



# EXECUTIVE

## BURNLEY TOWN HALL

Wednesday, 20th September, 2023 at 6.30 pm

### PRESENT

### MEMBERS

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

### OFFICERS

Lukman Patel	– Chief Executive
Rob Dobson	– Chief Operating Officer
Simon Goff	– Head of Green Spaces and Amenities
Howard Hamilton-Smith	– Director of Resources
Kate Ingram	– Director of Economy and Development
Carol Eddleston	– Democracy Officer

### 32. Apologies

All members of the Executive were present.

### 33. Minutes

The minutes of the last meeting, held on 16<sup>th</sup> August 2023, were approved as a correct record and signed by the Chair.

### 34. Additional Items of Business

There were no additional items of business.

### 35. Declaration of Interest

Councillors Khan and Townsend declared a loose pecuniary interest in Minute 40 [Agenda item 10] as landlords of properties in the borough. They left the meeting for the duration of this item and took no part in the discussion or vote.

### 36. Right To Speak

There were no requests to speak.

### **37. Minutes of Individual Decisions**

Members of the Executive noted an Urgent Executive Decision taken by the Chief Executive on 14<sup>th</sup> August 2023.

### **38. Changes to Officer Representation on Outside Body - Housing Joint Venture Contract**

#### **PURPOSE**

To amend officer Council and Stakeholder representation on the Housing Joint Venture Contract Outside Body to reflect recent changes in Senior Management Team responsibilities.

#### **REASONS FOR DECISION**

1. Recent changes to roles and responsibilities following the Senior Management Team review mean that it is now timely to review officer representation on this Outside Body.
2. The Housing Joint Venture Contract is one of a small number of Outside Bodies to which the Executive appoints, rather than Full Council.

#### **DECISION**

That, in relation to officer representation on the Housing Joint Venture Contract Outside Body, the Executive agree to:

1. Appoint the Director of Economy and Development as the officer Council Representative in place of the Chief Operating Officer, and
2. Appoint the Head of Housing and Development Control as the officer Stakeholder Representative in place of the Director of Economy and Development.

### **39. Climate Action Fund**

#### **PURPOSE**

To accept grant funding from Burnley Leisure and Culture for a climate action project.

#### **REASON FOR DECISION**

To enable the Council to accept grant funding.

#### **DECISION**

The Executive resolved to:

1. Approve the acceptance of grant funding of £330,000 over four years from Burnley Leisure and Culture for the Burnley Green Activities Project;

2. Authorise the Head of Legal and Democratic Services to complete Deeds of Dedication for Council owned land where micro woodlands will be planted, and
3. Recommend that Full Council approve establishment of the budgets outlined in the report.

#### **40. Article 4 Direction - Houses in Multiple Occupation**

Councillors Khan and Townsend left the meeting for the duration of this item.

##### **PURPOSE**

To consider the case for making an Article 4 direction to remove the permitted development rights that allow the change of use of a single dwelling house into a small house in multiple occupation (HMO), subject to consultation set out in paragraph 31 of the report.

##### **REASONS FOR DECISION**

1. The Houses in Multiple Occupation and Small Flats Supplementary Planning Document (SPD) 2022 highlighted that, should the need arise, the Council could consider an Article 4 direction to better manage the creation of small HMOs and their impacts on the amenity of certain areas. It is demonstrated in Appendix A to the report that there is a need to implement an Article 4 direction.
2. In accordance with the statutory requirements, a further report will be brought back to the Executive to consider the outcome of the consultation and to determine whether to confirm the Article 4 direction.

##### **DECISION**

The Executive resolved to:

1. Approve the making of a non-immediate Article 4 direction to remove permitted development rights for changes of use from individual dwelling-houses to smaller houses in multiple occupation, with 12 months' notice, in line with the details set out in the background report, to be consulted on as per paragraph 31 of the report.
2. Authorise the Director of Economy and Development to prepare the necessary documentation and carry out consultation as required by the Regulations and set out in paragraph 31, prior to the confirmation of an Article 4 direction.

#### **41. Revenue Budget Monitoring Report Q1 2023-24**

Councillors Khan and Townsend returned to the meeting.

##### **PURPOSE**

1. To report the forecast outturn position for the year ending 31 March 2024 based upon actual spending and income to 30 June 2023.
2. To note the financial impact of the ongoing cost-of-living crisis as can be seen in paragraph 5 of the report.

##### **REASON FOR DECISION**

To give consideration to the level of revenue spending and income in 2023/24 as part of the effective governance of the Council and to ensure that appropriate management action is taken to ensure a balanced financial position.

