



# EXECUTIVE

## BURNLEY TOWN HALL

Wednesday, 28th November, 2018 at 6.30 pm

### PRESENT

### MEMBERS

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

### OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Asad Mushtaq	– Head of Finance and Property
Kate Ingram	– Strategic Head of Economy and Growth
Imelda Grady	– Democracy Officer

#### 58. Minutes

To approve the Minutes of the last meeting held on the 7<sup>th</sup> November 2018

#### 59. Town Centre Masterplan

##### Purpose

To seek member approval to adopt the Town Centre and Canalside masterplan.

##### Reason for Decision

The Town Centre and Canalside Masterplan provides a vision for future development and the strategic context to give funders, landowners and private investors' confidence to invest. As a non-statutory masterplan it will have limited weight in determining planning applications.

##### Decision

- (1) That the adoption of the Town Centre and Canalside Masterplan linked as follows be approved-[https://issuu.com/burnleygraphics/docs/r\\_pp\\_town\\_centre\\_masterplan\\_v2-1536](https://issuu.com/burnleygraphics/docs/r_pp_town_centre_masterplan_v2-1536) ; and

- (2) That the Strategic Head of Economy and Growth be authorised to make any necessary minor amendments to the Town Centre and Canalside Masterplan prior to publication.

## **60. Commercial Strategy 2019-20 (Fees and Charges)**

### **Purpose**

To inform Members of the Council's proposed fees and charges from 1 January 2019.

### **Reason for Decision**

To set the Council's fees and charges from 1 January 2019 and assist in finalising the 2019/20 budget process.

### **Decision**

That it be recommended to Full Council that;

- (1) The proposed tariff of fees & charges from 1 January 2019 be approved with an increase of 3% as outlined in Appendix A attached;
- (2) That the Head of Finance and Property be authorised, in consultation with the relevant Head of Service, to determine any new charges or changes to existing charges relating to the preparation and approval of the 2019/20 revenue budget;
- (3) That the Executive Portfolio Members be authorised to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum;
- (4) That the Strategic Head of Economy and Growth be authorised, in consultation with the Executive Member for Resources and Performance Management and the Head of Finance and Property, to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market;and
- (5) That the Head of Housing and Development Control be authorised, in consultation with the Executive Member for Resources and Performance Management and the Head of Finance and Property, to adjust fees and charges in relation to statutory planning fees should Parliamentary confirmation be received.

## **61. Treasury Management 2018-19 Mid Year**

### **Purpose**

To report treasury management activity for the first half year of 2018/19 covering the period 1 April to 30 September 2018

### **Reason for Decision**

To inform members of the treasury management activity in the first half of 2018/19 and to fulfil statutory and regulatory requirements.

### **Decision**

- (1) That the treasury management activities undertaken during the period 1 April to 30 September 2018, be noted; and
- (2) That Full Council be recommended to endorse the mid-year update on Treasury Management Strategy for 2018/19 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.

## **62. Thanks to the Finance Manager**

Councillor Mark Townsend on behalf of the Executive expressed thanks to the Finance Manager, Howard Hamilton-Smith, for the help and due diligence he had provided during his time at the Council.

## **63. Exclusion of the Public**

### **Purpose**

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

### **Reason for Decision**

Minute numbers 63 and 64 contain information relating to the financial or business affairs of any particular person (including the authority holding that information).

### **Decision**

That the public be excluded from the meeting before discussion takes place on the items relating to Minutes 64 and 65 in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information, within the meaning of Part VA of the Local Government Act 1972.

## **64. On the Banks Development-Sandygate**

### **Purpose**

To seek approval to proceed with phase 4 of the "On the Banks" scheme with the development of a 139 bed student accommodation scheme.

For clarification the consultation with the Scrutiny Committee on this item would be at its meeting on 10<sup>th</sup> December 2018.

An all member briefing on this item and Pioneer Place would take place on 19th December 2018 prior to the Council meeting..

The report was also reformatted to correct the paragraph numbering as follows  
paragraphs 38 – 42 become bullet points  
paragraphs 43 – 70 be renumbered 38 – 64

## Reason for Decision

The development of the On the Banks scheme is a key council priority and is identified in the Town Centre and Canalside Masterplan as a key project. The project will support the Council's Objectives on Place and Prosperity bringing back to use a redundant brownfield site and ensuring that the infrastructure is in place to enable UCLan to achieve its aims of growing the number of full time equivalent (FTE) students in Burnley to 4,000 by 2025 bringing considerable economic and social benefits to the borough. The options considered were to (1) do nothing, (2) UCLan to build student accommodation by itself, (3) Council to undertake the development by itself and (4) a joint arrangement between the Council and UCLan. Option 4 is considered the preferred option because it delivers the full socio-economic benefits associated with the growth of the UCLan campus, makes best use of UCLan's expertise in developing and managing student accommodation and the Council's risk exposure is reduced working with UCLan.

