



# EXECUTIVE

## BURNLEY TOWN HALL

Tuesday, 29th October, 2019 at 6.30 pm

### PRESENT

### MEMBERS

Councillors C Briggs, M Lishman, G Birtwistle and I Emo

### 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
Eric Dickinson	– Democracy Officer

**ALSO IN ATTENDANCE** – Councillors A Fewings, A Newhouse, and M Townsend

#### 44. Apologies

Apologies for absence were received from Councillor Cosima Towneley.

#### 45. Minutes

The Minutes of the last meeting held on the 17<sup>th</sup> September 2019 were approved as a correct record and signed by the Chair.

#### 46. Minute of Individual Decision

The Minute of an Individual Executive Decision made as follows was noted;  
Minute 3-Finance Manager (16<sup>th</sup> October 2019)

#### 47. Minute of Urgent Decision by Chief Executive Officer - Business Rates Retention 2020 to 2021 and Onwards : Lancashire Pool

Decision

That the Minute of the Urgent Decision by the Chief Executive Officer regarding Business Rates Retention 2020 to 2021 and Onwards : Lancashire Pool be noted.

#### 48. Business Improvement District

### Purpose

To appraise Members on the development of a Business Improvement District in Burnley Town Centre and to seek Executive's authority to vote and agree the budget as set out in the report

### Reason For Decision

As the owner of several properties in the BID boundary the Council will be invited to vote in the BID ballot. A plan showing the BID boundary is provided in Appendix 1.

To ensure the seamless delivery of the BID with the Town Centre Management function, delivering value for money and for both the BID and the Council.

### Decision

- (1) That authority be delegated to the Chief Executive to vote on behalf of the Council in the upcoming ballot (November);
- (2) That the Chief Executive be authorized to vote in favour of the Business Improvement District; and
- (3) That the budget set out in paragraph 20 of this report be approved and that authority be delegated to the Strategic Head of Economy and Growth to agree the terms of a Service Level Agreement with the BID Executive Board for the future delivery of the Council's Town Centre Management function

## **49. Revenue Monitoring Quarter 2 - 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 September 2019.

The report shows the current forecast year end outturn position based upon the forecast savings identified as at the end of 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 provision. A proactive approach is being taken by Service Units to identify further in-year savings. However, as overall budgets reduce, it is inevitable that it is becoming increasingly difficult to achieve and identify further savings.

### 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 £172k be noted, as summarized in Table 1 and detailed in Appendix 1. Also the position be noted as at the end of the quarter 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 then 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 £0.852m as shown in Appendix 2.

## **50. Capital Monitoring Quarter 2 - 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 the net budget changes totaling a decrease of £2,809,717, giving a revised capital budget for 2019/20 totalling £17,481,484 as detailed in Appendix 1;
- (2) That Full Council be recommended to approve the proposed financing of the revised capital budget totaling £17,481,484 as shown in Appendix 2;
- (3) That the latest estimated year end position on capital receipts and contributions showing an assumed balance of £1,741,843 at 31 March 2020 as shown in Appendix 3; and
- (4) That Full Council be recommended to approve a new Capital Scheme highlighted in Appendix 1

## **51. Updated Strategic Risk Register**

### **Purpose**

To present the Executive with an updated Strategic Risk Register

### **Reason For Decision**

The Executive are required to approve the updated Strategic Risk Register (Appendix 1) pursuant to the Risk Management Strategy.

### **Decision**

That the updated Strategic Risk Register be approved.

## **52. Public Space Protection Order-Town Centre**

### **Purpose**

To seek approval to extend the Public Spaces Protection Order (PSPO) for the Town Centre in accordance with the current legislation (s60 Anti-Social Behaviour, Crime and Policing Act 2014).

### **Reason For Decision**

The existing Order has been in place since the 9<sup>th</sup> November 2016 and expires on the 8<sup>th</sup> November 2019 (see Appendix 3).

Key stakeholder consultation has been undertaken during August and September 2019 with residents, town centre businesses and community partners. The consultation has determined that there is support for the continuation of the Order to cover the prohibitions outlined in Appendix One.

All consultees were given the option to change/amend the prohibitions. The responses confirmed support to retain the original prohibitions without amendment for the town centre, as this were deemed to remain applicable.

#### Decision

- (1) That the Public Spaces Protection Order (PSPO) for Burnley Town Centre (as outlined in Appendix 1-Proposed Prohibitions and Appendix 2-Map of PSPO area) be renewed;
- (2) (2) That the Order be implemented from (and including) the 9<sup>th</sup> November 2019 for the defined 3-year period;
- (3) That authority be delegated to the Head of Streetscene to undertake any required enforcement in accordance with the Public Space Protection Order legislative powers; and
- (4) That the Head of Streetscene be authorized to execute all documentation necessary to implement the above decision.

### **53. Exclusion of the Public**

#### Purpose

To consider when it may be relevant to exclude the public from the meeting.

#### Reason for Decision

Minute numbers 54 to 56 contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

#### Decision

That the public be excluded from the meeting before discussion takes place on the items relating to minutes 54 to 56 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 Paragraph 12A of the Local Government Act 1972.

The three members of the Council in attendance remained to observe the items subject to the business transacted remaining confidential.

### **54. Sale of Land and Building at Nicholas Street**

#### Purpose

To seek approval for the sale of Nicholas Street offices, Burnley, shown edged red on the plan contained in Appendix 1

#### Reason For Decision

To obtain a capital receipt on the disposal of a surplus asset and to bring a vacant town centre property back into economic use, aligned to the Council's strategic objectives.

#### Decision

- (1) That the sale of Nicholas Street Offices be authorized;
- (2) That the Chief Operating Officer be authorized to negotiate and agree the final terms of sale; and
- (3) That the Head of Legal and Democratic Services be authorized to complete the legal documentation necessary to give effect to the decision.

### **55. Market Investment Proposal - Burnley Market Hall**

#### Purpose

To request the Executive to approve proposals set out below for investment in the new facilities and essential repairs to Burnley Market Hall.

Members noted the debate and the recommendation from the 28<sup>th</sup> October 2019 Scrutiny Committee.

#### Reasons For Decision

The proposed works will enable the Council to improve and consolidate the existing Market Hall and create space for new users to increase footfall and utilization.

#### Decision

- (1) That the proposal be accepted and approved to reconfigure the interior of the market as set out in paragraphs 11 to 14 of this report together with an appropriate communications plan;
- (2) That Full Council be recommended to include a budget and prudential borrowing in the capital programme in 2019/20 and 2020/21 as set out in paragraphs 16 to 19 of this report relating to the reconfiguration of the interior of the market; and
- (3) That a decision relating to addressing the repair to the building and a tender for the roof works be deferred.

### **56. Report of Urgent CEO Decision-Business Rates Retention 2020 to 2021 and Onwards; Lancashire Pool**

#### Decision

That the report relating to an Urgent decision made by the Chief Executive Officer regarding Business Rates Retention 2020 to 2021 and Onwards; Lancashire Pool be noted.