



EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 11th December, 2018 at 6.30 pm

PRESENT

MEMBERS

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

OFFICERS

Mick Cartledge	– Chief Executive
Simon Goff	– Head of Green Spaces and Amenities
Asad Mushtaq	– Head of Finance and Property
Elizabeth Murphy	– Planning Policy Manager
Eric Dickinson	– Democracy Officer

66. Minutes

The Minutes of the last meeting held on the 28th November 2018 were approved.

67. Burnley Physical Activity and Sports Strategy

Purpose

To seek approval of Executive to adopt the Burnley Physical Activity and Sport Strategy 2018 – 2023.

Reason For Decision

Adoption of the Strategy will coordinate the work of partners to achieve the vision of improving lives and will help to secure external funding to deliver the vision.

Decision

That the Burnley Physical Activity and Sport Strategy 2018 – 2023 be adopted.

68. Shopfront and Advertisement Design Supplementary Planning Document (SPD)

Purpose

The purpose of this report is to seek approval to undertake formal public consultation on a draft Shopfront and Advertisement Design Supplementary Planning Document (SPD).

The draft SPD (attached at Appendix A) has been prepared to support the implementation of Burnley's Local Plan. Once adopted, it will become a material consideration to be used in the determination of relevant applications for planning permission and listed building consent. It will also be relevant to the consideration of applications for advertisement consent.

Reason for Decision

Burnley's Local Plan and Local Development Scheme (LDS) commit the Council to preparing a number of SPDs, including a Shopfront and Advertisement Design SPD.

Prior to the start of the consultation period, officers may identify areas where the document could be improved in wording and/or layout without impacting on meaning. The recommendation will provide the Strategic Head of Economy and Growth with the ability to undertake any such changes.

Decision

(1) That the draft Shopfront and Advertisement Design SPD be approved for public consultation for a six week consultation period commencing in January 2019; and.

(2) That, up to the start of the consultation period, the Strategic Head of Economy and Growth be authorised to make minor changes to the wording or layout of the draft SPD, provided that the changes do not materially change the meaning of the consultation document.

69. Food (Official Controls) Delivery Plan (Reviewed 2019-20)

Purpose

In order to meet statutory requirements the Council's Environmental Health and Licensing Team is responsible for Food Safety enforcement and must have in place approved plans. In line with the Constitution, approval of the Food (Official Controls) Delivery Plan will be sought from Full Council.

Reason For Decision

To formally review past performance and agree a framework for the future delivery of effective, risk based, proportionate and consistent food safety services.

Decision

That Full Council be recommended to approve the Food (Official Controls) Delivery Plan (reviewed 2018/2019).

70. Health and Safety Intervention Plan (Reviewed 2018-19)

Purpose

The regulatory team responsible for Health & Safety at Work enforcement must have in place an intervention plan to meet the requirements of statutory guidance. This report formally consults the Committee on the plans prior to their approval at Full Council.

Reason For Decision

Section 18 of the Health & Safety at Work Act 1974 and the subsequent National Local Authority Enforcement Code for Health and Safety (The Code) provide frameworks within which the Environmental Health & Licensing Team must operate when carrying out its public protection duties within workplaces. The frameworks require the Council to have plans in place to control these activities, and mechanisms for review. The intervention plan appended to this report has been prepared to satisfy the statutory requirements.

Decision

That Full Council be recommended to approve the Health and Safety Intervention Plan (reviewed 2018/2019), detailed at Appendix 1 to the report.

71. Statement of Principles Gambling Act 2005 Policy for 2019-21

Purpose

To consider the Council's Gambling Act Policy for 2019-2021 following consultation with the 24th October 2018 Licensing Committee.

Reason For Decision

Burnley Borough Council, in its role as a licensing authority, is required by the Gambling Act 2005 to review and publish its licensing policy every 3 years.

Decision

That it be recommended to Full Council that the draft Statement of Principles for the Gambling Act 2005 Policy for the period 3rd January 2019 to 31st December 2021, as amended by 24th October 2018 Licensing Committee, be approved.

