



# SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Wednesday, 5th July, 2023 at 6.30 pm

## PRESENT

## MEMBERS

Councillors G Barton (Chair), B Horrocks (Vice-Chair), H Baker, G Birtwistle, H Bridges, M Brindle, J Broughton, M Hurt, N Kazmi, S Kazmi, J Launer, J McGowan, P Reynolds, C Sollis and D Whitaker

## OFFICERS

Lukman Patel	– Chief Operating Officer
Paul Gatrell	– Head of Housing & Development Control
Simon Goff	– Head of Green Spaces and Amenities
Kate Ingram	– Strategic Head of Economy and Growth
Craig Finn	– Principal Accountant
Amy Johnson	– Finance Manager
Elizabeth Murphy	– Planning Policy Manager
CJ Walmsley	– Democracy Officer

### 128. Apologies

Apologies for absence were received from Councillor Wild.

### 129. Minutes

The minutes of the meeting held on 1<sup>st</sup> June 2023 were approved as a correct record and signed by the Chair.

### 130. Additional Items of Business

There were no additional items of business to be considered.

### 131. Declarations of Interest

No declarations of interest were received.

### 132. Exclusion of the Public

Exclusion of press and public was as set out in the agenda. There were no private items to be considered.

### **133. Public Question Time**

No questions, statements or petitions had been received from members of the public.

### **134. Notice of Key Decisions and Private Meetings**

Members were asked to note the Notice of Key Decisions and Private Meetings (NKDPM) published on 26<sup>th</sup> June 2023, and the notice to Scrutiny Committee Chair under Regulation 10 (1)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, in relation to the Climate Change Strategy Update and Carbon Budget report, published on 23<sup>rd</sup> June 2023.

Members were reminded that should they wish the Committee to consider any items on the NKDPM, they should inform the Chair.

RESOLVED – That the NKDPM of 26<sup>th</sup> June 2023 and the notice to Scrutiny Committee Chair under Regulation 10 (1)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, published on 23<sup>rd</sup> June 2023, be noted.

### **135. Planning Authority Monitoring Report 21/22**

A report was submitted that presented the 2021/22 Planning Authority Monitoring Report (AMR), which was completed in December 2022 and was available to read in full on the Council's website. The AMR set out the Council's progress in plan-making and monitored the performance of policies in the Local Plan to see whether they are helping to deliver the vision and objectives of the Plan as set out, and whether there is any need to formally update the plan.

It was queried why there had been a delay in reporting the Section 106 spend in the AMR so far. It was reported that the prescribed format was the hold up, however signed agreements were available on the website.

Work was currently underway on the 2022/23 AMR.

RESOLVED – That the report be noted.

### **136. Statutory Review of the Local Plan and Revision of the Local Development Scheme**

The Committee considered a report on the Statutory Review of the Local Plan and Revision of the Local Development Scheme that was to be submitted to the Council's Executive on 12<sup>th</sup> July 2023.

Burnley's Local Plan was adopted on 31<sup>st</sup> July 2018 and to meet the legislative requirement the Local Plan needed to be reviewed at least every 5 years from the date of adoption, to assess whether an update was needed; and to publish the reasons if it is considered that no update was necessary. It was estimated that updating the Local Plan would cost circa £1 million on top of existing budgets.

It was reported that the Local Plan was performing well and was on track to deliver the development necessary to meet need and deliver the Council's vision for the borough. Considering the cost and complexity of a Local Plan update and given the uncertainties created by the proposed reforms set out in the Levelling Up and Regeneration Bill, which would fundamentally change the nature and procedure for preparing local plans and may prevent progression of any update, it was felt that an update should not be pursued at this point.

The report recommended that the Executive note the content of the review and agree that an update of Burnley's Local Plan 2012-32 was not required at the present time. The Executive was also asked to approve the revised Local Development Scheme and agree that an update of the Statement of Community Involvement not currently be pursued.

Members gave positive feedback on the report and asked questions around the Gypsy and Traveller site Allocations DPD, and whilst this was on hold pending the outcome of the planning reforms, it was reported that people's needs would be given consideration.

A query was raised as to whether the decision on the review of the Local Plan should be made by Full Council. Clarification was given that determination on whether to review the Local Plan was a function of the Executive.

Members determined to exclude the public from the meeting before discussion took place on the remainder of the item, on the grounds that in view of the nature of the business to be discussed, if public were present there would be a disclosure to them of exempt information within the meaning of paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED – That the report be noted.

Members resolved that the remainder of the items on the agenda be considered in public.

