



EXECUTIVE

BURNLEY TOWN HALL

Monday, 11th February, 2019 at 6.30 pm

PRESENT

MEMBERS

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

OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Asad Mushtaq	– Head of Finance and Property
Joanne Swift	– Head of Streetscene
Rob Dobson	– Head of Policy and Engagement
Eric Dickinson	– Democracy Officer

77. Apologies

Apologies for absence were received from Councilor Sue Graham.

78. Minutes

The Minutes of the last meeting held on the 11th December 2018 were approved as a correct record.

79. Declaration of Interest

Councillor Mark Townsend declared a disclosable pecuniary interest in the item on Selective Licensing-Trinity, Queensgate, Gannow, Daneshouse and Stoneyholme.

80. Notice of Motion-Housing Standards

Purpose.

To respond to the motion raised at Full Council on the 19th December 2018 (Appendix 1) regarding the Council's policy and approach to energy efficiency, fuel poverty and climate change.

Reason For Decision.

To protect the Council's financial position and avoid any consequences that could affect the Council's ability to deliver housing growth and housing regeneration programmes.

The Local Plan was adopted in July 2018 following extensive consultation and a public enquiry. It is not now possible to introduce new policy requirements.

The Council has sufficient effective policies and strategies to ensure that it plays a strong role in tackling climate change, promoting energy efficiency and reducing fuel poverty.

Decision.

That Full Council be recommended that the proposals set out in the motion not be adopted due to potential financial implications for the Council and on account that the Local Plan was adopted in July 2018.

81. Notice of Motion-Community Skips

Purpose.

To respond to the motion raised at Full Council on the 19th December 2018 by Cllr Commis proposing that "This Council reintroduces a Community Skips scheme."

Reason For Decision.

Any re-establishment of a Council operated scheme will require additional budgetary allocation for skip provision, back office administration, dedicated and fully trained deployed Officer(s) and insurance liabilities to meet the requirements of the Council's insurers and the waste disposal authority.

Associated operational costs to deliver a community skip scheme have increased significantly, rendering the motion to reinstate cost prohibitive.

There is no local evidence to support a business case for the re-establishment of the provision of skips that will require increased investment at current costs. There is no evidence to support that the provision of community skips increases resident participation in household recycling or reduces fly tipping.

The borough's recorded incidents of fly tipping have shown an annual decrease since the withdrawal of the scheme.

Alternative operational targeted ward initiatives and patch management working by Housing and Streetscene Officers in conjunction with residents have yielded better outcomes.

Decision.

- (1) That Full Council be recommended that the community skip scheme not be re-instated on the basis of the increased financial costs , which is currently not budgeted for, and operational risk implications for the Council; and

(2) That the Council strengthens its existing targeted ward interventions, within existing officer and operational budget resources, to deliver alternative additional environmental activities to wards and residents that require additional support with recycling and household waste collections. This approach will co-ordinate events and activities that aim to respond to local priorities and will align with existing Urbaser resources and existing third sector organisations to remove and upcycle reusable/unwanted household items.

82. Selective Licensing-Trinity, Queensgate, Gannow, Daneshouse and Stoneyholme

Councillor Mark Townsend left the room and did not take part in this item.

Councillor John Harbour was in the Chair for this item.

Purpose.

To update the Executive on the results of the selective licensing consultation in the following areas:

Trinity, Gannow, Queensgate, and Daneshouse and Stoneyholme

To consider further selective licensing designation areas in Trinity, Gannow and Queensgate and to consider a new selective licensing designation for the Daneshouse and Stoneyholme area, along with the fee structure, staffing structure, budget implications and licence conditions.

Reason For Decision.

The Council have satisfied the statutory tests in Section 80 of the Housing Act 2004, in relation to the conditions required to designate an area for selective licensing in that; the proposed designation areas are suffering from low housing demand. In addition, the Daneshouse and Stoneyholme proposed designation area has poor property condition within the private rented sector.

Making a designation will when combined with other measures taken in the area by the local authority or by other persons together with the local authority, contribute to the improvement of the social or economic conditions in the area.

The pockets of significantly high numbers of private rented properties are exacerbating the problem of low demand through poor property management and poor housing conditions. Selective licensing will help to address the problems associated with low demand by compelling those landlords that are not operating to minimum required standards to improve the management practices and the condition of their properties. This will improve the housing offer which in turn will help improve the unpopular perspective that residents have of these neighbourhoods.

