-	-	103,989.51
C3603	Market Support	75,617	9,300.00	-	-	-	9,300.00	-	-	-	-	-	-	-	-	-	-	9,300.00
		3,039,091	2,618,024.63	-	-	103,989.51	9,300.00	1,440,964.47	-	-	-	-	-	-	-	-	1,035,802.65	2,618,024.63
SERVICE UNIT: CHIEF EXECUTIVE																		
MW001-15	Ward Opportunities Fund	124,715	56,517.80	-	-	-	-	-	-	-	-	-	-	-	56,517.80	-	-	56,517.80
	Total Revised Budget	7,500,591	6,789,794.30	1,902,685.17	753,862.88	125,333.51	9,300.00	1,440,964.47	32,600.00	561,250.00	(86,323.21)	9,947.00	59,815.06	276,819.52	1,035,802.65	667,737.25	-	6,789,794.30

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2017/18 CAPITAL BUDGET AND FINANCING ELEMENTS

Appendix 6

Classification Heading	Score	Service Unit	Project Officer	Scheme Name	Original Budget £	Reprofiled from 2016/17 £	Reverse Slippage £	Budget Adjustments £	Revised Budgets £	FINANCING ELEMENTS											Total Budget £		
										Prudential Borrowing £	Revenue Cont'n / Reserves £	Disabled Facilities Grant £	Housing Capital Grant £	Residual HMR Grant £	Home & Communities Agency £	Heritage Lottery Fund £	Lancashire Enterprise Partnership £	Capital Receipts £	Vacant Property Initiative Receipts £	3rd Party Contributions £			
Committed By Decision of the Council	-	Regeneration & Planning Policy	Jon Sharples	Vision Park	3,618,938	75,160	(389,136)		3,304,962	1,918,109	307,000						1,079,853					3,304,962	
	-	Green Spaces & Amenities	Simon Goff	Thompson Park Restoration Project	941,022		(846)		940,176		164,759						755,240				20,177		940,176
	-	Regeneration & Planning Policy	Kate Ingram	Weavers Triangle - Starter Homes	330,000	56,021			386,021						386,021								
2016/17 Schemes Resubmitted for 2017/18	-	Governance, Law, Property & Regulation	Andrew Leah	Contribution of Shopping Centre Redevelopment	375,000				375,000		375,000												375,000
	-	Regeneration & Planning Policy	Kate Ingram	University Technical College	-	22,500			22,500					7,275							15,225		22,500
	-	Regeneration & Planning Policy	Kate Ingram	Infrastructure & Highways Works	-	41,608			41,608													41,608	41,608
	-	Governance, Law, Property & Regulation	Andrew Leah	Energy Efficiency of Council Buildings	-	3,107			3,107		3,107												3,107
Housing Investment Programme	3:3	Housing & Development	Stephen Nutter	Emergency Repairs	60,000	8,580			68,580												68,580		68,580
	3:3	Housing & Development	Stephen Nutter	Disabled Facilities Grant	1,658,235		(40,964)		1,617,271			1,617,271											1,617,271
	3:3	Housing & Development	Stephen Nutter	Energy Efficiency	40,000	10,232			50,232												50,232		50,232
	3:3	Housing & Development	John Killion	Empty Homes Programme Interventions, Acquisitions and Demolitions	1,200,000	39,805			1,239,805												1,239,805		1,239,805
	3:3	Housing & Development	Paul Gatrell	Empty Homes Programme Interventions, Acquisitions and Demolitions	400,000	403,413			803,413				66,317	497,096							240,000		803,413
Schemes Scoring "3" for Commitment & At Least 5 Overall	3:2	Green Spaces & Amenities	Simon Goff	Vehicle and Machinery Replacement	92,586		(4,448)		88,138		88,138												88,138
	2:2	Green Spaces & Amenities	Simon Goff	Extension of Burnley Cemetery	416,087	5,000			421,087	421,087													421,087
	3:2	Streetscene	Winston Robinson	River Training Walls	107,000	27,183			134,183												134,183		134,183
	3:2	Streetscene	Winston Robinson	Car Park Improvements	10,000				10,000												10,000		10,000
	3:2	Governance, Law, Property & Regulation	Andrew Leah	Leisure Centre Improvements	75,000	28,472			103,472	103,472													103,472
	3:2	Regeneration & Planning Policy	Kate Ingram	Lower St James Street	280,000				280,000		155,000											125,000	280,000
	3:2	Regeneration & Planning Policy	Kate Ingram	Market Safety Works	1,440,480	140,156			1,580,636	1,103,156	477,480												1,580,636
	3:2	Streetscene	Winston Robinson	Burnley Town Centre Pedestrianisation Upgrade	150,000	103,285			253,285	253,285													
Schemes Scoring 4 Points Overall	3:1	Governance, Law, Property & Regulation	Andrew Leah	Building Alteration Works	100,000				100,000												100,000		100,000
	3:1	Green Spaces & Amenities	Simon Goff	Towneley Hall Building Works	100,000				100,000												100,000		100,000
	2:2	Chief Executive	Mike Waite	Ward Opportunities Fund	100,000	68,198			168,198												168,198		168,198
	2:2	Streetscene	Richard Brown	Alleygate Programme	25,000				25,000												25,000		25,000
	2:2	Streetscene	Winston Robinson	CCTV Infrastructure	62,000	15,773			77,773	77,773													77,773
Schemes Scoring Below 4	2:2	Regeneration & Planning Policy	Kate Ingram	Padiham Townscape Heritage Initiative	399,873				399,873		36,373						280,100					83,400	399,873
	2:1	Streetscene	Winston Robinson	Bus Shelter Replacement	8,000				8,000												8,000		8,000
New Scheme	1:2	Green Spaces & Amenities	Simon Goff	Towneley Hall Overspill Car Park	38,500				38,500												18,500	20,000	38,500
	-	Streetscene	Sean Spencer	Chewing Gum Removal Machine	-			40,000	40,000		40,000												40,000

