



EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 15th August, 2017 at 6.30 pm

PRESENT

MEMBERS

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

OFFICERS

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|----------------|---|
| Mick Cartledge | – Chief Operating Officer |
| Lukman Patel | – Head of Governance, Law, Property, and Regulation |
| Paul Gatrell | – Head of Housing & Development Control |
| David Donlan | – Accountancy Division Manager |
| Eric Dickinson | – Democracy Officer |

ALSO IN ATTENDANCE

Councillor Margaret Brindle

16. Minutes

The Minutes of the last meeting held on the 4th July 2017 were agreed as a correct record and signed by the Chair

17. Right To Speak

Carole Moulton exercised her Right To Speak regarding the item on Empty Homes CPO.

18. Empty Homes CPO

Purpose To seek approval to make several Compulsory Purchase Orders (CPOs) for long term vacant properties in the private sector.

To dispose of the properties in accordance with the Council's Disposal of Empty Dwellings Policy and scheme of delegation.

Reason for Decision The owners of these properties have been contacted and have either not responded at all or have given no reasonable proposals for renovating the property or bringing it back into housing use.

These properties are long term vacant properties, being empty, in one case, for 17 years. Without intervention by the Council through acquisition by agreement or CPO the properties may remain vacant, continue to deteriorate, attract anti-social behaviour, fly-tipping and arson, all of which cause fear in local residents, resulting in a declining neighbourhood.

Through the Vacant Property Initiative and Empty Homes Programme over 120 properties have been acquired, refurbished and re-sold or re let, bringing those properties back into use and providing high quality accommodation.

Decision (1) That it be approved in pursuance of the powers obtained under Section 17 of the Housing Act 1985 (as amended) to make the following compulsory purchase orders for the purpose of renovation and/or re-sale by the most appropriate method:

The Burnley (13 Wren Street Burnley) Compulsory Purchase Order 2017

The Burnley (65 Briercliffe Road Burnley) Compulsory Purchase Order 2017

The Burnley (9 Every Street Burnley) Compulsory Purchase Order 2017

The Burnley (21 Norman Street Burnley) Compulsory Purchase Order 2017

The Burnley (44 Piccadilly Road Burnley) Compulsory Purchase Order 2017

The Burnley (1 Bracewell Street Burnley) Compulsory Purchase Order 2017

The Burnley (142 Mitella Street Burnley) Compulsory Purchase Order 2017

The Burnley (27 Cleaver Street Burnley) Compulsory Purchase Order 2017

The Burnley (3 Heath Street Burnley) Compulsory Purchase Order 2017

The Burnley (43 Cleaver Street Burnley) Compulsory Purchase Order 2017

The Burnley (12 Moseley Road Burnley) Compulsory Purchase Order 2017;

(2) That the Head of Governance, Law, Property, & Regulation be

authorised to agree terms for the acquisition of the properties, to acquire the properties in this report by agreement as an alternative to compulsory purchase in accordance with the terms of delegation;

- (3) That the Head of Governance, Law, Property, & Regulation be authorised to make minor amendments, modifications or deletions to the CPO schedule of interests and map, should this be necessary, and to finalise the making and submission of the CPO, including promoting the Council's case at public inquiry, if necessary;
- (4) That subject to confirmation by the Secretary of State to authorise the Head of Governance, Law, Property, & Regulation to secure full title to and possession of the CPO land as appropriate by:
 - a. Serving notice of confirmation of the CPO on all interested parties
 - b. Serving notice of intention to execute a General Vesting Declaration
 - c. Executing the General Vesting Declaration
 - d. Serving Notices to Treat and/or Entry as appropriate
 - e. Acquiring land and interests by agreement if possible;
- (5) That the tendering be authorised of any renovation works in accordance with SOC 1, 15 and 16 and delegates power to accept the tender to the Head of Housing and Development Control; and
- (6) That it be approved that the proceeds from the sale of the properties be recycled back into the Empty Homes Programme for further acquisitions and renovations

19. Energy Company Obligation Flexible Funding (ECO Flex)

Purpose To adopt a Lancashire wide Statement of Intent (Appendix 1) so that residents are able to access Energy Company Obligation (ECO) funding.

Reason for Decision To maximise funding into Burnley to improve the energy efficiency of homes within the Borough, subsequently assisting those residents in fuel poverty

Decision

- (1) That the Council's participation in the Cosy Homes in Lancashire (CHiL) Statement of Intent for ECO Flexible Funding be approved; and
- (2) That the Head of Housing and Development Control be authorised to sign a declaration confirming that a resident of Burnley meets the eligibility criteria for ECO Flexible Funding.

