

EXECUTIVE

Tuesday, 4th July, 2017
6.30 pm





EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 4th July, 2017 at 6.30 pm

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Governance, Law & Regulation by 5.00pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall or the Contact Centre, Parker Lane, Burnley. Forms are also available on the Council's website www.burnley.gov.uk/meetings.

AGENDA

1) *Apologies*

To receive any apologies for absence

2) *Minutes*

5 - 8

To approve as a correct record the Minutes of the previous meeting on 6th June 2017.

3) *Minutes of Individual Decisions*

To note the following Minutes of Individual Decisions, since the last meeting on 6th June 2017;

Minute 7- Sussex Street-Lease Variation

4) *Declaration of Interest*

5) *Additional Items of Business*

To consider whether there are any urgent items of business.

6) *Exclusion of the Public*

7) *Right To Speak*

8) *Play Strategy*

9 - 60

To approve the Play Area Strategy 2017-2026 and its recommendations (report enclosed)

9) Housing and Planning Act 2016 61 - 70

To implement the new enforcement powers contained in the Housing and Planning Act 2016 (Part 2 Rogue landlords and property agents in England) including the use of civil penalty notices (report enclosed)

10) Local Development Scheme 71 - 94

To present for Executive's approval a revised Local Development Scheme (LDS) setting out the programme for the remaining stages of the preparation of the Burnley Local Plan (report enclosed).

11) Council Tax Support Scheme 95 - 98

To seek approval to maintain the Council Tax Support Scheme broadly 'as is' for 2018/19 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)

12) Business Rates- Discretionary Scheme 2017/18 99 - 112

To advise Members of the new measures to assist businesses that were introduced in the Spring Budget (report enclosed)

13) Final Outturn Position 2016/17 113 - 128

To report the final position on the Council's revenue and capital accounts for 2016/17, the performance of the 2016/17 capital investment programme, and to seek approval of a revised 2017/18 capital budget (report enclosed).

14) Annual Treasury Management Review of 2016/17 Activity 129 - 136

To inform members of the Council's treasury management activity during 2016/17 (report enclosed)

MEMBERSHIP OF COMMITTEE

Councillor Mark Townsend (Chair)
Councillor John Harbour (Vice-Chair)
Councillor Sue Graham

Councillor Lian Pate
Councillor Mohammed Ishtiaq

PUBLISHED

Monday, 26 June 2017

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EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 6th June, 2017 at 6.30 pm

PRESENT

MEMBERS

Councillors M Townsend (Chair), J Harbour (Vice-Chair), S Graham, L Pate and M Ishtiaq

OFFICERS

Pam Smith	– Chief Executive
Mick Cartledge	– Chief Operating Officer
Asad Mushtaq	– Head of Finance
Eric Dickinson	– Democracy Officer

1. Minutes

To approve the Minutes of the last meeting held on the 25th April 2017

2. Padiham Conservation Area Management Plan

Purpose To report the representations received during the consultation on the Draft Padiham Conservation Management Plan (CAMP) and seek approval for the adoption of the final draft of the document.

Reason for Decision The CAMP is a key tool in fulfilling the Council's duties under Section 71 of the 1990 Planning (Listed Buildings and Conservation Areas) Act to formulate and publish proposals for the preservation and enhancement of conservation areas.

The Heritage Lottery Fund (HLF), as part of the conditions of awarding grant funding through the Townscape Heritage scheme, requires Burnley Council to adopt a CAMP for Padiham prior to their award decision at the end of June.

Decision .

- (1) That the consultation comments received and consequential modifications to the CAMP as set out in Appendix A be noted;.
- (2) That delegated authority be given to the Head of Regeneration and Planning Policy to make minor editorial changes to the final CAMP prior to publication; and
- (3) That the amended CAMP for Padiham be approved and adopted as a guidance document that will provide a robust framework for the positive future management of the Padiham Conservation Area

3. Pennine Lancashire Growth and Prosperity Plan

Purpose The purpose of the report is to seek the Executive's endorsement of the Pennine Lancashire Growth and Prosperity Plan to replace the existing Burnley Economic Development Plan 2007 to 2017.

Reason for Decision The Council's current Economic Strategy is now ten years old and due for replacement. As the borough is part of a wider Functioning Economic Area stretching across Pennine Lancashire it make's sense to have a joint strategy with neighbouring authorities, providing a stronger influence on key economic matters that affect the whole area.

Decision (1) That the Pennine Lancashire Growth and Prosperity Plan be endorsed to replace the existing Burnley Economic Development Plan 2007 to 2017 (Appendix 1); and

(2) That the Pennine Lancashire Growth and Prosperity Plan be reviewed and a report be brought back to the Executive on an annual basis.

4. Strategic Risk Register

Purpose To present members with a Strategic Risk Register (Appendix 1).

Reason for Decision The Executive are required to approve the Strategic Risk Register (Appendix 1) by the Risk Management Strategy.

Decision That the Strategic Risk Register (Appendix 1) be approved.

5. Constitutional Executive Updates

Purpose To inform Members of an Urgent Executive decision made by the Chief Executive. regarding Grove Lane in Padiham.

To inform Members of resignations and appointments to the Executive from 17th May 2013 and to inform them of the consequent amendments to Executive Member Portfolios made by the Leader.

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

Decision

- (1) That an Urgent Executive decision made by the Chief Executive, regarding Grove Lane in Padiham, as set out in Appendix 1 be noted;and
- (2) That the resignations and appointments to the Executive from 17th May 2017 and the consequent amendments to Executive Member Portfolios made by the Leader be noted.

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Burnley's Play Area Strategy 2017-2027

REPORT TO EXECUTIVE



DATE	4TH July 2017
PORTFOLIO	Leisure
REPORT AUTHOR	Simon Goff
TEL NO	01282 477223
EMAIL	sgoff@burnley.gov.uk

PURPOSE

1. To approve the Play Area Strategy 2017-2026 and its recommendations.

RECOMMENDATION

2. The Executive is recommended to:
 - a. Approve the recommendations contained in the Play Strategy to refurbish 16 play areas over the next 10 years in partnership with park friends and local residents groups.
 - b. Approve the recommendations contained in the strategy for the closure and relocation of 8 play areas.
 - c. Note that consultation will take place with ward members and local residents regarding proposals for the relocation and refurbishment of play areas in individual wards.
 - d. Note that capital funding of £250,000 will be required to support the proposed play area improvement programme during the period 2018 to 2026.

REASONS FOR RECOMMENDATION

3. The recommendations contained in this report will ensure that the Council is able to maintain a good level of equipped play area provision across the Borough, to a high standard and within the resources available.

SUMMARY OF KEY POINTS

4. Provision of children's play areas is identified by the public as the fourth most important priority for the management parks after; keeping them clean, free of dog fouling and personal safety.
5. The review of play provision is necessary because future revenue and capital budgets will not be sufficient to maintain the current level provision.
6. The Council currently maintains 58 play areas plus ball courts, youth shelters and skate parks. Currently 76% of play areas are in good or very good condition. There are 14 play

areas that are in acceptable condition.

7. The Strategy makes recommendations for play provision in each of 51 residential areas across the borough and also provides a table of actions for each play area (Appendix 1. Attached within this report). The recommendations lead to one of 3 outcomes:

8. **Outcome 1: Improve**

There are 16 play areas that require some refurbishment within the next 10 years at a total cost of £350,000. Of this £250,000 will be sought from the Council's capital programme over the period 2018 – 2026 and the balance from external grants and any WOF that may be available.

The Council now only improves play areas in partnership with parks friends groups, residents associations and parish councils and supports these groups in securing grant funding. As there are only a limited number of grant sources available, it is recommended that the council will only support grant applications for play areas in this group of 16.

Where grants are being sought, the availability of local match funding is usually always necessary, particularly as the value of many external grants are being reduced. Any resources that the Council can provide through the capital programme will be targeted at play areas in this group and Councillors will be offered the opportunity to contribute WOF funding as match.

9. **Outcome 2: Maintain**

There are 33 play areas which are in good condition, offer good play value and are well used. They have relatively new equipment don't require any improvement and which can be maintained within existing maintenance budgets.

10. **Outcome 3. Closure & Relocation of equipment**

8 play areas are recommended to be closed and the equipment will be refurbished and relocated to improve nearby play areas. These are smaller play areas with low play value and low levels of use and which require a level of capital investment that is not available.

Reducing the number of play areas will also ensure that the limited revenue budget for maintaining play areas will be adequate to cover the 50 play areas that will remain.

The closure and relocation of equipment will take place over the period 2017 to 2019, using the Green Spaces & Amenities own staff.

New Play Areas

11. The strategy identifies three areas of the borough where there is a significant shortfall in play area provision: Lowerhouse, Rowley and Casterton. In these areas there may be opportunities to provide new play provision through Section 106 funding.

Capital and WOF Funding

12. It is recommended that the Council should provide £250,000 of capital funding over the period 2018 to 2026 to support the play area improvement programme. This will provide match funding for any grants that friends and residents groups apply for. Ward members may also choose to allocate WOF towards play area improvements. The programme will include an investment of £100,000 to refurbish Towneley Park play area. This is by far the most well used play area in the Borough and helps to encourage high visitor numbers to

Towneley

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

12. As set out in this report

POLICY IMPLICATIONS

13 The Strategy sets out the policy for the management of Burnley's play facilities

DETAILS OF CONSULTATION

14 Public consultation through the Citizen's Panel

BACKGROUND PAPERS

15. None.

FURTHER INFORMATION

PLEASE CONTACT:

Simon Goff

ALSO:

Appendix 1. Play Area Assessments and Recommendations

Name of Playground	Ward	Residential Area	Use	Play value	Condition	Refurb Costs	Recommendation
Outcome 1: Play areas to be refurbished							
Queens Park	Bank Hall	Turf Moor	High	63	B	£27,500	Work with Friends of Queens Park to refurbish.
Lane Bottom	Briercliffe	Lanebottom	V Low	37	C	£10,000	Work with Briercliffe PC to refurbish or close
Burnley Rd B'Cliffe	Briercliffe	Briercliffe North	Low	22	C	£10,000	Work with Parish Council to refurbish
Towneley Riverside	Cliviger	Red Lees Road	High	79	B	£100,000	Work with Friends of Towneley on major refurbishment of this important play area
Cliviger Park	Cliviger	Cliviger	Low	56	C	£10,000	Work with Cliviger PC to secure windfarm grant to refurbish play area
Scott Park	Coal Clough	Bleakhouse	Med	52	B	£60,000	Work with Friends of Scott Park to provide new play area preferably located on lower (un-used) bowling green
Stoneyholme Gdns	Daneshouse	Stoneyholme	Med	35	C	£10,000	Relocate equipment from Burns St
Lockyer Ave	Gannow	Sycamore	High	58	A	£10,000	Improve with equipment relocated from Glamorgan Grove
Hargrove Park	Gawthorpe	Padiham East	Low	32	B	£15,000	Improve to NEAP standard. Relocate equipment from Partridge Hill play area
Barden Lane	Queensgate	Queensgate	Med	41	A	£10,000	Relocate existing equipment from Barden Lane to new play area on Disraeli Street Rec
Healey Wood	Rose Hill	Healywood Toddler PA	Med	27	C	£17,500	Develop a new combined toddler & junior play area using relocated and some new equipment
Harold Avenue	Rosegrove	Griffin	Low	26	B	£12,500	Relocate to Sunny Clough Park (work with Calico to fund this)
Vanguard Park	Trinity	Trafalgar	Low	46	C	£10,000	Work with Burnley Play Association to replace worn out items of play equipment
Picadilly Gardens	Trinity	Piccadilly	Med	39	B	£10,000	Improve with equipment relocated from Baker St
Calder Park	Whittlefield	Calder	Med	35	B	£15,000	Work with Friends of Calder Park to obtain funding to extend play area
Faraday Street	Whittlefield	Calder	Med	51	C	£10,000	replace old items of equipment
Underley Street	Briercliffe	Lanehead North	Med	50	C	£12,500	Install woodchip surfacing
Total						£350,000	
Outcome 2: Play areas to be maintained							
Hart Street	Bank Hall	Top O the Town	Med	34	A		Maintain
Holcombe Drive	Bank Hall	Turf Moor	Low	30	B		Maintain
Fulledge Rec	Bank Hall	Fulledge	High	59	B		Maintain
Thompson Park	Bank Hall	Top O the Town	High	58	B		To be refurbish in 2017, funded by HLF restoration of Thompson Park (£142K)
Standen Hall Close	Briercliffe	Lanehead North	Low	47	A		Maintain
Queen Street	Briercliffe	Briercliffe South	Med	63	A	-	Maintain

Name of Playground	Ward	Residential Area	Use	Play value	Condition	Refurb Costs	Recommendation
Underley Street	Briercliffe	Lanehead North	Med	50	B		Maintain
Sheddon Grove	Brunshaw	Brunshaw	Low	40	B		Maintain
Wycoller Avenue	Brunshaw	Brunshaw	Med	60	A		Minor improvements to replace log edging
Worsthorne	Cliviger with Worsthorne	Worsthorne	Med	58	A		Maintain
Dunnockshaw	Coal Clough	Dunnockshaw	Low	43	A		Maintain with help from Dunnockshaw PC to do weekly inspection
Tay Street	Coal Clough	Hargherclough	Med	41	B		Maintain
Forfar Street	Coal Clough	Bleakhouse	Med	39	B		Maintain
Buttercross Close	Coal Clough	Buttercross	Low	29	B		Maintain
Hargher Clough Park	Coal Clough	Hargherclough	High	70	A		Maintain
Grey Street	Daneshouse	Daneshouse	High	49	A		Maintain
Byerden Holme	Daneshouse	Daneshouse	Med	39	B		Maintain
Whitegate	Gawthorpe	Whitegate	Med	56	A		Maintain
Park Road, Padiham	Gawthorpe	Victoria	High	72	A		Maintain
Bedford Park	Hapton with Park	Stonemoor Bottom	Med	46	A		Maintain
Malvern Avenue	Hapton with Park	Stonemoor Bottom	Med	46	B		Maintain
Hapton Rec	Hapton with Park	Hapton	Med	70	A		Maintain
Memorial Park	Hapton with Park	Padiham West	High	67	A		Maintain
Thornber Gdns	Lanehead	Heasandford	High	53	A		Maintain
Rakehead Rec	Queensgate	Rakehead	High	69	A		Maintain
Barden Gardens	Queensgate	Lower Manor Lane	Med	42	A		Maintain
Rosehill	Rosehill	Rosehill	High	53	B		Maintain
Burnley Wood Park	Rosehill	Burnleywood	High	57	A		Maintain
Creswick Avenue	Rosehill	Rosehill	Low	17	A		Maintain
Owen Street	Rosegrove	Rosegrove	Med	46	A		Maintain
Hordley St	Rosegrove	Lowerhouse	High	51	B		Maintain
Barwise	Rosegrove	na	Med	26	A		New play area funded by the Friends of Towneley & Big Lottery (£22,000)
Clifton Street	Trinity	Clifton Heights	Low	36	B		Maintain

Name of Playground	Ward	Residential Area	Use	Play value	Condition	Refurb Costs	Recommendation
Ightenhill Park	Whittlefield	Ightenhill	High	67	A		Maintain
Outcome 3. Play areas to be closed/relocated							
Helena	Bank Hall	Fulledge	Low	26	B		Close. Fulledge play area is within same residential area. Relocate suitable equipment to Fulledge
Barley Grove	Brunshaw	Turf Moor	V Low	24	C		Close and relocate equipment to nearby Holcombe Drive play area
Burns Street	Daneshouse	Stoneyholme	Med	29	C		Close & relocate equipment to nearby Stoneyholme Gardens
Glamorgan Grove	Gannow	Sycamore	Low	48	C		Close & relocate equipment to nearby Lockyer Ave Play area
Partridge Hill	Gawthorpe	Padiham East	Nil	30	C		Close and relocate equipment to nearby Hargrove Park
Baker Street	Trinity	Picadilly	Low	19	C		Close & relocate equipment to nearby Picadilly Gardens play area
Healey Wood	Trinity	Healywood Junior PA	Med	22	B		Close and relocate to a new combined junior and toddler play area on same site
Richard Street	Bank Hall	Plumb St	Low	33	C		Close as this site has low play value and is regularly vandalised

Burnley's Play Area Strategy 2017-2026



Burnley's Play Area Strategy 2016-2026

Foreword

Play is fundamental to the development of our young children as it contributes to their cognitive, physical, social and emotional wellbeing and this is recognised in Article 31 of the United Nations Convention on the Rights of the Child, which affirms their right to play and leisure.

Outdoor play in parks and greenspaces is an important part of children's play experience and provides an ideal opportunity for families to play together and for children to interact with others. It encourages mental and physical health and helps to tackle childhood obesity which is one of the most important health issues facing this country.

Burnley Council recognises the importance of children and young people's play and this Strategy has been developed to ensure that decisions about provision of play areas and youth facilities are based on sound information, take account of the particular needs of local communities in Burnley and also recognise that the Council's budget has been significantly reduced since the last play strategy was prepared.

Burnley currently provides 58 equipped play areas and this Strategy identifies the need to refurbish 16 of these play areas over the next 10 years but also the need to close or relocate 8 smaller and less well used play areas. Which will to ensure that the Council very limited resources are sufficient to maintain play areas to a high standard?

The Council also recognises that access to good quality green spaces for playing is just as important as having access to play areas. In recent years the Council has significantly increased access to green spaces through development of the new Padiham Greenway and the Brun Valley Forest Park, both of which link parks, woodlands and other green spaces together on traffic-free greenways and provide children with opportunities to explore.

Finally, the Council's new local plan identifies and protects the town's important green spaces and ensures that, as new development takes place, children will have access to local green spaces for play.

Councillor John Harbour
Executive Member for Leisure and Culture

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Section 1: Introduction

1.1 Introduction

This document provides a review of outdoor play provision for children and young people that is funded and managed by Burnley Council.

Facilities provided specifically for children and young people include; equipped play areas, ball courts, skate ramps and youth shelters. The Strategy also takes account of the provision of parks and greenspaces where children and young people play and interact.

Current provision includes:

Category	Quantity
Equipped play areas	50
Multi-use games areas	23
Unfenced football/basketball areas	11
Skate parks	4
Youth shelters	5
Total	93

The Council has prepared this strategy to guide future provision of these facilities and ensure that the Council's very limited and decreasing resources are directed to addressing the greatest needs.

1.2 Purpose of the Play Strategy

The aims of the Play Strategy are as follows:

- a) To map out and identify current levels of play provision based on child population, deprivation, population density, open space provision and the play value of existing play areas.
- b) To identify any areas of the borough where there is a shortfall in play provision and greatest need for improved provision, where the Council will actively work with partners to secure improvements.
- c) To identify areas where there is a need to maintain existing play area provision within the constraints of current maintenance budgets.

- d) Identify play areas of the borough where there is less need for equipped play areas to enable informed decisions to be taken regarding future closure of any play facilities.
- e) To develop an action plan for implementation.
- f) To help the Council and partners to secure external funding and guide investment in play for the future.

1.3 Scope of the Play Strategy

For the purpose of this Strategy, the term 'play' means unsupervised outdoor play on play areas, ball courts, parks and green spaces.

The age group for this Strategy relates to young people from early years i.e. 0-5 year olds through to 14 years old.

1.5 The Benefits of Play Provision

Play is vital to a child's social, physical and mental development. This is recognised in Article 31 of the United Nations Convention on the Rights of the Child affirms that "every child has a right to rest and leisure, play and recreation."

There is no statutory duty on local authorities to provide parks and green spaces and play areas but, in common with other local authorities, Burnley Council recognises the many important benefits of encouraging outdoor play, which are identified below:

Play and Health

Play is a main form of physical exercise for children and this contributes to improving their health and wellbeing.

Providing safe and accessible opportunities for outdoor play can increase children's activity levels and promotes their physical development. Conversely if children are provided with few opportunities for physical activity there may be greater risks of obesity with the consequent implications for their health in later life.

There is also evidence that play of all types helps to promote good mental health and that outdoor play is particularly important.

Play & Learning

Play is the mechanism by which children learn to interact with other people and with the environment around them and the early years development of children takes place primarily through play. The external environment can offer a huge range of play and

learning opportunities and outdoor play can foster children's independence and self-esteem.

A healthy and playful child with a positive mental attitude is likely to learn better in a formal educational environment.

Play & Development

Play promotes imagination, independence and creativity and can build resilience through risk taking and challenge and dealing with new and novel situations and outdoor play can provide these new experiences for children.

This strategy also considers how the Council can promote natural play allow children to build dens, dams and erect tree swings and take part in other forms of play in the natural environment.

Play and the Family

It is not only children who benefit from play. Parents, grandparents, other carers all benefit from participating in play with children and the family group is strengthened.

