

# EXECUTIVE

Tuesday, 17th September, 2019  
6.30 pm





# EXECUTIVE

## BURNLEY TOWN HALL

**Tuesday, 17th September, 2019 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 Legal & Democracy by 5.00pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at: <http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

## **AGENDA**

### **1) Apologies**

To receive any apologies for absence

### **2) Minutes**

5 - 10

To approve as a correct record the Minutes of the meeting held on 13<sup>th</sup> August 2019.

### **3) Additional Items of Business**

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

### **4) Declaration of Interest**

In accordance with the Regulations, Members are required to declare any personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda and/or indicate if S106 of the Local Government Finance Act 1992 applies to them.

- 5) Exclusion of the Public**  
To determine during which items, if any, the public are to be excluded from the meeting.
- 6) Right To Speak**  
To consider questions, statements or petitions from Members of the Public
- 7) Strategic Plan** 11 - 26  
To consider the updated Strategic Plan.
- 8) Community Housing Fund - Woodtop School** 27 - 30  
To seek approval to accept a grant award of £200,000 from Homes England to progress residential development of the former Woodtop School; and to authorise the acceptance, draw down and distribution of related grant payments.
- 9) Disabled Facilities Grant - Social Care Capital Projects** 31 - 34  
To seek approval for Disabled Facilities Grant funded capital projects.
- 10) Selective Licensing Fees** 35 - 42  
To consider amendments to fees and charges for selective licensing areas.
- 11) Council Tax Premium and Policy** 43 - 52  
To consider the extension of Council Tax Premium, and the adoption of a Council Tax Premium Policy.
- 12) Business Rates Discretionary Relief Policy** 53 - 68  
To consider adopting an updated Non-Domestic Rates Discretionary Relief Policy.
- 13) Revenue Budgets 2020-23 - Latest Position and Savings Proposals** 69 - 82  
To consider the latest position regarding balancing the Council's revenue budgets 2020-23, and to outline proposed budget savings.
- 14) Exclusion of the Public**  
To determine during which items, if any, the public are to be excluded from the meeting and to consider the exclusion of the public from the meeting before discussion takes place on the following items of business on the grounds that in view of the nature of the business to be transacted if the public were present there would be a disclosure to them of exempt information within the meaning of Part 12A of the Local Government Act 1972.

#### PRIVATE ITEMS

Details of any representations received by the Executive about why any of the following reports should be considered in public – None received.

Statement in response to any representations – Not required

**15) *Surrender and Renewal of Lease at 19 Croft Street***

83 - 86

To approve terms for the surrender of the existing lease and the grant of a new lease of 19 Croft Street.

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**MEMBERSHIP OF COMMITTEE**

Councillor Charlie Briggs  
Councillor Margaret Lishman  
Councillor Gordon Birtwistle

Councillor Ivor Emo  
Councillor Cosima Towneley

**PUBLISHED**

Monday, 9 September 2019



## EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 13th August, 2019 at 6.30 pm

### PRESENT

### MEMBERS

Councillors C Briggs (Chair), I Emo and C Towneley

### OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Simon Peet	– Finance Manager
Clare Jackson	– Housing Manager
Eric Dickinson	– Democracy Officer

#### 24. Apologies

Apologies for absence were received from Councillor Gordon Birtwistle and Councillor Margaret Lishman.

#### 25. Minutes

The Minutes of the last meeting held on the 2<sup>nd</sup> July 2019 were agreed as a correct record and signed by the Chair.

#### 26. Minutes of Individual Executive Member Decisions

The Minutes of the following Individual Executive Member Decisions were noted;

Minute 1- Civica Financials and Pay Upgrades (28th June 2019)

Minute 2- Florence Avenue (16th July 2019)

#### 27. Empty Homes Programme

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 or to Calico Homes as appropriate.

#### 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 over 9 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 130 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 the Head of Housing and Development Control in consultation with the Executive Member approve 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 (23 Bar Street) Compulsory Purchase Order 2019

The Burnley (35 Barden Lane) Compulsory Purchase Order 2019

The Burnley (5 Hollingreave Road) Compulsory Purchase Order 2019

The Burnley (11 Wilton Street) Compulsory Purchase Order 2019

The Burnley (41 Spencer Street) Compulsory Purchase Order 2019

The Burnley (43 Spencer Street) Compulsory Purchase Order 2019

The Burnley (3 Randall Street) Compulsory Purchase Order 2019

The Burnley (4 Randall Street) Compulsory Purchase Order 2019

The Burnley (6 Randall Street) Compulsory Purchase Order 2019

The Burnley (18 Randall Street) Compulsory Purchase Order 2019

The Burnley (24 Smalley Street) Compulsory Purchase Order 2019

The Burnley (33 Bivel Street) Compulsory Purchase Order 2019

The Burnley (142 Healey Wood Road) Compulsory Purchase Order 2019

The Burnley (19 Elmwood Street) Compulsory Purchase Order 2019

The Burnley (150 Oxford Road) Compulsory Purchase Order 2019

The Burnley (22 Pendle Street) Compulsory Purchase Order 2019

The Burnley (48 Parkinson Street) Compulsory Purchase Order 2019

The Burnley (100 Springfield Road) Compulsory Purchase Order 2019

(2) That the Head of Legal and Democratic Services 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 Legal and Democratic Services 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 that the Head of Legal and Democratic Services be authorised to secure full title to and possession of the CPO land as appropriate by:

- Serving notice of confirmation of the CPO on all interested parties
- Serving notice of intention to execute a General Vesting Declaration
- Executing the General Vesting Declaration
- Serving Notices to Treat and/or Entry as appropriate
- Acquiring land and interests by agreement if possible

(5) That the tendering of any renovation works be authorized 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 are recycled back into the Empty Homes Programme for further acquisitions and renovations

## **28. Safeguarding and Early Help Policy-Adults and Children**

### Purpose

To seek executive approval of the updated safeguarding and early help policy.

### Reason for decision

The council has a duty to protect the welfare, safety and health of the borough's vulnerable adults, children and young people. This policy sets out the council's approach to safeguarding against domestic abuse, exploitation, radicalisation, forced marriage, trafficking and modern slavery.

The policy was last reviewed in 2016. It has been updated following changes in personnel and to further clarify responsibilities and procedures.

### Decision

That the updated safeguarding and early help policy policy be approved.

## **29. Revenue Monitoring Q1 2019-20**

### **Purpose**

To report the forecast outturn position for the year as at 31 March 2020 based upon actual spending and income to 30 June 2019.

This report introduces a new format of presenting the net budget forecast and the achievement of the savings targets. Last year's 2018/19 in-year budget monitoring reports showed an assumed year-end break-even position from the beginning of the year based on the assumptions that savings would be identified due to the number of vacant posts and in year-savings predicted. This new report format adopts a different approach and shows the current forecast outturn position based upon the forecast savings identified within the current reporting period. As in previous years, it is expected that as the year progresses, further in-year savings will be identified and reported at each quarter, reducing the forecast overspend position. However, as overall budgets reduce, it is inevitable that it is becoming increasingly difficult to achieve and identify further savings. The current in-year savings target of £400k will be reviewed going forward in light of the reduction in budgets.

### **Reason for decision**

To give consideration to the level of revenue spending and income in 2019/20 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 position of an overspend of £248k be noted, as summarised in table 1 and detailed in Appendix 1. Also that the position as at the end of the quarter be noted on the achievement of salary and non-salary savings targets and the balances yet to be found, as can be seen in Table 2;
- (2) That Full Council be recommended to approve the latest revised net budget of £15.815m as shown in Table 1; and
- (3) That Full Council be recommended to approve the net transfers to earmarked reserves of £1.385m as shown in Appendix 2.

## **30. Capital Monitoring Q1 2019-20**

### **Purpose**

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

### **Reason for decision**

To effectively manage the 2019/20 capital programme.

### **Decision**

- (1) That Full Council be recommended to approve net budget changes totalling a decrease of £1,053,740 giving a revised capital budget for 2019/20 totalling £20,291,201 as detailed in Appendix 1;
- (2) That Full Council be recommended to approve the proposed financing of the revised capital budget totalling £20,291,201 as shown in Appendix 2;



- (3) That the latest estimated year end position on capital receipts and contributions be noted showing an assumed balance of £1,853,381 at 31 March 2020 as shown in Appendix 3; and
- (4) That Full Council be recommended to approve a new Capital Scheme named Changing Places, totalling £99,897, funded from 3rd Party Contributions.

### **31. Right To Speak**

The Chair exercised his discretion to allow Mr John Rowe to address Members at the end of the meeting due to Mr Rowe's late arrival, regarding Woodtop School and the sites of houses cleared at the rear of the school.

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ITEM NO	[AgendaItem]
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## Strategic Plan 2019

### REPORT TO EXECUTIVE



<b>DATE</b>	17/09/2019
<b>PORTFOLIO</b>	Leader
<b>REPORT AUTHOR</b>	Rob Dobson
<b>TEL NO</b>	3115
<b>EMAIL</b>	rdobson@burnley.gov.uk

#### PURPOSE

1. To seek Executive endorsement of the Strategic Plan (appendix 1).

#### RECOMMENDATION

2. That the Executive recommend the Strategic Plan to Full Council.

#### REASONS FOR RECOMMENDATION

3. The Strategic Plan sets out a clear vision for the future at a time of challenging budget decisions: one that is evidence based, shared by all units of the Council, and is in tune with the aspirations of local people.

#### SUMMARY OF KEY POINTS

4. The Strategic Plan covers a three-year period but is reviewed annually. It sets out the Council's strategic priorities during the next three years. This update follows the formation of the new executive, so includes its priorities.
5. The Strategic Plan has four themes: *People, Places, Prosperity and Performance*. The *People* theme sets out how the council will support residents to achieve their full potential by, for example, supporting efforts to improve skills in the borough. The *Places* theme sets out our strategy in relation to the natural and built environment and community safety. i.e., maintaining a clean, green and safe borough. The *Prosperity* theme sets out the council's economic development priorities, and the *Performance* theme is about internal processes and improvement activity, i.e. the Council's organisational development strategy.
6. Executive members will report progress against the strategic plan actions at future Full Council meetings.
7. The Strategic Plan covers the medium term: all the commitments will be delivered within the three-year period of the plan. Heads of Service use the Strategic Plan to develop their own unit plans. These set out in more detail the tasks associated with achieving the

Council's objectives over the course of the next year.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

8. As set out in the Council's budget.

#### **POLICY IMPLICATIONS**

9. As set out in the strategic plan and the Council's strategic risk register.

#### **DETAILS OF CONSULTATION**

10. Scrutiny Committee's response to the draft strategic plan will be detailed in the Minutes of the meeting on 16<sup>th</sup> September 2019.

11. A residents' survey is conducted bi-annually to help determine key priorities.

#### **BACKGROUND PAPERS**

12. The current strategic plan: <http://www.burnley.gov.uk/about-council/our-strategies-and-policies>

#### **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Mick Cartledge, CEO.**

**ALSO:**



**Burnley**.gov.uk

# Burnley Borough Council's Strategic Plan

DRAFT

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# Burnley Council's vision 10 year vision for the borough:

*Burnley and Padiham will be places where families choose to live because of our clean, safe neighbourhoods, beautiful parks and unspoilt countryside. Businesses will choose to invest in our borough because of our skilled workforce, our diverse, competitive, modern economy and a supportive council.*

## Our values:

**One Burnley –Leading the Way**

**One Council –Working Together**

**One Team –Ambitious for Burnley**

- T -Together
- E -Enterprising
- A - Ambitious
- M -Meeting Customer Need

## Burnley Council: adapting to change

Burnley Council has always adapted to meet the changing needs of the borough and to deliver the best possible service within the budget available.

The Council's services will continue to change in the years ahead.

The budget challenge is immense. There is considerable uncertainty in the budget outlook, but the Council's prudent Medium-Term Financial Strategy shows that we need to plan for a possible budget gap of £3.71 million over the next three financial years.