Proactive inspections in the proposed Daneshouse and Stoneyholme selective licensing area have shown that the privately rented properties are in poor condition and a high percentage of the properties have category 1 hazards, inadequate smoke detection and the absence of a Gas Safety Certificate.

The continued introduction of selective licensing areas in Burnley is key to the Council's strategy to tackle low demand, improve the quality of homes within the borough and create a balanced housing market to support social and economic improvements.

Housing plays a fundamental role in delivering sustainable neighbourhoods, facilitating social and environmental improvements and promoting economic growth. The Council believe that selective licensing has an important role to play and offers valuable support to existing initiatives to tackle empty homes, prevent homelessness, create high quality neighbourhoods and reduce anti-social behaviour.

An option appraisal detailed in paragraph 10 of appendix A to this report looks at other powers and options that are available to the Council with the reasons why they could not be used as an alternative to the proposed selective licensing designations. They will be used as support tools as part of an integrated programme of measures to improve the social, economic and environmental conditions of the areas.

In April 2015 a new General Approval came into force where by local authorities will be required to obtain confirmation from the Secretary of State for any selective licensing schemes which cover more than 20% of the geographical area or would affect more than 20% of privately rented homes in the local authority area. When combined with the current selective licensing areas of Ingham and Lawrence Street, Burnley Wood with Healey Wood and the Leyland Road area, the new proposals will affect 45% of privately rented homes in Burnley.

The Council have taken all reasonable steps to consult persons likely to be affected by the proposed designations and have considered all representations made.

In the Trinity, Gannow and Queensgate proposed designation areas the majority of respondents supported the Council's proposals for selective licensing.

In the Daneshouse and Stoneyholme area the majority of all respondents did not support the Council's proposals. However, when the respondents are split between landlords and homeowners the majority of the homeowners (55%) did agree with the Council's proposals. While the Council have fully considered the representations received, the factors of low demand and the significant poor housing conditions support the case to progress with selective licensing.

Decision.

- (1) That the areas detailed in plans A to D and Street lists A to D be approved as selective licensing areas for a maximum period of 5 years for the reasons detailed in Appendix A, Burnley Borough Council's Proposal to Approve Selective Licensing Areas;
- (2) That the submission of an application to the Secretary of State be approved for the confirmation of the Trinity, Gannow, Queensgate, Daneshouse and Stoneyholme selective licensing designation areas;
- (3) That the Fee Structure and Charging Policy in Appendix B to this report be approved;
- (4) That the staffing structure in Appendix C to this report be approved;

- (5) That the Licensing Conditions detailed in Appendix D to the report be approved; and
- (6) That Full Council be recommended to approve the financial implications detailed in this report and creates a budget of £314,496 for Quarter 2 of 2019/20 which will be recovered through the fee income.

83. Community Safety Strategic Priorities

Purpose.

To provide an update of the current Pennine Lancashire Strategic Assessment process and the identified priorities.

Reason For Decision.

The Crime and Disorder Act 1998 places a duty on the police, local authorities and key partners to work together to review local community safety priorities. The Act also places a statutory duty for the completion of a three yearly strategic plan to reduce crime and disorder, by identifying key local crime and disorder priorities.

Burnley, as part of the Pennine Community Safety Steering Group has identified the community safety priorities for 2018-2021, in accordance with the statutory requirements of the Crime and Disorder Act 1998.

Decision.

That the draft Pennine Lancashire Community Safety Plan and identified priorities 2018-2021 be approved.

84. Annual Pay Policy Statement 2019/20

Purpose.

To seek approval for the Council's Pay Policy Statement which is required to be published prior to the end of March each year.

Reason For Decision.

The Localism Act 2011 – [Chapter 8 - Pay Accountability], requires all local authorities to set out its position on a range of issues relating to the remuneration of its employees. The Pay Policy Statement must be approved by the Council in open forum, by the end of March each year and then be published on its website.

Decision.

That Full Council be recommended to;

- (1) Approve the attached Pay Policy Statement for 2019/20;
- (2) Approve the amendments to the Council's National Joint Council (NJC) grading structure from April 2019;
- (3) Approve the minor updates to the Statement of Pensions Policy: and

(4) Note the Council's Gender Pay Gap report which is at Appendix H of the Pay Policy Statement

85. Strategic Plan 2019

Purpose.

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

Reason For Decision.

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.

Decision.