Greenspaces and play areas provide ideal opportunities for parents to play with their children, away from the confines and domestic chores of home. Parks and good play areas provide a great reason to get out of the house and can help to reduce the stress and isolation that carers can often feel. Consultation for this strategy identified that a good network of accessible play areas, close to where people live, is important to parents and carers.

Play and Behaviour

Provision of good un-supervised play activities can provide a positive direction for children's play and have a positive impact on children and young people's behaviour. There is evidence in Burnley that the provision of facilities for children and young people have helped to reduce problems of anti-social behaviour and conflict between local residents, park users and youths.

Play and Community Cohesion

Play provides opportunities for social interaction between both children and adults of different communities, who may not normally come into contact with each other in their daily lives.

Public parks and playgrounds are free to use and provide a relaxed and enjoyable environment for people of different racial, social and economic backgrounds to mix together. 'Town' parks such as Thompson Park and Towneley Park have a particularly important role in this regard as they attract visitors from across the whole borough.

1.6 Play Policy Statements

Burnley Borough Council has adopted the following key policy statements to guide the development of its Play Strategy:

- 1 Play opportunities within the Borough should promote equality, social inclusion and community cohesion.
- 2 Given limited resources, the priority for maintaining and refurbishing play areas will be determined by the need for play areas in different parts of the Borough and the play value and condition assessments of each play area.
- 3 The need for play provision will be assessed using child population, deprivation and the amount of open space in each residential area.
- 4 Children and young people should be involved in the planning and development of play opportunities.
- 5 The Council will work with park friends groups, the voluntary sector, town and parish councils and housing developers to maintain and improve play provision in Burnley.
- 6 Developers of new housing in Burnley will be required to contribute to play and amenity open space in accordance with the local plan. Where new on-site play areas are provided the Council will normally seek conditions with developers for ongoing maintenance by management committees/residents associations, rather than the Council.
- 7 The Council recognises and will encourage play in natural and semi-natural environments.
- 8 The value of street play is recognised and the Council will work with partners to create safer and child-friendly streets.

Section 2: Context

2.1 What's Special about Play in Burnley?

Play is obviously important to young people everywhere. However, in trying to develop this Play Strategy, there is need to understand what makes Burnley special and what factors need to be taken into account in developing a vision for play and the associated action plan. These factors include:

- The 2011 Index of Deprivation ranks Burnley as the most deprived district council in the country and 15 of Burnley's 60 Lower Super Output Areas are in the 5% most deprived nationally.
- Deprivation causes social exclusion. Parents on low incomes do not have the same ability or opportunity to provide more varied play opportunities for their children as those who are better off.
- There is a high proportion of terraced housing in Burnley. These have no gardens, the narrow streets are occupied by cars and there are often few green spaces except those created through housing clearance.
- There are relatively high levels of open space provision and play areas across the borough as a whole, although in some residential areas (particularly terraced housing) areas there are deficiencies and the quality of that provision is declining as play facilities age with time.
- In many areas of Burnley there are high levels of health deprivation which impact on the health and well-being of young and old alike.
- In parts of Burnley different communities don't mix.
- Parental concerns about 'stranger danger' and increasing traffic volumes may be restrict children's freedom to play outside.
- Media focus on anti-social behaviour may be leading to an increasing intolerance of children and young people's naturally noisy and exuberant activities and an increasing tendency to categorise it as anti-social behaviour.

2.2 Relevant National and Local Policy Guidance

National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published in March 2012. It is the key national policy document and is a material consideration in planning decisions.

The previous guidance 'Planning and Design for Outdoor Sport and Play' (PDOSP) predates the NPPF and the Benchmark Guidelines in the revised guidance reflect the relevant requirements of the NPPF, and the revocation of Planning Policy Guidance 17: Sport and Recreation on which the PDOSP was based.

The NPPF advocates a presumption in favour of sustainable development and identifies the three dimensions of sustainable development as economic, social and environmental. Access to high quality open spaces and opportunities for sport and recreation are highlighted as an important aspect of healthy communities.

One of the core planning principles set out under NPPF paragraph 17 seeks to “secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

NPPF paragraph 73 states that “access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision”.

The NPPF also promotes the protection of existing open space (paragraph 74) which is a key aspect of Fields in Trusts' operations as a national charity that safeguards recreational spaces.

Department of Transport – Manual for Streets

Manual for Streets provides guidance for practitioners involved in the planning, design, provision and approval of new residential streets, and modifications to existing ones. It aims to increase the quality of life through good design which creates more people-orientated streets.

Burnley Community Strategy 2017 – 2020

Now in its fourth edition, covering 2017 to 2020, the Sustainable Community Strategy, named Burnley's Future, sets out the vision of the Burnley Action Partnership to create a Burnley that is an even better place to Live, work and learn and the key priorities for the Borough under three themes, or strategic priorities:

- Prosperity – securing the Borough’s economic future
- Places – making the Borough clean, green and safe
- People – creating opportunities and sustaining ambition.

The strategy identifies Burnley’s parks and green spaces as an important asset for the town and the vision is for “Fine historic parks form part of a well-connected network of greenspaces, including the Brun Valley Forest Park, linked to the wider countryside and the South Pennine uplands”.

Children’s play provision is important in creating a town where families choose to live and can contribute to Burnley being:

- A united community
- A place to live
- A place to be healthy
- A place to relax

The Burnley Local Plan

The Local Plan contains the following policies that are relevant to the provision of play space.

Policy H7 - Open Space in New Housing developments

The Council will require all new housing developments to provide, or contribute to, Public Open Space provision.

1. Proposals for new housing development of 50 houses or more will be expected to incorporate recreational public open space to a minimum standard of 0.3 Ha (0.74 acres) per 50 dwellings or a proportion thereof, in accordance with the National Playing Fields Association Standard of 2.4 hectares (6 acres) per 1000 population.
2. Proposals for new housing developments of between 10 and 49 dwellings inclusively, will be expected to provide Public Open Space in line with the above standard. Where such a Public Open Space is impracticable or unusable the Council will negotiate with the developer the payment of a commuted sum, for the benefit of existing Public Open Space nearby, in lieu of the provision normally required by this policy.
3. Proposals for new housing development of less than 10 dwellings will be expected to provide the payment of a commuted sum, for the benefit of existing Public Open Space nearby, in lieu of the provision normally required by this policy.

4. As part of the overall recreational space requirement referred to in 1. (above), developers of housing sites comprising predominantly family housing, will be required to provide 0.09 Ha (0.23 acres) of equipped children’s play space per 50 dwellings, or proportion thereof.

The policy also identifies that where Public Open Space is provided in new housing development it must normally be a single plot of minimum size 1200m² and provision is made for the payment of a Section 106 contribution in lieu of open space provision to will be used towards upgrading Public Open Space in that residential area or adjoining residential areas.

Policy CF3 – Protection of Existing Public Parks, Informal recreation Areas, Major Open Areas, Play Areas and other Areas of open Space

Public Parks, Major Open Areas, Informal Recreation Areas, Play Areas and other areas of open space identified on the Proposals Map, will be retained, and where possible enhanced, for their recreation and/or amenity value.

Burnley’s Green Spaces Strategy (2015-2025)

The Green Spaces Strategy is designed to contribute to the Community Strategies, the Local Plan and to meet the requirements of National Planning Policy Framework in providing robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

The strategy undertook a detailed audit of all greenspace within the Borough, including children’s play space and the following local standards for provision of greenspace that are relevant to play provision were adopted.

Open space type	Adopted provision standard per 1,000 population	Adopted Accessibility Standard
Play space for children and young people	0.2 ha	5-10 min walk
Amenity greenspace	0.8 ha	5 min walk
Parks and gardens	0.8 ha	15 min walk
Natural & semi natural greenspace	0.5 ha	15 min walk

These adopted local standards will be applied by the Council when considering open space provision on any new housing developments and in determining applications for development on existing public open space:

The Green Spaces Strategy also identified of areas of the Borough where there are deficiencies in play space provision and made the following recommendations:

Ref	Recommendation
AGS 4	In new housing developments, the focus for amenity green space should be on larger functional sites rather than distributed amongst smaller sites. The minimum functional size of open space is a single square area of 1,200 m ² , overlooked by adjoining properties.
AGS 1	In areas where there are significant deficiencies of amenity green space additional open space should be created if opportunities arise through development, clearance, etc. subject to the additional costs of maintenance being approved by the Council.
AGS2	In areas where there are deficiencies of amenity green space, priority should be given to improving the quality of existing open space to compensate for the shortfall in quantity.
CYP3	Identify how access to play provision can be improved in the Lowerhouse, Casterton and South Lanehead residential areas, which have significant child populations but no readily accessible provision.
CYP4	Address the absence of play provision in Brownside, Red Lees and Rowley residential areas by improving Worsthorne play area and developing a new play area at Rowley as part of the Brun Valley Forest Park development, subject to funding.
CYP5	If resources allow, improve provision on the following play areas: Calder Park, Barclay Hills, Thornber Gardens, Kibble Bank, Stoneyholme.
CYP6	Improve the existing greenway access from Lower Manor residential area to the Barden Gardens play area.
CYP8	As resources are reduced, prioritise replacement of play equipment on playgrounds that are well located, for example near schools & community facilities and accessible on the greenway network.

2.3.5 Burnley's Sport and Physical Activity Strategy (2010 - 2017)

Play is the main form of physical activity enjoyed by children. The consultation undertaken for this strategy identified surprisingly high levels of outdoor play and policies that further encourage children to play out of doors will contribute towards the vision of the sport and physical activity strategy.

Section 3: Consultation

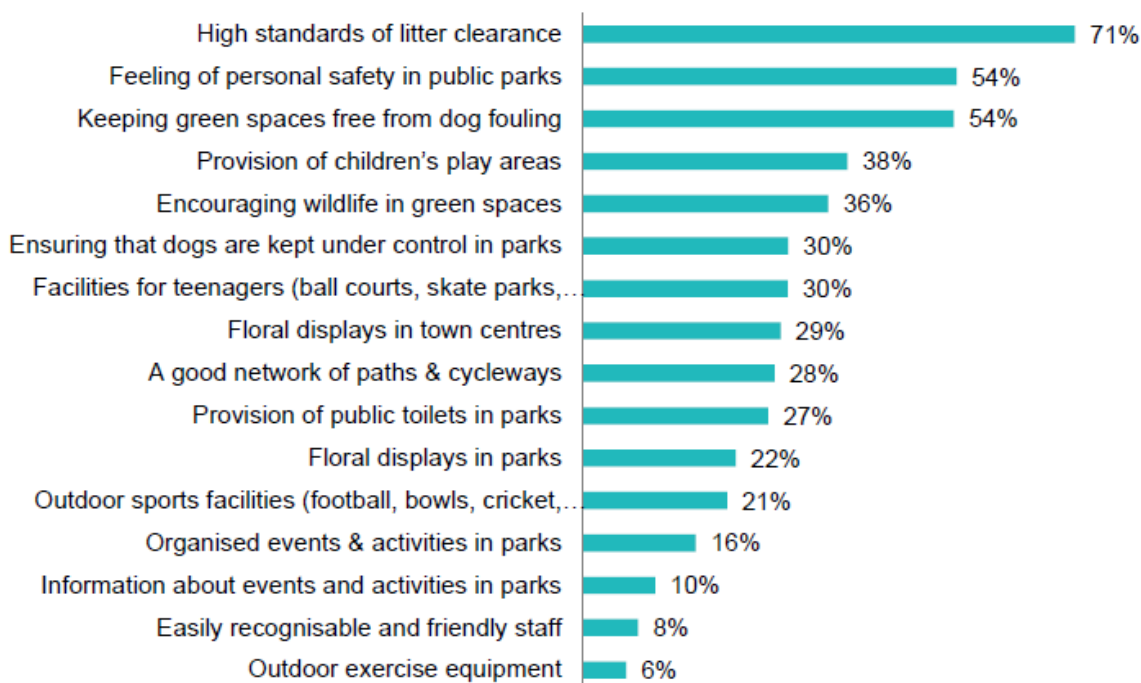
This section reviews the consultation that has been undertaken to inform the development of the Play Strategy. This includes consultation that has been undertaken specifically in relation to this Strategy together with earlier consultation work relating to the Green Spaces Strategy and the Council's Citizen's Panel surveys.

Importance of Play Provision

The public consistently identifies the provision of play areas as one of the most important aspects of parks and green spaces in Burnley.

In 2015 the order of priority was as shown below with play areas ranking fourth. This compares with a third place ranking in 2005.

Fig x: The most important things in relation to parks and greenspaces?



Frequency of Use

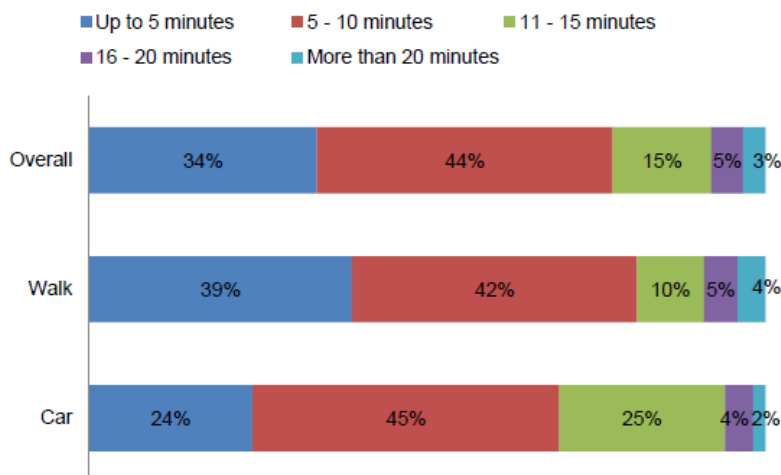
49% of respondents indicated that they or a member of their family regularly use play areas. Of these active users, 70% of families with children visit at least weekly and 40% use play areas at least twice a week. This compares with 64% visiting at least weekly in 2005, suggesting that the popularity of outdoor play areas has increased.

Travel time to play areas

The 2015 survey identified that 66% of people usually walk to their local playground and for those who walk, 39 % take less than 5 minutes and 81% walk for less than 10 minutes.

Less than 31% travel by car but this group is prepared to travel further in both distance and time with 25% driving for 11 – 15.

Fig X Mode of travel to play areas and travel time



These results indicate that the current adopted Local Standard of a 5-10 minute walk time, which equates to 400 – 800m distance, is about right and covers 81% of people who walk to a play area. It also suggests that to achieve equality of access to play areas for children from different backgrounds and to reduce reliance on car use, a good network of local play areas is desirable.

(Walking to a park or play area is also good exercise for both carers and children and means fewer trips by car.)

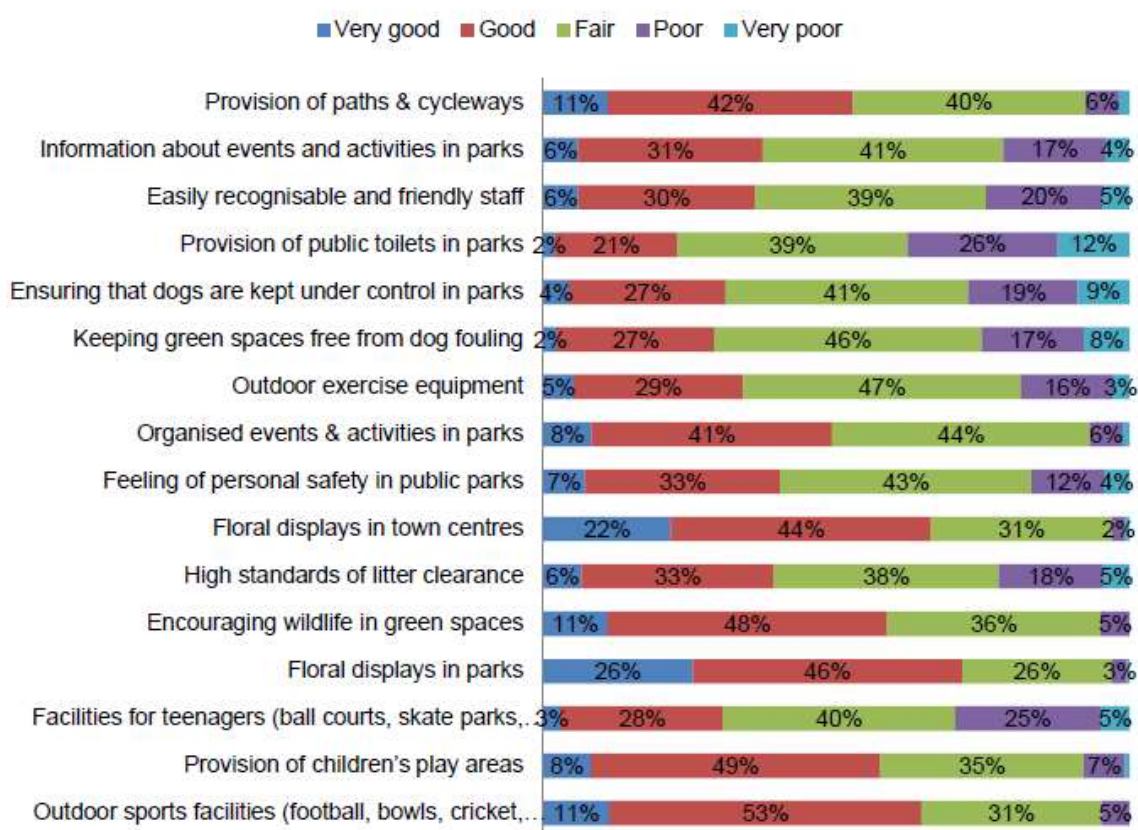
Satisfaction with Quality of Play Provision

In the most recent survey, 92% of respondents felt that provision of children’s play areas is fair, good or very good and was one of the highest scores across all areas of parks provision.

This compares with 80% felt that provision of play areas was satisfactory or good or very good in 2005 and this must reflect the significant investment that has made over the last 10 years to refurbish play areas.

When asked to rate facilities for teenagers 68% of respondents rated them as fair or better.

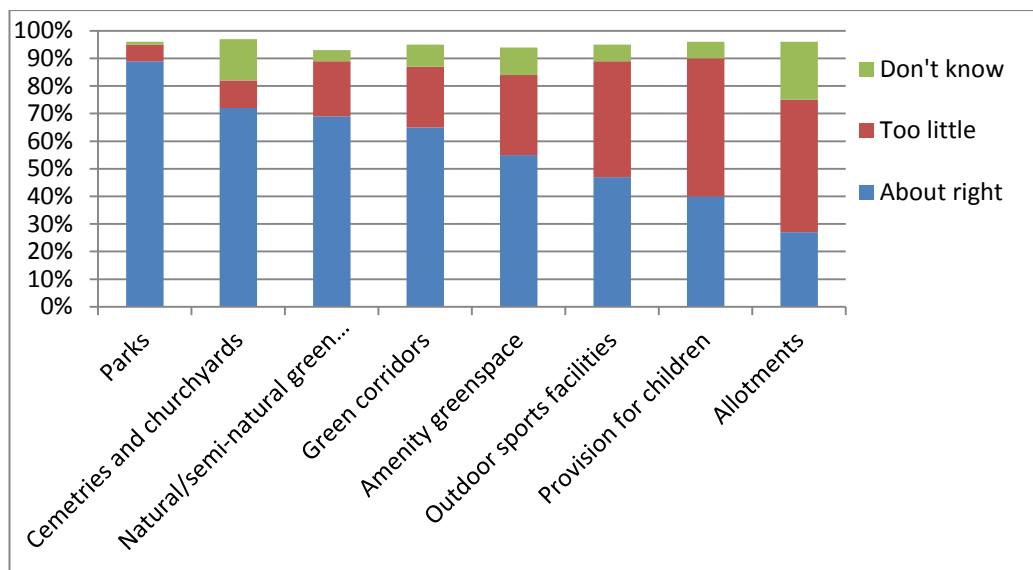
Fig x. Performance in areas relating to Green Spaces (2015)



Satisfaction with the quantity of green space for play

Whilst the public are satisfied with the quality of fixed equipment play areas only 40% feel that there is enough open space for children. This may reflect the character of Burnley with many children living in terraced houses in areas of town such as Burnley Wood, Stoneyholme, Daneshouse, Heasandford and Gannow where there is very little open space.