TOTAL OF ALL SCHEMES					12,027,721	1,162,127	(435,394)	40,000	12,794,454	3,876,882	1,646,857	1,617,271	66,317	504,371	386,021	1,035,340	1,079,853	579,106	1,598,617	403,819	12,794,454
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REPORT TO EXECUTIVE

DATE	4 July 2017
PORTFOLIO	Executive
REPORT AUTHOR	David Donlan
TEL NO	01282 477172
EMAIL	ddonlan@burnley.gov.uk

**Annual Treasury Management Report
Review of 2016/17 Activity**

PURPOSE

1. To inform members of the Council's treasury management activity during 2016/17.

RECOMMENDATION

2. That the Executive recommends to Full Council to note the annual treasury management activity for the year ended 31 March 2017.

REASONS FOR RECOMMENDATION

3. To comply with the regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the prudential and treasury indicators for 2016/17. 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).

For 2016/17 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 24/02/16)
- a mid-year treasury update report (Council 21/12/16)
- 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.

SUMMARY OF KEY POINTS

4. Overall Treasury Position as at 31 March 2017

The Council's debt and investment position is organised in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through Member reporting detailed in the Treasury Policy Statement, and through officer activity detailed in the Council's Treasury Management Practices.

5. Council's treasury position:

£m	31 March 2016 Actual	31 March 2017 Actual
Total debt	20.6	20.6
Capital Financing Requirement	27.4	28.6
Over / (under) borrowing	(6.8)	(8.0)
Total investments	10.3	14.7
Net debt	10.3	5.9

6. The maturity structure of the debt portfolio:

£m	31 March 2016 Actual	31 March 2017 Estimated	31 March 2017 Actual
Under 12 months	2.0	1.0	1.0
12 months and within 24 months	1.0	1.0	1.0
24 months and within 5 years	4.4	4.6	4.6
5 years and within 10 years	7.2	7.0	7.0
10 years and above	6.0	8.6	7.0
Totals	20.6	22.2	20.6

7. The Strategy for 2016/17

The expectation for interest rates within the strategy for 2016/17 anticipated low but rising Bank Rate (starting in quarter 1 of 2017), and gradual rises in medium and longer term fixed borrowing rates during 2017/18. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued uncertainty in world markets promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

In this scenario, and despite the low interest environment, the treasury strategy was to postpone borrowing to avoid the cost of holding higher levels of investments, reduce counterparty risk and reduce interest payments.

Following the general election, it is now believed that interest rate rises will be further

delayed.

During 2016/17 there was major volatility in Public Work Loans Board (PWLB) rates with rates falling during quarters 1 and 2 to reach historically very low levels in July and August, before rising significantly during quarter 3, and then partially easing back towards the end of the year.

8. Borrowing Limits 2016/17

The authorised limit - this is the Council’s statutory limit for debt as determined under section 3(1) of the Local Government Act 2003. These limits include provision for “unusual cash movements” as referred to in the Code.

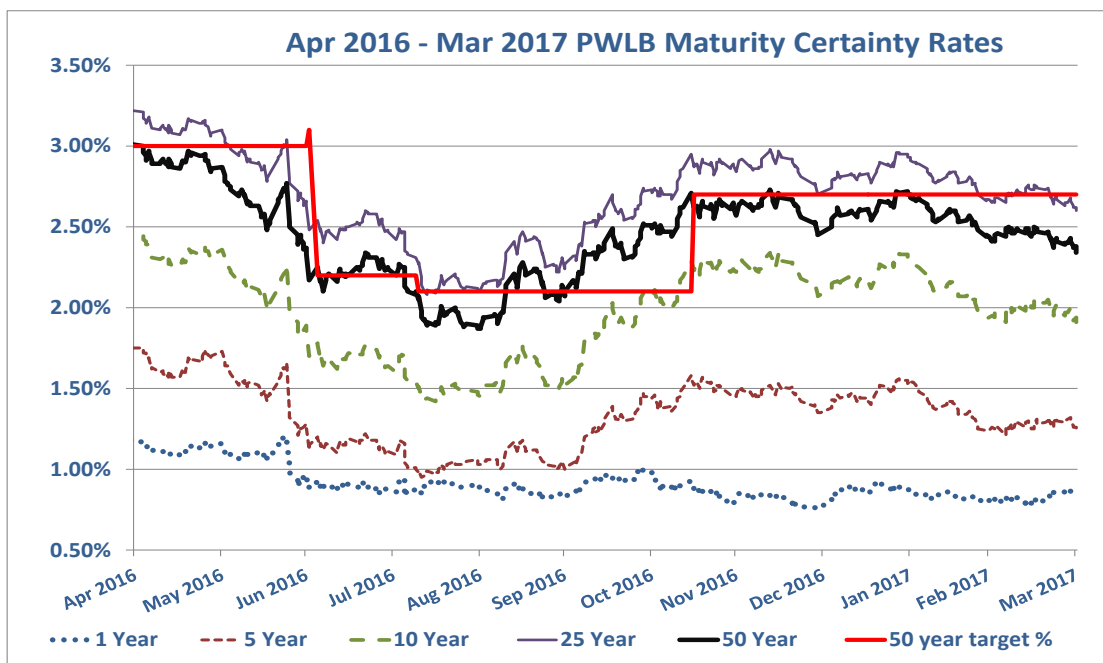
The operational boundary – this is usually set lower than the authorised limit by the additional headroom provided for “unusual cash movements”.