## Decision

- (1) That the proposal and financial business case as set out in this report be approved;
- (2) That Full Council be recommended to approve the funding of the development as detailed in this report;
- (3) That Full Council be recommended that the project is included in the capital programme, as set out in Appendix 7;
- (4) That Full Council be recommended to approve the use of funds from reserves to cover projected budget deficits in years 1, 2 and 3 as set out in paragraph 43 of the report (as reformatted);
- (5) That the Strategic Head of Economy & Growth and the Head of Finance & Property be authorised to negotiate and agree terms for the relevant agreements;
- (6) That the Head of Legal and Democratic Services be delegated authority in consultation with the Strategic Head of Economy and Growth to negotiate and enter into the Design and Build Contract and collateral warranties as appropriate with Barnfield Construction Ltd. for the delivery of the capital works;
- (7) That the direct appointment of MACE be approved pursuant to the Crown Property Services Framework to deliver specialist cost consultancy, contract administration and surveying services;
- (8) That the direct appointment of DAC Beachcroft be approved pursuant to the North West Legal Consortium Framework to provide specialist legal services for the project;
- (9) That the Chief Operating Officer be given delegated authority to conclude negotiations and enter into a Services Agreement with UCLan as set out in para 26;
- (10) That the Strategic Head of Economy and Growth be given delegated authority in consultation with Head of Finance and Property to negotiate and agree the terms of occupational leases for units 1-3; and

(11) That the Head of Legal and Democratic Services be authorised to execute all legal agreements necessary to give effect to this decision.

(12) It was noted that the Scrutiny Committee would be consulted on this report at its meeting on 10<sup>th</sup> December 2018; and

(13) That an all member briefing on “On the Banks” scheme and Pioneer Place would be held on 19<sup>th</sup> December 2018 prior to the Council meeting.

## **65. Pioneer Place**

### **Purpose**

To seek approval for the development proposals at Curzon Street (Pioneer Place) and Manchester Road.

For clarification the consultation with the Scrutiny Committee on this item would be at its meeting on 10<sup>th</sup> December 2018.

An all member briefing on this item and “On the Banks” scheme would take place on 19<sup>th</sup> December 2018 prior to the Council meeting.

### **Reason for Decision**

Approving this recommendation will enable the Council to deliver a major new town centre regeneration scheme, which is a key project in the draft Burnley’s Town Centre & Canalside Masterplan and in the Town Centre Strategy 2016.

The opportunity for a major leisure-led mixed use development in the Town Centre will bring new visitors into the town centre during both the day and night time. It is also key to the future development and growth of UCLAN, who see this development as essential in terms of providing a competitive student experience.

The scheme will produce the following economic benefits:-

- 300 Full Time Equivalent Jobs, plus temporary construction jobs
- £13m Gross Value Added per annum
- £400,000 additional business rates per annum, of which the Council would potentially receive around 20% of this as growth.

This is a major strategic project for the Council, helping to transform the town centre and Burnley as a place of choice for residents, visitors and investors.

### **Decision**

(1) That the proposal and financial business case as set out in this report be approved;

(2) That Full Council be recommended to approve the funding of the development, including the acceptance of grant funding from Lancashire County Council, as detailed in the Financial Implications Section of the report;

(3) That Full Council be recommended that the project is included in the

capital programme, as set out in the Financial Implications Section of the report;

(4) That it be noted that before construction will commence the scheme requires:

- i. a pre-let to be completed for the new supermarket on Manchester Road;
- ii. a pre-let to be completed for the new cinema on Pioneer Place; and
- iii. pre-lets to be completed for 75% of the remaining units on Pioneer Place including Unit 2 adjacent the cinema, with the said pre-lets achieving a minimum of 75% of the estimated full rent payable;

(5) That the Strategic Head of Economy & Growth and the Head of Finance & Property be authorized to negotiate and agree terms for the relevant agreements (including ancillary property documentation to the relevant occupiers);

(6) That the Head of Finance & Property be authorised to complete all financial documents necessary to give effect to this decision; and

(7) That the Head of Legal & Democratic Services be authorised to complete all legal documents necessary to give effect to this decision (including appropriation of any land under Section 122 of the Local Government Act 1972, to enable disposal pursuant to section 233 of the Town and Country Planning Act 1990).

(8) It was noted that the Scrutiny Committee would be consulted on this report at its meeting on 10<sup>th</sup> December 2018; and

(9) That an all member briefing on Pioneer Place and On the Banks would be held on 19<sup>th</sup> December 2018 prior to the Council meeting.