This adds to the pressure on the Council to make savings and find ways of raising income to protect priority services that help make the borough a cleaner, greener, safer and more prosperous place to live.

In recent years, the Council has successfully lobbied for additional investment in Burnley and will continue to press the case for the borough at the highest levels of Government. However, if the Council is to continue delivering quality services that meet the needs of the borough, then further change is inevitable if the Council is to remain financially viable. Lower priority services may have to be reduced or stopped, and charges may increase for discretionary services.

Our strategic plan ensures that we do not take a "salami-slicing" approach to budget cuts. With a clear vision for the borough's future, the Council will stay focussed on what really matters and will seek innovative ways of resourcing those priorities.

Examples of how we will achieve value for tax payers include rationalisation of our estate and generating extra revenue through new homes being built across the borough.

We are a confident, positive organisation, and together with our partners, we have a strong track record of delivering positive outcomes for the people of Burnley and Padiham.



## **Our guiding principles**

In leading the transformation of the Council, the Executive and Management Team have worked to the following principles:

- Burnley Council is pragmatic. The Council is not ideologically committed to a specific model of local government organisation. This means that the Council is open minded about how to achieve savings. It will pursue joint working arrangements, or seek to outsource services to the private sector, where there is a clear business case.
- A business case for change must take into account the impact on the local economy, as well as the cost and benefits in terms of service quality and efficiency gains. It will implement changes following appropriate consultation with residents and employees.

## **Who is this document for?**

The strategy is prepared to help Elected Members and officers execute the Council's business in a well-planned and effective manner. While it is primarily for an internal audience, it is also a public document. Local residents and businesses can use this document to stay informed about the Council's plans for the Borough. The Council's Executive members report progress against the strategic commitments at Full Council meetings.

## **What is the purpose of the Strategic Plan?**

1. The Strategic Plan describes how the Council will make its vision for the Borough reality.
2. The Strategic Plan unifies the Council's service units, and is used to articulate common purpose.
3. Strategic analysis helps anticipate and prepare for change. The strategic planning process helps the Council audit internal capacity, informing decisions about resource allocation (staff, budgets, technology, equipment, and premises).
4. Finally, the Strategic Plan encourages dialogue amongst different service units in the Council. This in turn should lead to more joined up working as council officers identify points of connection at the level of outcome, output, process or input.

**The strategic plan does not cover every service delivered by the Council. The emphasis is on planning for major change and challenges, and defining priority actions linked to corporate objectives. But an overriding concern of the Council is to protect core services. Though budget pressures could mean changes to how we provide services, the Council will continue to provide good quality frontline services that are a priority for local residents. An overview of these services is set out below.**

## Burnley Council Services

- We collect rubbish, recyclable or non-recyclable, from every household every week. On the next working day following a general refuse collection, every residential street is swept by manual litter pickers. Following a recycling collection, the street receives a mechanical sweep.
- We own and manage the historic Towneley Hall that attracts tens of thousands of visitors every year.
- We manage over 550 hectares of parks and green spaces including five Green Flag Parks.
- In partnership with Burnley Leisure, we fund three quality leisure facilities (St Peter's, Padiham and the Prairie), and the Mechanics theatre which attracts top names in comedy, music and the arts.
- We work with businesses to support job creation, business growth, and inward investment.
- We prosecute those who commit environmental crime in the borough.
- We support victims of antisocial behaviour and work with the police to take action against anti-social behaviour.
- We deal with around 3,000 calls and 500 visitors every week at our contact centre.
- We award benefit to around 10,500 households a year and assess over 66,000 changes in circumstances.
- We provide a quality advice and enforcement service for vulnerable households and individuals and work to tackle homelessness.
- We provide public protection services: we conduct food safety checks on food establishments; we carry out health and safety inspections of warehouses and retail premises; we license pubs and clubs and taxis; we investigate environmental pollution complaints about noise, smoke and private water supplies; and we provide CCTV monitoring.
- We work with the police and community organisations to help foster stronger community relations.
- We process around 500 planning applications per annum and aim to ensure that new development in Burnley is built to high design standard. We also protect the historical heritage of the town through the management of conservation areas and listed building protection, and take enforcement action to protect the quality of life of Burnley residents against unauthorised building activity.
- We conduct local land searches for buyers of land or property.
- We plan and deliver major regeneration projects, in partnership with the private sector.
- We manage car parks so parking in Burnley is easy.
- We ensure that taxpayers' money is spent prudently and that the Council allocates resources within its means by providing a professional treasury management and audit service.
- We make sure local citizens have a democratic voice, through proper and effective management of elections.

## Strategic Plan 2018- what did we achieve?

### **Places**

- The regeneration of neighbourhoods continued apace. With help from the Council, new homes were built by Calico on the Perseverance Mill site in Padiham. Calico also opened their gateway housing project, which assists our most vulnerable residents through support and training helping them to access sustainable housing, education and employment. Work got underway to build 250 homes on the former school site off Kiddrow Lane.
- We completed the restoration of Thompson Park.
- By the end of Q3, we had brought 32 prosecutions for environmental crimes such as flytipping
- Since the start of April 2018, the housing enforcement team has helped to resolve over 200 new disrepair complaints from private rented sector tenants.

### **Prosperity**

- The Business Support Team promoted inward investment, managing c. 60 live property enquiries for companies looking to relocate into the Borough or expand within.
- In the year up to September 2018, 39 jobs were created through the Business Growth Programme.
- We adopted a new Local Plan, which will shape Burnley's growth over the next decade.
- We have delivered new highways infrastructure and public realm improvements in partnership with LCC
- We have secured £4.6m of external funding to deliver key projects including flood defence works in Padiham
- We have led the development of a new Town Centre and Weavers Triangle Masterplan and procured a development partner and put in place funding to deliver a major town centre leisure led retail development: "Pioneer Place."
- We have delivered further phases of On the Banks, with new apartments and work has started on a student accommodation scheme.

### **People**

- Our partner Burnley Leisure, with support from the Council, upgraded the gym at St. Peter's Centre.
- Between April and November 2018, the Council had: awarded disabled facilities grants to 149 residents; provided 18 Emergency Works grants to eliminate serious disrepair in residential properties, and made available the Heating Rebate Scheme to tackle fuel poverty with 86 grants awarded for energy efficiency improvements.
- The Council partnered with the Burnley FC in the Community, the local NHS, and schools to increase pupil access to mental health support in schools.

### **Performance**

- In October 2018 the Council received confirmation that it had successfully retained its Gold Investors in People accreditation and IiP Health and Wellbeing Award
- More customers transacted with the Council online in 2018.

## What do we want to achieve during 2019 and beyond?

Much of what the Council has or plans to achieve, involves working in partnership. The [Sustainable Community Strategy](#) sets out the vision for the Borough that is shared by statutory agencies, local businesses and the third sector. It includes a list of long term commitments which will help us achieve a cleaner, greener, safer and more prosperous Borough in the future.

The Community Strategy describes the Borough's challenges, its assets and opportunities. The following section of this document sets out the Council's role in meeting those challenges, exploiting the assets and the opportunities that exist in the Borough. It is structured around the themes of **People, Places, Prosperity**, in line with the Sustainable Community Strategy. A fourth theme, **Performance**, sets out the Council's organisational development goals.

This structure helps:

- breakdown departmental silos, so that Service Units are encouraged to think collaboratively about how to achieve corporate objectives;
- ensure that the Council focuses on a balanced range of priorities, so that interventions are mutually supportive. For example, the Council wants to encourage business growth so that local people have access to good, well-paid jobs (an objective under the *prosperity* theme). But to achieve this we must make sure that educational attainment improves (an objective under the *people* theme) and that, also, the environment for doing business is good thanks to clean streets and safe neighbourhoods (an action under the *places* theme);
- design services around the needs of citizens and businesses that we serve, rather than around the structure of the Council.

## People - creating flourishing, healthy and confident communities

### **What are the challenges and opportunities?**

Increasing educational attainment and skills is the top priority for the borough. The Council will continue to work with partners in the education sector to help maintain the focus on this.

Health inequality is a significant factor in Burnley. For example, alcohol related hospital admissions, the number of incapacity benefit claimants for poor mental health, and deaths from smoking are all higher than the national average. Levels of worklessness due to ill health are also high. As a district council, we are well positioned to influence and deliver many measures that can help prevent ill health, both through our key functions and our enabling role. Our quality parks and green spaces are a “Natural Health Service,” and our housing services, environmental health function, our role in improving community safety, and in particular our partnership with Burnley Leisure, are all key. Perhaps our biggest long-term contribution to preventing ill health is our commitment to help grow the local economy. Poverty is a significant cause of poor health, so we want to help more local people into secure, decently paid jobs, as described in the prosperity theme of this strategy.

<b>What do we commit to?</b>	<b>Lead</b>
<b>PE1-</b> We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development, and improve residents' health.	Chief Executive Leader
<b>PE2-</b> We will continue to develop the leisure and cultural offer of Burnley in partnership with Burnley Leisure.	Chief Operating Officer Executive Member for Housing and Leisure

## Places: making the Borough a place of choice

### What are the challenges and opportunities?

Resident feedback tells us that maintaining the cleanliness is a priority; tackling dog fouling is a key local concern.

Compared with the Lancashire average, a higher proportionate of residents live in private rented accommodation. Unfortunately, not all of this accommodation is managed to a good standard, with some neighbourhoods blighted by incidents of antisocial behaviour, long term empty properties or properties that are unfit for habitation.

We are proud to maintain a significantly higher than average proportion of greenspace per head of population. Evidence suggests that access to parks and nature has major health benefits, as well as making the living environment attractive. Our parks are therefore a key asset in making the borough a good place to live and work. In addition, the Council has an obligation as a community leader to play a part in reducing harmful carbon emissions and responding to climate change.

The borough also has a significant number of cultural and sporting assets; the Mechanics, Towneley Hall, modern leisure centres and well attended community sport and other events.

The Council recognises that we are facing a climate change emergency which threatens all of us and our future. The Council will encourage reductions in single use plastic, de-carbonisation, promoting the use of electric vehicles and encouraging green businesses and shops. We will improve re-cycling arrangements so that it's easier for people to re-cycle more.

What do we commit to?	Lead
<b>PL1-</b> We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.	Head of Streetscene Executive Member for Community and Environmental Services
<b>PL2-</b> We will improve the management and condition of private rented accommodation.	Head of Housing and Development Control Executive Member for Housing and Leisure
<b>PL3-</b> We will work with partners to improve quality and choice in the borough's housing stock.	Chief Operating Officer Executive Member for Housing and Leisure
<b>PL4-</b> We will implement our 2015-25 Green Space Strategy.	Head of Green Spaces and Amenities Executive Member for Housing and Leisure
<b>PL5-</b> We will prepare and deliver a new Climate Emergency Strategy.	Head of Housing and Development Executive Member for Community and Environmental Services

## Prosperity – promoting transformational economic change for Burnley

### **What are the challenges and opportunities?**

The Burnley economy has shown strong growth over the last decade. Manufacturing businesses still make up a significant part of the local economy, with key strengths in aerospace and automotive. In response to global challenges the sector has adapted new technologies, delivering higher value products and processes, which in turn bring wealth to the local area. At the same time, the economy has diversified, with growth in the digi-tech and logistics and distribution sectors.

With a retail catchment area of 300,000 people, Burnley is a major retail and service centre in Pennine Lancashire. The town centre has benefitted from significant investment in public realm, attracting new occupiers including Primark. The council, in partnership with other key organisations, has developed a Town Centre and Canalside Masterplan setting out opportunities to diversify the leisure offer, introduce town centre living. The Council will progress key projects including “Pioneer Place”, to deliver the masterplan.

The development and growth of UCLAN over the next five years will have a transformational impact on the town. The Council and UCLAN will work in partnership with the business community to delivery higher level skills and degree level apprenticeships as well as leverage the expertise of the University and other funding streams to support business innovation, business scale up and new business starts.