Financing costs as a proportion of net revenue stream - this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

	2016/17
Authorised limit	£32.6m
Maximum gross borrowing position	£20.6m
Operational boundary	£31.0m
Average gross borrowing position	£20.1m
Actual Financing costs as a proportion of net revenue stream	10.9%
Budgeted Financing costs as a proportion of net revenue stream	11.0%

9. Borrowing Rates in 2016/17

PWLB borrowing rates - the graph below shows how PWLB certainty rates have fallen to historically very low levels during the year, but then started to gradually creep back up.



Borrowing Outturn for 2016/17

10. **Borrowing** – the following PWLB loans were taken during the year:

Date	Lender	Principal	Type	Interest Rate	Maturity
31/3/17	PWLB	£1m	Maturity	2.43%	44 years
31/3/17	PWLB	£1m	Maturity	2.43%	50 years

11. **Repayments** – The following PWLB loans were repaid during the year, as scheduled:

Date	Lender	Principal	Balance at Repayment (£)	Type	Interest Rate	Duration
15/9/16	PWLB	£1m	1m	Maturity	2.18%	5 years
31/3/17	PWLB	£1m	1m	Maturity	4.40%	11.5 years

12. **Investment Rates in 2016/17**

After the EU referendum, Bank Rate was cut from 0.5% to 0.25% on 4 August. As a result, it became increasingly more difficult to obtain reasonable rates of returns. For example, the Councils' bank, HSBC, reduced the interest rate it paid on the sweep facility from 0.35% to 0.10% in response. There was an average daily total of £7.41m being invested within the HSBC's "sweep" deposit account. This account earned an average 0.22% in 2016/17.

13. **Investment Outturn for 2016/17**

Investment Policy – the Council's investment policy is governed by Government guidance, which has been implemented in the annual investment strategy approved by the Council on 24 February 2016. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data. This guidance is enhanced by advice from Capita Asset Services.

Investments held by the Council - the Council maintained a daily average balance of £15.9m of investments during 2016/17. The investments earned an average rate of return of 0.49% which exceeded the target of base rate (originally 0.5%, then 0.25%) minus 0.2%.

There were a total of 7 market investments made during the financial year, totalling £11m.

Appendix 1 shows the maximum amount invested with any of the counterparties at any one time during the period April 2016 to the end of March 2017. The maximum limit per counterparty is shown in brackets and it is confirmed that these were not exceeded.

14. **Interest payable on External Borrowing / Interest Receivable on Investments**

The revised budget for the PWLB interest payable on external borrowing for 2016/17 was set at £1,039,125.

The outturn position was £886,137, due to proactive management of the Councils' cash flows, slippage in capital spending and borrowing requirements, lower PWLB interest rates payable, and higher than estimated interest receivable on external deposits.

The total interest receivable on temporary investments in 2016/17 amounted to £78,117 compared with a budget for the year of £41,845.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