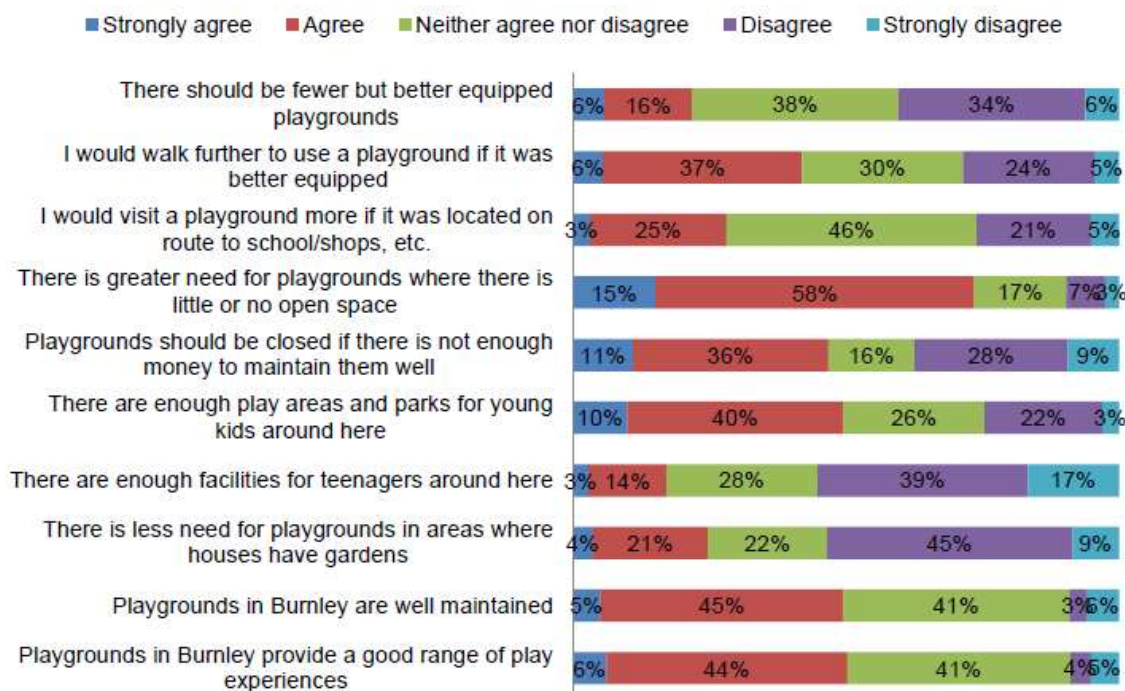
Figure 7: Do you think there is the right amount of green space in the borough?



73% of residents agree that there is more need for play areas in parts of the town where there is little or no open space. However, only half of people agree that there is less need for playgrounds in areas where houses have gardens, suggesting that the value of communal opens space where children can play together is important.

Consultation for the Play Strategy, Citizen’s Panel Survey

The Citizen’s Panel canvassed the views of a demographically representative sample of local residents. The key points that came out of the survey are summarised in the table below;



3.5 Summary of Consultation Findings and Policy Implications

Issue	Public's views	Policy Implications
Fewer but better play areas?	<ul style="list-style-type: none"> Overall only 22% support statement that there should be fewer but better play areas and 40% disagree. 43 % would walk further to use a better equipped play area, an increase from 38% in 2005 	<ul style="list-style-type: none"> Residents value a network of local play provision, rather than fewer 'honeypot' play areas. This reflects the high proportion of users who walk to play areas within 10 minutes of their house. Prioritise maintaining a network of accessible play areas within walking distance. Consideration to closure of low play value sites if there are higher play value sites in walking distance
Locality of playgrounds is important and so is play value	<ul style="list-style-type: none"> 28% of respondents identify they would visit play areas more if located on route to schools/shops. 29% would not. 	<ul style="list-style-type: none"> Observation evidence indicates that play areas located near facilities are used more and a well located play area increases opportunities for children to use them. Prioritise maintaining and improving play areas that are well located for whole community to use, rather than tucked away.
Support for play areas	<ul style="list-style-type: none"> 73% of respondents agree with statement that there is more need for playgrounds in areas where there is little or no open space. (down from 81% in 2005). Only 25% agree that there is more need for play grounds in areas where houses have gardens. 	<ul style="list-style-type: none"> Priority should be given to retaining play grounds in areas where there is little open space. This suggests that the social value of play areas is important and they are needed regardless of whether children also have access to gardens.
Closing playgrounds for financial reasons	<ul style="list-style-type: none"> 47% support closure of playgrounds if there is not enough money to maintain them well compared to a similar figure of 45% in 2005 (38% disagreed with closures). 	<ul style="list-style-type: none"> The public recognise that if play areas can't be maintained well they need to be closed. The Council is currently maintaining more playgrounds than it has the resources for and the replacement of equipment is under-funded. Identify any play areas that are under-used and that should be considered for closure. This will allow limited resources to be used to improve maintenance of more popular play facilities

Issue	Public's views	Policy Implications
		<ul style="list-style-type: none"> • The Council will not have resources to maintain all current play areas indefinitely and in the long term closures are inevitable. • A compromise may be to keep low priority play areas open until the equipment reaches end of life and then close and/or relocate equipment to improve remaining play areas.
	<ul style="list-style-type: none"> • 50% agreed that there is adequate provision and 25% disagree. This compares with just 22% agreeing in 2005 and 58% disagreeing. • 56 % of respondents feel that there are not enough facilities for teenagers. (58% in 2005) 	<ul style="list-style-type: none"> • The investment made in last 10 years has improved satisfaction for play provision. • Resources need to be identified to maintain current provision.
Rating of current play facilities is good	<ul style="list-style-type: none"> • 50% agree or have no opinion that play areas are well maintained and only 9% disagree. This has increased from 22% in 2005 • 66% feel that there are sufficient play areas and parks for young people in their area compared with only 26% in 2005. • 50% agreed that 'playgrounds in Burnley provide a good range of play experiences' compared with 24% in 2005 	<ul style="list-style-type: none"> • Efforts need to be focused on sustaining the current standard of maintenance. • This includes both day to day cleaning & maintenance and repair and replacement of broken and worn out equipment and also refurbishment of play areas at the end of their life.

Section 4: Existing Provision

4.1 Where Are We Now?

The previous section identifies the importance that Burnley's residents place on good quality and accessible local play facilities and an understanding that there is greater need for formal provision in areas where there are deficiencies in opens space provision.

In this section the quantity, quality and accessibility (distribution) of play facilities and open spaces is analysed in relation to need within the 51 'residential areas' that were defined during the development of the Borough's Green Spaces Strategy.

This section also considers how play facilities are managed, what they cost to maintain and how service performance is measured.

The plans of residential area shown in this section are small and are indicative only. They have been reduced to fit onto the page but are available at a larger scale as part of the Green Spaces Strategy.

4.2 Categories of Unsupervised Play Provision

The Council has used the National Playing Field Association's Six Acre Standard* as the basis for planning and providing children's playgrounds since 1991 and these standards are reflected in the local standards of provision that were adopted in the Burnley Green Spaces Strategy 2015 - 2025. The NPFA standard includes a system for classifying playground provision, which the Council has adopted as follows:

*The standards have now been replaced by the Fields In Trust's 'Benchmark Guidelines'

Local Equipped Area for Play (LEAP)

LEAPs are playgrounds equipped with a minimum of 5 play activities, fenced with seating and litter bins. Recommended walking distance of 5 minutes

Neighbourhood Equipped Area for Play (NEAP)

NEAPS are playgrounds that contain about 8 items of equipment and kick about areas with a recommended walking distance of 15 minutes

Teenzones

The Council has adopted the term 'Teenzone' to cover unsupervised recreation provision aimed primarily at teenagers. These include Multi-Use Games Areas, unfenced tarmac ball courts, skate parks, youth shelters. This is not a nationally recognised term

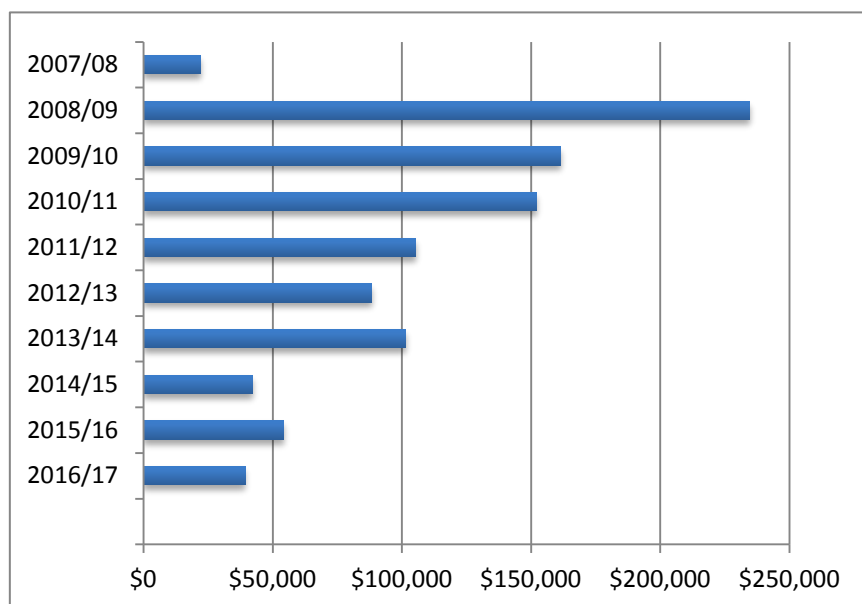
Other play provision

The Green Spaces Strategy identifies some other types of play provision including the paddling pool, boating lake and miniature railway in Thompson Park within the category of provision for Children and Young People.

4.3 Recent History of Play Area Provision

From 1990 – 2000 the Council implemented a £1.1 million programme of playground improvements which ensured that every play area in Burnley was provided with impact absorbing surfaces (IAS). Previous to this almost all play equipment was installed onto tarmac or concrete surfaces. As part of this programme, many playgrounds were also re-designed and provided with new equipment and were mostly installed onto bark or woodchip surfaces, which have become the main form of playground surface. Currently, approximately 50 play areas have woodchip (or sand) surfacing and 8 have rubber surface.

Following the adoption of the play strategy in 2007, the Council invested £1 million between 2007 and 2016 to refurbish 37 play areas using a combination of its' own capital funds, a BIG lottery grant, Section 106 funding, Ward Opportunities Fund money and grants from third parties such as the Communities Landfill Fund. (These are detailed in Appendix 3).



The average spend refurbishing each play area has been £27,000.

However, over the last three years Green Spaces & Amenities has used in-house staff to undertake refurbishment of play areas (such as Grey Street, Worsthorne, Bedford

Park play area, etc.) and continuing this practice reduces the average costs of refurbishing a typical play area to circa £20,000.

4.4 Teenzones

The Council project has invested approximately £1.67 million in the provision of new or improved facilities for teenagers between 2001 and 2016.

The Teenzones project was initially developed in response to a Citizens Panel survey that identified that provision for teenagers was a key priority. Since the project began 15 new or refurbished floodlit ball courts have been developed together with 3 skate boarding facilities and 6 youth shelters and two pump tracks.

There is evidence from the police and other sources that they have been effective in reducing problems of nuisance and anti-social behaviour. The Council works with both Burnley Leisure and Burnley Football in the Community to encourage use of these facilities.

4.5 Current Provision of Unsupervised Outdoor Play Facilities

The facilities currently provided for children and teenagers are summarised below, with a comparison to 2005.

Category	2005	2016
Equipped Play areas		
Not meeting Leap Standard	17	7
LEAP	42	33
NEAP	4	18
Total of Play Areas	63	58
Teenzones		
Multi Use Games Areas	19	22
Skateboard facilities	4	5
Pump tracks		3
Youth shelters	7	4
Total of Teenzones	30	34
Total Number of Facilities	93	92

The Play Area Improvement Programme has increased the number of play areas in the 'Local Equipped' and 'Neighbourhood Equipped' categories from 46 to 51. Three new ball courts have been developed at Rosehill, Briercliffe Recreation Ground and Hargher Clough Park and new pump tracks have been developed at Memorial Park and Brun Valley Forest Park.

Youth shelters have been removed at Briercliffe Recreation Ground, Burnley Wood and Rakehead, largely because they attracted anti-social behaviour and the unit from Rakehead was refurbished by Futaba Tenneco apprentices and relocated to Hargher Clough Park.

The table below compares the number and condition of play areas in 2005 and 2015:

Play Area Condition	2005		2015	
	Number in category	%	Number in category	%
A	14	22%	21	36%
B	30	48%	23	40%
C	19	30%	14	24%
Totals	63		58	

The level of investment that is required to maintain current provision

As demonstrated in the table above, the money invested in Burnley’s playgrounds over the last ten years has improved the condition of the borough’s play areas. However continual investment is needed because play equipment has a typical life expectancy of play equipment is 15 - 20 years after which the equipment must be replaced or refurbished.

Therefore, if a playground can be expected to last for is 20 years and the Council maintains 58 playgrounds, then each year approximately 3 playgrounds could be expected to drop into the condition category C and require refurbishment.

If the average cost of refurbishing a typical playground (using in-house staff) is £20K then a minimum of £60K of capital money will be required to maintain existing playgrounds in their present condition.

4.6 Service Delivery

The table below identifies the key maintenance tasks, frequencies and responsibilities.

Maintenance Task	Frequency	Responsible Persons
<ul style="list-style-type: none"> Make safe damaged equipment 	Immediate	Playground Operative/ranger
<ul style="list-style-type: none"> Broken glass 	Immediate	Neighbourhood team/ranger
<ul style="list-style-type: none"> Recorded visual inspection Litter removal & bin emptying 	weekly	GS&A neighbourhood teams
<ul style="list-style-type: none"> mowing 	fortnightly	GS&A neighbourhood teams
<ul style="list-style-type: none"> Mechanical sweeping 	6 weekly	Sweeper driver (0.1FTE)
<ul style="list-style-type: none"> Monthly recorded inspection Maintenance & repairs 	Monthly	Playground Maintenance Operative
<ul style="list-style-type: none"> 3-monthly inspections record keeping ordering spares insurance claims Inspection of ball court lights 	3 monthly	Playground Officer
<ul style="list-style-type: none"> Repair of defective ball court lights 	Monthly inspections (Aug – April)	Liberata contract out to electrical engineers.
<ul style="list-style-type: none"> Annual inspection of playgrounds and ball courts by qualified engineer. 	Contracted out to Zurich Municipal	Action by Playground Officer

The Council uses the 'PlaySafe' playground management system supplied by Public Sector Software to manage sites. This is the accepted industry standard software and is used to maintain site records, record faults, issue and complete works orders, undertake site risk assessments and maintain photographic records.

All relevant staff have been trained by ROSPA to inspect playgrounds.

4.7 Standards of Service

The Council monitors performance in respect of the maintenance of playgrounds and Teenzones as part of the corporate management information system. The current performance targets are as follows:

- 98% of the 348 items of playground equipment playground equipment are serviceable.
- 90% of ball court lights serviceable

4.8 Accident Claims History

The number of playground accidents that have resulted in claims being made against the Council is shown below:

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Nr of Claims	0	2	5	3	4	2	6	3	3	1

The Council is usually able to successfully defend claims when it provides evidence that regular inspections and maintenance has been undertaken. In the past approximately 20% of claims that relate to accidents caused by alleged play equipment defects have resulted in the Council being held liable.

4.9 The Costs of Service

The costs of cleaning, inspecting and maintaining the facilities identified in the table above is £122,131 per year, giving an average cost per play facility of £1,173 per annum (£2,320 per annum in 2005). This is equivalent to an estimated cost per child (aged 0 – 14) of £6.85 per year or 13 pence per week.

The figure includes a revenue budget of £17,500 for purchasing spare parts (such as swing seats) and materials (such as woodchip) to maintain play equipment and a

smaller budget of £5,000 for employing external contractors to repair items of play equipment and rubber surfacing. This is equivalent to £243 per play facility per year.

Cost of maintaining playgrounds and teenzones

R7086 - PLAYGROUNDS MAINTENANCE	2017
Salaries	48,418
Repairs and Maintenance	294
Electricity	4,200
Water charges – Surface Drainage	1,296
Engineering Insurance	4,703
Equipment & Materials	17,500
Mobile Phones	300
Private Wires	921
Play Safe Software	3,254
Miscellaneous Insurances	1,495
Private Contractors	5,000
Apportioned sweeper costs	4,250
Apportioned cleaning & inspection costs (neighbourhood teams)	27,500
Apportioned tractor team costs (topping up woodchip)	3,000
Total	122,131

In addition Liberata spends approximately £check on repairs to ball court floodlights

4.10 Assessment of Play Provision

Green Spaces Strategy (2015)

The Burnley Green Spaces Strategy was prepared to meet the requirement of The Government’s planning policy guidance note PPG17:

- To develop local standards for open space provision to enable the Council to determine future development proposals and to inform the development and implementation of the Local Plan.
- Identify areas of the Borough where there are deficiencies and surpluses of green space and provide a framework for future decisions in respect of green space provision.
- To enable the enable the Council to prioritise the use of any available resources, including external funding, for the development and improvement of green space through preparation of an action plan.

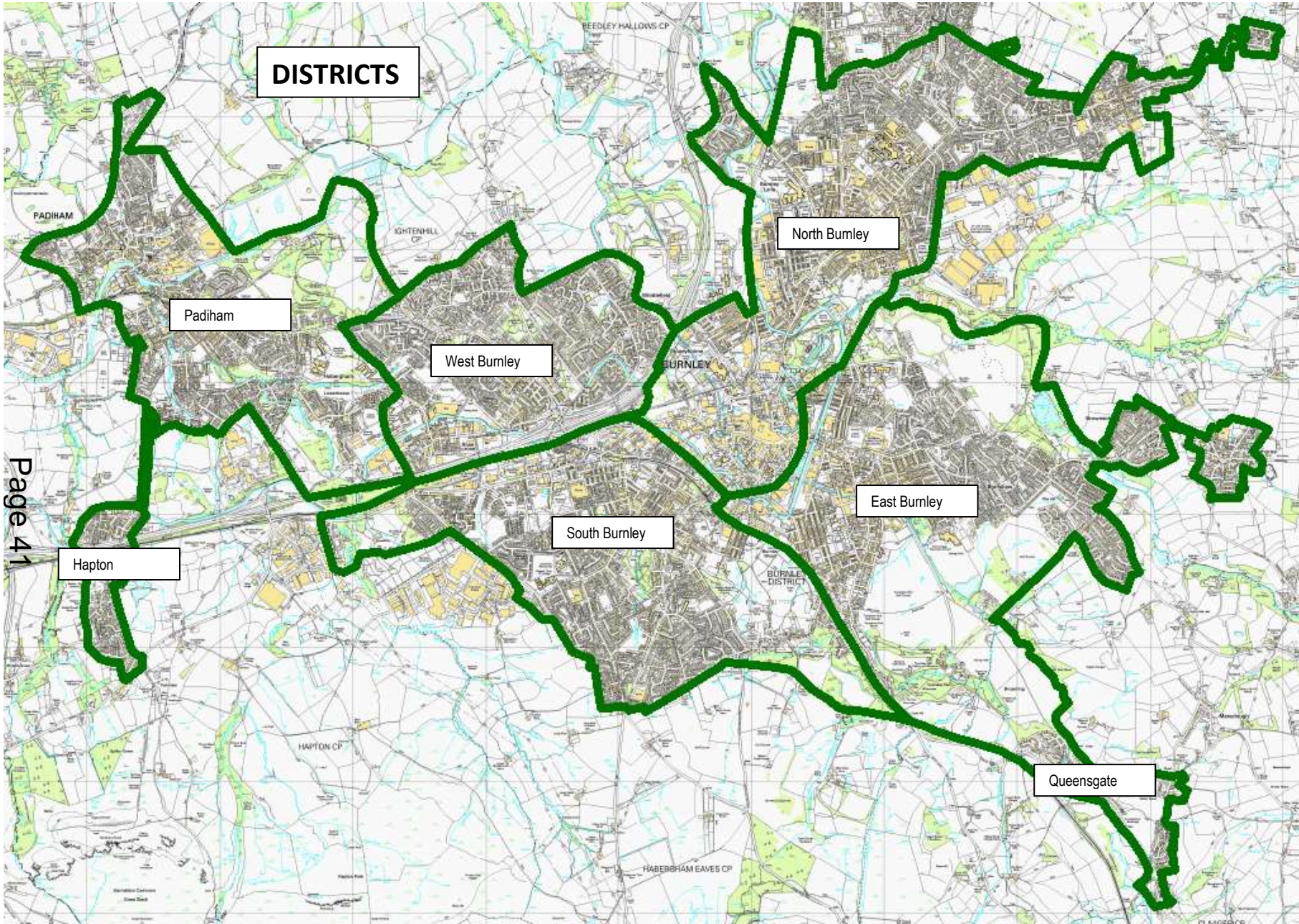
Each area of green space in the Borough was assessed to measure the quantity, quality, and accessibility of each site and placed each into one of eight defined categories:

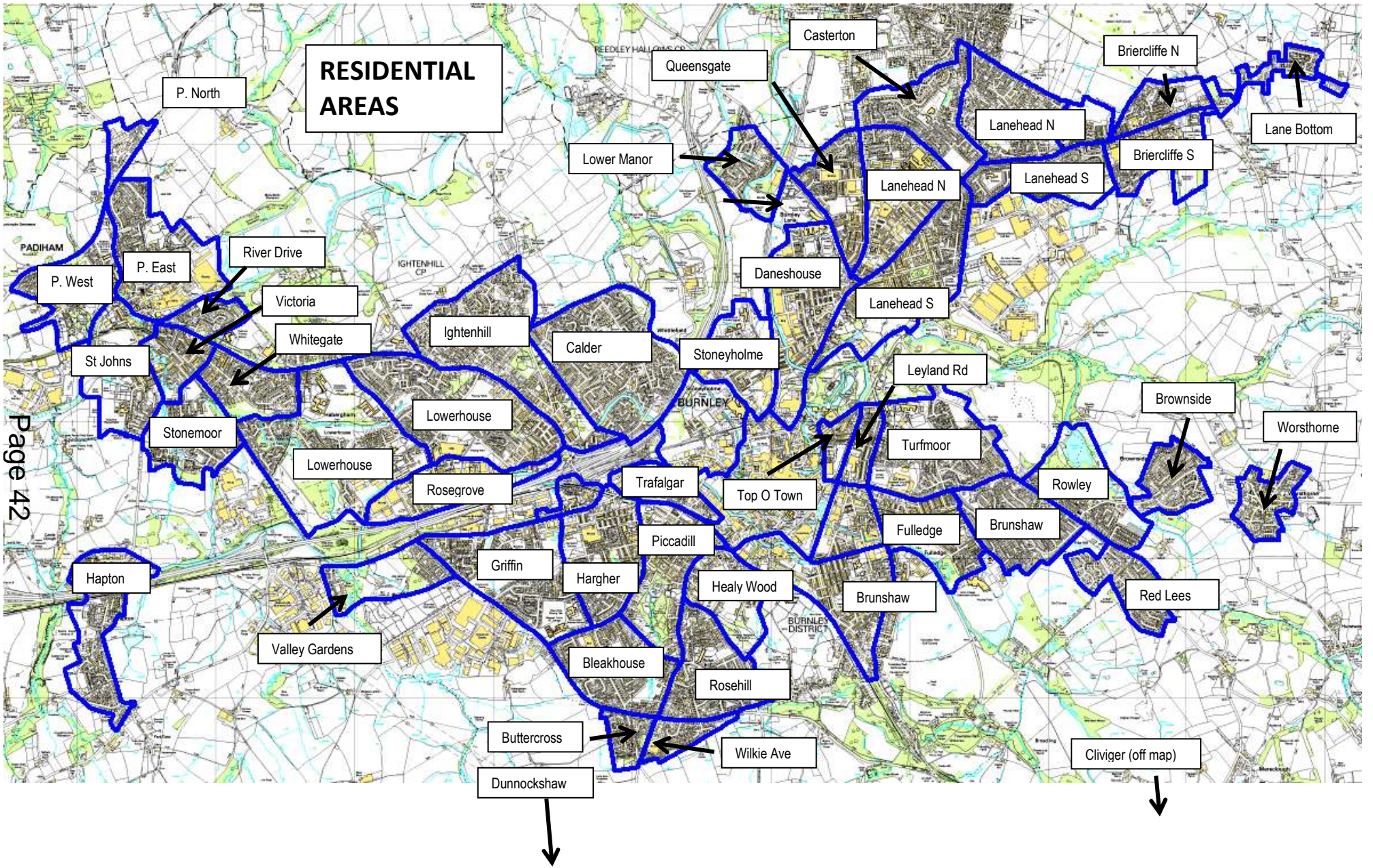
Category	Area (hectares)	% of Area
Parks & gardens	94.0	15.7
Natural & semi-natural open space	254.0	42.6
Amenity open space	80.0	11.9
Provision for children & young people	16.8	2.9
Outdoor sport,	116,5	19.5
Cemeteries	27.3	4.6
Allotments	13.9	2.3
Greenways	10.4	1.8

Analysis of Provision by Residential Areas & Districts

For the purposes of the Green Spaces Strategy, Burnley is divided into 51 'residential areas'. These are determined by boundaries such as busy main roads, railway lines, canal, industrial areas, etc. and allow examination of data at a more detailed level, and provide a geographical background to the analysis.

The quantity, quality and accessibility of provision in each residential area was analysed to extract specific findings relating to geographical areas within the Borough.





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Analysis of Provision of Amenity Green Space (Appendix 2)

The Green Spaces Strategy set the following local standards for provision of amenity green space:

Quantity Standard: 0.81 ha per 1,000 population

Quality Vision:

*A clean, litter free site with well-kept grass and some tree/shrub planting.
The site should be easily accessible, clearly marked footpaths, be of reasonable size for informal play and have benches and bins where appropriate, etc.*

Accessibility Standard: 5 minute walk (400m)

Based on quality and level of use and subject to securing funding, the Green Spaces Strategy identified that improvements to amenity green spaces should be prioritised in the following areas:

- Rakehead Recreation Ground
- Turfmoor Gardens
- Kibble Bank
- Melrose Avenue
- Fulleage Recreation Ground
- Disraeli St
- Rosehill Gardens

Analysis of Provision for Children and Young People (Appendix 2)

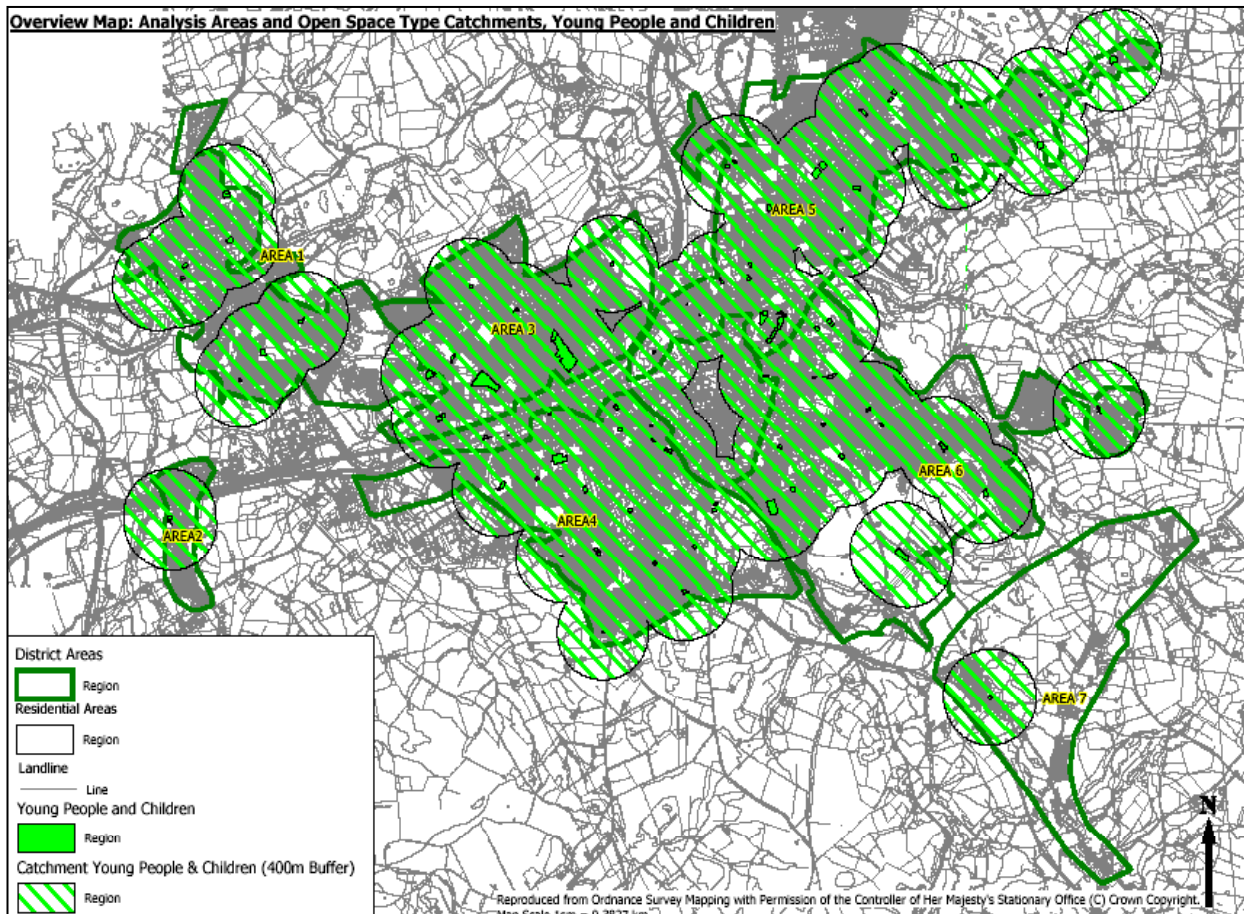
Quantity Standard: 0.2 ha per 1,000 population

Quality Vision

A clearly signposted playground site providing a mix of well-maintained formal equipment in a safe and secure convenient location close to housing but free of traffic and other hazards and includes a clean, litter and dog free amenity area with well-kept grass for more informal play and seating for adults.

Accessibility Standard: 5-10 minute walk (400-800 metres)

Overview of accessibility to provision for children and young people across the Borough



The above plan identifies that Burnley is generally well served in regard to the location (accessibility) of play space and in some areas playgrounds are located within 5-10 minutes walking distance of each other, with overlapping catchments.

The Strategy identifies that the residential areas with the largest deficits in the quantity play provision, where there are no play areas within a 400m walking distance are:

- Brownside
- Clifton Farm
- Casterton Reedley
- Queensgate
- Stoneyholme
- Padiham - Victoria
- Lanehead South
- Rowley
- Daneshouse

However the Strategy also noted that fixed equipment playgrounds are only one element in the provision of play opportunities for children. Amenity open space and natural and semi-natural green spaces also provide important play opportunities and in

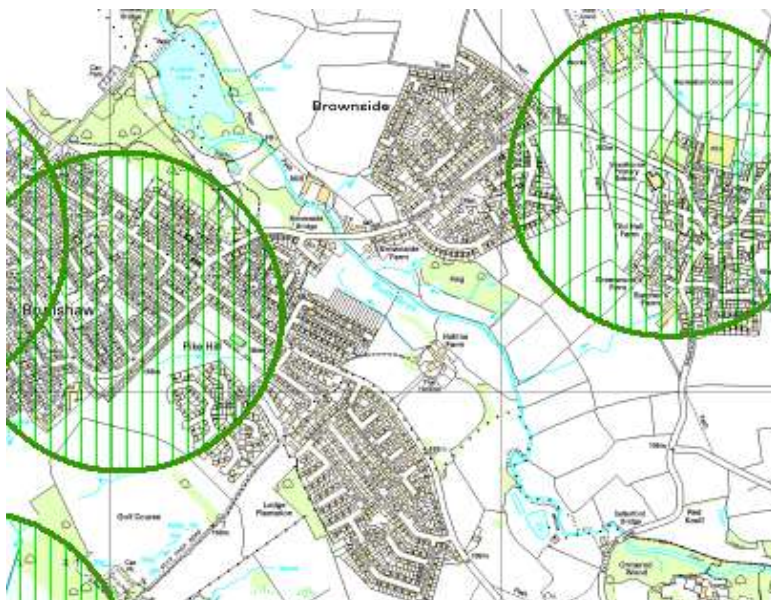
some areas these categories can compensate for deficiencies in equipped play provision. Private gardens also provide lay opportunities that are missing in areas of terraced housing.

Some of the areas identified above, including Lanehead South, Brownside and Rowley, which have no formal play areas are close to large areas of amenity or natural & semi-natural open spaces.

Plan showing play provision shortfall around Casterton Avenue
The green hatched circle indicates 400m travel distance



Plan showing shortfall in provision around Brownside and Red Lees



Plan showing shortfall in provision around Lowerhouse



4.11 Further Analysis of Open Space Play Provision for the Play Strategy

Further analysis of the information provided by the Green Spaces Strategy has been undertaken to assess the level of children's play provision, both formal (e.g. equipped play areas) and informal (open spaces) to determine where any improvements in provision should be made.

This more detailed analysis takes account of additional factors that were not used for the Green Spaces Strategy, including: the availability of other types of open space, the 'play value' offered by play facilities and population density in each residential area.

The analysis takes account of the Citizen's Panel that identified 81% of respondents agreed that there is a greater need for playgrounds in areas where there is little or no open space.

Method Used to Assess Play Provision

For each of the 51 'residential areas' (previously defined for the Green Spaces Strategy), the following measures of the demand for play provision were assessed and placed in rank order:

- The population of children in each residential area as a measure of the demand for play provision.

The following measures provision for outdoor play were also assessed and placed in rank order:

- The total area of open space (amenity green space, play provision and parks & gardens) available in each residential area

- The Play Value of each play area was measured and expressed as an aggregate score per 100 children for each residential area.

The results of these assessments are shown in Appendix (X)

Results

The results for each residential area were combined into a summary table shown below which identifies residential areas in declining order of priority of need and this table provides a basis for identifying in which residential areas:

- Play areas should be maintained
- Where officer time should be devoted to improving play facilities
- Where any resources that may be available should be used for improving play facilities for children and teenagers.

Play Priority Areas

Appendix X lists residential areas in declining order of need. The residential areas at the top of the table have the greatest unmet need for play areas and open space.

4.13 Table of recommendations for each residential area

Taking account of both the Play Priority Areas table shown above and the Play Condition Assessment the table below identifies the recommendations for each ward and residential area:

Ward	Residential Area	Recommendations
Bank Hall	Leyland Road	There is no play area in this residential area However Thompson Park play area is located nearby with a safe access on pedestrian crossing of Ormerod Rd. Thompson Park play area is being improved as part of the HLF funded restoration scheme.
Bank Hall	Fulledge	Maintain Fulledge play area and recommend closure of Helena St, which is in relatively poor condition and offers little play value.
Bank Hall	Turf Moor	Review Holcombe Drive play area and if major replacement of equipment becomes necessary, consider closure and relocation of remaining suitable equipment to improve the nearby Queens Park play area.
Bank Hall	Plumb St	Proposed closure this play area, which is underused, vandalised and equipment is in poor condition. However, consider later replacement funded by S106 contributions if there is housing development on Hull St.
Bank Hall	Top of the Town	Maintain Hart St play area, recently refurbished using WOF funding.
Briercliffe	Briercliffe North	The small play area adjacent Briercliffe bowling green to be maintained and improved if funding is available from the Parish Council.
Briercliffe	Lanehead South	There is no play area in this residential area.
Briercliffe	Briercliffe South	Maintain Queen St play area
Briercliffe	Lanebottom	Work with Briercliffe Parish Council to either refurbish or close when (wooden) equipment reaches end of life.
Briercliffe	Lanehead North	Maintain existing Underley St play area
Brunshaw	Brunshaw	Maintain Wycoller and Sheddon Grove play areas
Cliviger with Worsthorne	Brownside	This area and adjoining Rowley residential area have no play area. The nearby Worsthorne play area has been refurbished and proposals and some funding are in place to develop a new small play area at Rowley Lake, just below Thornton Arms pub

Ward	Residential Area	Recommendations
Cliviger with Worsthorne	Rowley	Develop a new small play area at Rowley Lake to serve Brownside and Rowley residential areas. A play area will attract more visitors to Brun Valley Forest Park.
Cliviger with Worsthorne	Cliviger	Replace some of the older items of equipment at RACA Park using funding from the Cliviger windfarm fund
Cliviger with Worsthorne	Worsthorne	Maintain this newly refurbished play area
Cliviger with Worsthorne	Red Lees Road	Towneley Park riverside play area is nearby
Coal Clough with Deer Play	Buttercross	Maintain small Buttercross Close play area (which serves a small population of children) until timber equipment reaches end of life and then remove and close
Coal Clough with Deerplay	Wilkie Avenue	There is no play area in this small residential area. Rosehill Play area is the closest and located near to the primary school used by children living in this area.
Coal Clough with Deerplay	Bleakhouse	This residential area includes Forfar St play area which is OK and Scott Park play area which is woeful and a new play area should be developed for this important park on the site of the un-used lower bowling green. Grant support to be sought from Lancashire Environment Fund.
Coal Clough with Deerplay	Dunnockshaw	There is a very small child population in this residential area. Maintain play area but arrange weekly inspection by a volunteer from parish council.
Coalclough with Deerplay	Hargher Clough	Maintain Hargher Clough Park play area (recently developed with external funding)
Daneshouse with Stoneyholme	Stoneyholme	Close Burns St play area and relocate equipment to Stoneyholme Community Garden and provide additional equipment with support from WOF, with aim of creating one good quality play area rather than having two poor quality play areas close to each other.
Daneshouse with Stoneyholme	Daneshouse	A residential area with a growing child population. Grey Street has recently been improved. Undertake improvements to Byerden Holme play area which serves both Stoneyholme and Daneshouse by replacing the missing team swing and replace/refurbish springies, see saw, etc.
Gannow	Sycamore	There are 3 play areas in this residential area: Lockyer Avenue play area is well located within Sycamore Park, on the Sweet Clough Greenway and close to a school. The small, poorly located Glamorgan Grove play area should be closed and play equipment relocated to improve the play value of Lockyer Avenue.
Gawthorpe	Slade Lane	This residential area north of Padiham bypass has no play area and a small child population. The nearest play area is Hargrove Park which is currently being developed and improved.
Gawthorpe	River Drive	There is no play area in this small residential area

Ward	Residential Area	Recommendations
Gawthorpe	Victoria	Memorial Park play area is accessible via the greenway for children in this residential area
Gawthorpe	Padiham East	Close Partridge Hill play area and relocate refurbished equipment to improve nearby Hargrove Park play area.
Gawthorpe	Whitegate	Maintain Whitegate Park and improve with provision of 5 a side goals
Hapton with Park	Padiham - St Johns	Whilst this residential area has no play area, the Padiham Greenway provides access to Memorial Park play areas.
Hapton with Park	Stonemoor Bottom	Replace see saw and springies on Malvern Avenue play area.
Hapton with Park	Hapton	Maintain the new Hapton Park play area
Hapton with Park	Valley Gardens	There is no play area in this small residential area
Hapton with Park	Padiham West	Maintain Memorial Park play area
Lanehead	Casterton	Following closure of Brent Street play area in 2007/8 due to significant ASB problems There is no play area in this residential area and no open space (except Brent St) on which one could be developed.
Lanehead	Heasandford	Whilst there are large areas of amenity open space adjoining Heasandford and reasonable access to Thompson Park, there is only one play area (Thornber Gardens) within this heavily populated area of terraced housing. It was recently refurbished but there is scope to add additional equipment, seating if WOF or other funding becomes available.
Queensgate	Queensgate	Close Barden Lane play area (which is located on a busy main road) and relocate the play equipment to create a new play area nearby on the large open space of Disraeli St Recreation Ground. This will meet the needs of children in the Queensgate residential area where there is currently no play area.
Queensgate	Rakehead	Maintain Rakehead play area.
Queensgate	Lower manor Lane	Improve the small Barden Gardens play area using WOF funding (if available) by addition of team swing.
Rosegrove with Lowerhouse	Griffin	Consultation with Calico has identified opportunity to improve provision by relocating equipment from Harold Avenue play area (which is very, very poorly drained) to Griffin Field at rear of community centre.