By promoting Burnley as an investment opportunity, and by improving travel connections and kick starting development to attract investors, the Council is dedicated to getting the most out of Burnley’s key assets: its rural setting, its proximity to the regional growth hub of Manchester, the economic development potential of Burnley’s land and its education and skills infrastructure. The new Local Plan will act as the key supporting framework for encouraging employment and housing investment, with the aim of maintaining the recent trend of private sector job growth and growing the borough’s skilled workforce.

The Council is ambitious for Burnley. The devolution of powers from central government is an opportunity for the borough. To ensure that Burnley punches above its weight and gets a fair deal, the Council’s Executive and Management Team will make sure that the business case for Burnley is heard at sub-regional, regional and national decision making levels.

The Council will also prioritise its spending towards businesses within our local economic area and will encourage partners in the local public sector to do the same.

<b>What do we commit to?</b>	<b>Lead</b>
<b>PR1-</b> We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment.	Chief Executive Council Leader
<b>PR2-</b> We will proactively support the borough's businesses to innovate and expand, and make the borough a natural choice for business relocation.	Strategic Head of Economy and Growth Executive Member for Economy and Growth
<b>PR3-</b> We will deliver the Town Centre and Canalside Masterplan, and strategic projects in Padiham Town Centre.	Strategic Head of Economy and Growth Executive Member for Economy and Growth
<b>PR4-</b> We will implement the Local Plan, delivering new housing, employment sites, and infrastructure.	Strategic Head of Economy and Growth Executive Member for Economy and Growth
<b>PR5-</b> We will support UCLan's expansion, transforming Burnley into a University Town	Chief Executive Council Leader
<b>PR5-</b> We will aim to localise public sector spend as far as possible.	Head of Legal and Democratic Services Executive Member for Resources and Performance



## Performance- ensuring a continuous focus on improvement in all aspects of the Council's performance

The Council always has a duty to ensure that tax payers get value for money, and the current era of austerity means that services cannot continue to be delivered in the same way as in the past. New service delivery models will be required to achieve efficiencies. If services have to be cut the Council will be clear about the process that has been followed in reaching these decisions.

In September 2018, the Council was told it “should be proud of its achievements” following a review of its services and plans for the borough by an independent peer review team. The Council will continuously improve how it delivers services, and will adapt to the needs of its customers. The Council will also make sure that it continues to live within its means.

The Council wants local residents to see that local government is improving their lives. We will conduct a review of the governance of the council. In addition, cross party working groups will investigate issues that matter to everyone.

<b>What do we commit to?</b>	<b>Lead</b>
<b>PF1-</b> We will continue the successful partnership with Liberata.	Chief Operating Officer Executive Member for Resources and Performance Management
<b>PF2-</b> We will adopt a Medium Term Financial Strategy that will put the Council on a sustainable financial footing. This strategy will set the framework for preparing annual budgets, ensuring the annual budget strategy is set within the context of the longer-term outlook.	Head of Finance and Property Management Executive Member for Resources and Performance Management
<b>PF3-</b> We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.	Chief Operating Officer Executive Member for Community and Environmental Services
<b>PF4-</b> We will deliver our Organisational Development strategy, ensuring we plan for the structures and capabilities that the organisation needs, and empowering our workforce to deliver the objectives of the Strategic Plan.	Head of People and Development Executive Member for Resources and Performance Management
<b>PF5-</b> We will undertake a review of the council's governance structure.	Head of Legal and Democracy Executive Member for Resources and Performance Management
<b>PF6-</b> We will set up cross party working groups to investigate issues that matter to everyone in our borough.	Chief Operating Officer Executive Member for Community and Environmental Services

## Year End Corporate Performance Scorecard 2018/19

<b>Measure</b>	<b>Target</b>	<b>Result</b>	<b>On target</b>
<b>Outcomes</b>			
% of residents satisfied with the Council overall	48%	45%	
% users satisfied with parks and open spaces (A)	70%	84%	
% satisfied with leisure facilities	55%	60%	
% satisfied with general household waste collection	80%	74%	
% satisfied with litter free public land	47%	49%	
% stating that ASB is a problem in the local area	28%	32%	
Private sector investment levered through inward investment service and development projects	£10m year end	£41.5m	
<b>Internal processes</b>			
Average number of days to process new claims and change of circumstances (benefits processing)	9	5	
Telephone calls answered within target time (%)	80%	80%	
No. of businesses relocation assists	10	13	
<b>Organisational development</b>			
Average number of days sickness absence per employee	6	6	
<b>Finance</b>			
Forecast revenue budget outturn (£)	£15,090,000	£15,090,000	

## Community Housing Fund – Woodtop School

### REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>17/09/2019</b>
<b>PORTFOLIO</b>	<b>Housing and Leisure</b>
<b>REPORT AUTHOR</b>	<b>Paul Gatrell</b>
<b>TEL NO</b>	<b>01282 477230</b>
<b>EMAIL</b>	<b>pgatrell@burnley.gov.uk</b>

#### PURPOSE

1. To access Homes England funding to progress residential development of the former Woodtop School site through community engagement.

#### RECOMMENDATION

2. That the Executive:
  - (1) Approves the grant award of £200,000 from the Homes England Community Housing Fund to progress the Woodtop School housing development.
  - (2) Authorises the Head of Legal and Democracy to sign the Terms and Conditions Agreement with Homes England to enable acceptance and drawdown of the grant.
  - (3) Authorises the Head of Housing & Development Control to distribute grant payments in accordance with the terms and conditions of the grant.

#### REASONS FOR RECOMMENDATION

3. The Council owned Woodtop School site has been identified for residential development and is a key component of neighbourhood regeneration in South West Burnley. By working in partnership with Calico Homes and the local community we can use inward investment from Homes England to help achieve our objective of utilising the historic grade II listed building to provide modern high-quality homes.
4. The proposed development will make a significant contribution to the ongoing regeneration of the South West Burnley and address the current negative impact that the derelict building has on the wider community.

#### SUMMARY OF KEY POINTS

5. Woodtop School is a Grade 2 Listed Building that will require significant funds to renovate to the required heritage standard. Calico has ambitious plans to invest in new residential accommodation in the borough and have been working in partnership with the Council over recent months to bring forward a proposal for the land and building.

6. A decision was taken at the Executive meeting in March this year to dispose of the site to Calico Homes to facilitate its development and Calico are potentially looking to invest a significant sum to facilitate the development and their preliminary appraisal shows that Homes England funding will be required to fund the shortfall and ensure that the scheme is viable.
7. Woodtop School as a historic building in the South West Burnley neighbourhood has been for many years a valuable community asset. It is the Council and Calico's intention that the building will again become a valued community asset and we are therefore keen to work with the community to develop the scheme and maximise its impact within the neighbourhood.
8. To allow us to have meaningful engagement with the community and progress the development the Council, working with Calico, prepared a bid to the Homes England Community Housing Fund. The intention being to secure grant to fund work with the local community involving local people in the design process and management of the scheme once it has reached completion.
9. The funding bid also included works to progress the development with regards to survey work and professional fees to progress the scheme towards the submission of a planning application.
10. Homes England have confirmed that the Council's grant application has been successful, and we have been awarded funding of up to £200,000 to progress the scheme in partnership with Calico and the community.
11. In order to facilitate the drawdown of the grant award the Council is required to enter into a funding agreement setting out the terms and conditions of the funding. It is a requirement that the funding is spent by March 2020.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

12. The grant award of up to £200,000 from the Community Housing Fund does not require any match funding by the grant recipient and as a result there are no direct budget implications.
13. The grant breakdown includes £15,250 allocated to the Council's cost for delivering the project up to March 2020.
14. The grant is claimed quarterly in arrears and therefore expenditure is incurred before grant is received to offset expenditure. This carries some risk in the possibility that expenditure is incurred but not approved by Homes England for grant drawdown. The risk is perceived as minimal because the greater percentage of spend will be incurred by Calico rather than the Council and a detailed breakdown of expenditure has been agreed as part of the grant approval so both Calico and the Council are aware of what constitutes eligible expenditure.

**POLICY IMPLICATIONS**

15. There are no direct policy implications.

**DETAILS OF CONSULTATION**

16. n/a

**BACKGROUND PAPERS**

17. None

**FURTHER INFORMATION**

**PLEASE CONTACT: Paul Gatrell 477230**

**ALSO:**

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## Disabled Facilities Grant - Social Care Capital Projects

### REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>17/09/2019</b>
<b>PORTFOLIO</b>	<b>Housing and Leisure</b>
<b>REPORT AUTHOR</b>	<b>Paul Gatrell</b>
<b>TEL NO</b>	<b>01282 477230</b>
<b>EMAIL</b>	<b>pgatrell@burnley.gov.uk</b>

#### PURPOSE

1. To seek approval to utilise Disabled Facilities Grant on two identified social care capital projects.

#### RECOMMENDATION

2. That the Executive:
  - (1) Approves the use of £56,622 Disabled Facilities Grant to provide a Town Centre Sensory Room and Changing Places Facility for the benefit of disabled residents and visitors to Burnley Town Centre.
  - (2) Approves the use of £250,148 Disabled Facilities Grant to extend Haddon House in Burnley to provide a short break unit for adults with learning and physical disabilities.

#### REASONS FOR RECOMMENDATION

3. To provide first class facilities and services for disabled residents and visitors to the borough.
4. To expand the provision of short break services in Burnley to support individuals with disabilities to receive consistent supportive care which enables them to remain in their current caring situations.

#### SUMMARY OF KEY POINTS

5. Burnley Council receive an amount of funding each year from Lancashire County Council (LCC) to provide disabled adaptations to residential properties across the borough. This funding comes from the Better Care Grant that LCC receive from Government. The allocation is predominantly for disabled adaptations and funds the Council's Disabled Facilities Grants (DFG) programme
6. The Better Care Funding that is allocated to local authorities to fund DFG can also be spent on social care capital projects where these projects have been agreed between the Borough Council and LCC. Working closely with LCC over recent months two social care capital projects have been identified that both Burnley Council and LCC are keen to support.

Town Centre Sensory Room and Changing Places facility

7. This proposal will create a town centre sensory room and family meeting room for the local charity Action for ASD (autistic spectrum disorders) and a Changing Places facility. The downstairs of the Town Centre Management Offices at 93 St. James Street will be adapted to incorporate the three areas in separate private rooms to ensure all visitors can access the facilities safely and in comfort.
8. The sensory room will ensure that autistic visitors have a positive experience when visiting Burnley Town Centre. It will enable autistic children to have a quiet area they can spend time in should it be required and offer parents the opportunity to visit an environment they would normally avoid due to the excessive stimuli.
9. The meeting room will be available for Action for ASD to facilitate consultations with families from the area who are unable to access the Charities services out of town. This proposal would enable Action for ASD to further develop their work with a town centre base.
10. This proposal has been developed in partnership with Charter Walk's Town Centre Manager and the landlord (Addingtons) have agreed to provide the accommodation free of charge on the basis that the equipment would remain there as a town centre facility.
11. The Changing Places room will provide a valuable facility that will allow individuals and families attending the town centre to be able to use the specially adapted facility ensuring they can comfortably increase their time in the town centre.

#### Haddon House Short Break Unit

12. From the short break unit at Haddon House LCC provide a facility that accommodates individuals in an emergency who have significant behaviours that pose a risk to themselves and others. These services help support care provision and prevent carer-breakdown, which can result in more costly placements for individuals. The facility also provides respite for families/carers that enables individuals to remain in their home environment and support for young people with complex needs who are in transition from children's services
13. This proposal will fund an extension to the existing six bed unit to provide a separate annexe area with a bedroom. This extension will be accessed externally as well as internally, which will enable the annexe to remain an integral part of the short break unit whilst also allowing for a separate care provision to meet requirements for those: unable to cohabit within the rest of the unit due to complex social, behavioural and health care needs.
14. Based on the level of social care referrals received in Pennine Lancashire (Burnley, Pendle and Rossendale) LCC have identified a shortfall in provision and specifically a requirement for a separate annexed facility with a bedroom.