15. None arising as a direct result of this report.

POLICY IMPLICATIONS

16. All transactions are in accordance with the Council's approved Treasury Policy Statement

DETAILS OF CONSULTATION

17. None

BACKGROUND PAPERS

18. None.

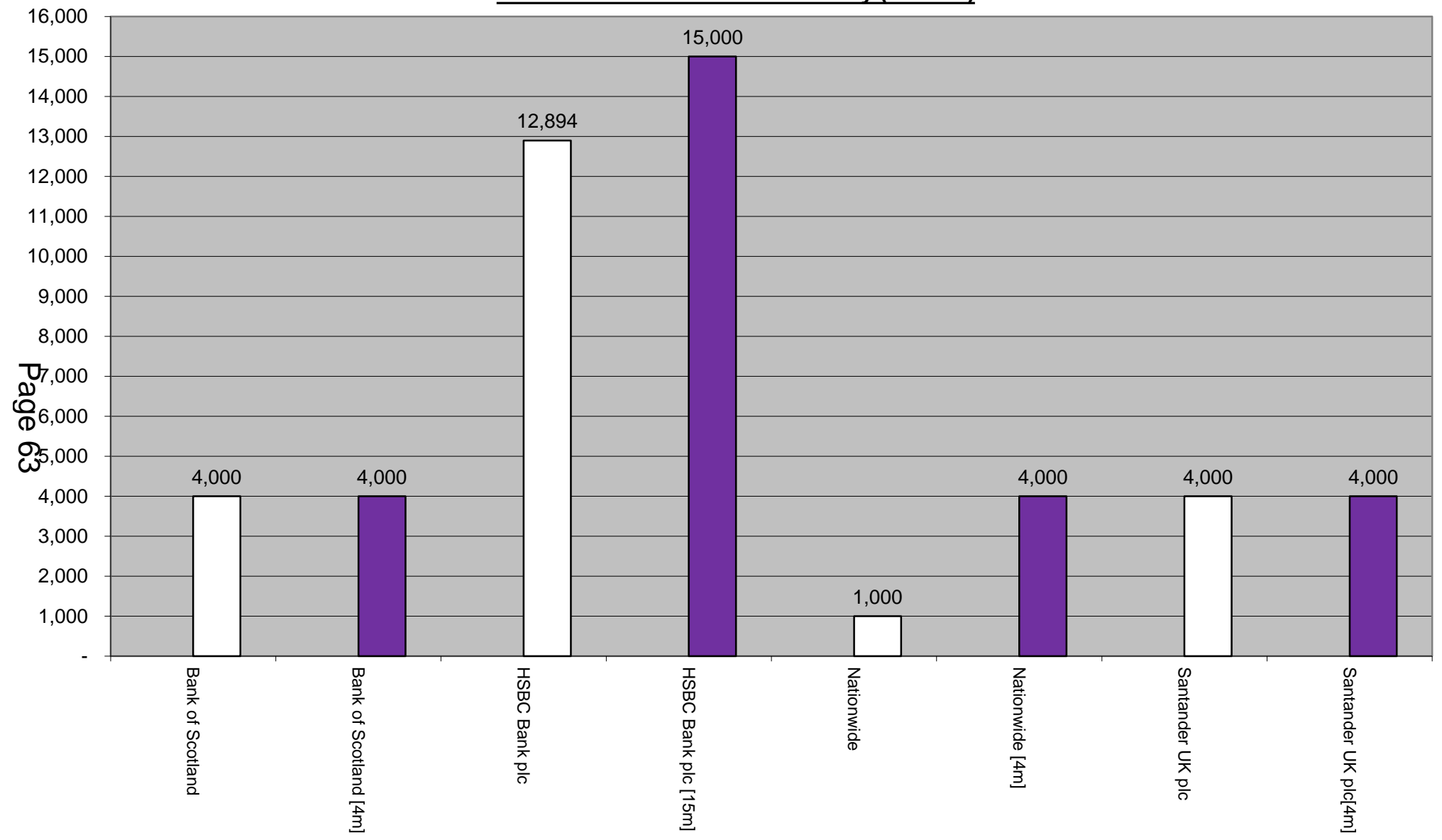
**FURTHER INFORMATION
PLEASE CONTACT:**

**David Donlan
Accountancy Division Manager**

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**COUNTERPARTY EXPOSURE -
Highest Level of Investments During April - March 2017 (shown in white)
Maximum Limits Per Counter Party (shaded)**

£'000



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Appointment of Chief Executive

REPORT TO FULL COUNCIL



DATE	12/07/2017
PORTFOLIO	Leader
REPORT AUTHOR	Vicky White
TEL NO	01282 477124
EMAIL	vwhite@burnley.gov.uk

PURPOSE

1. To confirm arrangements for the appointment of a new Chief Executive

RECOMMENDATION

2. That the Council be recommended to:
 - (a) Confirm the Appointment Committee's authority to conduct the recruitment within the financial parameters set out in this report; and
 - (b) Establish a budget of £20,000 for the cost of recruitment support and advertising as set out in the report;

REASONS FOR RECOMMENDATION

3. To ensure that the Council makes appropriate arrangements for recruiting a new Chief Executive.

SUMMARY OF KEY POINTS

4. The Council's Chief Executive, Pam Smith, has submitted her resignation and her employment with the Council will end on 31st August 2017. It is therefore necessary to put in place arrangements to recruit a successor.
5. **Appointments Committee**
The protocol that has to be followed for appointing a Chief Executive is set out in the constitution. An Appointments Committee is to be formed and to ensure that there is appropriate cross party representation on that Committee, the constitution sets out that the Committee should comprise of the Leader, Deputy Leader, the Executive Member for Resources and Performance Management and the Leaders of the two largest Opposition Groups.
6. The Council has to approve the appointment of the Chief Executive after considering the

recommendation of the Appointments Committee. To undertake its task Council is asked to delegate full authority to the Appointments Committee to conduct the recruitment process. The recruitment timetable suggests that a special Council meeting will be required during either the week beginning 28th August or 4th September. Advance notice of the date will be given after consultation with Group leaders.

7. North West Employers Association (NWEA) have been appointed to support the Council in the recruitment process. It is proposed to create a budget of £20,000 although recent discussions with NWEA suggest that actual spend should be circa £15,000.
8. The Council's Strategic HR Consultant will act as the Proper Officer to advise the Committee during the appointment process as allowed for in the Constitution.
9. **Recruitment package**
The post has been advertised at its current salary level of £107,000 and benchmarking with other authorities in the area suggests that this is comparable. Other than entitlement to a car user allowance the post receives no other remuneration. The postholder may be appointed to act as the Returning Officer for Elections but this is regarded as a separate employment.

In the event that insufficient quality of applicants are received the Council may wish to review the salary of the post.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

10. The report recommends that the Council establish a budget of £20,000 to facilitate the recruitment of a new Chief Executive.
11. Anticipated salary savings from the Management Team salary budget, occurring during the period this post is vacant, will be sufficient to cover this cost.

POLICY IMPLICATIONS

12. The appointment of an effective Chief Executive is an essential requirement if the Council is to achieve the outcomes set out in the Council's Strategic Plan and continue the momentum driving the Borough forward

DETAILS OF CONSULTATION

13. Leader of the Council.
Member Structures Working Group.

BACKGROUND PAPERS

14. None

FURTHER INFORMATION

PLEASE CONTACT:

**Vicky White, Strategic HR Consultant
01282 477124**

ALSO:

**Heather Brennan, Head of People &
Development
01282 477120**

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Report on Summary of Urgent Executive Decisions

REPORT TO FULL COUNCIL



DATE	12/07/2017
PORTFOLIO	Leader
REPORT AUTHOR	Eric Dickinson
TEL NO	01282 477256
EMAIL	edickinson@burnley.gov.uk

PURPOSE

1. To inform Full Council of the urgent decisions made by the Executive regarding the implementation of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 from January 2016 To May 2017.