Ward	Residential Area	Recommendations
Rosegrove with Lowerhouse	Lowerhouse	There is no play area in the Lowerhouse residential area. When the former Hameldon school site is redeveloped for housing, a S106 contribution from the developer should be used to provide a new play area located on, or close to the Sweet Clough greenway.
Rosegrove with Lowerhouse	Rosegrove	Maintain Owen Street play area
Rosehill with Burnley Wood	Burnley Wood	Maintain existing play area and ball court. There is no scope to improve provision.
Rosehill with Burnley Wood	Rosehill	Maintain Rosehill play area
Trinity	Piccadilly	This residential area contains two play areas close together. Recommended that the small Baker St play area is closed and the toddler equipment is relocated to improve Piccadilly Gardens play area
Trinity	Healywood	There are two separate (junior and toddler) play areas at Healywood Park. Recommended that equipment is refurbished and relocated to create a single play area for this residential area.
Trinity	Fielden St	There is no play area in this residential area. Hargher Clough park is the closest
Trinity	Trafalgar	Vanguard Park play area requires refurbishment to replace old timber items. Work with the Vanguard Community Centre and use WOF funding if available
Trinity	Clifton Heights	Maintain the small play area on Clifton St
Whittlefield & Ightenhill	Calder Park	This is a large residential area with a high population of children. The play area at Calder Park is small and offers only modest play value. Council officers will work with the Friends of Calder Park to secure funding to extend the play area.
Whittlefield & Ightenhill	Ightenhill	Maintain Ightenhill Park play area

4.14 Recommendations for each play area

Name of Playground	Ward	Residential Area	Use	Play value	Condition	Refurb Costs	Recommendation
Outcome 1: Play areas to be refurbished							
Queens Park	Bank Hall	Turf Moor	High	63	B	£27,500	Work with Friends of Queens Park to refurbish.
Lane Bottom	Briercliffe	Lanebottom	V Low	37	C	£10,000	Work with Briercliffe PC to refurbish or close
Burnley Rd B'Cliffe	Briercliffe	Briercliffe North	Low	22	C	£10,000	Work with Parish Council to refurbish
Towneley Riverside	Cliviger	Red Lees Road	High	79	B	£100,000	Work with Friends of Towneley on major refurbishment of this important play area
Cliviger Park	Cliviger	Cliviger	Low	56	C	£10,000	Work with Cliviger PC to secure windfarm grant to refurbish play area
Scott Park	Coalclough	Bleakhouse	Med	52	B	£60,000	Work with Friends of Scott Park to provide new play area preferably located on lower (un-used) bowling green
Stoneyholme Gdns	Daneshouse	Stoneyholme	Med	35	C	£10,000	Relocate equipment from Burns St
Lockyer Ave	Gannow	Sycamore	High	58	A	£10,000	Improve with equipment relocated from Glamorgan Grove
Hargrove Park	Gawthorpe	Padiham East	Low	32	B	£15,000	Improve to NEAP standard. Relocate equipment from Partridge Hill play area
Barden Lane	Queensgate	Queensgate	Med	41	A	£10,000	Relocate existing equipment from Barden Lane to new play area on Disraeli Street Rec
Healey Wood	Rose Hill	Healywood Toddler PA	Med	27	C	£17,500	Develop a new combined toddler & junior play area using relocated and some new equipment
Harold Avenue	Rosegrove	Griffin	Low	26	B	£12,500	Relocate to Sunny Clough Park (work with Calico to fund this)
Vanguard Park	Trinity	Trafalgar	Low	46	C	£10,000	Work with Burnley Play Association to replace worn out items of play equipment
Piccadilly Gardens	Trinity	Piccadilly	Med	39	B	£10,000	Improve with equipment relocated from Baker St
Calder Park	Whittlefield	Calder	Med	35	B	£15,000	Work with Friends of Calder Park to obtain funding to extend play area
Faraday Street	Whittlefield	Calder	Med	51	C	£10,000	replace old items of equipment
Underley Street	Briercliffe	Lanehead North	Med	50	C	£12,500	Install woodchip surfacing
Total						£350,000	
Outcome 2: Play areas to be maintained							
Hart Street	Bank Hall	Top O the Town	Med	34	A		Maintain
Holcombe Drive	Bank Hall	Turf Moor	Low	30	B		Maintain
Fulledge Rec	Bank Hall	Fulledge	High	59	B		Maintain
Thompson Park	Bank Hall	Top O the Town	High	58	B		To be refurbish in 2017, funded by HLF restoration of Thompson Park (£142K)
Standen Hall Close	Briercliffe	Lanehead North	Low	47	A		Maintain

Name of Playground	Ward	Residential Area	Use	Play value	Condition	Refurb Costs	Recommendation
Queen Street	Briercliffe	Briercliffe South	Med	63	A	-	Maintain
Underley Street	Briercliffe	Lanehead North	Med	50	B		Maintain
Sheddon Grove	Brunshaw	Brunshaw	Low	40	B		Maintain
Wycoller Avenue	Brunshaw	Brunshaw	Med	60	A		Minor improvements to replace log edging
Worsthorne	Cliviger with Worsthorne	Worsthorne	Med	58	A		Maintain
Dunnockshaw	Coalclough	Dunnockshaw	Low	43	A		Maintain with help from Dunnockshaw PC to do weekly inspection
Tay Street	Coalclough	Hargher Clough	Med	41	B		Maintain
Forfar Street	Coalclough	Bleakhouse	Med	39	B		Maintain
Buttercross Close	Coalclough	Buttercross	Low	29	B		Maintain
Hargher Clough Park	Coalclough	Hargher Clough	High	70	A		Maintain
Grey Street	Daneshouse	Daneshouse	High	49	A		Maintain
Byerden Holme	Daneshouse	Daneshouse	Med	39	B		Maintain
Whitegate	Gawthorpe	Whitegate	Med	56	A		Maintain
Park Road, Padiham	Gawthorpe	Victoria	High	72	A		Maintain
Bedford Park	Hapton with Park	Stonemoor Bottom	Med	46	A		Maintain
Malvern Avenue	Hapton with Park	Stonemoor Bottom	Med	46	B		Maintain
Hapton Rec	Hapton with Park	Hapton	Med	70	A		Maintain
Memorial Park	Hapton with Park	Padiham West	High	67	A		Maintain
Thornber Gdns	Lanehead	Heasandford	High	53	A		Maintain
Rakehead Rec	Queensgate	Rakehead	High	69	A		Maintain
Barden Gardens	Queensgate	Lower Manor Lane	Med	42	A		Maintain
Rosehill	Rosehill	Rosehill	High	53	B		Maintain
Burnley Wood Park	Rosehill	Burnley Wood	High	57	A		Maintain
Creswick Avenue	Rosehill	Rosehill	Low	17	A		Maintain
Owen Street	Rosegrove	Rosegrove	Med	46	A		Maintain
Hordley St	Rosegrove	Lowerhouse	High	51	B		Maintain
Barwise	Rosegrove	na	Med	26	A		New play area funded by the Friends of Towneley & Big Lottery (£22,000)
Clifton Street	Trinity	Clifton Heights	Low	36	B		Maintain

Name of Playground	Ward	Residential Area	Use	Play value	Condition	Refurb Costs	Recommendation
Ightenhill Park	Whittlefield	Ightenhill	High	67	A		Maintain
Outcome 3. Play areas to be closed/relocated							
Helena	Bank Hall	Fulledge	Low	26	B		Close. Fulledge play area is within same residential area. Relocate suitable equipment to Fulledge
Barley Grove	Brunshaw	Turf Moor	V Low	24	C		Close and relocate equipment to Holcombe Drive play area
Burns Street	Daneshouse	Stoneyholme	Med	29	C		Close & relocate equipment to Stoneyholme Gardens
Glamorgan Grove	Gannow	Sycamore	Low	48	C		Close & relocate equipment to Lockyer Ave Play area
Partridge Hill	Gawthorpe	Padiham East	Nil	30	C		Close and relocate equipment to Hargrove Park
Baker Street	Trinity	Piccadilly	Low	19	C		Close & relocate equipment to Piccadilly
Healey Wood	Trinity	Healywood Junior PA	Med	22	B		Close and relocate to a new combined junior and toddler play area
Richard Street	Bank Hall	Plumb St	Low	33	C		Close as this site has low play value and is regularly vandalised

Play Strategy Actions

Actions	Lead	Achieved By
Develop clear methodology for assessing needs and provision of play facility	Green Spaces & Amenities	Complete
Prioritise residential areas where there is greatest need for provision	Green Spaces & Amenities	Complete
Develop a 10-year investment programme that will identify opportunities to secure external funding for play provision. Prioritise any improvements to the areas of need identified in the Strategy, consult with stakeholders and secure Executive approval	Green Spaces & Amenities	
Identify any playgrounds that are surplus to the requirements of the strategy, undertake consultation with stakeholders	Green Spaces & Amenities	
Implement agreed investment/rationalisation programme (detail on each playground)	Green Spaces & Amenities	
Ensure that the play value of other areas of greenspace is maximised and explore ways of encouraging more 'natural play' areas in addition to the more formal provision through changes in maintenance regimes and management practices	Green Spaces & Amenities	

Appendix 1 Play Area List by Ward

	Ward	Play Area Name	Residential Area	District
	Bank Hall	Fulledge Rec	Fulledge	East Burnley
	Bank Hall	Helena	Fulledge	East Burnley
	Bank Hall	Thompson Park	Leyland Road	East Burnley
	Bank Hall	Richard Street	Plumb St	East Burnley
	Bank Hall	Hart Street	Top O the Town	East Burnley
	Bank Hall	Thompson Park	Top O the Town	East Burnley
	Bank Hall	Holcombe Drive	Turf Moor	East Burnley
	Bank Hall	Queens Park	Turf Moor	East Burnley
	Briercliffe	Burnley Rd B'Cliffe	Briercliffe North	North Burnley
	Briercliffe	Queen Street	Briercliffe South	North Burnley
	Briercliffe	Lane Bottom	Lanebottom	North Burnley
	Briercliffe	Standen Hall Close	Lanehead North	North Burnley
	Briercliffe	Underley Street	Lanehead North	North Burnley
	Brunshaw	Sheddon Grove	Brunshaw	East Burnley
	Brunshaw	Wycoller Avenue	Brunshaw	East Burnley
	Brunshaw	Barley Grove	Turf Moor	East Burnley
	Brunshaw	Towneley Riverside	Red Lees Road	East Burnley
	Cliviger with Worsthorne	Cliviger Park	Cliviger	Cliviger
	Cliviger with Worsthorne	Worsthorne	Worsthorne	East Burnley
	Coalclough with Deerplay	Forfar Street	Bleakhouse	South Burnley
	Coalclough with Deerplay	Scott Park	Bleakhouse	South Burnley
	Coalclough with Deerplay	Buttercross Close	Buttercross	South Burnley
	Coalclough with Deerplay	Dunnockshaw	Dunnockshaw	South Burnley
	Coalclough with Deerplay	Hargher Clough Park	Hargher Clough	South Burnley
	Coalclough with Deerplay	Tay Street	Hargher Clough	South Burnley
	Daneshouse with Stoneyholme	Byerden Holme	Daneshouse	North Burnley
	Daneshouse with Stoneyholme	Grey Street	Daneshouse	North Burnley
	Daneshouse with Stoneyholme	Burns Street	Stoneyholme	North Burnley
	Daneshouse with Stoneyholme	Stoneyholme Gdns	Stoneyholme	North Burnley
	Gannow	Glamorgan Grove	Sycamore	West Burnley
	Gannow	Lockyer Ave	Sycamore	West Burnley
	Gawthorpe	Hargrove Park	Padiham East	Padiham
	Gawthorpe	Partridge Hill	Padiham East	Padiham
	Gawthorpe	Park Road, Padiham	Victoria	Padiham
	Gawthorpe	Whitegate	Whitegate	Padiham
	Hapton with Park	Hapton Rec	Hapton	Hapton
	Hapton with Park	Memorial Park	Padiham West	Padiham
	Hapton with Park	Bedford Park	Stonemoor Bottom	Padiham
	Hapton with Park	Malvern Avenue	Stonemoor Bottom	Padiham
	Lanehead	Thornber Gdns	Heasandford	North Burnley
	Queensgate	Barden Gardens	Lower Manor Lane	North Burnley
	Queensgate	Barden Lane	Queensgate	North Burnley
	Queensgate	Rakehead Rec	Rakehead	North Burnley
	Rose Hill with Burnley Wood	Burnley Wood Park	Burnley Wood	South Burnley
	Rose Hill with Burnley Wood	Creswick Avenue	Rosehill	South Burnley
	Rose Hill with Burnley Wood	Rosehill	Rosehill	South Burnley
	Rosegrove with Lowerhouse	Harold Avenue	Griffin	South Burnley
	Rosegrove with Lowerhouse	Hordley St	Lowerhouse	West Burnley
	Rosegrove with Lowerhouse	Owen Street	Rosegrove	West Burnley
	Trinity	Healey Wood	Healywood	South Burnley
	Trinity	Clifton Street	Clifton Heights	North Burnley
	Trinity	Baker Street	Piccadilly	South Burnley
	Trinity	Piccadilly Gardens	Piccadilly	South Burnley
	Trinity	Vanguard Park	Trafalgar	South Burnley
	Whittlefield & Ightenhill	Calder Park	Calder Park	West Burnley
	Whittlefield & Ightenhill	Faraday Street	Calder Park	West Burnley
	Whittlefield & Ightenhill	Ightenhill Park	Ightenhill	West Burnley

Appendix 2 Play Value by Residential Area (ranked)

Ward	Residential area	Total Play Value of play areas in residential area	Child Population	Play Value per 1,000 child pop	Play Value/1,000 Rank
Coalclough with Deerplay	Dunnockshaw	43	22	1,955	1
Trinity	Clifton Heights	36	44	818	2
Cliviger with Worsthorne	Red Lees Road	79	115	687	3
Briercliffe	Lanebottom	37	75	493	4
Queensgate	Lower Manor Lane	42	88	477	5
Bank Hall	Plumb St	33	77	429	6
Bank Hall	Top O the Town	92	224	411	7
Hapton with Park	Padiham West	67	167	401	8
Trinity	Trafalgar	46	122	377	9
Coalclough with Deerplay	Hargher Clough	111	333	334	10
Cliviger with Worsthorne	Worsthorne	58	195	297	11
Rosegrove with Lowerhouse	Rosegrove	46	157	293	12
Briercliffe	Briercliffe South	63	222	284	13
Bank Hall	Turf Moor	117	419	279	14
Cliviger with Worsthorne	Cliviger	56	204	275	15
Brunshaw	Brunshaw	100	384	261	16
Bank Hall	Leyland Road	58	225	258	17
Coalclough with Deerplay	Bleakhouse	91	357	255	18
Hapton with Park	Hapton	70	291	241	19
Briercliffe	Lanehead North	97	404	240	20
Coalclough with Deerplay	Buttercross	29	121	240	21
Gannow	Sycamore	157	661	238	22
Gawthorpe	Whitegate	56	244	230	23
Gawthorpe	Padiham East	62	280	222	24
Gawthorpe	Victoria	72	326	221	25
Bank Hall	Fulledge	85	405	210	26
Hapton with Park	Stonemoor Bottom	80	383	209	27
Whittlefield & Ightenhill	Ightenhill	67	399	168	28
Trinity	Piccadilly	58	370	157	29
Rose Hill with Burnley Wood	Rosehill	70	447	157	30
Queensgate	Rakehead	69	448	154	31
Trinity	Healywood	49	377	130	32
Whittlefield & Ightenhill	Calder Park	86	737	117	33
Rose Hill with Burnley Wood	Burnley Wood	57	519	110	34
Daneshouse with Stoneyholme	Daneshouse	88	857	103	35
Briercliffe	Briercliffe North	22	218	101	36
Daneshouse with Stoneyholme	Stoneyholme	64	832	77	37
Queensgate	Queensgate	41	572	72	38
Lanehead	Heasandford	53	1,051	50	39
Rosegrove with Lowerhouse	Griffin	26	633	41	40
Trinity	Fielden Street	1	39	26	41
Hapton with Park	Valley Gardens	1	114	15	43
Coalclough with Deerplay	Wilkie Ave	1	65	15	42
Gawthorpe	Slade Lane	1	84	12	44
Cliviger with Worsthorne	Rowley	1	121	8	45
Cliviger with Worsthorne	Brownside	1	130	8	46
Gawthorpe	River Drive	1	133	8	47
Hapton with Park	St John's	1	245	4	48
Briercliffe	Lanehead South	1	288	3	49
Lanehead	Casterton	1	309	3	50
Rosegrove with Lowerhouse	Lowerhouse	1	454	2	51

Appendix 3 Open Space by residential area (ranked)

Ward	Residential area	Area of Open Space (Ha)	Child Population	Open Space/1000	Open Space/1000 Rank
Trinity	Clifton Heights	11.5	44	261.3	1
Cliviger with Worsthorne	Red Lees	13.5	115	117.1	2
Hapton with Park	Valley Gardens	6.6	114	58.1	3
Queensgate	Lower Manor Lane	4.3	88	48.3	4
Hapton with Park	Padiham West	7.3	167	44.0	5
Rose Hill with Burnley Wood	Rosehill	18.9	447	42.2	6
Gawthorpe	Whitegate	9.7	244	39.7	7
Gawthorpe	Padiham East	10.5	280	37.6	8
Bank Hall	Top O the Town	8.1	224	36.3	9
Hapton with Park	Stonemoor Bottom	12.2	383	31.9	10
Rosegrove with Lowerhouse	Lowerhouse	13.9	454	30.5	11
Brunshaw	Turfmoor	12.7	419	30.3	12
Briercliffe	Lanehead South	8.5	288	29.4	13
Whittlefield & Ightenhill	Ightenhill	9.7	399	24.2	14
Lanehead	Heasandford	22.2	1,051	21.1	15
Hapton with Park	Hapton	5.9	291	20.3	16
Rose Hill with Burnley Wood	Burnley Wood	9.0	519	17.3	17
Cliviger with Worsthorne	Worsthorne	3.1	195	16.1	18
Bank Hall	Fulledge	6.2	405	15.2	19
Whittlefield & Ightenhill	Calder	11.2	737	15.1	20
Coalclough with Deerplay	Hargher Clough	4.3	333	13.0	21
Rosegrove with Lowerhouse	Griffin	7.9	633	12.4	22
Cliviger with Worsthorne	Rowley	1.3	121	11.1	23
Briercliffe	Lanehead North	4.4	404	10.8	24
Gawthorpe	River Drive	1.3	133	9.9	25
Hapton with Park	St John's	2.4	245	9.8	26
Trinity	Healywood	3.6	377	9.5	27
Bank Hall	Plumb St	0.7	77	9.4	28
Gannow	Sycamore	5.4	661	8.2	29
Trinity	Fielden	0.3	39	7.9	30
Gawthorpe	Victoria	2.5	326	7.6	31
Daneshouse with Stoneyholme	Daneshouse	6.4	857	7.5	32
Trinity	Piccadilly	2.5	370	6.9	33
Coalclough with Deerplay	Bleakhouse	2.2	357	6.3	34
Briercliffe	Briercliffe North	1.35	218	6.2	35
Briercliffe	Briercliffe South	1.21	222	5.5	36
Brunshaw	Brunshaw	2.1	384	5.4	37
Lanehead	Casterton	1.6	309	5.2	38
Briercliffe	Lanebottom	0.3	75	4.6	39
Coalclough with Deerplay	Dunnockshaw	0.1	22	4.5	40
Queensgate	Queensgate	2.4	572	4.2	41
Queensgate	Rakehead	1.5	448	3.5	42
Cliviger with Worsthorne	Cliviger	0.6	204	2.9	43
Trinity	Trafalgar	0.3	122	2.5	44
Rosegrove with Lowerhouse	Rosegrove	0.4	157	2.3	45
Coalclough with Deerplay	Wilkie Avenue	0.1	65	1.5	46
Gawthorpe	Slade Lane	0.1	84	1.2	47
Daneshouse with Stoneyholme	Stoneyholme	0.9	832	1.1	48
Cliviger with Worsthorne	Brownside	0.1	130	0.8	49
Coalclough with Deerplay	Buttercross	0.1	121	0.6	50
Bank Hall	Leyland Road	0.1	225	0.5	51

Appendix 4 Population by Residential Area (ranked)

Ward	Residential Area	Child Population age 0-14	Child Population Rank Order
Coalclough with Deerplay	Dunnockshaw	22	1
Trinity	Fielden Street	39	2
Trinity	Clifton Heights	44	3
Coalclough with Deerplay	Wilkie Ave	65	4
Briercliffe	Lanebottom	75	5
Bank Hall	Plumb St	77	6
Gawthorpe	Slade Lane	84	7
Queensgate	Lower Manor Lane	88	8
Hapton with Park	Valley Gardens	114	9
Cliviger with Worsthorne	Red Lees Road	115	10
Cliviger with Worsthorne	Rowley	121	11
Coalclough with Deerplay	Buttercross	121	12
Trinity	Trafalgar	122	13
Cliviger with Worsthorne	Brownside	130	14
Gawthorpe	River Drive	133	15
Rosegrove with Lowerhouse	Rosegrove	157	16
Hapton with Park	Padiham West	167	17
Cliviger with Worsthorne	Worsthorne	195	18
Cliviger with Worsthorne	Cliviger	204	19
Briercliffe	Briercliffe North	218	20
Briercliffe	Briercliffe South	222	21
Bank Hall	Top O the Town	224	22
Bank Hall	Leyland Road	225	23
Gawthorpe	Whitegate	244	24
Hapton with Park	St John's	245	25
Gawthorpe	Padiham East	280	26
Briercliffe	Lanehead South	288	27
Hapton with Park	Hapton	291	28
Lanehead	Casterton	309	29
Gawthorpe	Victoria Road	326	30
Coalclough with Deerplay	Hargher Clough	333	31
Coalclough with Deerplay	Bleakhouse	357	32
Trinity	Piccadilly	370	33
Rose Hill with Burnley Wood	Healywood	377	34
Hapton with Park	Stonemoor Bottom	383	35
Brunshaw	Brunshaw	384	36
Whittlefield & Ightenhill	Ightenhill	399	37
Briercliffe	Lanehead North	404	38
Bank Hall	Fulledge	405	39
Bank Hall	Turfmoor	419	40
Rose Hill with Burnley Wood	Rosehill	447	41
Queensgate	Rakehead	448	42
Rosegrove with Lowerhouse	Lowerhouse	454	43
Rose Hill with Burnley Wood	Burnley Wood	519	44
Queensgate	Queensgate	572	45
Rosegrove with Lowerhouse	Griffin	633	46
Gannow	Sycamore	661	47
Whittlefield & Ightenhill	Calder Park	737	48
Daneshouse with Stoneyholme	Stoneyholme	832	49
Daneshouse with Stoneyholme	Daneshouse	857	50
Lanehead	Heasandford	1,051	51