72. 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 numbers 73 to 75 contain information relating to the financial or business affairs of any particular person (including the authority holding that information), and Minute 76 contains information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Decision

That the public be excluded from the meeting before discussion takes place on the items relating to Minutes 73 to 76 in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information, within the meaning of Part VA of the Local Government Act 1972.

73. Sale of Plot 1, Balderstone Lane

Purpose

To seek approval for the sale of 4.75 acres of land at Balderstone Lane, Heasandford Industrial Estate, Burnley, shown for identification edged red on the plan contained in Appendix 1.

Reason For Decision

To secure a capital receipt from the disposal of development land.

To attract inward investment to the Borough and bring land held for industrial purposes into long term economic use with the creation of an estimated 25 jobs.

Decision

- (1) That the disposal of 4.75 acres of land at Balderstone Lane, Burnley on the terms reported, subject to planning permission being obtained, be authorized;and
- (2) That the Head of Legal & Democratic Services be authorised to complete all documentation necessary to give effect to the decision

74. Financing of Fitness Equipment for Burnley Leisure

Purpose

To seek approval for funding to replace the fitness equipment and refurbish the fitness and associated areas at St Peters Leisure Centre.

Reason For Decision

The main income stream for Burnley Leisure comes from gym memberships and it is essential that the Trust continues to offer high-quality, up to date fitness equipment in a modern environment to retain customers and develop the business.

Decision

- (1) That the replacement fitness equipment and refurbishment of fitness and associated areas at St Peters Leisure Centre be approved;
- (2) That Full Council be recommended to establish a new budget in the 2018/19 Capital Programme for the St Peters Leisure Centre Replacement Gym Equipment for £220,000;
- (3) That the part financing of the equipment from the client contingency budget, with the remainder being met by Burnley Leisure as set out in paragraph 18 be approved;and
- (4) That it be noted that the equipment will be owned by the Council.

75. Banking Contract

Purpose

To update Members on progress made towards the agreement of a new banking contract and to secure banking services for the next 3 years in line with value for money requirements.

To seek approval to a new contract with the Council's existing bankers for the period 1 January 2019 to 31 December 2021.

Reason For Decision

To update Members on market testing the cost of the Council's banking facilities, negotiations in reducing banking costs and to recommend the approval of a further 3 year contract with HSBC Bank PLC.

Decision

- (1) That the report be noted;
- (2) That standing orders SOC 15 and SOC 16, requiring quotations and tenders to be invited, be waived; and
- (3) That the awarding of a further 3 year contract for the Council's banking services to HSBC Bank PLC be approved.

76. Workforce Planning

Decision

To inform and seek agreement from the Executive to implement proposed workforce reductions, previously outlined at the Executive meeting on 18th September 2018, as part of the budget savings for 2019/20.

Reason For Decision

To ensure that the Council is placed in the best position to manage the reduction in core funding that will take place in the next financial year.

Decision

- (1) That the additional proposed workforce changes for 2019/20 as set out in Appendix 1 to give an annual ongoing saving of £270k be approved;
- (2) That within Appendix 1 the deletion of 10 occupied posts (8.37 FTE) and 6 (4.25 FTE) vacant posts be approved;
- (3) That the Head of People and Development be authorized to issue redundancy notices to the employees concerned if no suitable alternative employment can be found;
- (4) That the creation of 2 new posts (2.00 FTE) and therefore the net deletion of 14 (10.62 FTE) posts be noted;
- (5) That the one off cost of redundancy and pension strain be noted for the proposed and previously agreed workforce changes is likely to be in the order of £295k, to be

funded from a forecasted in-year underspending in 2018/19 or from the Transformation Reserve if underspenders prove to be insufficient;and

- (6) That the previously approved flexible retirement in one other post (0.40 FTE reduction) during the current financial year be noted, which in total provides an overall workforce reduction of 14 posts (11.02 FTE)