RECOMMENDATION

2. That the report detailing urgent Executive decisions made from January 2016 to May 2017 be noted.

REASONS FOR RECOMMENDATION

3. Section 19 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires that the Executive Leader must submit a report to Full Council periodically containing details of urgent executive decisions.

SUMMARY OF KEY POINTS

4. Section 19 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 states that a report must be submitted to Full Council periodically by the Leader containing details of each executive decision taken where the making of the decision was agreed as urgent regarding key decisions, in accordance with section 11 of the same regulations.
5. Section 11 of the Regulations relates to cases of special urgency for key decisions when obtaining agreement of the Chair of the Scrutiny Committee or the Mayor/Deputy Mayor is required for items to be considered by the Executive.
6. Set out below is the following information, as required by Section 19, for each decision;
 - a) Particulars of each decision made; and
 - b) A summary of the matters in respect of which each decision was made.

Date of Notice	Date of Decision	Decision Maker	Matter
3/2/16	15/2/16	Executive	Disposal of Land at Junction Street
17/3/16	17/3/16	Director of Community Services	HCA Starter Homes
18/3/16	29/3/16	Executive	Local Development Scheme
15/9/16	20/9/16	Executive	Committee Management System
31/10/16	1/11/16	Executive	Parent Company Guarantee Transfer
21/11/16	21/11/16	Executive	Growth Deal Funding
20/1/17	25/1/17	Executive	Land at Grove Lane
13/2/17	13/2/17	Head of Governance, Law, Property & Regulation	Reinstatement of Padiham Town Hall
23/3/17	27/3/17	Executive	Vision Park Disposal of Block D/E
21/4/17	25/4/17	Executive	Padiham Town Hall Reinstatement
5/5/17	5/5/17	Chief Executive	Grove Lane, Padiham

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None

POLICY IMPLICATIONS

8. None.

DETAILS OF CONSULTATION

9. Member Structures Working Group.

BACKGROUND PAPERS

10. None.

FURTHER INFORMATION

PLEASE CONTACT:

ALSO:

Constitutional Updates and Council Delegations

REPORT TO FULL COUNCIL



DATE	12/07/2017
PORTFOLIO	Leader
REPORT AUTHOR	Eric Dickinson
TEL NO	01282 477256
EMAIL	edickinson@burnley.gov.uk

PURPOSE

1. To inform Members of the changes made to Part 3 of the constitution by the Leader , relating to the Scheme of Delegation, for the Head of Governance, Law, Property & Regulation.

2. To seek approval for an amendment to the delegation of the Head of Governance, Law, Property & Regulation as Monitoring Officer for Council functions regarding minor amendments.

RECOMMENDATION

3. That the change made to Part 3 of the constitution by the Leader be noted, as follows;
 (a) 25th May 2017 Additional delegation to the Head of Governance, Law, Property & Regulation regarding utilities (Appendix 1)

4. That the delegation of the Head of Governance, Law, Property & Regulation as Monitoring Officer regarding minor amendments to Council functions be added to and amended to the following;

“Appointed as the Council’s Monitoring Officer with authority to make minor amendments to the Council’s constitution, **and also to make minor amendments to the Council’s policies and procedures.**”

REASONS FOR RECOMMENDATION

5. To ensure that the requirements of the constitution are upheld, and that maximum transparency is maintained.

6. To allow good practice to be updated where the changes are minor to the Council's policies and procedures

SUMMARY OF KEY POINTS

7. Changes to Part 3 of the Constitution by the Leader

Head of Governance, Law, Property & Regulation.

On 25th May 2017 the Leader added a delegation for the Head of Governance, Law, Property & Regulation regarding utilities (Appendix 1).

8. Changes to Officer Delegation

Head of Governance, Law, Property & Regulation.

As Monitoring Officer, it is proposed that his current delegation regarding Council functions, as follows;

“Appointed as the Council's Monitoring Officer with authority to make minor amendments to the Council's constitution”

Be added to with the following wording;

“ and also to make minor amendments to the Council's policies and procedures”

This change will allow good practice to be updated where the changes are minor to the Council's policies and procedures

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

9. None.

POLICY IMPLICATIONS

10. None.

DETAILS OF CONSULTATION

11. Member Structures Working Group

BACKGROUND PAPERS

12. None.

FURTHER INFORMATION

PLEASE CONTACT: Eric Dickinson

ALSO:

To: The Head of Governance, Law, Property & Regulation, the Chief Executive, the Chief Operating Officer

Amendment to Part 3 Scheme of Delegation (Executive Functions)

I give notice that on 25th May 2017, I approved the following recommendation;

That the Leader approves changes to Part 3 (Executive) of the Council's constitution, i.e. the Scheme of Delegation, effective from 25th May 2017 to add the following delegation for the Head of Governance, Law, Property & Regulation;

"To take or grant utility easements in consultation with the Executive Member for Resources and Performance Management."

DATED: 25-05-17

SIGNED:



Leader- Councillor Mark Townsend

25/5/2017.

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Scrutiny Chair's Cycle 1 Report



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Scrutiny Chair's Cycle 1 Report to Council

The Committee has held its first meeting of the year, and it was good to be able to welcome new members to the group.