15. For the financial year 2019/20 Burnley Council have received £2,399,450 from the Better Care Fund to resources the Council's DFG programme and other identified projects. This report seeks approval to utilise £306,770 of this fund for the two social care capital projects detailed in this report.

16. Based on a review of the £2.4M received this financial year officers have concluded that there is adequate funding available to cover the costs identified in this report. Specific account has been taken of the spend profile in previous years, the estimated demand for DFG in 2019/20, and the other social care capital projects that have been identified and agreed for inclusion in the 2019/20 capital programme.

#### **POLICY IMPLICATIONS**

17. None

#### **DETAILS OF CONSULTATION**

18. Health & Wellbeing Board

#### **BACKGROUND PAPERS**

19. None

#### **FURTHER INFORMATION**

**PLEASE CONTACT: Paul Gatrell**

**ALSO:**

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## REPORT TO EXECUTIVE



<b>DATE</b>	<b>17/09/2019</b>
<b>PORTFOLIO</b>	<b>Housing and Leisure</b>
<b>REPORT AUTHOR</b>	<b>Clare Jackson</b>
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## Selective Licensing Fees – Online Application Form

### PURPOSE

1. The purpose of this report is to seek approval to amend the Fee and Charging Policy for the selective licensing areas.

### RECOMMENDATION

2. To amend and approve the new Fee and Charging Policy (Appendix 1) for the selective licensing areas as detailed in paragraph 8 of this report to reflect recent case law and efficiencies made when applications are made online. The paper application fee, discounts for GLAS and an early application discount remain unchanged.

### REASONS FOR RECOMMENDATION

3. To consider recent case law on licensing fees.
4. To reflect the reduction in the time taken to process an application for selective licensing when it is made and assessed using the online software; Verso.

### SUMMARY OF KEY POINTS

5. The Fee and Charging Policy for selective licensing was approved by the Executive on the 11<sup>th</sup> February 2019. Subsequently the Council have purchased and are in the process of implementing software that enables online applications and further automation.
6. A review of the fee structure has identified tasks that are no longer required or that have reduced in the time taken due to the purchased software. This in turn has reduced the amount of staff time and fee amount for online applications. The paper application charges remain unchanged. The amended fee structure will not reduce the overall net income for the selective licensing areas.

7. In addition, recent case law in relation to The European Services Directive requires local authorities to separate the cost of processing an initial application from those costs associated with the ongoing administration of a licensing scheme.

8. **Fee Amount**

The paper application fee for a new licence holder and a renewal application or additional property remains unchanged and is set out in the table below.

	Upon Application (Part A)	Upon Granting a Licence (Part B)	Overall Fee A+B
New paper application with one property (Not been licensed previously)	£405	£345	£750
Paper renewal/additional property	£370	£300	£670

The new online application fee is detailed below:

	Upon Application (Part A)	Upon Granting a Licence (Part B)	Overall Fee A+B
New online application with one property (Not been licensed previously)	£370	£345	£715
Online renewal/additional property	£340	£300	£640

**FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. The estimated fee income finances the cost of administrating the selective licensing areas.

**POLICY IMPLICATIONS**

10. None.

**DETAILS OF CONSULTATION**

11. None.

**BACKGROUND PAPERS**

**FURTHER INFORMATION**  
**PLEASE CONTACT: Clare Jackson**  
**ALSO: Michelle Hall**



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## Appendix 1

### Fee and Charging Structure for the Implementation of Selective Licensing August 2019

#### Introduction

1. Part 3 of the Housing Act 2004 outlines that the Authority may require the application to be accompanied by a fee fixed by the Authority. The legislation implies that the full fee should be paid with the application. There is no requirement within the legislation for local housing authorities to accept staged payments.
2. The fee covers the cost of running the selective licensing scheme and is based upon the average length of time to administer the designation for each landlord and property. Inevitably each application and property will vary in the amount of officer time required.
3. The fee is not connected to the length of time covered by the licence.
4. The Authority is not permitted to make a profit from the introduction of a selective licensing scheme and any surplus must be ring-fenced for use on the scheme. The fees should, however, take account of all costs incurred in administering a selective licensing scheme.
5. Recent case law in relation to the European Services Directive requires local authorities to separate out the cost of processing an initial application from those costs associated with the ongoing administration of a scheme.
6. All fees are payable in two stages, at the application stage and upon granting the licence.
7. The fee structure will be reviewed annually.

#### Role of charging structure

8. The purpose of this document is to establish a transparent charging policy.

#### Application Fee

9. All application fees are payable at the application stage. As a result of feedback from landlords, the Council introduced the option of monthly direct debit payments for selective licensing fees over a maximum period of 24 months to help the applicant manage the costs. Each individual request for monthly direct debit payments will be assessed on its own merits and will be decided at the Council's discretion.

#### Reduced Fees

10. An application for a licence submitted in the last twelve months of the designation will pay 50% of the application fee; however, this will only apply in

circumstances where the property has not been eligible for licensing prior to the 12 month deadline.

12. Licenses are non-transferrable. Applications resulting from a change in ownership of a licensed property will be charged the full standard fee.

#### Fee Reimbursements

13. Applications will be charged the full amount and the payment is to accompany the application form. At the Council's discretion a payment plan may be established to agree to payments to be made over an agreed period of time; any such plan can only be repaid by direct debit.

14. The Council will give the applicant a refund if a duplicate application or an application for an exempted property has been made by mistake.

15. The fees are not connected to the length of a licence. If a licence is cancelled before it expires, the Council cannot give a refund for any time that remains for the selective licensing designation. A fee will not be reimbursed if a property is sold before the end of the selective licensing designation and the applicant will still be required to pay any outstanding charges due as a result of the application.

16. Where a licence is refused or revoked, the applicant or licence holder will not be entitled to any refund of the application fees and will still be required to pay any outstanding charges due as a result of the application.

#### Fee Discounts

17. To reward landlords who are already operating to a minimum legal standard in Burnley a 30% discount will apply to any landlord who is an existing member of the Council's Good Landlord and Agent Scheme. To be eligible for this discount a landlord **must** have applied and subsequently become accredited by the dates below:

- For properties in Trinity: 1<sup>st</sup> November 2019
- For properties in Queensgate 1<sup>st</sup> November 2019
- For properties in Gannow: 1st November 2019
- For properties in the Daneshouse and Stoneyholme area 1<sup>st</sup> November 2019

18. Early Application Discount for Properties in the above areas:

To reward landlords in these areas who apply within 3 months of the designations coming into force (1<sup>st</sup> November 2019), a discount of £100 will be applied to the application fee, providing the applicant submits a full complete application form and all requested documentation. Payment must be received in full or a direct debit payment plan agreed. Failure to continue to make direct debit payments will result in the loss of any early application discount previously supplied.



19. The Council wants to support responsible landlords to make further investments in the selective licensing areas, which is why the Empty Homes Programme will pay the selective licensing fee of an accredited landlord if:

- They purchase an empty property in the designation areas which has been vacant for a minimum of 12 months prior to the landlord purchasing it; *and*
- The property is refurbished to the accreditation standard within 6 months of the landlord purchasing the property.
- 

*For further information contact the Empty Homes team on 01282 425011 ext 3188.*

Fee

20. All applications should be made **online**. The fees detailed below are for an online application:

	Upon Application (Part A)	Upon Granting a Licence (Part B)	Overall Fee A+B
New online application with one property (Not been licensed previously)	£370	£345	£715
Online renewal/additional property	£340	£300	£640

21. In exceptional circumstances the Council will accept a **paper** application. The fees detailed below are for a paper application:

	Upon Application (Part A)	Upon Granting a Licence (Part B)	Overall Fee A+B
New paper application with one property (Not been licensed previously)	£405	£345	£750
Paper renewal/additional property	£370	£300	£670

Fee Examples

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**REPORT TO THE EXECUTIVE**



<b>DATE</b>	<b>17<sup>th</sup> September 2019</b>
<b>PORTFOLIO</b>	<b>Resources &amp; Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Asad Mushtaq</b>
<b>TEL NO</b>	<b>01282 477173</b>
<b>EMAIL</b>	<b>amushtaq@burnley.gov.uk</b>

**Council Tax Premium and Policy**

**PURPOSE**

1. To consider the extension of Council Tax Premium and to adopt a Policy to allow it to be applied consistently.

**RECOMMENDATION**

2. That the Executive recommends that full Council be recommended
  - (i) to adopt the Council Tax Premium Policy
  - (ii) to apply the following progression of increased premiums, in addition to those already approved:-
    - From 1 April 2020**
      - Properties empty for a period of more than 5 years – the maximum premium will be 200% - equivalent to a Council Tax charge x 3
    - From 1 April 2021**
      - Properties empty for a period of more than 10 years – the maximum premium will be 300% - equivalent to a Council Tax charge x 4

**REASONS FOR RECOMMENDATION**

3. To bring empty homes back into use in line with the Council’s strategic commitment.

**SUMMARY OF KEY POINTS**

4. Under government proposals that came into force for 2012/13, designed to get long term empty properties back into use, the Council chose to apply a 50% empty homes premium to properties empty and unfurnished for over two years. This meant that the owner would need to pay 150% of the annual Council Tax charge. Using updated Government regulations, in February 2019, the Council adopted an increase to the premium for properties that have been empty for over 2 years, from 50% to 100% from 2019/20, meaning owners would need to pay 200% Council Tax charge.
5. Government have also given further discretion to Councils from 2020/21 (200% premium

for properties empty for more than 5 years, meaning a 300% Council Tax charge) and 2021/22 (300% premium for properties empty for more than 10 years, meaning a 400% Council Tax charge). It is recommended that these are adopted as part of the Council Tax charges.

6. The use of the premium is as a tool is intended to bring empty homes back into use rather than generate revenue.
7. The document at appendix 1 sets out Burnley Borough Council's policy on the application of the Council Tax Empty Homes Premium.
8. The policy outlines where and when it will consider an exception to the application of a premium for the qualifying properties and provides an appeals mechanism in line with other revenue policies where there is no statutory appeal. The basic exceptions are:
  - a) Those owners who are genuinely attempting to sell or let their property
  - b) Those owners who are experiencing particular legal or technical issues which are preventing the sale or letting of the property
  - c) Those owners whose properties are currently covered under the Council's Discount for Renovated Empty Homes Scheme.
  - d) Cases where the dwelling has remained empty beyond a two-year period due to exceptional and/or unforeseen circumstances and/or any other circumstances, proven to be beyond the control of the owner/liable person
9. As of June 2019, there were 409 properties which were attracting the 100% premium, which was introduced in April 2019. The April 2020 change would mean that of those dwellings, 180 properties would attract a 200% charge. The April 2021 change would increase the charge for 46 properties to 300%. Based on those figures, the combined financial impact would be an additional £289K in debt, of which approximately £46K would be due to Burnley. There is, however, a marked decrease in collection rates of Council Tax with premiums, which significantly reduces the percentage collected. However, the objective is not to increase income but to bring empty homes back into use. It should also be noted that the number of empty properties vary.
10. The policy is required to enable exemptions to the empty homes premiums in a range of cases. It explains how the council will determine these exemptions and how to appeal against a decision. This is to ensure that the premium is applied to the correct properties and encourage action to return them to occupation.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

11. The budget impact of this has already been included into the 2019/20 finances and will be incorporated into future years budgets.

#### **POLICY IMPLICATIONS**

12. This supports the strategic aim of returning empty homes back into use.

**DETAILS OF CONSULTATION**

13. None

**BACKGROUND PAPERS**

14. None

**FURTHER INFORMATION**

**PLEASE CONTACT:**

**Asad Mushtaq – Head of Finance and  
Property**

**ALSO:**

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## **Council Tax**

# **Empty Homes Premium Policy**

## **Council Tax** **Empty Homes Premium Policy**

### **1. Introduction**

This document sets out Burnley Borough Council's policy on the application of the Council Tax Empty Homes Premium.