That Full Council be recommended to approve the updated Strategic Plan 2019.

86. Appointments to Outside Body-Housing Joint Venture

Purpose.

To appoint representatives to Housing Joint Venture as an Outside Body following a delegation from Full Council.

Reason For Decision.

To ensure that Housing Joint Venture as an Outside Body has the appropriate representation from the Council.

Decision.

That the appointments made by delegated authority from Full Council relating to Housing Joint Venture as an Outside Body be as follows:

- (1) Cllr John Harbour and Lukman Patel as the Council's Representatives; and
- (2) Cllr Mark Townsend, Mick Cartledge, Kate Ingram, and Paul Gatrell as Stakeholder representatives.

87. Revenue Budget Monitoring Q3 2018-19

Purpose.

To report the forecast outturn position for the year as at 31 March 2019 based upon actual spending and income to 30 December 2018.

Reason For Decision.

To give consideration to the level of revenue spending and income in 2018/19 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 breakeven position, see Revenue Budget Summary and detailed Service Reports below and Appendix 2, be noted;
- (2) That Full Council be recommended to approve the latest revised budget of £15.090m as shown in Appendix 1;
- (3) That Full Council be recommended to approve the net transfers from earmarked reserves of £0.014m as shown in Appendix 3;and
- (4) That Full Council be recommended to approve the carry forward of forecast unspent budgets as requested by Heads of Service in Appendix 4. These amounts totalling £52k to be transferred into the transformation reserve and transferred back out to create additional revenue budgets in 2019/20 or when required.

88. Capital Budget Monitoring Q3 2018-19

Purpose.

To provide Members with an update on capital expenditure and the resources position along with highlighting any variances. An amended reformatted Appendix 3 was circulated as a supplement to the agenda.

Reason For Decision.

To effectively manage the 2018/19 capital programme.

The budget decrease of £2,503,339 includes slippage of £2,598,055, per Appendix 1. The material reasons are changes to major schemes, such as:

- Prairie Artificial Pitch - £485,000 – Delay in Grant Application
- Lower St James Street - £400,000 – Procurement/Value Engineering
- Former Open Market & Former Cinema Block - £830,000 – Delay in Demolition

Decision.

- (1) That Full Council be recommended to approve net budget changes totalling a decrease of £2,503,339 giving a revised capital budget for 2018/19 totalling £7,823,205 as detailed in Appendix 1;
- (2) That Full Council be recommended to approve the proposed financing of the revised capital budget totalling £7,823,205 as shown in Appendix 2; and
- (3) That Full Council be recommended to note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £2,475,114 at 31 March 2019 as shown in Appendix 3 as amended.

89. Revenue Budget 2019/20

Purpose.

To consider the estimates of revenue income and expenditure for 2019/20 and to make recommendations to full Council about next year's Revenue Budget. An amended populated Appendix 1 was circulated as a supplement to the agenda.

Reason For Decision.

To fulfil the Council's statutory obligation to calculate its Council Tax requirement as set out in Section 31A of the Local Government Act 1992 (as amended by section 74 of the Localism Act 2011).

To set a balanced budget for the financial year 2019/20 that ensures the viability of the Council and aligns resources to the Council's strategic priorities.

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

Decision.

That Full Council be recommended to:

- (1) Endorse the approach that has been adopted in developing budget proposals that reflect the Council's Strategic Objectives for 2019/20;
- (2) Approve the proposals contained in this report, including the amended populated Appendix 1;
- (3) Set a Council Tax Requirement of £6,962,402 for the financial year 2019/20;
- (4) Set a Net Budget Requirement of £15,814,610 for 2019/20;
- (5) Receive and consider the statutory report issued by the Head of Finance and Property under the Local Government Act, 2003;
- (6) Authorise the Chief Operating Officer/Heads of Service to progress action plans to deliver the 2019/20 budget;
- (7) Approve a Council Tax (Band D) figure of £300.22 for this Council for the year commencing 1st April 2019 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 2.99% Council tax increase; and
- (8) Increase the additional Council Tax premium from 2019/20 onwards for properties that have been empty for over 2 years, from 50% to 100%. This will mean paying 200% Council Tax for these properties.

90. Medium Term Financial Strategy 2020/21 to 2023/24 Including Reserves Strategy
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Purpose.