We were presented with the 2016/17 Budget Outturn position, and it was reassuring to hear that the Finance Team had produced the Draft Statement of Accounts a week ahead of the Council's own schedule, and well ahead of external deadlines. This bodes well for the 2017/18 year, when the external deadline will be shortened considerably. Can I just take this opportunity to remind members that there will be a workshop about the Draft Statement of Accounts held on 19th July 2017.

The committee also noted the treasury management report, which outlined the Council's borrowing and investments for 2016/17. The treasury management strategy contributed to savings of over £180k for the Council last year, through reduced interest payments, and receiving more interest than expected on investments. The Committee will continue to review quarterly revenue budget, capital budget and treasury management monitoring reports throughout the year.

We received the Q4 performance report. There were many highlights in this report, and it was great to see that colleagues are still delivering quality services to residents despite reduced budgets. There have been challenges – IT infrastructure and systems being one. However, the Council continues to work with its strategic partner to resolve issues.

It has been a quiet time for our review group, due to the two recent elections. However, we will be meeting with representatives from the rail operator shortly, and aim to finish off the review before the end of the year.

As the review workload has decreased, we have begun to seek out other topics and projects to take forward as future review areas. Members are currently developing proposals for topics which will then be considered by the Committee.

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Strategic Plan Reports



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BURNLEY BOROUGH COUNCIL REPORT TO THE FULL COUNCIL

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PORTFOLIO: LEADER

EXECUTIVE MEMBER: COUNCILLOR MARK TOWNSEND

DATE OF REPORT: 12/07/2017

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PE1- We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development, and improve residents' health.</p>	<p>Researchers from the University of Winchester have reported on the programmes run by the Burnley-based Primary Engineer and found that “playful experimentation and engagement with professional engineers helps to raise students’ achievement across the whole curriculum”.</p> <p>Schools that adapted their teaching to encourage students to develop ‘engineering habits of mind’ reaped the benefits not just in science and maths but in pupils’ communication skills, artistic ability, problem-solving, visualising and confidence to engage in class discussions, the research found.</p> <p>Dr Susan Scurlock, Primary Engineer’s Chief Executive was delighted by the findings. “This underlines our recognition of how developing engineering skills in pupils and embedding links to industry improves attainment and aspirations for all involved.</p> <p>I have asked the Chief Executive to prepare a Council strategy that brings together our existing work and new proposals that support our young people to reach their full potential. Whilst this Council does not have statutory responsibility for education or for helping young people into work, I</p>

	believe that raising aspiration is something that all Members of this Council can support.
<p>PR1- We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment.</p>	<p>We continue to support the work streams of the Combined Authority and are actively involved in the development of the LEP's new Strategic Economic Plan.</p> <p>Lancashire Leaders have met for the first time since the appointment of new Leaders at LCC and Ribble Valley. The new Leaders supported the view that continuing to work together was in the best interests of Lancashire and that work should continue on a Lancashire Plan. Leaders agreed to meet with Ministers in the coming weeks to understand the Governments view on regional devolution and Combined Authorities post the general election.</p> <p>In March we held a Housing Developers Event in partnership with Marketing Lancashire and neighbouring authorities which has been followed with enquiries from a number of housebuilders who have not previously been active in the district.</p> <p>I have been re-appointed as Chair of the Lancashire District Leaders for 2017/18. The appointment means that I continue to be a member of the LEP Board.</p>
ADDITIONAL INFORMATION	
<p>An advertisement has been placed for the appointment of a new Head of Paid Service, with a closing date for applications of 4th July 2017. The interview and assessment process will take place during July and August and the Appointments Panel should be in a position to make a recommendation to the next Full Council.</p>	



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PORTFOLIO: DEPUTY LEADER, HOUSING AND ENVIRONMENT

EXECUTIVE MEMBER: COUNCILLOR JOHN HARBOUR

DATE OF REPORT: 12/07/2017

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PL2- We will improve the management of private rented accommodation.</p>	<p>Selective Licensing</p> <p>The team continue to receive and process licence applications for Trinity, Queensgate and Gannow. Officers are out in these areas working with landlords, tenants and other agencies to tackle issues such as dirty back yards and anti-social behaviour as well as undertaking proactive property inspections to improve standards. The team are also preparing prosecutions for the small number of landlords who do not have a licence in place or adequate management arrangements.</p> <p>The team continue to secure applications for properties in the newly designated areas of Burnley Wood with Healey Wood, the Leyland Road area, and the Ingham and Lawrence area of Padiham. A total of 780 property applications have been received to date, which represents 72% of licensable properties in the new these areas. The target was to receive 70% by November 2017.</p> <p>All 780 applications have been processed and reminder letters for the remaining 302 outstanding applications will be sent out over the next few</p>

	<p>weeks.</p> <p>A training session for landlords and managing agents delivered by the Residential Landlords Association will be held on the 28th June 2017. The aim is to offer landlords and agents professional advice and training to improve their management practices and standards generally across the sector.</p> <p>Private Rented Disrepair Since the start of April 2017 the Council has received and dealt with 60 new disrepair complaints from private rented sector tenants. The Enforcement Team have a current caseload of 160 open/ongoing private rented sector disrepair cases, or proactive Selective Licensing cases. The majority of the cases have been dealt with informally and resolved promptly.</p>
<p>PL3- We will work with partners to improve quality and choice in the borough's housing stock.</p>	<p>Housing Grants The Disabled Facilities Grant Programme is progressing well with 30 adaptations completed and a further 60 in progress. A total of 6 emergency works grants have been approved to eliminate serious disrepair in property. The Heating Rebate and Affordable Warmth Schemes are available to eligible households and 23 grants have been awarded this year to install new, efficient central heating systems</p> <p>Empty Homes Programme We currently have three renovations underway and of those that are finished, sales are progressing well with three properties expected to complete by the end of June. Further Compulsory Purchase Orders are starting in June and July and a report is being prepared for August's Executive to bring more problem long term empty properties into the programme.</p> <p>Works have commenced on the Branch Road improvement scheme and work to the commercial blocks on Accrington Road is expected to start before the end of June.</p> <p>Housing sales Burnley has been declared as a property hotspot after a significant rise in sales, according to a new report from Lloyds Bank, using Land Registry figures. Burnley came joint seventh in England and</p>