It also considers factors and circumstances that the Council will take into account when deciding if an exception to the Premium is appropriate.

On 1 April 2013, Council Tax Empty Homes Premium of 50% was introduced in Burnley for long-term empty properties. This charge was raised on properties that had been unoccupied and substantially unfurnished for over 2 years.

From 1 April 2019, the law changed giving Councils the freedom to increase the Premium charged from 50% to 100%, which the Council agreed at its meeting on 20 February 2019. Further increases in the percentage amount of Council Tax Premium are allowed from 1 April 2020 and 1 April 2021, and are shown below.

### **2. The Council Tax Empty Homes Premium**

In accordance with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, the Council Tax Premium will be applied as follows:-

#### **From 1 April 2019**

- Properties empty for over 2 years – the maximum Premium will be 100% (increased from 50%) – equivalent to a Council Tax charge x 2

#### **From 1 April 2020**

- Properties empty for a period of 2 to 5 years – the maximum Premium will be 100% - equivalent to a Council Tax charge x 2
- Properties empty for a period of more than 5 years – the maximum Premium will be 200% - equivalent to a Council Tax charge x 3

#### **From 1 April 2021**

- Properties empty for a period of 2 to 5 years – the maximum Premium will be 100%- equivalent to a Council Tax charge x 2
- Properties empty for a period of 5 to 10 years – the maximum Premium will be 200%- equivalent to a Council Tax charge x 3
- Properties empty for a period of more than 10 years – the maximum Premium will be 300% - equivalent to a Council Tax charge x 4



### 3. Exceptions to the Council Tax Empty Premium Charge

The Council will consider waiving the Council Tax Premium for applicants who meet the qualifying criteria as specified in these guidelines.

Where the Council agrees to waive the Premium, this means that the owner of the property will remain liable for the standard Council Tax charge of 100% for the applicable property.

The Council will treat all applications on their individual merits and will seek to grant exceptions to liability for the Council Tax Premium in the following situations:

- a) Those owners who are genuinely attempting to sell or let their property
- b) Those owners who are experiencing particular legal or technical issues which is preventing the sale or letting of the property
- c) Those owners whose properties are currently covered under the Council's Discount for Renovated Empty Homes Scheme.
- d) Cases where the dwelling has remained empty beyond a two year period due to exceptional and/or unforeseen circumstances and/or any other circumstances, proven to be beyond the control of the owner/liable person.

In deciding whether to award an exception to payment of the Council Tax Premium, the Council will take into account the following criteria:

- a) **For those owners who are genuinely attempting to sell or let their property which has been vacant for at least two years**
  - Has professional advice and assistance been obtained?
  - Has a professional agent with specialist knowledge of the locality been engaged?
  - Have any offers to purchase or rent the property been received? If yes – why were those offers refused?
  - Is the sale price or rental in line with recent sale or rental prices for similar properties in the locality? If no, does this property have special features that reasonably warrant a higher value or rent?
  - Has the property been put up for sale by public auction?
- b) **For those owners who are experiencing particular legal or technical issues which is preventing the sale or letting of the property**
  - Is there a legal difficulty or issue which is preventing the sale or letting of the property?
  - A Solicitor's or Legal Conveyancer's letter should be produced in evidence detailing the reasons preventing sale or letting
  - Is a sale or letting being delayed by the actions of a public body?

c) **For those owners whose properties are currently covered under the Council's Discount for Renovated Empty Homes scheme.**

In line with the Council policy, the property must be:

- In a state of disrepair that includes the presence of significant or multiple Category 1 hazards as defined by the Housing Act 2004.
- Currently vacant and has been in a vacant state for a minimum of 12 months.
- Unfurnished.
- Occupied as a household's main or principle home within a period of six months from the date of issue of the schedule of works.

The renovation works must be

- Completed within a period of six months and the property occupied
- Completed to the Council's Gold Accreditation Standard
- Defined and set out by an appropriate officer of the Council in a schedule of works that is issued to the owner. Renovation work cannot start until the schedule of work is received.
- Signed off as complete and satisfactory in line with the issued schedule of works by an appropriate officer of the Council at the end of the renovation period.
- Include all relevant safety certificates such as a Gas Safety Certificate, an Electrical Condition Report and, if required, Building Regulations Approval.

d) **Cases where the dwelling has remained empty beyond a two year period due to exceptional and /or unforeseen circumstances and / or any other circumstances, proven to be beyond the control of the owner/liable person**

- Are the circumstances exceptional or unforeseen?
- Decision to be based on evidence and considered on the merits of each individual case

#### **4. Changes of Circumstances**

The Council may need to revise the decision to grant an exception to the Premium if it becomes aware that the circumstances of an applicant have materially changed.

Individuals must immediately advise the Council of any change in circumstances affecting the decision within 21 days of the change.

Failure to do so may result in the exception being revoked in full.

## **5. Claiming a Local Exception to the Council Tax Premium**

A claim must be made on the relevant application form available at [www.burnley.gov.uk](http://www.burnley.gov.uk) by the owner of the vacant property or their representative. Relevant supporting evidence must be made available.

The Council may visit any applicant to confirm the details provided are accurate, which may necessitate being given access to the premises.

Payment of Council Tax, including the Premium, may not be withheld whilst awaiting the outcome of an application or the review of a previous decision.

## **6. Period of Exception**

In all cases, the Council will decide the length of time for which an exception will be awarded on the basis of the evidence supplied and the facts known.

The start date of an exception will normally be the date the application is received by the Council, providing the Council is satisfied the reasons for the exception existed at that time, and the exception will continue until the end of the financial year, subject to those circumstances continuing.

The Council will review the award and request confirmation that the circumstances leading to the award of the exception remain applicable. The Council reserves the right to make routine inspections of the property at any point during the period of the exception.

It is expected that the property will be occupied by the end of the period of exception. Where this is the case, the Premium will no longer apply.

Where that is not the case, and the Property remains empty, the exception will be removed and Premium will be charged retrospectively.

The Council will not award exceptions to the Premium where evidence shows that the Owner:-

- a) Has not taken all reasonable steps to return the property to occupation;
- b) Has caused any delay in works being started within the six month period from the date of their taking ownership.
- c) Is responsible for the delay in completing works even if the works were started within the six-month period after a change in ownership.

## **7. Notification**

The Council will inform the applicant, in writing, of the outcome of their application within 28 days of receipt, or as soon as possible after. Where the application is unsuccessful, the Council will set out the reasons why this decision was made and explain the right of review.

## **8. The Right to Seek a Review of the Council's Decision**

As there is no statutory appeals mechanism, the Council will operate its own appeals procedure. This will apply where a decision not to defer the Premium has been made and an applicant disagrees with that decision and requests a review.

A request for a review must be made in writing to the Council's Head of Finance and Property within one calendar month of the written decision being issued.

The Head of Finance and Property will review all the evidence held and may ask for further clarification to be provided.

A decision on the review will be made within 20 working days of the request. The decision will be notified to the applicant in writing, setting out the reasons for the decision and this will be final with no further right of appeal.

**REPORT TO THE EXECUTIVE**



<b>DATE</b>	<b>17<sup>th</sup> September 2019</b>
<b>PORTFOLIO</b>	<b>Resources &amp; Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Asad Mushtaq</b>
<b>TEL NO</b>	<b>01282 477173</b>
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**Business Rates Discretionary Rate Relief Policy**

**PURPOSE**

1. To consider adopting an updated Non-Domestic Rates Discretionary Relief Policy to allow it to be applied consistently.

**RECOMMENDATION**

2. The Executive is recommended to adopt the following resolution:
  - That full Council be recommended to adopt the updated Non-Domestic Rates Discretionary Relief Policy

**REASONS FOR RECOMMENDATION**

3. To outline the areas of local discretion within business rates and the council's approach the various awards within Discretionary Rate Relief (DRR).

**SUMMARY OF KEY POINTS**

4. DRR is granted in accordance with Section 43 and Section 44a of the Local Government Finance Act 1988 (LGFA 1988) and Section 47-49 of the LGFA 1988 as amended by the Localism Act 2011
5. The policy (Appendix A) outlines how and where it will apply a discretionary award and provides an appeals mechanism in line with other revenue policies where there is no statutory appeal. The basic areas covered are:
  - a) Charitable Relief
  - b) Registered Community Amateur Sports Clubs (CASC) Relief
  - c) Not for Profit Organisations.
  - d) Rural Rate Relief

- e) Localism Relief
- f) Hardship Relief
- g) Section 44A Relief – Part Occupied Properties
- h) Supporting Small Business Relief
- i) Discretionary Revaluation Support Scheme
- j) Retail Discount

6. The Policy sets out what evidence it requires to support an application for an award. The basis of the award is delegated to the Councils Section 151 officer.
7. Appeals can be made within one month of a decision which will be reviewed by the Executive Member for Resources and Performance Management.
8. The basic changes are required to cover the new reliefs which have become available since the last publication of the policy (listed above as (h) to (j)). There are more specific details for sports (CASC) relief, clarification on the application process and updating of job titles.

**FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. The budget impact of this has already been included into the 2019/20 finances and will be incorporated into future years budgets.

**POLICY IMPLICATIONS**

10. This is an update to an existing policy.

**DETAILS OF CONSULTATION**

11. None

**BACKGROUND PAPERS**

12. None

<b>FURTHER INFORMATION</b>	
<b>PLEASE CONTACT:</b>	<b>Asad Mushtaq – Head of Finance and Property</b>
<b>ALSO:</b>	



# **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 awarding Discretionary Rate Relief (DRR) Policy for Non Domestic Rates.

### 2. Introduction and Scope

2.1 DRR is granted in accordance with Section 43 and Section 44a of the Local Government Finance Act 1988 (LGFA 1988) and Section 47-49 of the LGFA 1988 as amended by the Localism Act 2011.

2.2 This policy document outlines the areas of local discretion and the Council's approach to the various awards. This approach has regard to the impact:

- Of granting DRR (including Section 44a Relief and Hardship Relief) on the Council's wider financial position and Council Tax payers;
- On the organisations and businesses that currently receive or may apply for relief in the future;

2.3 The principal consideration when making an award is that any relief granted is in the best interests of the residents and taxpayers of Burnley and produces a local benefit.



### **3. Charitable Relief (Charities)**

- 3.1 A Mandatory Rate Relief of 80% is granted to charities in the following circumstances where the:
- Ratepayer of a property is a charity or the trustees of a charity; and
  - Property is wholly or mainly used for charitable purposes (including charity shops, where the goods sold are mainly donated and the proceeds are used for the purpose of the charity).
- 3.2 The Council does not have discretion regarding the award of Mandatory Rate Relief, however the Council must be satisfied that the statutory criteria has been met. For this purpose the Council will use guidance provided in both the LGFA 1988, and by reference to other enactments and case law.
- 3.3 The Council will refer to the Charity Register for evidence of charitable status however absence from the register does not mean an organisation has not been established for charitable purposes as certain organisations are exempt from registration under the Charities Act 1993.
- 3.4 In cases where a charity is in receipt of mandatory rate relief of 80%, the Council has discretion to grant up to 20% additional rate relief known as a DRR top up.
- 3.5 The Council will consider applications for a DRR top up from charities based on their own merits, on a case by case basis. However the principal consideration is that the relief is in the best interests of the residents and taxpayers of Burnley and produces a local benefit as the Council must contribute to the cost of each award.
- 3.6 A DRR top-up will generally be awarded to charities 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.