20. Empire Theatre

- Purpose** To consider the results of The Empire Theatre viability study.
- Reason for Decision** The viability study does not present a compelling case for the Council to risk significant financial resources, which are scarce and which could be invested in different projects in the town centre and the Borough to create a wider social and economic impact on the Borough
- Decision**
- (1) That due to the significant financial risk and lack of identified commercial operator and the wider resource needs of other strategic projects within the Borough, that the Council's involvement in the project as outlined in the viability study report not be supported; and
 - (2) That the site be considered further as part of the Town Centre Masterplan that is currently being developed.

21. Heritage Lottery Fund (HLF) Funding for Padiham Townscape Heritage

- Purpose** To update the Executive on the status of the Heritage Lottery Fund (HLF) application for the Padiham Townscape Heritage (TH): Crafting the Future scheme and seek approval to accept the funding
- Reason for Decision** To allow officers to progress with the Delivery Phase of the Padiham TH project.
- Decision** HLF require the Council to compete and submit a signed 'Permission to Start' form to confirm acceptance of the grant award along with all the associated requirements. Once HLF have approved the request the Council will be able to start work on the scheme and seek subsequent grant payments.
- Decision**
- (1) That a successful application has been made by the Head of Regeneration and Planning Policy to HLF to support the regeneration of Padiham Conservation Area and related community activities be noted;
 - (2) That the grant of £1,400,500 be accepted from the HLF in accordance with their standard terms of grant;
 - (3) That the principal delivery elements of the 5 year Padiham: Crafting the Future Scheme be noted; and
 - (4) That delegated authority be given to the Section 151 Officer to sign the required 'Permission to Start' form to confirm acceptance of the grant award along with all the associated requirements.

22. Revenue Monitoring Q1 2017-18

Purpose To report the forecast outturn position for the year as at 31 March 2018 based upon actual spending and income to **30 June 2017**.

Reason for Decision To give consideration to the level of revenue spending and income in 2017/18 as part of the effective governance of the Council and to ensure that appropriate management action is taken to ensure a balanced financial position.

Decision

- (1) That the projected revenue budget forecast underspend of £70k (see the overview table in paragraph 6) be noted;
- (2) That Full Council be recommended to approve the latest revised budget of £14.596m as shown in Appendix 1; and
- (3) That Full Council be recommended to approve the net transfers from earmarked reserves of £1.582m as shown in Appendix 4.

23. Capital Monitoring Q1 2017-18

Purpose To provide Members with an update on capital expenditure and resources position along with highlighting any variances

Reason for Decision To effectively manage the 2017/18 capital programme.

- Decision**
- (1) That Full Council be recommended to approve the revised capital budget for 2017/18 totalling £15,589,217, as outlined in Appendix 2;
 - (2) That Full Council be recommended to approve the proposed financing of the revised capital budget totalling £15,589,217 as shown in Appendix 3;
 - (3) That the latest estimated year end position on capital receipts and contributions showing an assumed balance of £2,231,605 at 31st March 2018, in Appendix 4, be noted;

(4) That Full Council be recommended to approve a new Capital Scheme for the Calder Park Sport & Play Equipment, totalling £13,700, funded from 3rd Party Contributions and Ward Opportunities Fund; and

(5) That Full Council be recommended to approve a new Capital Scheme for the Brun Valley Forest Park, totalling £10,486, funded from 3rd Party Contributions.

24. Exclusion of the Public

Purpose To consider when it may be relevant to exclude the public from the meeting, and clarify the order of the agenda.

Reason for Decision Minute Number 25 contained exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Decision That the public be excluded from the meeting before discussion takes place on the items relating to Minute 25 since in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information

25. Water Procurement

Purpose To approve changes to the current arrangements for the supply of water and water related services to the Council.

Reason for Decision To secure the Council's water supply and Services under a pre-tendered OJEU compliant arrangement either with Crown Commercial Services (CCS), who already supply most of our electricity and gas, or under a similar framework arrangement.

Decision

That existing arrangements for the supply of water and related services to the Council be reviewed to ensure value for money is obtained and the Head of Governance, Law, Property and Regulation be authorised to commission a new supplier of water and water related services, subject to paragraph 8 of the report being amended to; "The purpose of the procurement is to award the contract to the most economically advantageous tender"