To consider the longer term financial outlook within the context of a Medium-Term Financial Strategy covering the financial years 2020/21 to 2023/24, highlighting uncertainties, underlying risks and make recommendations to Council. The Medium-Term Financial Strategy should be read in conjunction with the revenue budget 2019/20 and the associated statutory report of the Chief Finance Officer.

Reason For Decision.

Professional accounting practice recommends that a medium term financial strategy is in place to ensure that resources are aligned to strategic intent and business objectives. It also provides a firm and robust basis on which to prepare the annual budget. Given the current financial climate, the need for consideration of the medium term financial position is pertinent to ensuring sustainable service delivery and for the Council to remain viable as a going concern.

Decision.

- (1) That Full Council be recommended to approve the latest Medium-Term Financial Strategy;
- (2) That Full Council be recommended to approve the Reserves Strategy, as appended to the Medium-Term Financial Strategy; and
- (3) That Full Council be recommended to note that a refreshed document will be provided when required as an aid to monitoring the continued delivery of an annually balanced budget.

91. Capital Budget 2019/20 and Capital Investment Programme 2019/22
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Purpose.

To recommend approval of the capital budget for 2019/20

An amended report and Appendix 1 were circulated as a supplement to the agenda following the addition of Paragraph 2 (d) to the recommendations.

Reasons For Recommendation.

To establish a capital budget that reflects the Council's overall priorities and provides a framework for capital spending to be undertaken during 2019/20

Decision.

- (1) That Full Council be recommended to approve the 2019/20 Capital Budget, totalling £18,223,656, as set out in Appendix 1 as amended;
- (2) That Full Council be recommended to note the 2019-24 Capital Investment Programme as also set out in Appendix 1 as amended;
- (3) That Full Council be recommended to note the estimated position on capital resources as set out in Appendix 2.
- (4) That subject to (1) above that the release of capital scheme budgets be approved including slippage from 2018/19, subject to compliance with the Financial Procedure Rules and that there will be full compliance with Standing Orders for Contracts;
- (5) That Full Council be recommended to approve the Capital Strategy 2019-24, as set out in Appendix 3; and

- (6) That authority be delegated, as amended, to the Head of Green Spaces and Amenities and the Chief Operating Officer to accept £183,111 of external funding from the Football Foundation (previously £175,000) for the redevelopment of the Worsthorne Recreation Ground.

92. Treasury Management Strategy 2019/20 and Prudential Treasury Indicators

Purpose.

To comply with the amended Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011.

To outline a treasury management strategy statement for the financial year 2019/20.

To set out prudential indicators for the financial years 2019/22 in line with the CIPFA's Prudential Code 2017.

To seek approval to increase the maximum limit for deposits with HSBC UK Bank plc to £25m.

To seek approval for the Council's Minimum Revenue Provision (MRP) Policy Statement for the financial year 2019/20 in accordance with Government regulations.

Reason For Decision.

To provide the proper basis required by current Government regulations and guidance to make charges for debt repayment (MRP) to the Council's revenue account

To fulfil statutory and regulatory requirements and to provide a clear framework for local authority capital finance and treasury management.

Decision.

(1) That Full Council be recommended to approve the treasury management strategy statement for 2019/20 as set out in Appendix 1;

(2) That Full Council be recommended to approve the prudential and treasury indicators for 2019/20 to 2021/22 per Appendix 2 including the authorised limit for external debt of £44.480m in 2019/20;

(3) That Full Council be recommended to approve the list of Counterparties for Deposits outlined within Appendix 3;

(4) That Full Council be recommended to approve the increase in maximum deposits to be held with HSBC UK Bank plc to £25m; and

(5) That Full Council be recommended to approve the Council's MRP Statement for 2019/20 as set out in Appendix 4 of this report.

93. Exclusion of the Public

Purpose

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

Reason for Decision

Minute number 94 contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Decision

That the public be excluded from the meeting before discussion takes place on the items relating to Minute 94 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.

94. Market Square Development at Charter Walk

Purpose.

To authorise alterations to the western side of Market Square, Charter Walk.

Reason For Decision.

To enable the modernisation and updating of the units to the western side of Market Square and replacement of the current lift and staircase to the Market level.

Decision.

That alterations to units on the western side of Market Square, Charter Walk, including the replacement and removal of the existing staircase and lift to Market level on the first floor be granted Landlord's consent subject to the agreement of detailed terms by the Head of Finance and Property and that the Head of Legal and Democratic Services be authorised to complete the legal formalities.