#### **4. Registered Community Amateur Sports Clubs (CASC) Relief**

- 4.1 A mandatory rate relief of 80% is granted to registered community amateur sports clubs (CASCs). To qualify as a CASC, a sports club must fulfil all of the following criteria. It must be:
- Open to the whole community;
  - Run as an amateur club;
  - Non-profit making and
  - Aiming to provide facilities for, and encourage people to take part in, eligible sport.
- 4.2 In cases where a CASC is in receipt of Mandatory Rate Relief of 80%, the Council has discretion to grant up to 20% additional rate relief as a DRR top up.
- 4.3 A DRR top-up will generally be awarded to CASCs 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.

#### **5. Not for Profit Organisations**

- 5.1 The Council has the power to grant DRR of up to 100% to non-profit making organisations. The main objectives of the organisation must be related to:
- Relief of poverty
  - Advancement of religion
  - Advancement of education
  - Social Welfare
  - Science
  - Literature
  - Fine arts
  - Recreation
  - Or be otherwise beneficial to the community

- 5.2 An organisation must be able to demonstrate how it:
- Meets local needs and benefits local people
  - Provides a valuable service to the community and
  - Is open to all sections of the community and does not discriminate against any section of the community
  - Is not conducted or established for the primary purpose of accruing profit.
- 5.3 DRR can vary between 1% and 100% for any organisation that does not qualify for mandatory relief.
- 5.4 DRR will not normally be considered for public sector or public sector type organisations such as government bodies / housing associations and the like.
- 5.5 Each application for DRR will be considered individually on its own merits but as a guideline, the following percentages will apply:
- 80% DRR to be granted to organisations that do not have charitable status but actively encourage membership from particular groups in the community, for example young people, women, older age groups, disabled people, ethnic minorities etc. or make facilities available to people or groups other than members, for example use by schools, casual public sessions etc.
  - 70% DRR 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
  - 70% DRR 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.

## 6. Rural Rate Relief

- 6.1 Organisations or businesses which reside within a designated rural settlement (with a population of 3,000 or less) may be eligible for Discretionary Rural Rate Relief. Eligible organisations/businesses must be located in one of the settlements identified in the Council's rural settlement list, which is reviewed periodically
- 6.2 Current areas within the Burnley area designated as rural settlements are:
- Worsthorne with Hurstwood
  - Cliviger
  - Dunnockshaw
- 6.3 Discretionary Rural Rate Relief is open to any type of business within a classified rural settlement that satisfies the following criteria in that it is:
- The only qualifying village shop or post office with a rateable value of up to £8,500 and already in receipt of mandatory relief of 50%.
  - The only qualifying public house or petrol station with a rateable value of up to £12,500 and already in receipt of mandatory relief of 50%
  - Within the boundaries of a qualifying rural settlement.
- 6.4 The Council also has the discretion to remit all or part of rate bills on other property in a settlement on the rural settlement list if the rateable value is £16,500 or less and is used for a purpose that benefits the local community.
- 6.5 Rural rate relief was doubled to 100% in April 2017 with the intention to introduce legislation to make the award of the relief mandatory.
- 6.6 Until the necessary legislation is in place to award 100% Mandatory Rural Rate Relief the Council will use its discretionary powers to award 50% DRR to ensure 100% relief is awarded in total to eligible businesses. Central Government will fully reimburse the Council using a grant under Section 31 of the Local Government Act 2003. Awards will be granted for the period of one financial year at a time.

## **7. Localism Relief**

- 7.1 The Council is able to grant Business Rates discounts entirely as it sees fit within the limits of the primary legislation and European rules on state aid. The Council will place particular focus on using these powers to support the regeneration objectives of the Council, encouraging new business and investment into the Burnley area.
- 7.2 Businesses seeking assistance will be required to submit an application form to the Economy and Growth Business Support Team detailing the rationale for seeking business rate relief and the business benefits it will bring.
- 7.3 The Council's Economy and Growth Team will review applications from businesses requesting DRR under these powers to determine if providing relief would support the economic objectives of the borough.
- 7.4 The decision to award localism relief will be made by the Council's Section 151 Officer.
- 7.5 Applicants will be also be signposted to the Council's Economy and Growth Team for support and for advice on other options available to the business prior to an award being considered.

## **8. Hardship Relief**

- 8.1 The Council has the power to reduce or remit the Business Rates charged in certain circumstances where the business is having temporary financial difficulties. This is known as Hardship Relief.
- 8.2 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.
- 8.3 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.

8.4 The decision to award hardship relief will be made by the Council's Section 151 Officer.

8.5 Relief may be granted at an appropriate amount up to 100% of the full charge.

8.6 An application form must be completed for this relief.

8.7 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.

8.8 Hardship Relief is a temporary measure which should not be used to falsely sustain a failing business. Hardship Relief will be awarded where the applicant organisation is facing temporary financial difficulties and where the community would be significantly disadvantaged if the business were to close due to these temporary financial constraints.

## **9. Section 44A Relief – Part Occupied Properties**

9.1 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.

- 9.2 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.
- 9.3 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.
- 9.4 The period of Relief will not exceed either 3 or 6 months depending on the type of property the claim has been made for, in line with the current legislation for part occupied properties.
- 9.5 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.
- 9.6 The decision to award part occupied relief will be made by the Council's Section 151 Officer.

## **10. Supporting Small Business Relief**

- 10.1 The Supporting Small Business Relief scheme is available for ratepayers who are losing some or all of their small business rate relief as a result of a large rateable value increase following the 2017 revaluation. The scheme is available for 5 years from 1 April 2017.
- 10.2 The Supporting Small Business relief will ensure that the increase per year in the bills of these ratepayers is limited to the greater of:
- A percentage increase per annum of 5%, 7.5%, 10% and 15% in the financial years 2017/18 to 2021/22, all plus inflation. Unlike the transitional relief scheme, for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rates relief or
  - A cash value of £600 per year (£50 per month), this cash minimum increase ensures that those ratepayers who paid nothing or very small amounts in 2016/17 after small business rate relief start to pay something in 2017/18.
- 10.3 In the first year of the scheme (2017/18), all ratepayers losing some or all of the small business rate relief or rural rate relief saw the increase in

their bill capped at £600. The cash minimum increase is £600 per year thereafter.

- 10.4 The Council will identify and award relief to all qualifying hereditaments. No separate application is required.

## **11. Discretionary Revaluation Support Scheme**

- 11.1 The Discretionary Revaluation Support Scheme will apply for the period 1 April 2017 to 31 March 2021 only.

- 11.2 To qualify for relief a ratepayer must be in occupation of a property with a rateable value of less than £200,000 and must meet the following criteria:

- The ratepayer must have been liable for rates and in continual occupation of the relevant property since before 1st April 2017.
- The property must be occupied.
- There has been an increase in liability before other reliefs are applied of more than 5% of the eligible occupied charge when compared to the 2016/17 Business Rates bill
- The award of relief must comply with EU law on State Aid. It is the responsibility of the Ratepayers to inform the Council if they have received State Aid that exceeds in total €200,000 over a three year period, including any other rates relief (other than exemptions, transitional or mandatory reliefs) being granted for premises other than the one to which the declaration relates, under the De Minimis Regulations EC 1407/2013.

- 11.3 The following businesses will not be eligible for the relief:

- Local Authority properties and the wider public sector and businesses that fall into the following categories:
- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office
- Betting shops



- Shisha Bars
- Non trading rating assessments (e.g. Advertising rights, parking spaces,
- Communication masts, Kiosks Car Parking Spaces)
- Properties which were not on the rating list at 1 April 2017.
- (Relief will not apply where properties are entered into the list retrospectively).

11.4 The Council will identify and award relief to all qualifying hereditaments. No separate application is required.

## **12. Retail Discount**

12.1 The Government announced in the Budget in October 2018 that it would provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21. The value of discount will be one third of the bill, and will be applied after mandatory reliefs and other DRRs funded by section 31 grants have been applied. Where the Council applies a locally funded relief, for instance a localism relief under section 47, this must be applied after the Retail Discount.

12.2 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. Shops, restaurants, cafes and drinking establishments are considered to mean:

1. Hereditaments that are being used for the sale of goods to visiting members of the public:
  - Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc.)
  - Charity shops
  - Opticians
  - Post offices
  - Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
  - Car/ caravan show rooms
  - Second hand car lots
  - Markets
  - Petrol stations

- Garden centres
- Art galleries (where art is for sale/hire)

2. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc.)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

3. Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

12.3 The list below sets out the types of uses that the Council does not consider to be retail use for the purpose of this relief. The Council will determine whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

- Hereditaments that are being used for the provision of the following services to visiting members of the public:
- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)

- Post office sorting offices
- 12.4 Cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount.
- 12.5 Where there is doubt, the Council will exercise its discretion to determine if the business fits the scope of retail discount as set out by the government.
- 12.6 The Council will identify and award relief to all qualifying hereditaments. No separate application is required.

### 13. Applying for Relief

- 13.1 Applicants should submit applications for DRR online at <https://www.burnley.gov.uk/business/business-rates>
- 13.2 All applications for DRR top up must include:
- The organisation's main purposes and objectives
  - A memorandum of association, or set of membership rules
  - A full set of audited accounts relating to the two years preceding the date of application. Where audited accounts are not available, projected figures should be provided instead. (It is recommended that applicant organisations submit audited accounts dating back further than two years, if such information is available.)
  - Details of how the organisation meets the criteria outlined in these guidelines.
- 13.3 Localism Relief – In the first instance these applications should come via the Council's Economy and Growth Team and where applications seek rate relief in respect of new business set up, information provided should also include business plans and other information that demonstrate the regeneration or economic benefit to Burnley.
- 13.4 Section 44A relief - The following information will be required to support written requests for Section 44a relief:
- A plan of the property showing the dimensions of the occupied and unoccupied area of suitable quality to enable the Valuation Office Agency to apportion the rateable value of the property between the occupied and unoccupied areas. Applications will not be considered until such time as the plan is provided;

- The period to which the application relates;
- Contact details in order to inspect the site where necessary.

- 13.5 If an application for DRR is received without the necessary supporting information, it will result in a delay in the processing of the application. In the event that supporting information is not provided within one month of the initial application, the application will be considered ineligible and closed.
- 13.6 The Council will inform applicants in writing of any decision. This letter will also confirm the period for which relief has been awarded and that a revised bill will be issued.
- 13.7 Unsuccessful applicants will be notified by letter and provided instructions on how they can appeal the decision.
- 13.8 The granting of relief will be reviewed annually and those in receipt of DRR will be asked to supply or confirm relevant information for the purpose of the review.
- 13.9 The Council has the ability to depart from its general policy as to granting relief if it sees fit to do so, taking into account the facts of each case and the interests of residents and Council Taxpayer

#### **14. The decision making process**

- 14.1 The Council delegates the decision making power for DRR awards to the Section 151 Officer.
- 14.2 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.
- 14.3 Appeals will be reviewed by the Executive Member for Resources and Performance Management.
- 14.4 The reviewer will determine the appeal within 15 working days, and the outcome will be notified to the applicant in writing.
- 14.5 If an appeal is unsuccessful then judicial review is the only way in which a billing authority, under its power to award DRR, may be challenged.

<b>REPORT TO THE EXECUTIVE</b>
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<b>DATE</b>	<b>17 September 2019</b>
<b>PORTFOLIO</b>	<b>Resources and Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Asad Mushtaq</b>
<b>TEL NO</b>	<b>(01282) 477173</b>
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<b>Revenue Budgets 2020/2023 – Latest Position and Savings Proposals</b>
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<b>PURPOSE</b>
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1. To update The Executive on the latest position regarding balancing the Council’s 2020/23 revenue budgets.
2. To outline proposed savings for recommendation to Full Council.

<b>RECOMMENDATION</b>
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3. The Executive are asked to recommend to Full Council approval to -
  - a) savings approved at previous Full Council meetings totalling £277k (see Section 8 below) to assist in balancing the 2020/21 and 2021/22 revenue budgets - see Appendix 1
  - b) further proposed savings totalling £242k to assist in balancing the 2020/21 and 2021/22 revenue budgets - see Appendix 1

<b>REASONS FOR RECOMMENDATION</b>
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4. To progress the preparation of the Council’s 2020/21 revenue budgets.