Appendix 5 Summary Table

The residential areas that have highest need for equipped play areas are at the top of the table and those with least need at the bottom

Ward	Residential area	Child Population Rank Order	Open Space/1000 Rank	Play Value/1,000 Rank	Combined ranking
Daneshouse with Stoneyholme	Stoneyholme	49	48	37	134
Queensgate	Queensgate	45	41	38	124
Daneshouse with Stoneyholme	Daneshouse	50	32	35	117
Lanehead	Casterton	29	38	50	117
Queensgate	Rakehead	42	42	31	115
Cliviger with Worsthorne	Brownside	14	49	46	109
Rosegrove with Lowerhouse	Griffin	46	22	40	108
Lanehead	Heasandford	51	15	39	105
Rosegrove with Lowerhouse	Lowerhouse	43	11	51	105
Whittlefield & Ightenhill	Calder Park	48	20	33	101
Hapton with Park	St John's	25	26	48	99
Gannow	Sycamore	47	29	22	98
Gawthorpe	Slade Lane	7	47	44	98
Trinity	Piccadilly	33	33	29	95
Rose Hill with Burnley Wood	Burnley Wood	44	17	34	95
Rose Hill with Burnley Wood	Healywood	34	27	32	93
Coalclough with Deerplay	Wilkie Ave	4	46	42	92
Bank Hall	Leyland Road	23	51	17	91
Briercliffe	Briercliffe North	20	35	36	91
Brunshaw	Brunshaw	36	37	16	89
Briercliffe	Lanehead South	27	13	49	89
Gawthorpe	River Drive	15	25	47	87
Gawthorpe	Victoria	30	31	25	86
Coalclough with Deerplay	Bleakhouse	32	34	18	84
Bank Hall	Fulledge	39	19	26	84
Coalclough with Deerplay	Buttercross	12	50	21	83
Briercliffe	Lanehead North	38	24	20	82
Whittlefield & Ightenhill	Ightenhill	37	14	28	79
Cliviger with Worsthorne	Rowley	11	23	45	79
Cliviger with Worsthorne	Cliviger	19	43	15	77
Rose Hill with Burnley Wood	Rosehill	41	6	30	77
Rosegrove with Lowerhouse	Rosegrove	16	45	12	73
Trinity	Fielden Street	2	30	41	73
Hapton with Park	Stonemoor Bottom	35	10	27	72
Briercliffe	Briercliffe South	21	36	13	70
Trinity	Trafalgar	13	44	9	66
Bank Hall	Turf Moor	40	12	14	66
Hapton with Park	Hapton	28	16	19	63
Coalclough with Deerplay	Hargher Clough	31	21	10	62
Gawthorpe	Padiham East	26	8	24	58
Hapton with Park	Valley Gardens	9	3	43	55
Gawthorpe	Whitegate	24	7	23	54
Briercliffe	Lanebottom	5	39	4	48
Cliviger with Worsthorne	Worsthorne	18	18	11	47
Coalclough with Deerplay	Dunnockshaw	1	40	1	42
Bank Hall	Plumb St	6	28	6	40
Bank Hall	Top O the Town	22	9	7	38
Hapton with Park	Padiham West	17	5	8	30
Queensgate	Lower Manor Lane	8	4	5	17
Cliviger with Worsthorne	Red Lees Road	10	2	3	15
Trinity	Clifton Heights	3	1	2	6

REPORT TO EXECUTIVE



DATE	
PORTFOLIO	Housing and Environment
REPORT AUTHOR	Clare Jackson
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The Housing and Planning Act 2016

PURPOSE

1. To implement the new enforcement powers contained in the Housing and Planning Act 2016 (Part 2 Rogue landlords and property agents in England) including the use of civil penalty notices.

RECOMMENDATION

2. To approve the Council's Policy and Matrix for the use of Civil Penalties (Appendix 1).
3. Delegate to the Head of Housing and Development Control all powers to issue, use and enforce civil penalties as detailed in the Housing and Planning Act 2016 (and any regulations made there under).
4. Delegate to the Head of Housing and Development Control all powers to issue, use and enforce rent repayment orders as detailed in the Housing and Planning Act 2016 (and any regulations made there under).
5. That the money received from the civil penalties returns to the housing revenue budget to fund further enforcement activity.

REASONS FOR RECOMMENDATION

6. The use of these new powers will support and complement the work that the Council continues to deliver to tackle rogue landlords. The civil penalties and extension of the use or rent repayment orders could be a powerful deterrent to rogue landlord behaviour through the enforcement of significant financial penalties.

SUMMARY OF KEY POINTS

7. **Civil Penalty Notices**
The Housing and Planning Act 2016 introduces Civil Penalties of up to £30,000 as

an alternative to prosecution for certain offences under the Housing Act 2004 from the 6th April 2017. These offences include:

- Failure to comply with an Improvement Notice;
- Offences in relation to licensing of Houses in Multiple Occupation (HMOs);
- Offences in relation to licensing of houses under selective licensing;
- Offences of contravention of an overcrowding notice;
- Failure to comply with management regulations in respect of HMOs;

8. It is important to note that if a civil penalty is imposed a prosecution cannot be pursued for the same offence. This will not however reduce the amount of investigatory work undertaken as the Secretary of State guidance states that the same burden of proof required for a criminal prosecution is required for a civil penalty.
9. The Secretary of State guidance requires each local authority to have a policy in relation to when civil penalties will be used and what level of penalty will be imposed. Generally it is expected that the maximum amount of £30,000 will be reserved for the worst offenders. The actual amount levied in any case should reflect the severity of the offence as well as the landlords previous record of offending.
10. Non - payment of the civil penalty may be enforced through the County or High Court.
The offender has the right of appeal to the First Tier Tribunal, which has the power to confirm, vary, increase or reduce the size of the penalty or cancel the civil penalty.
11. The civil penalty policy and matrix (Appendix 1) has been created as a guide for enforcement officers when imposing the level of fine. This will offer transparency and promote consistency in the enforcement process. Once approved the policy and matrix will be added to the existing housing enforcement policy.
12. The policy has been agreed with the other Pennine Lancashire Authorities.
13. **Rent Repayment Orders**
The Housing Act 2004 introduced the sanction of rent repayment orders for circumstances where a landlord of a property, or of a HMO, has failed to obtain a licence for that premises. The Council already actively use this power in relation to selective licensing.
14. From the 1st April 2017 the Housing and Planning Act 2016 has extended this power to cover a much wider range of offences including:
 - Failure to comply with an Improvement Notice;
 - Offences in relation to licensing of HMOs;
 - Offences in relation to licensing of houses under selective licensing;
 - Offences of contravention of an overcrowding notice;
 - Failure to comply with management regulations in respect of HMOs;
 - Breaching of a Banning Order.
15. Where a landlord has been convicted of one of the offences listed above, if the rent was paid through Housing Benefit/Universal Credit the Council can apply to the

First Tier Tribunal for a rent repayment order. If the tribunal decides in favour of the local authority they must require the landlord to repay the rent to the local authority up to a maximum of 12 months.

16. Non - payment of a rent repayment order may be enforced through the County or High Court.

17. **Other Sanctions**

The Housing and Planning Act 2016 also details powers in relation to:

- Banning Orders, to stop the worst criminal landlords from operating in England or face imprisonment and a fine;
- The use of Rogue Landlord Databases to share enforcement information across England.

To date these powers have not been implemented.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

18. It is the intention to deliver this new legislation within the existing resources that are currently allocated to the Private Sector Housing Enforcement Service and therefore there is no proposal to increase staffing resource.

19. It is expected that the income generated from the use of the civil penalties and rent repayment orders will allow the Council to recover costs associated with implementing this new legislation.

20. If a successful civil penalty or rent repayment order is not paid by the respondent the Council have the option to enforce the debt via court action.

POLICY IMPLICATIONS

21. To update the Housing Enforcement Policy.

DETAILS OF CONSULTATION

22. Private Rented Sector Forum.

BACKGROUND PAPERS

23. None

FURTHER INFORMATION

PLEASE CONTACT: Clare Jackson

ALSO: Paul Gatrell

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Policy and Matrix for the use of Civil Penalties

Introduction

The Housing and Planning Act 2016 introduces Civil Penalties of up to £30,000 as an alternative to prosecution for certain Housing Act 2004 offences from 6th April 2017.

The power to impose a civil penalty as an alternative to prosecution for these offences was introduced by section 126 and Schedule 9 of the Housing and Planning Act 2016.

These are:

- Section 30 failure to comply with an Improvement Notice
- Section 72 offences in relation to licensing of Houses in Multiple Occupation (HMO)
- Section 95 offences in relation to licensing of houses under part 3 (Selective Licensing)
- Section 139(7) failure to comply with an overcrowding notice
- Section 234 Management Regulations in respect of HMOs

In determining the Civil Penalty amount the Local Housing Authority will have regard to the statutory guidance issued under schedule 9 of the Housing and Planning Act 2016 and the Civil Penalty Matrix developed by the Department for Communities and Local Government.

Burden of Proof

The criminal burden of proof, beyond all reasonable doubt, must be satisfied before a Civil Penalty can be issued as an alternative to prosecution. The Local Housing Authority must satisfy itself that there would be a realistic prospect of conviction, applied objectively, to the evidence available.

In assessing the evidence regard must be given to the Code for Crown Prosecutors and when deciding whether there is sufficient evidence to prosecute consideration must be given as to whether the evidence can be used and is reliable.

Due regard must be given to any potential defences available and in certain circumstances the Local Housing Authority may decide to conduct an interview under caution in accordance with PACE codes of practice to assist in determining whether the issue of a Civil Penalty is appropriate or not.

Factors to consider when determining to prosecute or issue a civil penalty

Each case will be determined on its own merits taking into account all available evidence.

Prosecution is likely to be the most appropriate action where the offence is particularly serious and/or where the landlord has a history of non-compliance in relation to property condition or property management.

The following factors, whilst not exhaustive, are examples of where it would be appropriate to consider the issuing of a Civil Penalty:

- The offender had no evidence of previous non-compliance with appropriate legislation
- The offender had no previous convictions including civil penalties recorded
- The offence was committed as a result of a genuine mistake or misunderstanding (these factors must be balanced against the seriousness of the offence)
- The offenders co-operation is beyond what would be expected
- The offender does not need continuous chasing to rectify the offence

Factors to consider when determining the level of civil penalty

The actual amount levied in any particular case should reflect the severity of the offence, as well as the landlord's previous record of offending. The Council should consider the following factors to help ensure the civil penalty is set at an appropriate level:

- Severity of the offence, determined by harm caused and culpability of the offender
- The history of compliance of the offender
- Punishment of the offender for the offence
- The deterrent from repeating the offence
- The deterrent from others committing similar offences
- Removing any financial benefit obtained from committing the offence

These factors are contained in the financial penalty matrix which helps officers to determine the level of fine that should be imposed by creating a score and band for each case.

Financial Penalty Matrix

Officers should first determine the severity of the offence by looking at the harm and culpability categories.

Examples of Harm Categories

The table below contains factors relating to both actual harm and risk of harm.

<p>High</p>	<p>Serious adverse effect on individuals and/or having a widespread impact.</p> <p>High risk of an adverse effect on individuals including where persons are vulnerable.</p> <p>Housing defect giving rise to the offence poses an imminent or serious and substantial risk of harm to the occupants and/or visitors, for example Housing Health and Safety Rating System (HHSRS) imminent category 1 hazards such as danger of electrocution, carbon monoxide poisoning, serious fire safety risk or excess cold with vulnerable resident.</p>
<p>Medium</p>	<p>Adverse effect on individuals</p> <p>Medium risk of an adverse effect on individuals including where persons are vulnerable.</p> <p>Tenant misled/disadvantaged by the failing.</p> <p>The housing defect giving rise to the offence poses a serious risk of harm to the occupants and/or visitors, for example HHSRS category 1 hazards, multiple high category 2 hazards such as falls between levels, excess cold, asbestos exposure.</p>
<p>Low</p>	<p>Low risk of an adverse effect on individuals</p> <p>The housing defect giving rise to the offence poses a risk of harm to the occupants and/or visitors, for example low category 2 hazards under the HHSRS, localised damp</p>

	and mould.
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Examples of Culpability Categories

Very High (Deliberate Act)	Where the offender intentionally breached, or flagrantly disregarded, the law. For example, repeatedly ignored reminders to apply for a property or HMO licence. Failure to comply with a correctly served improvement notice. No attempt made to contact the local authority to discuss breaches.
High (Reckless Act)	Actual foresight of or wilful blindness to the risk of offending but risks nevertheless taken by the landlord or property agent, for example failure to comply with HMO Management Regulations.
Medium (Negligent Act)	Failure of the landlord or property agent to take reasonable care to put in place and enforce proper systems that prevents the offence being committed. For example, part compliance with a schedule of works but failure to fully complete all schedule items within the notice timescale. Partially completed licensing application forms.
Low (Low or no culpability)	Offence committed with little or no fault on the part of the landlord or property agent. For example, significant efforts were made to address the risk but they were obstructed by the tenant to allow contractor access or damage caused by tenants. Failings were minor and occurred as an isolated incident such as low category 2 hazards under the HHSRS found in one property from a large portfolio.

Having determined the category the officers should refer to the following starting points to reach a penalty band. Officers should then consider whether further adjustments should be made for aggravating and mitigating features.

Starting points

Culpability	Harm category 1	Harm category 2	Harm category 3
Very high	6	5	4
High	5	4	3
Medium	4	3	2
Low	3	2	1

Banding Levels

Band 1	£0 to £4,999
Band 2	£5,000 to £9,999
Band 3	£10,000 to £14,999
Band 4	£15,000 to £19,999
Band 5	£20,000 to £24,999
Band 6	£25,000 to £30,000

The starting point for each band will be the mid-point e.g. for Band 1 the mid-point will be £2,500.

An offender will be assumed to be able to pay any financial penalty imposed unless they can demonstrate otherwise.

Aggravating Factors

The penalty can be increased by £1000 for each aggravating factor up to a maximum of £5000.

Mitigating Factors

The penalty can be decreased by £1000 for each mitigating factor up to a maximum of £5000.

Local Development Scheme

REPORT TO EXECUTIVE



DATE	4 th July 2017
PORTFOLIO	Regeneration and Economic Development
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PURPOSE

1. To present for Executive’s approval a revised Local Development Scheme (LDS) setting out the programme for the remaining stages of the preparation of the Burnley Local Plan.

RECOMMENDATION

2. To adopt the revised Local Development Scheme (LDS) attached at Appendix 1.

REASONS FOR RECOMMENDATION

3. Councils are required by legislation to prepare and maintain a Local Development Scheme (LDS) setting out the development plan documents the Council intends to prepare, their scope and the timetable for their preparation.
4. The Council’s current LDS was adopted in March 2016 and needs revising to reflect the Council’s revised plan-making programme.

SUMMARY OF KEY POINTS

The Local Development Scheme (LDS)

5. Councils are required to prepare and maintain an LDS setting out the Development Plan Documents (DPDs) the Council intends to prepare, their scope and the timetable for their production. The LDS remains unchanged in proposing a single DPD, ‘Burnley’s Local Plan’ which will set out the vision, objectives, policies and land use allocations to provide the statutory planning framework for the Borough to 2032.
6. Local Plans, which are DPDs, must be prepared as specified in the LDS and this is one of the ‘legal compliance tests’ undertaken by the Inspector in examining a plan. He or she will normally assess this before going on to test for ‘soundness’.
7. It is not a requirement for the LDS to set out any Supplementary Planning Documents (SPDs) proposed, but it is helpful for these to be included where planned and so these

have been set out.

8. The revised LDS reflects the updated plan-making programme and in particular the delayed consideration of the Proposed Submission Document which had been planned for December 2016 but was delayed until March 2017. In March 2017 both the Executive and Full Council considered the Proposed Submission Document with approval being given for it to be published for a six week and three day period for final representations between 12 April and 26 May 2017 prior to its submission.
9. The next stage is for the Plan, as published, along with the final representations received during the consultation period together the relevant evidence base and supporting documents, to be submitted to the Secretary of State. This is proposed for 20 July 2017. The Secretary of State will then appoint an independent Inspector to Examine the Plan. As part of the Examination, public Hearing sessions will be held and it is anticipated that these will start in October 2017. Final Adoption of the Plan may still be possible for March 2018 as previously proposed.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

10. The costs of the examination are to be met within existing resources.

POLICY IMPLICATIONS

- 11.
12. An up to date LDS will help ensure the Burnley Local Plan meets the legal compliance tests of its Examination (Strategic Objective PR4).

DETAILS OF CONSULTATION

BACKGROUND PAPERS

13. N/A

FURTHER INFORMATION

PLEASE CONTACT:

Elizabeth Murphy

ALSO:

Sarah Waddington



Local Development Scheme (LDS)

2017 - 2020

July 2017

Draft for Executive Approval

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1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires the council to prepare a Local Development Scheme (LDS). This sets out the programme for the production of planning documents that will form Burnley's new Local Plan. The LDS identifies the documents that make up current planning policy, progress on creating new planning policy documents and sets out the programme and resources required to produce new Local Plan in a timely and efficient manner.
- 1.2 This is the tenth revision to the LDS by Burnley Borough Council *and was adopted by the Council on 15th July 2017 (tbc)*. The initial scheme, approved in 2005, covered the period 2004–2007. This revision of the LDS supersedes all previous versions. It sets out a work programme for planning policy over the three-year period 2017-2020, and will be reviewed on a regular basis to ensure that it is up to date. It replaces the LDS adopted in March 2016, updating the timetable therein.

2. Planning Policy Context

- 2.1 The National Planning Policy Framework (NPPF) together with a number of other documents, including the Planning for Traveller Sites and ministerial statements, set out the government's planning policies for England and how they are expected to be applied. Launched on 27th March 2012, the NPPF replaced policy previously contained in planning policy statements (PPSs) and planning policy guidance notes (PPGs). Local plans must be consistent with national policy.
- 2.2 On 6 March 2014, the government also launched new online national Planning Practice Guidance (NPPG) which replaced most of the remaining technical and practice guidance which underpinned the previous PPGs and PPSs and the NPPF. Although the NPPG represents guidance not policy, the government and plan inspectors expect councils to follow this guidance unless they can explain why their particular local circumstances have led them to adopt a different approach.
- 2.3 The 2004 Act requires Local Planning Authorities to produce a portfolio of planning documents to deliver their spatial planning strategy. This portfolio includes two types of planning document – Development Plan Documents and Supplementary Planning Documents.

Development Plan Documents (DPDs)

- 2.4 These set out policies and proposals and can allocate land. They have statutory 'development plan' status. They are used to determine the acceptability of planning proposals. They must be subject to community involvement and Sustainability

Appraisal/Strategic Environmental Assessment and are independently examined by a Planning Inspector appointed by the Secretary of State.

Supplementary Planning Documents (SPDs)

- 2.5 Supplementary Planning Documents (SPDs) do not have statutory development plan status but will be a material consideration in considering relevant planning proposals. They are useful in providing more detailed guidance and support for policies and proposals in Development Plan Documents. They have the advantage of being quicker to prepare as they are not subject to independent examination. They cannot allocate land.

Statement of Community Involvement (SCI)

- 2.6 The 2004 Act also requires Local Planning Authorities to prepare a Statement of Community Involvement (SCI) The SCI describes how the Council will engage with communities and others in preparing planning documents such as the Local Plan and in dealing with planning applications. Burnley Borough Council's initial SCI was adopted in 2007 and guided the production of Area Action Plans. An updated SCI was formally adopted in July 2015.

Authority Monitoring Report (AMR)

- 2.7 The AMR measures plan-making progress against the timetable set out in the LDS and the extent to which planning policies and objectives are being achieved. It is published at least annually.

Neighbourhood Plans

- 2.8 The Localism Act introduced new rights and powers allowing the community to help shape future development in their area by coming together to prepare Neighbourhood Development Plans.
- 2.9 In December 2016 Worsthorne with Hurstwood Parish Council submitted a formal application to Burnley Council for a Neighbourhood Area for the Parish with an intention to prepare a Neighbourhood Development Plan. This was approved 31 March 2017. The Parish Council can now start the formal process of preparing a Neighbourhood Plan.