## DECISION

The Executive resolved to:

1. Note the projected revenue budget forecast position of a net overspend of £243k, as summarised in in the report in Table 1 and Appendix 1, which is expected to break even by the end of the financial year.
2. Recommend to Full Council approval of the latest revised net budget of £16.267m as shown in Table 1.
3. Recommend to Full Council approval of the net transfers from earmarked reserves of £4.972m as shown in Appendix 2.

## **42. Capital Budget Monitoring Report Q1 2023-24**

### PURPOSE

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

### REASON FOR DECISION

To effectively manage the 2023/24 capital programme.

## DECISION

The Executive resolved to:

1. Recommend to Full Council approval of net budget changes totalling a reduction of £1,235,466 giving a revised capital budget for 2023/24 totalling £39,190,265 as detailed in Appendix 1.
2. Recommend to Full Council approval of the proposed financing of the revised capital budget totalling £39,190,265 as showed in Appendix 2.
3. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £3,769,351 as at 31 March 2024 as shown in Appendix 3.

## **43. Treasury Management 2023-24 Q1 Report**

### PURPOSE

To report treasury management activity for the first quarter of 2023/24 covering the period 1 April to 30 June 2023.

### REASON FOR DECISION

To inform members of the treasury management activity in the first quarter of 2023/24 and to fulfil statutory and regulatory requirements.

## DECISION

The Executive resolved to:

1. Note the treasury management activities undertaken during the period 1 April to 30 June 2023.
2. Recommend that Full Council endorse the quarterly update on the Treasury Management Strategy 2023/24 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.

### **44. Revenue Budgets 2024-27 - Latest Position and Savings Proposals**

#### PURPOSE

1. To update the Executive on the latest position regarding balancing the Council's 2024/27 revenue budgets.
2. To outline proposed savings for recommendation to Full Council.

#### REASON FOR DECISION

To progress the preparation of the Council's 2024/25 revenue budgets.

#### DECISION

The Executive resolved to:

1. Note savings approved at previous Full Council meetings totalling £23k to assist in balancing the 2024/25 revenue budget (see Appendix 1).
2. Recommend for approval at Full Council further proposed savings totalling £255k to assist in balancing the 2024/27 revenue budgets (see Appendix 1).

### **45. Council Tax Support Scheme Consultation**

#### PURPOSE

To seek approval to commence a public consultation on the plans to temporarily revise Burnley Borough Council's Council Tax Support Scheme for 2024/25 and 2025/26.

#### REASON FOR DECISION

To consult on the provision of temporary support, by increasing the level of subsidy for working age claimants within the Council Tax Support Scheme up to a maximum of 95% for 2024/25 and 90% for 2025/26, to help alleviate some of the financial hardship caused by the cost-of-living crisis.

#### DECISION

The Executive resolved to:

1. Approve a statutory consultation of the Local Council Tax Support Scheme in accordance with Schedule 1A of the Local Government Finance Act 1992 and the Local Government Finance Act 2012 (as mentioned).
2. Consider and approve for consultation a temporary revision to the Council Tax Support for the two forthcoming financial years (2024/25 and 2025/26) as set out in this report.
3. Delegate authority to the Director of Resources to undertake the statutory consultation.
4. Note that the consultation will run for an 8-week period which is expected to commence on 25<sup>th</sup> September 2023 and will guide the final recommendations to be placed before Full Council in February 2024 for the approval of a temporary revision to the Council Tax Support Scheme for 2024/25 and 2025/26.

#### **46. Exclusion of the Public**

Members determined to exclude the public from the meeting before discussion took place on Minute 47 [Agenda item 17] on the grounds that in view of the nature of the business to be transacted if the public were present there would be a disclosure to them of exempt information within the meaning of Schedule 12A of the Local Government Act 1972.

#### **47. Building Control IT Procurement**

##### **PURPOSE**

To seek approval to procure a new IT system for the building control service.

##### **REASON FOR DECISION**

Investment is required to improve the service's digital offering to customers and to increase service efficiency.

##### **DECISION**

The Executive resolved to:

1. Authorise the Chief Operating Officer to undertake a tender procedure in compliance with Standing Orders for Contracts and Public Contract Regulations 2015 to appoint a suitable supplier of building control IT.
2. Recommend to Full Council approval of the budget.
3. Give delegated authority to the Head of Housing and Development in consultation with the Executive Member for Resources and Performance to accept the most advantageous tender to provide this service.
4. Authorise the Head of Legal and Democratic Services to complete all documentation necessary to give effect to this decision.