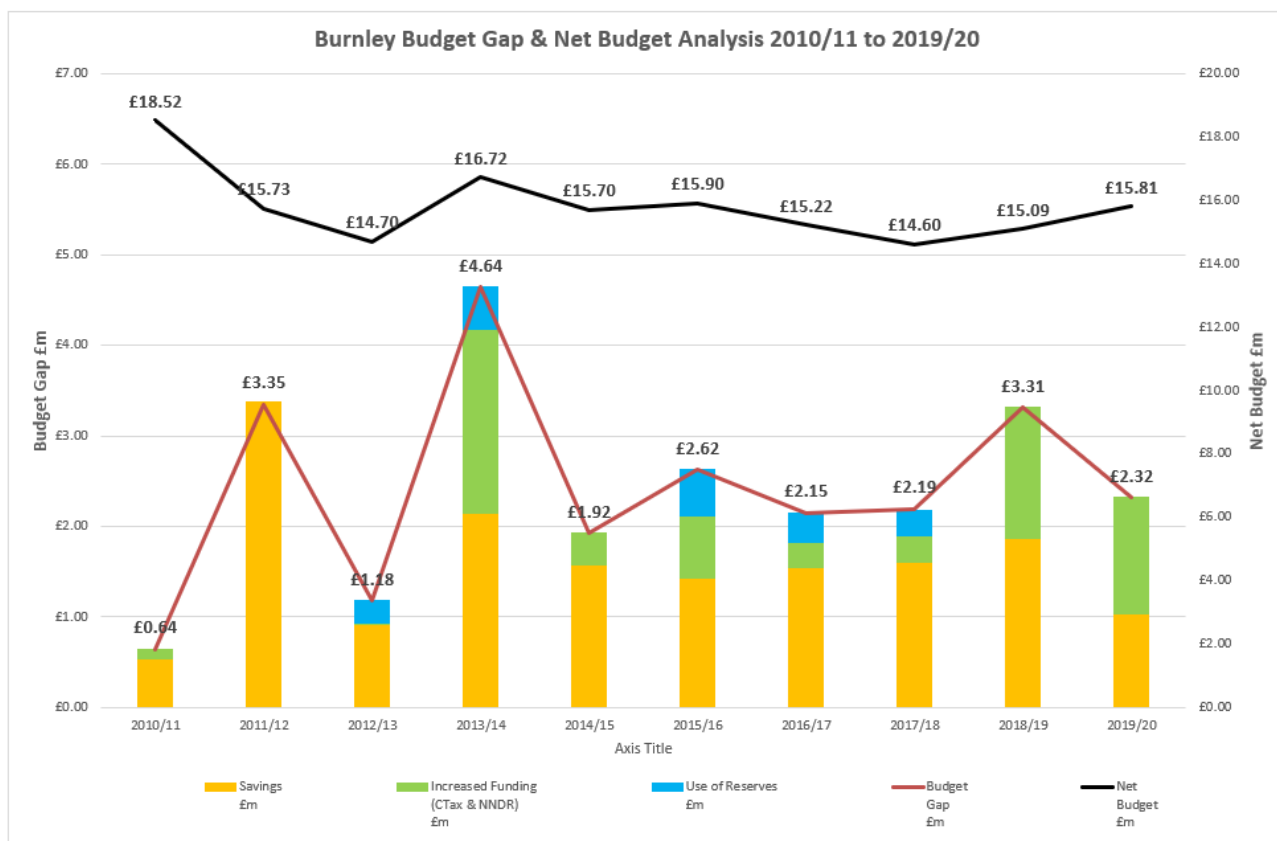
<b>SUMMARY OF KEY POINTS</b>
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5. **Background**  
 The Council’s Medium-Term Financial Strategy (MTFS) is regularly assessed and updated to provide an indication of budget pressures over the next three financial years.

Members will recall that a report on the MTFS was considered and approved by the Executive in July 2016. This report was approved as the Council’s financial plan – “Creating a Sustainable Future” - and was intended to develop a long term financially balanced framework for the Council. It is also the Council’s four-year efficiency plan which fulfils the Government’s requirements for securing a four-year

Revenue Support Grant settlement. 2019/20 is the final year of the four-year efficiency plan.

Since 2010 the Government has reduced settlement funding for Local Government, with the Council's settlement funding reducing 60% (£10m) from 2010 to 2020. During this period of austerity, to balance the budget the Council has delivered savings of £16.05m, as shown below:



## 6. MTFS Position as at February 2019

The 2020/24 strategy was approved at the meeting of Full Council on 11 February 2019 and indicated that the cumulative budget gap for 2020/21, 2021/22 and 2022/23 was estimated to be £3.48m, equivalent to 22.00% of the 2019/20 net revenue budget of £15.82m (£15.97m including parish precepts).

The Councils MTFS for 2020/24 reported in February 2019 was based upon the assumptions known at that date. The estimated budget gap at that point in time is shown in the table below:

Table 1: MTFS position before saving proposals as at February 2019

MTFS	2020/21 £m	2021/22 £m	2022/23 £m	Total £m
Continuation estimate	0.33	0.78	0.51	1.62
Funding	0.61	0.59	0.66	1.86
<b>Budget Gap</b>	<b>0.94</b>	<b>1.37</b>	<b>1.17</b>	<b>3.48</b>

The assumptions underpinning the figures above are as follows:

- i) Council tax will increase by 1.99% each year
- ii) No assumptions built into forecast regarding changes to Council Tax Support claimant numbers.
- iii) No increase has been factored in for non-inflationary changes in council tax base; business rates or additional new homes bonus
- iv) Transitional funding to replace the loss of Revenue Support Grant (RSG)
- v) Pay award assumed at 2% per annum, fees and charges income at 2% per annum

**7. Revised MTFS Position as at September 2019**

The MTFS is a fluid document which is regularly reviewed and assessed. The latest review has resulted in a change to the estimated budget gap as previously reported in February 2019, with the cumulative budget gap now £3.71m, equal to 23.45% of the 2019/20 revenue budget.

The Council is currently in the final year of the four-year settlement, which covered the period 2016/20. The Government had proposed to revise the methodology for allocating funding to Councils from 2020/21, including changes to the current business rates system and a Fair Funding Review, on the basis of a multi-year Spending Review. However, these have now been delayed by a year for implementation in 2021/22.

In August 2019 the Government announced that the multi-year Spending Review was to be replaced with a shorter one-year Spending Round for 2020/21 only. In September 2019, the government announced the result of the one-year Spending Round. Whilst we await from Government details of what this means for Burnley's allocation for 2020/21, it is positive that additional money is being allocated to the local government sector as a whole in 2020/21. However, there remains significant uncertainty beyond next year. Therefore, based on this information and due to the late stages of the current financial year, it has been assumed in the MTFS that the same level of funding received in 2019/20 will be rolled forward into 2020/21.

Whilst at present this appears to be the most likely outcome, a further update will be reported in February 2020 once the Council formally receives its funding allocation, as part of the Provisional Local Government Settlement in December 2019.

It should be noted that even if funding remains unchanged from one year to the next, continuation estimates continue to increase due to spending pressures, for example inflation, salary cost increases etc., as shown in Tables 2 and 3.

The latest estimate of the budget gap for the period 2020/23 can be seen below:

**Table 2: MTFS position before saving proposals as at September 2019**

<b>MTFS</b>	<b>2020/21 £m</b>	<b>2021/22 £m</b>	<b>2022/23 £m</b>	<b>Total £m</b>
Continuation estimate	0.65	0.76	0.61	2.02
Funding	(0.03)	0.87	0.85	1.69
<b>Budget Gap</b>	<b>0.62</b>	<b>1.63</b>	<b>1.46</b>	<b>3.71</b>

The assumptions underpinning the figures in Table 2 are as follows:

- i) Council tax will increase by 1.99% each year;
- ii) An increase to the council tax base of 0.25%;
- iii) No changes have been assumed regarding changes in Council Tax Support numbers.
- iv) No increase has been factored in for inflationary changes in business rates or additional new homes bonus;
- v) An assumed 0% decrease in the Settlement Funding Assessment for 2020/21 with a decrease of 4% in the core spending power for 2021/22 and 2022/23 and a phasing out of business rates growth due to a reset of the Business Rates Retention baseline over 3 years from 2021/22;
- vi) We are currently members of the Lancashire Business Rates Pilot which is a 75% retention scheme. It is unclear at this stage whether the Government will extend the scheme to 2020/21 onwards, however it has been assumed that we will continue to be members and benefit from the scheme;
- vii) Pay award has been assumed at 2% per annum;
- viii) Fees and charges at 2% per annum;
- ix) Contractual and general inflationary increases of 3%;

## 8. **Savings Proposals**

The Council's financial plan considers the national and regional context and the need to re-balance the economy. However, at the heart of the Council's financial planning is a savings plan aligned to strategic intent. In considering opportunities for future savings, the Council has ensured that they are aligned to each of the themes contained within its strategic intent.

Appendix 1 shows details of proposed total net savings of £242k, split £178k for 2020/21 and £64k for 2021/22. The savings for 2020/21 include £36k of proposed reductions in posts, all of which are currently vacant.

In addition, £277k of savings were approved at previous Full Council meetings.

Total savings identified for 2020/21 and 2021/22 will therefore be £519k.

All the proposals have been assessed in relation to equalities legislation, and it has been established that there is no disproportionate impact on people with protected characteristics. See Appendix 2 for details.



9. **Latest 2020/23 Revenue Budget Position**

It can be seen in the table 2 at paragraph 7 above that there is an overall savings requirement of £3.71m over the period 2020/23.

The savings recommended for approval in Appendix 1 total £242k which, together with the £277k of savings already approved, leaves a balance of savings required over the period 2020/23 at this stage of £3.19m, as shown in table 3 below.

The budget gap of £3.19m is based on a 4% reduction of Core Spending Power in the years 2021/22 & 2022/23, however table 3 also demonstrates how the budget gap could change should the government agree to either a 2% (£2.58m) or 6% (£3.61m) reduction of Core Spending Power.

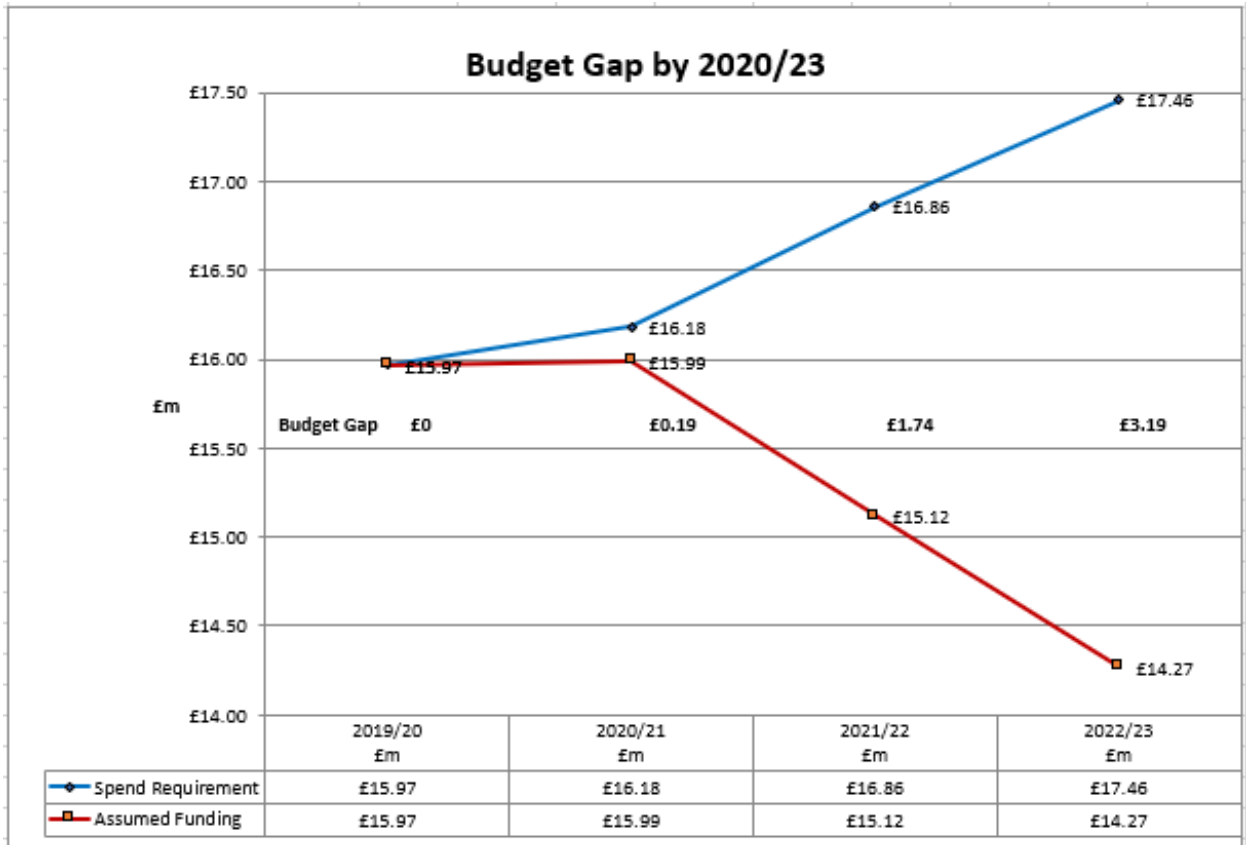
**Table 3: MTFS position after savings proposals as at September 2019**