3. Current Planning Policy

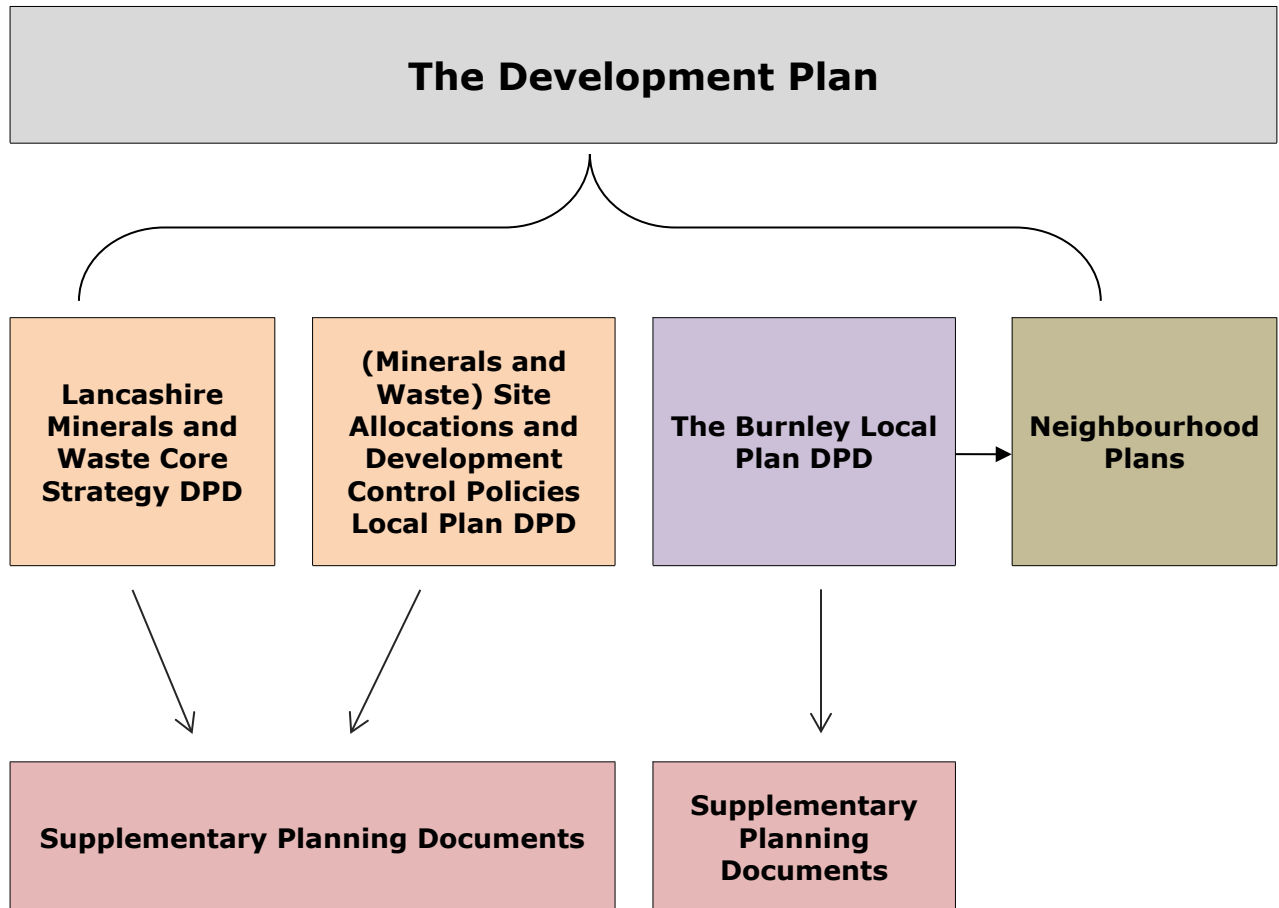
Burnley Development Plan

- 3.1 The Development Plan for Burnley comprises of the following documents:
"Saved" policies in the Burnley Local Plan Second Review 2001–2016, adopted in 2006

Joint Minerals and Waste Local Plan Core Strategy (Feb 2009) and Site Allocations and Development Plan Policies (September 2013)

3.2 These documents together with the SPD's listed below provide the local basis for decision making on planning applications in the borough.

Figure 1. The Development Plan



Burnley Local Plan Second Review 2001-2016

3.3 The Burnley Local Plan Second Review, adopted in April 2006 contains borough wide and site specific policies on general development issues, economy, housing and neighbourhoods, the built and natural environment, community facilities, transport, and Burnley and Padiham Town Centres. It also allocates sites for housing and employment development.

3.4 Under the provisions of the 2004 Act, the Council requested that the Secretary of State consider making a direction to save all the policies of the local plan beyond the date they were automatically saved i.e. April 2009. The Secretary of State agreed to the Council's request and the policies have been saved indefinitely and remain in force, insofar as they are consistent with the NPPF, until they are replaced by policies

in the new local plan. A reproduction of the direction and list of the Saved Local Plan Policies can be found in Appendix 1.

Adopted Supplementary Planning Documents

- 3.5 SPDs do not form part of the Development Plan. However, to the extent that they are consistent with the NPPF, they will remain in force until such time that the policy with which they are associated is replaced or deleted. At that time, any planning guidance to be retained will need to be revised as necessary and consulted upon in accordance with the provisions set out in the Regulations and the Council's Statement of Community Involvement (SCI). Appendix 2 provides details of the current SPDs and older style SPGs.

4. Creating a New Local Plan – Process

Background

- 4.1 The first LDS approved by Burnley Council set out a plan to produce a Core Strategy DPD, Development Management Policies DPD and 5 Area Action Plans. The 2004 Act required Local Planning Authorities to prepare a Core Strategy with which other Development Plan Documents and Supplementary Planning Documents had to be in conformity. This is no longer the case and it is now possible to produce a single planning document incorporating strategic policies along with site allocations and development management policies. The Area Action Plan documents were to have provided a detailed planning framework for the regeneration of three neighbourhoods in the borough and the Town Centre. The proposed submission versions of these plans were published for comment in November/December 2010 but work on them ceased before their formal submission to the Secretary of State.
- 4.2 The LDS 2012–2015 proposed to move to the production a single development plan document, the [Burnley Local Plan](#). This would not only set out strategic planning policies but would identify site specific allocations and detailed development management policies.
- 4.3 The Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012, set out the process for preparing a Local Plan. The NPPF sets out national policy on plan-making (paragraphs 150-185 inclusive) and what plans should contain, the key evidence base requirements and the 'tests of soundness'. The NPPG contains more detailed guidance on plan and evidence base preparation.

Sustainability Appraisal and Strategic Environmental Assessment

- 4.4 The 2004 Act requires Development Plan Documents to be subject to Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) to ensure that they

reflect principles of sustainable development and comply with both UK and European law. The Scoping Report for the Appraisals sets out the process by which the policies and proposals in the Local Plan are to be appraised to ensure that they contribute to the aims of achieving sustainable development. Three statutory bodies – Natural England, Historic England and the Environment Agency (the ‘SEA bodies’) – must be consulted to ensure consensus on the scope of the SEA. As part of preparing the new Local Plan, a Sustainability Appraisal and Strategic Environmental Assessment has been produced and has been subject to consultation.

Plan Preparation & Progress

- 4.5 The Council’s SCI sets out the plan making process and consultation arrangements for policy documents. For the new Burnley Local Plan the stages involved and progress to date are summarised below.

5. New Local Plan

Progress

- 5.1 Based on advice from the Department of Communities and Local Government (DCLG), Burnley Borough Council had delayed work on preparing a Core Strategy as it had only recently adopted a revised old style Local Plan in 2006. As work on the Core Strategy was still at a preliminary stage when the NPPF was issued in 2012, it was decided not to produce a suite of Development Plan Documents but to switch to the production a single Local Plan DPD.
- 5.2 Significant progress was made in preparing the Local Plan during 2013/14, including the development of the evidence base and the preparation and consultation on a first ‘Issues and Options’ document from 17 Feb to 31 March 2014 and further ‘Issues and Options Additional Sites Consultation’ from 26 August to 7 October 2014.
- 5.3 Throughout 2015 and early 2016 work continued on analysing the consultation comments received, supplementing and refreshing the evidence base, considering the major changes introduced and proposed to national policy and preparing the Preferred Options Draft.
- 5.4 A Preferred Options draft of the Local Plan was issued for consultation in July 2016 for a 6 week period. A large number of responses were received from members of the public, organisations and statutory bodies relating to all aspects of the Preferred Options, including the evidence base. Following on from these comments it was considered appropriate to commission updated evidence to support the plan, particularly in relation to traffic modelling (in partnership with Lancashire County Council and Highways England), a Strategic Flood Risk Assessment (SFRA) Level 1 and

2. The additional work required resulted in the Local Plan Proposed Submission Document being delayed.
- 5.5 The Local Plan Proposed Submission Document was approved for public consultation by both the Executive and Full Council in March 2017 with consultation commencing in April 2017. This again was for a 6 week period and consultation has recently closed (26th May 2017).
- 5.6 The next stage of the Local Plan development is to collate the comments received during the consultation event, collate the evidence base reports used to develop the plan and submit the Local Plan to the Secretary of State in July 2017.
- 5.7 Further details of the anticipated Examination timeframe can be found in Table 1 below.

Table 1. Burnley Local Plan progress and timetable

Stage	Main Task	Progress
1. Pre-production	<ul style="list-style-type: none"> Collect evidence and establish wider policy framework Consultation on the Scope of the SA/SEA 	
2. Involvement Informal and early engagement Issues and Options	<ul style="list-style-type: none"> Informal consultation of the issues and some possible options for the Local Plan 	Initial Issues and Options consultation: <ul style="list-style-type: none"> 17 Feb to 31 March 2014 Additional Sites: <ul style="list-style-type: none"> 26 August to 7 October 2014
3. Consultation Preferred Options	<ul style="list-style-type: none"> Consult over six week period in line with Regulation 18 Council to consider the comments made* 	Preferred Options consultation: <ul style="list-style-type: none"> 15 July to 26 August 2016
4. Publication Publication of Proposed Submission Document and SEA/SA Report for final representations	<ul style="list-style-type: none"> Statutory stage where a minimum of 6 weeks is provided to make 'representations' on the plan, its sustainability appraisal and supporting evidence (Regulations 19 and 20) These 'representations' will be considered by the Inspector at the Examination 	Proposed Submission Document consultation: <ul style="list-style-type: none"> 12 April to 26 May 2017
5. Examination	<ul style="list-style-type: none"> Main issues raised in the representations 	Submission of Local

<p>Submission of Plan for Independent Examination</p>	<p>at Regulation 19/20 summarised and made publicly available</p> <ul style="list-style-type: none"> • Plan submitted to Secretary of State for independent Examination in line with Regulation 22 • Independent Examination (notice given 6 weeks in advance to people who have requested to appear - Regulation 24) • Examination likely to involve public Hearing Sessions • Planning Inspector issues Report 	<p>Plan to Secretary of State for Examination:</p> <ul style="list-style-type: none"> • 20 July 2017 <p>Examination Hearings Anticipated to start –</p> <ul style="list-style-type: none"> • October 2017
<p>6. Main Modifications</p>	<ul style="list-style-type: none"> • Optional Stage - if the Council agrees, the Inspector can propose changes or ‘main modifications’ to the plan (including to add ‘omission sites’, i.e. additional sites put forward by objectors to the DPD) to avoid it being found ‘unsound’ • Inspector considers representations on main modifications • The hearings may be re-opened 	<p>If required –</p> <ul style="list-style-type: none"> • Jan 2018
<p>7. Adoption</p>	<ul style="list-style-type: none"> • Plan adopted by the Council if agreed as ‘sound’ by Inspector (Regulation 26) 	<p>Anticipated –</p> <ul style="list-style-type: none"> • March 2018
<p>8. Monitor & Review</p>	<ul style="list-style-type: none"> • Monitor Plan to make sure it is achieving its objectives • Plan may be reviewed where necessary 	

* It is important to note that any comments made at this stage will not be carried forward to the Independent Examination. If anyone is not satisfied that their comments have been taken on board, they must have commented again on the Proposed Submission Document in order to have their comments considered by the Inspector

6. Proposed SPDs

6.1 A small number of SPDs are currently proposed to support the policies in the new Local Plan and to replace some existing SPDS/Gs when the policies in the saved Local Plan that these support are themselves replaced.

6.2 Appendix 2 sets out details of the current SPDs and older style SPGs.in place and the proposed new SPDs. Further SPD’s will be prepared as necessary and as resources permit, and the production of a County-wide SDP on Planning for Health is being considered by Lancashire County Council who would lead on its drafting in consultation potentially for adoption by each local planning authority.

7. Evidence Base

- 7.1 It is essential that DPD's are based on a sound evidence base and this is vital in demonstrating the soundness of the plan at Examination. The evidence base also informs the Sustainability Appraisal.
- 7.2 Local planning authorities must also demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts and work together with neighbouring authorities to meet development requirements which cannot wholly be met within their own areas. As such, and to help comply with its requirements under the Duty to Cooperate, wherever possible, Burnley Council has sought to produce a joint evidence base with one or more neighbouring authorities. A Duty to Cooperate report was produced to inform the Local Plan Proposed Submission Document consultation.
- 7.3 Table 2 sets out the key and most recent evidence base documents which support the Local Plan, together with an indication of their progress. This table is not exhaustive – a full list of studies is available in Appendix 2 of the Local Plan

Table 2: Evidence Base – Key Documents

Study/Evidence	Date Published/ <i>Expected</i>	Produced by
Authority Monitoring Report	July 2017	Produced by Burnley Borough Council
Burnley Infrastructure Delivery Plan – Version 1	March 2017	Prepared by Burnley Borough Council Planning Policy Team
Local Plan Viability Assessment	March 2017	Prepared by HDH Planning & Development
Burnley and Pendle Strategic Housing Market Assessment	Dec 2013	Produced by Nathaniel Lichfield and Partners (NLP) for Burnley and Pendle Councils
Burnley Strategic Housing Market Assessment (update)	May 2016	Produced by Nathaniel Lichfield and Partners (NLP) for Burnley Borough Council
Burnley Employment Land Demand Study (ELDS) (Update)	June 2016	Produced by Nathaniel Lichfield and Partners (NLP) for Burnley Borough Council
Retail, Leisure and Office Assessment of Burnley Centres	2013	Produced by (NLP) in February 2013
Burnley and Pendle Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA)	2012	Completed by Salford Housing and Urban Studies Unit for Burnley and Pendle Councils in August 2012

Study/Evidence	Date Published/ <i>Expected</i>	Produced by
Burnley Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) Addendum	2016	Prepared by Burnley Borough Council Planning Policy Team
Strategic Housing and Economic Land Availability Assessment(Update)	March 2017	Prepared by Burnley Borough Council Planning Policy Team
Burnley Green Belt Review	June 2016	Prepared by LUC for Burnley Borough Council
Flood Risk Mapping	2016	Updated regularly by the Environment Agency
Strategic Flood Risk Assessment - Level 1	March 2017	Updated jointly by Burnley Council and JBA Consulting
Strategic Flood Risk Assessment - Level 2	March 2017	Updated jointly by Burnley Council and JBA Consulting
East Lancashire Highways and Transport Masterplan	February 2014	Lancashire County Council & Blackburn with Darwen Borough Council
Burnley-Pendle Growth corridor (Stage 1: Data Collection and Problem Identification Report)	July 2014	Jacobs for Lancashire County Council
Burnley Local Plan Highway Impact Assessment Report	January 2017	Prepared by Jacobs in collaboration with Burnley Council, Lancashire County Council and Highways England
Burnley Local Plan Highway Impact Assessment Report Addendum 1 - Mitigation	March 2017	Prepared by Jacobs in collaboration with Burnley Council, Lancashire County Council and Highways England
Burnley Green Infrastructure Strategy	2013	Prepared by TEP consultants
Green Spaces Strategy 2015	July 2015	Burnley Borough Council Green Spaces and Amenities
Burnley Wildlife and Habitat Survey	2007	Undertaken by Golder Associates
Ecological Networks (Grassland and Woodland)	2016	LERN/Lancashire County Council
Ecological Assessment of Local Plan (Issues and Options) Sites	2015	LERN/Lancashire County Council for Burnley Council
Ecological Assessment of Local Plan Sites – December 2016 Supplement	2016	LERN/Lancashire County Council for Burnley Council
Burnley Protected Species Surveys 2013, 2014 & 2017	2014-2017	Prepared by Burnley Council Green Spaces and Amenities
Ecological Appraisal: Former Heckenhurst Reservoir	2017	Prepared by Greater Manchester Ecological Unit for Burnley Council
Ecological Appraisal: Land west of Smithyfield Avenue	2017	Prepared by Greater Manchester Ecological Unit for Burnley Council

Study/Evidence	Date Published/ <i>Expected</i>	Produced by
Pennine Lancashire Playing Pitch Strategy 2016-2026	2016	Prepared by KKP for Pennine Lancashire authorities
Indoor Sports Facilities Review	Feb 2015	Burnley Borough Council Planning Policy Team
Burnley Play Strategy (updated)	<i>Expected Summer 2016</i>	To be completed in house by Burnley Borough Council Green Spaces and Amenities
Rapid Heritage Assessment (of Local Plan Sites)	March 2017	Lancashire Archaeological Advisory Service for Burnley Council

8. Local Plan Programme, Resources and Management

Revised Timetable

8.1 The previous 2016-2019 edition of the LDS set out a revised timetable and key milestones for the production of the Local Plan. Production has slipped from that timetable in part due to the nature and level of responses raised at the Preferred Options stage, the need for updated evidence base studies to be commissioned and changes and impending changes to government policy and practice guidance in respect of key plan areas. Appendix 3 includes a Gantt chart and key milestones setting out the proposed timetable for the production of the Local Plan going forward.

Staff Resources

86.2 The Planning Policy team currently consists of c5.5 FTE staff including; a reduction from the level set out in the 2016 LDS:

Planning Policy Manager

Principal Planner

Principal Planner – Design and Heritage (part-time)

Senior Planner

Senior Planner (part-time and temporary until Nov 2017)

GIS Technician (until Aug 2017)

Administrator (part-time and temporary until End July 2017)

8.3 As well as the production of the Local Plan, officers also provide support to development control with advice and the provision of evidence at appeal and planning policy advice to other Council departments. A significant amount of time of the part time post of Principal Planner – Design and Heritage is committed to development control, enforcement and supporting the implementation of key

heritage initiatives. The GIS Technician is a shared resource with development control.

- 8.4 Burnley Council see the Local Plan as a key corporate document and its development has support from staff across other service areas including Green Spaces, Regeneration and Economic Development and the Communication and Engagement Team.
- 8.5 A temporary and part time Programme Officer has recently been appointed to assist the Inspector with the Examination.

Financial Resources

- 8.6 There is a dedicated budget for the Local Plan to cover the costs of commissioning external work, consultation and publication. This budget is a ring-fenced reserve specifically for this purpose.

Risk Assessment

- 8.7 The planning policy team have project management procedures in place to ensure that the plan is delivered in a timely and efficient manner. This includes considering risks and taking actions to mitigate these where this is within the Council’s control. The LDS Risk Plan is set out in Table 3 below:

Table 3: Potential Risks to the Programme

Risk	Impact	Mitigation Measures
Insufficient budget	High – potential impact on slippage, ability to produce the Local Plan	Local Plan budget is ring fenced for the life of the programme
Programme slippage due to political process	High – potential to delay plans, seek change in direction	Agreement of the Local Development Scheme Involving Members fully in the process
Unforeseen additional work	Medium – staff work diverted to other work streams such as appeals or major regeneration schemes	As part of team work programming, management of other work demands to ensure adherence to the LDS Work on the Local Plan should, where possible, be given priority over other competing demands
Changes to the planning system	High – changes could affect timescales or lead to demands outside of council’s control	Changes likely to continue and difficult to mitigate against. Team is constantly horizon scanning to predict and anticipate new changes
Unfilled vacancies/staff turnover	High – potential loss of knowledge and programme slippage	Employ temporary staff/consultants Provide satisfying work, a supportive environment and opportunities for personal

Risk	Impact	Mitigation Measures
		development Joint working with other authorities
Volume of representations	Medium - Risk of programme slippage	Early and continuous engagement in the process Review IT and handling protocols
Capacity of other agencies to engage in the process	Medium - Risk of programme slippage or potential failure to comply with Duty to Cooperate	Early consultation with key stakeholders to inform interested parties of the proposed programme and the potential impact on their own strategies and programmes Meet Duty to Cooperate requirements
Delays in examination process/legal challenge	Medium - Lack of an up to date development plan	Ensure Plan is produced in accordance with the Duty to Cooperate, legal and procedural requirements Well-documented and robust stakeholder and community engagement and evidence gathering Following best practice and PINS advice Ensure appropriate delegation arrangements during the Examination
'Soundness' of DPDs	High	Robust evidence gathering Ensure appropriately qualified and experienced staff in place

9. Conclusion

- 9.1 The Local Development Scheme is a public statement that identifies the work to be undertaken in Burnley in order to produce a local plan for the borough. It has been prepared in line with national policy and legislative requirements.
- 9.2 This scheme outlines details of, and timetable for, the production of the Local Plan and supporting SPDs. It provides valuable information to the community and other stakeholders about the Local Plan Programme.