### **137. Climate Change Strategy Update**

The Committee received a report which provided an update on the Climate Change Strategy and Carbon Budget. The report recommended that the Executive approve the Climate Change Strategy Progress Update 2022 – 2023; the Revised Climate Change Action Plan 2023; and Burnley Council Carbon Budget Report 2023. Approval was also sought for the spend of £24,995 to commission CO2Analysis to work with the Council to calculate, monitor and reduce Scope 3 emissions.

Concerns were raised with regards to sustainable transport, specifically in relation to the lack of public transport for new developments.

The protection of species, habitats and wider biodiversity was discussed in terms of how the use of signage could make a difference. The Committee requested to recommend to

the Executive that this be suggested to United Utilities regarding public access on the rural land they own and manage across the borough.

Members raised questions with regards to Active Travel and it was requested that detailed information in respect of Active Travel be submitted to a future meeting.

It was questioned if the pilot recycling scheme in Towneley Park could be considered all parks throughout the borough. This was to be discussed with the Head of Amenities and Green Spaces

RESOLVED – (1) That the report be noted;  
(2) That the Executive be requested to suggest to United Utilities, the use of signage regarding public access on the rural land they own and manage across the borough; and  
(3) That more detailed information in relation to Active Travel be submitted to a future meeting.

### **138. 2022/23 Final Revenue Outturn Position**

A report was submitted on the provisional position on the Council's revenue accounts for 2022/23. The report requested that Full Council be asked to approve the provisional final position on the Council's revenue account for 2022/23, being a net underspend of £61k which was to be transferred to the Revenue Support Reserve. The projected underspend estimated at quarter 3 budget monitoring was £9k.

Approval was also sought for the transfers to/from Earmarked Reserves totalling a net £2.368m increase to reserves, including carry forward requests subject to approval but excluding the recommended Revenue Support Reserve transfer, along with approval of additional revenue budget carry forward requests from Heads of Service totalling £671k and assumed within the net underspend.

RESOLVED – That the report be noted.

### **139. 2022/23 Final Capital Outturn Position**

A report was submitted on the performance of the 2022/23 capital investment programme and presented the financing of capital expenditure incurred during 2022/23.

The report requested that Full Council approve the final position on capital spending and financing of £21.810m for 2022/23, which equated to 92% of the final resources position; and the revised capital budget for 2023/24 which totalled £40.426m and included net carry forward of £1.925m.

Members asked a number of questions in relation in to: -

Provision of Pump Track at Hapton/Worsthorne Recreation Ground  
Locations for Play Area Improvement Programme and Playing Pitch Improvements  
Locations of Refill Fountains  
Inclusion of Green Burial Ground at Burnley Cemetery

The Finance Manager would co-ordinate a response and circulate to Members.

RESOLVED – (1) That the report be noted; and  
(2) That the Finance Manager provide the information in relation to Member questions.

#### **140. Annual Treasury Management Review of 2022/23 Activity**

A report was submitted that informed Members of the Council's treasury management activity during 2022/23.

It was queried whether interest rate increases were impacting on the sale of new developments, but there had been no direct feedback in relation to this.

RESOLVED – That the report be noted.

#### **141. Allotment Review 2023**

The Committee received a report on the Allotment Review 2023. The review identified that there was a shortfall in provision and recommended increasing supply by splitting larger and under used plots and investigating the provision of additional allotment sites on existing green spaces. Members were keen that along with existing sites, potential new sites be considered due to the growth within the town.

It was queried what percentage of allotment holders were over 60. The Head of Amenities and Green Spaces would provide this information.

RESOLVED – That the report be noted.

#### **142. Scrutiny Review Groups**

A proposal had been received to look at Climate Change in more detail. The aim of the review would be to better understand the Climate Change Strategy and potentially suggest initiatives to the Council's Executive. A scoping session was to be arranged with the Head of Housing and Development Control and the Climate Change Officer, to determine the specifics of the review. Councillors Barton, Bridges, Broughton, Hurt, S Kazmi, Launer, McGowan, Reynolds and Whitaker volunteered to sit on the group.

An update was given on the Liberata Review Group, insofar as a visit to the Contact Centre was scheduled for the 11<sup>th</sup> July 2023. This would be a 2-hour session and an update would be provided at the next meeting.

The Head of Housing and Development Control was asked to invite the Managing Director of Calico to attend a Scrutiny meeting and confirm the date.

RESOLVED – (1) That the update be noted; and

(2) That a Climate Change Review Group be scoped and Councillors Barton, Bridges, Broughton, Hurt, S Kazmi, Launer, McGowan, Reynolds and Whitaker sit on the group.

(3) That the Liberata Review Group update be noted; and

(4) That the Head of Housing and Development Control invite the Managing Director of Calico to attend a Scrutiny meeting and confirm the date.

### **143. Work Programme 2023/24**

The Committee received the updated work programme for 2023/24.

RESOLVED – That the updated work programme for 2023/24 be noted.