Wales with a 10 per cent rise in sales. 82 per cent of towns included in the survey saw house sales fall between 2015 and 2016. This is really good news for our housing sector and this is reflected on the ground with significant new build activity.

As part of this, the borough is currently seeing a wide range of quality housing schemes being built on our former brownfield sites.

Gleeson homes are on with developing the former Blythe's Chemical Works in Hapton for 200 family houses.

Calico Homes are preparing the former Perseverance Mill site in Padiham for development of a range of affordable homes. Calico, the Council and the Homes and Communities Agency have worked together closely to deliver this very challenging site and remove what was an eyesore for the local community. Calico are also making good progress with the housing support scheme at the former Mitre Pub site and have recently completed a high quality development of family homes on the adjacent land at Blannel and Pomfret Street.

McDermott Homes are delighted with the interest they have seen in their development of Executive Homes on the former Waterside Mill site off Sycamore Avenue and just round the corner off Gannow Lane the former Peel Mill site is being transformed with a development of bungalows.

All of the above demonstrates that our former brownfield land is now producing a whole range of housing options across the borough for current and future generations.

PL4- We will implement our 2015-25 Green Space Strategy.

Barwise Play Area

I had the pleasure recently of opening a new play area at Barwise picnic area in Towneley Park. The £21,000 scheme was funded entirely by the Friends of Towneley Park, which received a large bequest and also secured a grant from the Big Lottery Fund. On behalf of the Council I would like to thank the Friends of Towneley for their continuing hard work.

Ightenhill Park Pavilion

Officers are currently working with the Friends of Ightenhill Park on plans to develop a new pavilion in the Park which will provide a meeting room/café together with toilets and storage space for mowers and tools used by the Ightenhill Park Volunteers. A funding application to Gannow Big Local will be submitted in September.

Events in Parks

This year is one the busiest ever for events in parks, with more than 40 events taking place over the spring and summer months. These which include the popular brass band concerts, park fun days and Classic Car Show as well as new events such as Burnley Live! music event in Queens Park, the grand opening parade for the Memorial Park bandstand and the Brun Valley Forest Park's Funday Sunday. The most of these events are free and they help to create a great sense of community.

Thompson Park Restoration

The first schemes in the Thompson park restoration are underway with preparatory work taking place in the Rose garden and Italian Garden and the contract to create a new pay and display car park (within the park) starting on site very shortly.



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PORTFOLIO: RESOURCES AND PERFORMANCE
MANAGEMENT

EXECUTIVE MEMBER: COUNCILLOR MOHAMMED ISHTIAQ

DATE OF REPORT: 12/07/2017

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PF1- We will embed the partnership with Liberata within the Council's budget, strategic vision and commercial strategy.</p>	<p>In the first full contract year, the partnership with Liberata has performed well overall. 13 out of 14 key performance measures were on target at year end. Non domestic rate collection was off target, but only by 0.03%.</p> <p>Liberata are focussed on IT improvements in the year ahead. One large project, the planned integration of Human Resources (HR) and Payroll, is progressing well. June's payroll will be run live from the integrated system in parallel with existing payroll system. Further HR self-service development will take place over the coming months.</p>
<p>PF2- We will adopt Medium Term Financial Strategy that will put the Council on a sustainable financial footing. This strategy will set the framework for preparing annual budgets, ensuring the annual budget strategy is set within the context of the longer term outlook.</p>	<p>As previously reported, the budget gap of £3.8m between 2018-2021 is challenging. Officers are currently developing proposals to bridge some of this gap, with an emphasis on 2018/19 in particular. This multi-year approach will enable a joined-up and strategic approach to delivering savings.</p> <p>The Council's annual Statement of Accounts, covering 2016/17, were produced and sent to Grant Thornton for audit on the 31st May 2017. This is the quickest they have ever been</p>

	<p>produced by Burnley Council, and brings the authority in line with a new statutory deadline to be introduced next year of 31 May 2018.</p> <p>The audit will take place throughout June, after which the final version will be published.</p> <p>A training session is planned for July to take Members through the statements.</p> <p>Significant work is also underway to redesign the system of monitoring budgets by managers, moving to a model of self-service. This project will allow budget holders to have greater input and control managing and reporting against their budgets and is linked to greater empowerment for budget holders and greater use of financial systems. This is being delivered under the Financial Transformation programme, and is further linked to delivering efficiencies for the Council.</p> <p>Successful pilots have been undertaken in April and May, with full roll-out due for the end of June to coincide with the production of the first in-year budget monitoring report for quarter 1.</p>
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PORTFOLIO: COMMUNITY AND LEISURE SERVICES