<b>MTFS</b>	<b>2020/21 £m</b>	<b>2021/22 £m</b>	<b>2022/23 £m</b>	<b>Total £m</b>
Continuation estimate	0.65	0.76	0.61	2.02
Funding	(0.03)	0.87	0.85	1.69
Savings	(0.43)	(0.09)	0.00	(0.52)
<b>Budget Gap</b>	<b>0.19</b>	<b>1.54</b>	<b>1.46</b>	<b>3.19</b>
<b>2021/23 Funding Scenarios</b>				
Funding - 2% reduction in core spending power		(0.27)	(0.25)	(0.52)
<b>Budget Gap</b>	<b>0.19</b>	<b>1.27</b>	<b>1.21</b>	<b>2.67</b>
Funding - 6% reduction in core spending power		0.27	0.24	0.51
<b>Budget Gap</b>	<b>0.19</b>	<b>1.81</b>	<b>1.70</b>	<b>3.70</b>

Budget gaps of £0.19m for 2020/21, £1.54m for 2021/22 and £1.46m for 2022/23 remain.

Proposals to meet the 2020/21 balance of savings required will be taken to Full Council for approval in February 2020.

The chart below shows the estimated budget gap between the councils spend requirement and assumed funding over the period 2020/23:



### **Risks and Sensitivity**

10. A sensitivity analysis of some of the assumptions made in Section 7 can be seen below:

<b>Assumption</b>	<b>Sensitivity Analysis</b>	<b>2020/21 Financial Impact</b>
Council tax will increase by 1.99% each year	+/- 1%	+/- £70k
An increase to the council tax base of 0.25%	+/- 0.25%	+/- £17k
Pay award has been assumed at 2% per annum (Burnley BC, Liberata, Burnley Leisure & Urbaser)	+ 1%	+ £116k
Contractual and general inflationary increases of 3%	+ 1%	+ £92k

- a) Funding changes – It is uncertain at this stage how changes to Local Government funding will impact on the Council's funding in future years. The Government announced in August 2019 that the Spending Review will be delayed to 2021/22 with a one-year spending round to be carried out for 2020/21. Details of this one-year Spending Round were announced in September 2019. However, allocation of funding to this Council won't be known until the publication of the Government's Provisional Settlement in December 2019. Therefore, as described in para 7, funding levels as per 2019/20 have been assumed for 2020/21.

- b) The Government is in the process of revising the methodology for allocating funding to Councils from 2021/22 onwards, this includes changes to the current business rates system together with a Fair Funding Review.
- c) Salary costs - 2019/20 is the final year of the current 2 year pay agreement. An annual pay increase of 2% has been factored into the budget assumptions underpinning the MTFs, however the trade unions have submitted an NJC Pay Claim of a 11% increase to the living wage (SCP 1) to £10/hour and a 10% increase on all other scales for 2020/21. To put this into context a 1% increase to current pay scales equates to £116k, this relates to Burnley BC, Burnley Leisure, Urbaser and Liberata.
- d) Capital projects – any projects under consideration require funding. If there is a shortfall in capital finance for these projects, then pursuing them and using borrowing will significantly increase the revenue budget. The revenue implications will be considered as part of the monitoring of the Capital Programme.
- e) Two major capital schemes – Sandygate Square and the proposed Pioneer Place developments – these two schemes represent significant long-term costs for the Council and will require a significant amount of borrowing over 30 to 50 years, with payback very dependent on the successful income levels of both schemes. This carries significant financial risk for the authority and is an important element of the financial horizon of this Council.
- f) Budget preparation – The preparation of the 2020/21 continuation budget is currently being undertaken. Issues may arise from the exercise that could have an impact on the 2020/21 budget and future years.
- g) Public demand on commercial risks – An element of the savings proposals has arisen in response to the change in the Council’s commercial risk appetite. Fees and charges are a significant element of the Council’s funding and can be subject to fluctuations between years due to competition, weather and the performance of the economy. This will be closely monitored during the year to ensure that targets are being achieved.
- h) Interest rates – Interest rates have been at a historical low for the last few years. Due to the uncertainty of Brexit it is unclear what the future projections are regarding future movements in the base rate. Any increases would have implications on the Council’s revenue budget in future years where there is a requirement to finance future capital schemes from borrowing.
- i) Brexit – Uncertainty around the outcome of Brexit and the impact on the UK economy. Especially around interest rates, the local economy and further spending pressures which may have an impact on the 2020/21 budget.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

11. As shown in the body of the report and appendices.

## **POLICY IMPLICATIONS**

12. The revenue budget determines the extent to which the Council's strategic objectives can be pursued and achieved.

## **DETAILS OF CONSULTATION**

13. Scrutiny Committee.

## **BACKGROUND PAPERS**

14. None

## **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Asad Mushtaq - Head of Finance & Property**

**ALSO:**

**Amy Johnson – Principal Accountant**

	2020/21 £'000	2021/22 £'000	2022/23 £'000	TOTAL £'000
<b>Budget Gap (a)</b>	<b>621</b>	<b>1,631</b>	<b>1,456</b>	<b>3,708</b>
<b>Savings Approved</b>				
Income generation/savings approved at previous council meetings	256	21	-	<b>277</b>
	256	21	-	277
<b>Proposed Savings (see below)</b>				
Staffing Savings	36	-	-	<b>36</b>
Non-Staffing Savings	142	64	-	<b>206</b>
	178	64	-	242
<b>Total Savings (b)</b>	<b>434</b>	<b>85</b>	<b>-</b>	<b>519</b>
<b>Remaining Budget Gap - Savings to be identified (a-b)</b>	<b>187</b>	<b>1,546</b>	<b>1,456</b>	<b>3,189</b>
<b>Proposed Savings (detail)</b>				
<b>Staffing Savings</b>				
Reductions in Staffing - all of which are currently vacant:				
Guide Attendant	18	-	-	18
Curator Post	18	-	-	18
	<b>36</b>	<b>-</b>	<b>-</b>	<b>36</b>
<b>Non-Staffing Savings</b>				
Efficiency saving on annual service charge - Burnley Leisure	50	50	-	100
Efficiency savings within Community Safety operational budgets	11	-	-	11
Efficiency savings within Streetscene operational budgets	-	10	-	10
Increase in Civil Penalty Notices activity (Housing)	25	-	-	25
Capitalisation 100% of Technical Officer salary due to work on Empty Homes Programme	38	-	-	38
Partial completion of Finance Transformation Initiatives	10	-	-	10
Reduction in Parish Grants in line with Council spending pressures	6	4	-	10
Reduction in mayoral car leasing and running costs	2	-	-	2
	<b>142</b>	<b>64</b>	<b>-</b>	<b>206</b>
<b>Total Savings Proposals</b>	<b>178</b>	<b>64</b>	<b>-</b>	<b>242</b>

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## APPENDIX 2 - SUMMARY OF EQUALITY IMPACT ASSESSMENT

### REVENUE BUDGET SAVINGS PROPOSALS 2020/21

1.	Title of EIA	Equality Impact Assessment – Revenue Budget Savings Proposals 2020/21
2.	Person responsible for the assessment	Rob Dobson
3.	Contact details	01282 475 842 rdobson@burnley.gov.uk
4.	Date of assessment	12/08/2019

An equality impact assessment has been carried out in respect of the proposals presented to Full Council in September 2019. This document summarises the results of this work. A further equality impact assessment in relation to the impact of the detailed proposals on the workforce will be presented to a future meeting of the Executive, once these are drawn up, and before decision making on that issue.

The outcome of this equality impact assessment is that all proposals being currently considered for savings in 2020/21 – 2022/23 are neutral in terms of their impact on people with protected characteristics under equalities legislation.

### OBJECTIVE

1.	What is the main purpose of the project?	To set a budget for the council in 2020/21 that: <ul style="list-style-type: none"><li>• is in line with the agreed Medium Term Financial Strategy;</li><li>• responds to the financial challenges facing the council;</li><li>• enables the council to continue its focus on agreed priorities.</li></ul>
2.	Who are the main stakeholders?	Stakeholder analysis showed that the main stakeholders are Burnley Council's: <ul style="list-style-type: none"><li>• service users</li><li>• residents/Council tax payers</li><li>• Councillors; and</li><li>• Council employees.</li></ul>

3.	How are they expected to benefit?	Through the council ensuring a sustainable future for its services through good financial management and transparent decision making to determine priorities.
4.	How will the change be implemented?	The budget will be agreed through decision making structures and processes in line with the council constitution.  The agreed budget in 2020/21.
6.	Is the responsibility for the proposed function shared with another department or authority or organisation?	The decisions on council budget rest with the council.

### A. DATA COLLECTION

1.	Approach and background to EIA analysis, including data collection	Budget proposals drawn up by service managers.
2.	What monitoring data do you have on the number of people (from different equality groups) who are using and could be impacted upon by the change in function?	Various data sources are held, including: <ul style="list-style-type: none"> <li>• Analysis of workforce profile</li> <li>• Analysis of services</li> <li>• Census data.</li> </ul>

### B. COMMUNICATION AND INVOLVEMENT

1.	What information has assisted in completing this EIA?	Guidance including information contained on the Equalities and Human Rights Commission website has been considered.
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2.	What communications activities have assisted in completing this EIA?	There has been consultation on the principles underlying the council's Medium Term Financial Strategy, and comments from that consultation have been considered during the EIA work.
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Group	Area/s of impact	Positive impact	Negative impact – specified as high, medium or low	Neutral impact	Reason
Age	All areas of impact <sup>1</sup>			X	All impacts in respect of people in this group were identified as neutral.
Disability	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Gender reassignment	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Marriage and civil partnership	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Pregnancy / and maternity	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Ethnicity	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Religion and belief	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.
Sex (gender)	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.

<sup>1</sup> 'All areas of impact' refers to the detailed list of proposed revenue budget savings proposals 2020 - 21

Group	Area/s of impact	Positive impact	Negative impact – specified as high, medium or low	Neutral impact	Reason
Sexual orientation	All areas of impact			X	All impacts in respect of people in this group were identified as neutral.

**Equality impact assessment action plan**

No significant change to front line services. Therefore, it is not anticipated that there will be a negative impact on people with protected characteristics. No mitigating actions arising therefore.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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