10. Contacts

For further please see the Council's website at:
www.burnley.gov.uk/residents/planning/planning-policies or contact:

Policy & Environment Team
 19 Parker Lane
 Burnley
 BB11 2BY

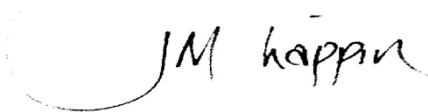
Tel: 01282 425011 Email: localplan@burnley.gov.uk

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE PLANNING AND
COMPULSORY PURCHASE ACT 2004**

**POLICIES CONTAINED IN BURNLEY LOCAL PLAN SECOND REVIEW
(ADOPTED APRIL 2006)**

The Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 directs that for the purposes of the policies specified in the Schedule to this direction, paragraph 1(2)(a) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 does not apply.

Signed by authority of the
Secretary of State

A handwritten signature in black ink that reads "JM Lappin". The signature is written in a cursive style with a large, sweeping initial "J".

Jo Lappin
Deputy Regional Director, Housing, Planning and Transport
Government Office for the North West
1 April 2009

SCHEDULE

**POLICIES CONTAINED IN BURNLEY LOCAL PLAN SECOND REVIEW
(ADOPTED APRIL 2006)**

CHAPTER 4 – GENERAL POLICIES

- GP 1 – Development within the Urban Boundary
- GP 2 – Development in Rural Areas
- GP 3 – Design and Quality
- GP 4 – Mixed Use Development
- GP 5 – Access for All
- GP 6 – Landscaping and Incidental Open Space
- GP 7 – New Development and the Control of Pollution
- GP 8 – Energy Conservation and Efficiency
- GP 9 – Security and Planning Out Crime
- GP 10 – Developer Contributions

CHAPTER 5 – ECONOMY AND WORK

- EW 1 - Land for Business (B1) and General Industrial (B2) and Warehousing (B8) Development
- EW 2 – Major Retail Development outside Burnley and Padiham Town Centres
- EW 3 – New Leisure, Tourist, Arts and Cultural Development outside Town Centres
- EW 4 – Expansion and Improvement of Existing Businesses
- EW 5 – Development and Improvement of Major Industrial Estates
- EW 6 – Economic Improvement Areas
- EW 7 – Redevelopment of Existing Employment Land and Premises for Non-Employment Uses
- EW 8 – Control of Hazardous Substances
- EW 9 – Small Businesses, Working from Home, and Community Enterprises in Residential Areas
- EW 10 – Development and Training Provision
- EW 11 – Rural Diversification and Conversion of Rural Buildings for Employment Uses

CHAPTER 6 – HOUSING AND LOCAL NEIGHBOURHOODS

- H 1 – Land for New Housing Development
- H 2 – The Sequential Release of Further Housing Land for Development
- H 3 – Quality and Design in New Housing Development
- H 4 – Providing a Choice of Housing in New Development
- H 5 – Local Housing Needs
- H 6 – Housing Density
- H 7 – Open Space in New Housing Development
- H 8 – Environmental Improvements in Existing Residential Areas
- H 9 - Regenerating Urban Areas and Neighbourhoods
- H 10 – Housing for Large Families
- H 11 -Living over Shops and Other Commercial Premises and Housing and Training Projects
- H 12 – Non-Residential Uses in Residential Areas

- H 13 – Extensions and Conversions of Existing Single Dwellings
- H 14 – Gardens and Backland Development
- H 15 – Conversion and Re-use for Flats and Bedsits
- H 16 – Gypsy and Traveller Sites

CHAPTER 7 – ENVIRONMENT

Natural Environment

- E 1 – Nature Conservation - Internationally and Nationally Important Sites
- E 2 – Nature Conservation – County Biological and Geological Heritage Sites and Local Nature Reserves
- E 3 – Wildlife Links and Corridors
- E 4 – Protection of other Features of Ecological Value
- E 5 – Species Protection
- E 6 - Trees, Hedgerows and Woodlands
- E 7 – Water Bodies and Water Courses
- E 8 – Development and Flood Risk
- E 9 – Ground water Resources

Built Environment

- E 10 – Alterations, Extensions, Changes of Use and Development Affecting Listed Buildings
- E 11 – Demolition of Listed Buildings
- E 12 – Development in, or adjacent to, Conservation Areas
- E 13 – Demolition in Conservation Areas
- E 14 – The Designation and Amendment of Conservation Areas
- E 15 – Locally Important Buildings, Features and Artefacts
- E 16 – Areas of Traditional Construction
- E 17 – Historic Parks and Gardens
- E 18 – Scheduled Ancient Monuments
- E 19 – Development and Archaeological Remains
- E 20 – Views
- E 21 – Gateways and Throughroutes
- E 22 – Public Art
- E 23 – Telecommunications
- E 24 – Advertisements
- E 25 – Shop Fronts

Open Land

- E 26 – Development in the Green Belt
- E 27 – Landscape Character and Local Distinctiveness in Rural Areas and Green Belt
- E 28 – Protecting Agricultural Land and Businesses
- E 29 – New Agricultural Development
- E 30 – Agricultural Worker’s Dwellings
- E 31 – Wind Farms
- E 32 – Development of Other Renewable Energy Facilities in Rural Areas

Environmental Protection

- E 33 - Vacant and Untidy Land
- E 34 – Derelict and Contaminated Land and Derelict Buildings

E 35 – Sites Generation Landfill Gas

CHAPTER 8 – COMMUNITY FACILITIES

- CF 1 – Protection, Enhancement and Replacement of Playing Pitches
- CF 2 – Intensification of Use of Existing Sports and Recreation Provision
- CF 3 – Protection of Existing Public Parks, Informal Recreation Areas, Major Open Areas, Play Areas and Other Areas of Open Space
- CF 4 – Allotments and Community Gardens
- CF 5 – Major Sports Facilities
- CF 6 – Provision of Small Indoor Sports Facilities
- CF 7 – Outdoor Recreation and Rural Areas
- CF 8 - Equestrian Development
- CF 9 - Golf Related Development
- CF 10 – Specialist Pursuits and Noise Generating Sports
- CF 11 – District and Local Centres
- CF 12 – Local and Village Shops
- CF 13 – Restaurants, Cafes, Public Houses and Hot Food Takeaways
- CF 14 – Provision, Retention and Enhancement of Community Facilities
- CF 15 – Burnley General Hospital
- CF 16 – Loss of Community Health Facilities
- CF 17 – Provision of Educational Facilities
- CF 18 – Youth Shelters
- CF 19 – Graveyards and Burial Places
- CF 20 – Caravans and Camping Sites
- CF 21 – Travelling Show People

CHAPTER 9 – Transport and Movement

- TM 1 – Location of Major Traffic Generating Uses
- TM 2 – Transport Assessments (TAs)
- TM 3 – Travel Plans (TPs)
- TM 4 – Transport Hierarchy within Development Proposals
- TM 5 – Footpaths and Walking within the Urban Boundary
- TM 6 – Walking and Horse Riding in the Countryside
- TM 7 – Cycling Network
- TM 8 – Quality Bus Routes
- TM 9 – Rail and Railway Stations
- TM 10 – East Lancashire Rapid Transit
- TM 11 – Traffic Management in Burnley Town Centre
- TM 12 - Movement of Freight
- TM 13 – Former Padiham Rail Line
- TM 14 – Taxis and Taxi Booking Offices
- TM 15 – Car Parking Standards
- TM 16 – Management of Public and Private On- and Off-Street Car Parking
- TM 17 – Management of Retail and Leisure Car Parking in Town Centres

CHAPTER 10 – BURNLEY TOWN CENTRE

- BTC 1 – Main Shopping Area of Burnley Town Centre
- BTC 2 – Secondary Shopping Areas in Burnley Town Centre
- BTC 3 – Retail Development within Burnley Town Centre outside the Main and Secondary Shopping Areas
- BTC 4 – Office, Business, Civic and Cultural Quarter of Burnley Town Centre
- BTC 5 – Leisure and Tourism Development in Burnley Town Centre
- BTC 6 – The Weavers’ Triangle
- BTC 7 – Kingsway/Bank Parade
- BTC 8 – Movement in Burnley Town Centre
- BTC 9 – Gateways and Throughroutes
- BTC 10 – Upper Floors in Burnley Town Centre
- BTC 11 – Existing Industrial Uses in Burnley Town Centre
- BTC 12 – Canal and Riverside Development in Burnley Town Centre
- BTC 13 - Open Spaces in Burnley Town Centre
- BTC 14 – Provision of Open Spaces in Major Development Proposals

CHAPTER 11 - PADIHAM TOWN CENTRE

- PTC 1 – Central Area of Padiham
- PTC 2 – Burnley Road Area of Padiham Town Centre
- PTC 3 – Church Street/Burnley Road
- PTC 4 – Movement To and Through Padiham Town Centre
- PTC 5 – Padiham Market
- PTC 6 – Gateways and Throughroutes
- PTC 7 – Riverside Development in Padiham Town Centre
- PTC 8 – Open Spaces in Padiham Town Centre

Supplementary Planning Documents

APPENDIX

2

Supplementary Planning Guidance SPG

Several Supplementary Planning Guidance documents were adopted before the 2004 Act came into force. These are listed in Table (i) together with the ‘saved’ Local Plan policies to which they relate.

Table (i): Existing Supplementary Planning Guidance	
Document Title	Linked to ‘saved’ Local Plan Policy (ies)
Children’s Day Nurseries	Policies GP1 and CF14
Dormer Extensions	Policies GP3, E10 and E16
Shop Front Security Shutters	Policy E25

Supplementary Planning Documents SPD

Six Supplementary Planning Documents have been adopted under the 2004 Act:

Table (ii): Existing Supplementary Planning Documents	
Document Title	Date of Adoption
Design Guidelines for Burnley Wood SPD	July 2006
Design Guidelines for Daneshouse, Stoneyholme, Duke Bar SPD	July 2006
Design Guidelines for South West Burnley SPD	July 2006
South West Burnley Development Brief	January 2010
Public Realm Strategy for Burnley Town Centre	September 2011
Public Realm Strategy for the Weavers’ Triangle SPD	September 2011

Proposed Supplementary Planning Documents SPD

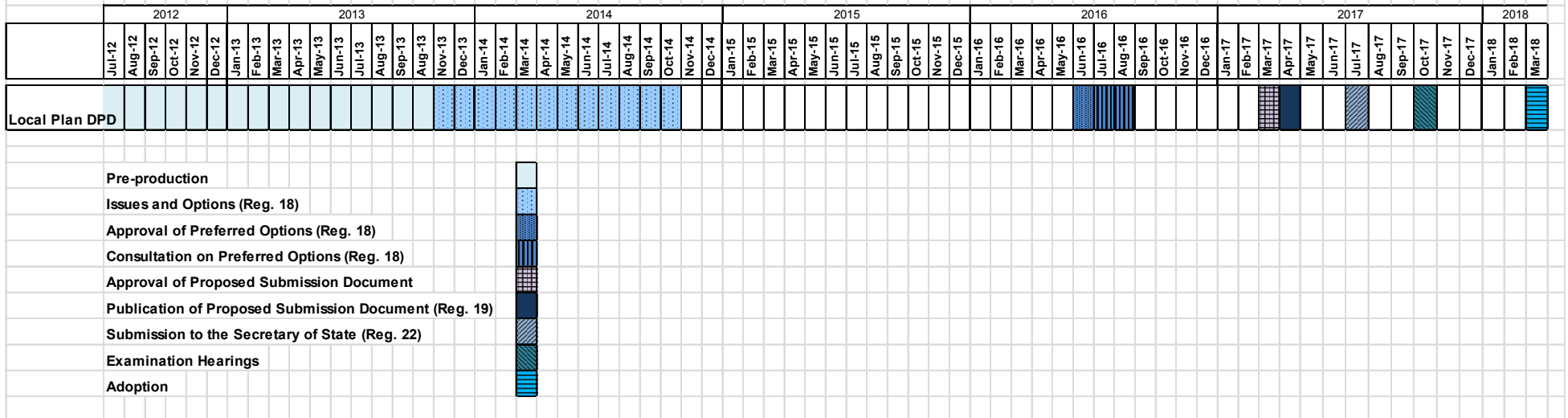
Table (iii): Proposed Supplementary Planning Documents		
Document Title	Who to Produce?	Anticipated Date of Adoption
Contributions	BBC Planning Policy Team	2018
Shopfront and Advertisement Design	BBC Planning Policy Team	2018
Residential Extensions	BBC Planning Policy and Development Control Teams	2018/19
Air Quality Guidance	BBC Planning Policy Team supported by the Environmental Health Team and alongside other Lancashire Authorities (informed by the work of Lancaster City Council)	2018/19

Burnley Local Plan – Gantt chart

APPENDIX

3

Burnley Local Development Scheme 2017-2020 - GANTT Chart



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 THE EXECUTIVE



DATE	04/07/2017
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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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	27,968.00	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 Regeneration & Planning Policy	Simon Goff	Thompson Park Restoration Project	941,022		(846)		940,176		164,759						755,240				20,177	940,176
	-	Governance, Law, Property & Regulation	Kate Ingram	Weavers Triangle - Starter Homes Contribution of Shopping Centre Redevelopment	330,000	56,021			386,021					386,021								
2016/17 Schemes Resubmitted for 2017/18	-	Regeneration & Planning Policy	Andrew Leah		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		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
Schemes Scoring "3" for Strategic Objectives & At Least 5	2:3	Streetscene	Winston Robinson	Burnley Town Centre Pedestrianisation Upgrade	150,000	103,285			253,285	253,285												253,285
	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
	2:2	Regeneration & Planning Policy	Kate Ingram	Padiham Townscape Heritage Initiative	399,873				399,873		36,373					280,100					83,400	399,873
Schemes Scoring Below 4	2:1	Streetscene	Winston Robinson	Bus Shelter Replacement	8,000				8,000										8,000			8,000
	1:2	Green Spaces & Amenities	Simon Goff	Towneley Hall Overspill Car Park	38,500				38,500										18,500		20,000	38,500
New Scheme	-	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
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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.

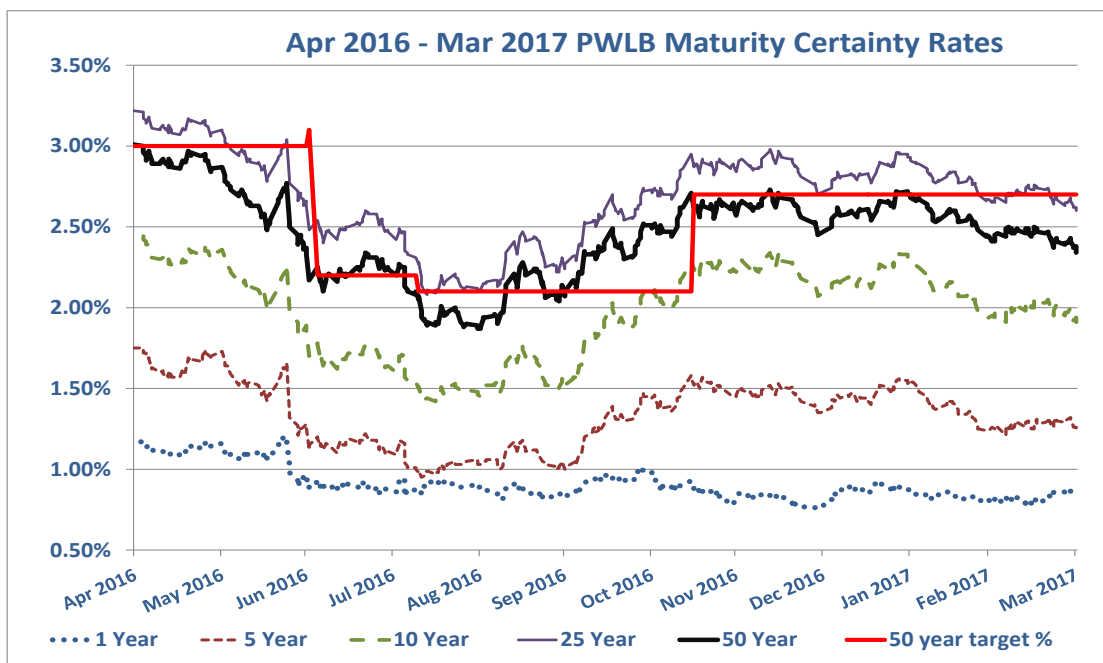
The operational boundary – this is usually set lower than the authorised limit by the additional headroom provided for “unusual cash movements”.

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.

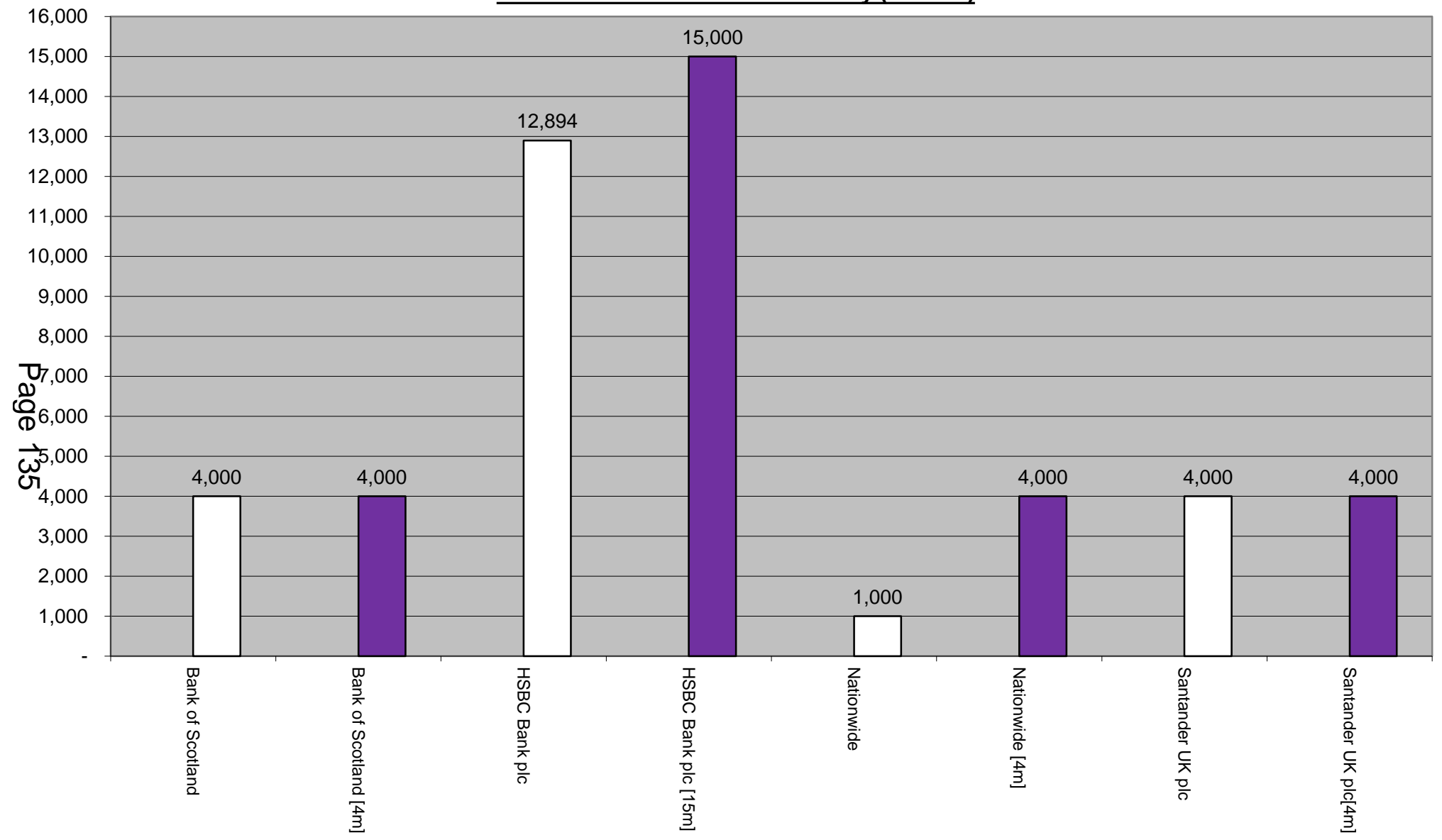
**FURTHER INFORMATION
PLEASE CONTACT:**

**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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