EXECUTIVE MEMBER: COUNCILLOR LIAN PATE

DATE OF REPORT: 12/07/2017

Progress on against our strategic commitments

Strategic commitment	Progress update
<p>PL1- We will implement a range of initiatives to maintain a clean, safe borough.</p>	<p>The town centre redevelopment scheme is progressing well with the recent addition of street furniture and planters. The area on Curzon St. near Next and Home Bargains is nearing completion and works along the length of St. James's Street will continue until a projected completion date later in the year. Works to Parker Lane will take place in early 2018.</p> <p>Environmental education activities with residents have already been undertaken in Gawthorpe, Cliviger and Worsthorne. Work with Whitegate nursery has been successful in raising awareness to tackling the local concerns of dog fouling and littering. Further activities across the borough will continue throughout the year.</p> <p>The pilot work with Kingdom to tackle littering and dog fouling continues to progress well. Officers patrol areas that are reported to have high environmental concerns. Residents are encouraged to report in areas that may benefit from patrols to; environmental.crime@burnley.gov.uk Controls are in place for the Council to ensure that only appropriate Fixed Penalty Notices are</p>

	<p>actioned.</p> <p>The Council has a strong track record for multi-agency working. The rollout in Burnley of the countywide Transforming Lives work is progressing well. The multi-agency team working with people with complex needs is now in place. The team take a preventative approach, identifying risk to reduce current and future demands on services from key agencies and to prevent individuals reaching crisis point.</p>
<p>PF3- We will develop our digital strategy, so that more residents transact with us online and we are able to deliver services more efficiently</p>	<p>Online transactions have gone from 14% in March 16 to 34% in March 17.</p> <p>The number of self-service transactions has increased from 2000 in March 16 to 7000 in March 17, and the percentage of households that now have a self-serve account has gone from 10% in March 16 to 30% in Feb 17.</p> <p>To help drive up digital transactions even further, tablets are now installed at the contact centre and contact centre staff will be supporting customers each step of the way to help get them online.</p>
<p>PE2- We will continue to develop the leisure and cultural offer of Burnley in partnership with Burnley Leisure.</p>	<p>Burnley Leisure has now taken over management of the three Towneley golf courses in partnership with the Council and Towneley Golf Club.</p> <p>A number of improvements are currently being progressed: The 18 hole course shop has been completely refurbished and the new entrance has been created. At the pitch and putt course a new service kiosk is being installed shortly. On the 9-hole course, foot golf is being introduced, which has proved extremely popular in other places where it has been introduced.</p> <p>The Run for All 10K run took place again this year on 4th June with approximately 1,400 runners enjoying the fantastic course and raising many thousands of pounds for charities. The organisers have already booked the date for next year's event.</p> <p>Preliminary work on a Heritage Lottery Fund application for the Mechanics is progressing. A series of workshops have been held to explore uses that will create a sustainable use the this space, which is currently under-used.</p>



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PORTFOLIO: REGENERATION AND ECONOMIC DEVELOPMENT

EXECUTIVE MEMBER: COUNCILLOR SUE GRAHAM

DATE OF REPORT: 12/07/2017

Progress against our strategic commitments

Strategic commitment	Progress update
<p>PR2- We will proactively support the borough's businesses to innovate and expand, and make the borough a natural choice for business relocation.</p>	<p>Boohoo are now underway with the construction of their second extension to their main distribution hub. Once completed there will be over 2000 jobs on the site.</p> <p>There has been a boost to the town centre office market with the refurbishment of the Grade II listed Burnley Wharf building on Manchester Road. Digital marketing agency Door4 and KM Chartered Accountants are the first two tenants to move into the offices. Supported by the business support team Door4 have relocated from outside of the Borough bringing 18 full time staff with them with plans to create a further 7 within the next two years.</p> <p>Enquiries The business support team are currently supporting 40 companies looking to relocate into the Borough or expand within it. Of these 40; 23 are inward investment enquiries with 17 business expansion enquiries.</p> <p>Business Growth Programme The business team are currently working with six companies to support them with their growth plans and investment proposals.</p> <p>The buoyancy of the local economy and its impact on the housing market is reflected in Burnley being identified as a</p>

	property hotspot in 2016 (please see Councillor Harbour's report for more details).
<p>PR3- We will make the borough attractive to retail and leisure developers, and will identify a sustainable future for the Burnley Market.</p>	<p>The Council has started the procurement process to find a development partner to bring forward a scheme on Curzon Street. In light of the interest shown in the site, we envisage a mixed-use redevelopment, focussed on family-orientated leisure uses, and bringing restaurant chains into the town centre.</p> <p>Town Centre Activities</p> <p>Painting Padiham We held a successful Painting Padiham event in May attracting 52 professional artists from across the North West and over 500 additional visitors. The event was very well received.</p> <p>Burnley Fashion Week In partnership with Burnley College, Town Centre Management delivered Burnley Fashion Week, 5 to 10 June 2017. It was a week of events to support and promote Burnley town centre's fashion retailers and showcase fashion career training opportunities at Burnley College.</p> <p>CCTV Standish Street Town Centre Management has supported Standish St Trader Group to improve their CCTV system. The traders now have a further 8 cameras installed to enhance their CCTV coverage.</p>
<p>PR4- We will develop and deliver the Local Plan. This will act as the key supporting framework for encouraging future employment and investment in a range of housing stock.</p>	<p>The Local Plan will be submitted to the Secretary of State for independent Examination on 20th July 2017.</p> <p>We are still awaiting the dates for the Local Plan hearings from the Planning Inspectorate, however we envisage that they will be around October/November 2017.</p>