



# EXECUTIVE

## BURNLEY TOWN HALL

Monday, 14th February, 2022 at 6.30 pm

### PRESENT

### MEMBERS

Councillors A Anwar (Chair), S Graham (Vice-Chair), B Foster, J Harbour, M Lishman and A Raja

### OFFICERS

Lukman Patel	– Chief Operating Officer
Paul Gatrell	– Head of Housing & Development Control
Howard Hamilton-Smith	– Head of Finance and Property
Amy Johnson	– Finance Manager
Catherine Waudby	– Head of Legal and Democratic Services
Alison McEwan	– Democracy Officer
Megan Eastwood	– Development Officer

#### 81. Minutes

The minutes of the last meeting were approved and signed by the Chair.

#### 82. Right To Speak

Mr Ian Chapman addressed the meeting under the Right to Speak procedure.

#### 83. Omicron Restrictions Grant - Urgent Exec

Members noted the Urgent Executive Decision.

#### 84. Strategic Plan

### PURPOSE

To seek Executive endorsement of the Strategic Plan

### REASON FOR DECISION

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

## DECISION

That the Executive recommend the Strategic Plan to Full Council with the following amendment:

P9 (of the Strategic Plan document) PR2 – We will proactively support the borough's businesses **in the urban and rural areas** to innovate and expand, and make the borough a natural choice for business relocation.

### 85. Climate Change Strategy

## PURPOSE

To seek approval for a number of initiatives that will support and advance the Council's priority to address the issues of climate change across its work programme and in partnership with stakeholders.

## REASON FOR DECISION

To ensure that the Council has sufficient resources, skills and knowledge in place to effectively address the issues of climate change through their work programme, and promote and facilitate climate change action through their partnerships and sphere of influence.

## DECISION

It was RESOLVED to:

1. Approve the Climate Change Strategy 2022 - 2026 (appendix 1).
2. Approve the introduction of a Climate Change Programme Manager subject to Full Council approval of the budget provision.
3. To authorise the Chief Operating Officer to apply for Carbon Literacy Accreditation for the Council.

### 86. EV Charging Strategy

## PURPOSE

To consider the Council's Electric Vehicle Strategy.

## REASON FOR DECISION

In line with the Council's emerging climate emergency strategy, and the Government's future ban on the sale of new Petrol & Diesel cars & vans from 2030, there is a clear need to develop and implement an Electric Vehicle Strategy. The Grant criteria requires the

scheme to be completed by no later than the 31st of March 2023. To meet these timescales the appointment of a provider via a framework approach is recommended and in line with the procurement approaches that have been adopted by other local authorities

## DECISION

The Executive RESOLVED:

- i. To approve that further work and consultation is undertaken on the draft Council's Electric Vehicle Strategy and to delegate authority to the Head of Streetscene in consultation with the Executive Member for Community and Environmental Services to finalise the Strategy.
- ii. To approve the development and submission of a funding application to the Government's; '*On Street Residential Chargepoint Grant Scheme*'.
- iii. That the Head of Streetscene be authorised to undertake a compliant procurement exercise through an available framework agreement to appoint a provider to assist with any required services associated with the preparation of the bid submission for electric vehicle charging and the ensuing installation and service operation; and is given delegated authority in consultation with the Executive Member for Community and Environmental Services to award a contract.
- iv. That the Head of Streetscene in consultation with the Head of Legal & Democratic Services is granted delegated authority to execute all documents necessary to give effect to the above decision.

<b>87. Q3 Revenue Budget Monitoring</b>
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Members noted a revision at recommendation (d). The revised carry forward had increased from £160k to £182k.

## PURPOSE

To report the forecast outturn position for the year as at 31 March 2022 based upon actual spending and income to 31 December 2021, and to note the financial impact of the Coronavirus pandemic. In view of these exceptional times the revenue monitoring position is uncertain.

## REASON FOR DECISION

To give consideration to the level of revenue spending and income in 2021/22 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

The Executive RESOLVED to:

- a. Note the projected revenue budget forecast position of a net overspend of £12k, as summarised in Table 1 and detailed in Appendix 1.

And also to seek approval from Full Council for:

- b. The latest revised net budget of **£15.419m** as shown in Table 1, and
- c. The net transfers from earmarked reserves of **£2.166m** as shown in Appendix 2.
- d. The carry forward of forecast unspent budgets as requested by Heads of Service in Appendix 3. These amounts totalling **£182k** are to be transferred into the Carry Forward Reserve. The monies will be transferred back out to create additional revenue budgets in 2022/23 or when required.

## **88. Q3 Capital Budget Monitoring**

### **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 2021/22 capital programme.

### **DECISION**

The Executive RESOLVED to:

- a. Recommend to Full Council, approval of net budget changes totalling a decrease of £5,725,705 giving a revised capital budget for 2021/22 totalling £36,670,513 as detailed in Appendix 1.
- b. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £36,670,513 as shown in Appendix 2.
- c. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £1,840,205 at 31 March 2022 as shown in Appendix 3.

## **89. Medium Term Financial Strategy 23/24 - 26/27**

Members of the Executive wished to place on record their thanks to all members of the finance team who had worked hard to produce a number of clear but detailed reports for consideration.

### **PURPOSE**

To consider the longer term financial outlook within the context of a Medium-Term Financial Strategy covering the financial years 2023/24 to 2026/27, highlighting uncertainties, underlying risks and make recommendations to Council. The Medium-Term Financial Strategy should be read in conjunction with the Revenue Budget 2022/23 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

The Executive RESOLVED to recommend to Full Council:

1. Approve the latest Medium-Term Financial Strategy;
2. Approve the Reserves Strategy, as appended to the Medium-Term Financial Strategy; and
3. Note that a refreshed document will be provided when required as an aid to monitoring the continued delivery of an annually balanced budget.

<b>90. Treasury Management</b>
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## PURPOSE

- a) To comply with the amended Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011.
- b) To outline a treasury management strategy statement for the financial year 2022/23.
- c) To set out prudential indicators for the financial years 2022/25 in line with the CIPFA's Prudential Code 2017.
- d) To seek approval for the Council's Minimum Revenue Provision (MRP) Policy Statement for the financial year 2022/23 in accordance with Government regulations.

## REASON FOR DECISION

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

## DECISION

It was RESOLVED that the Executive recommend to Full Council approval of;

a).The treasury management strategy statement for 2022/23 as set out in Appendix 1

b.) The prudential and treasury indicators for 2022/23 to 2024/25 per Appendix 2 including the authorised limit for external debt of £95.346m in 2022/23.

c)The list of Counterparties for Deposits outlined within Appendix 3.

d) The Council's MRP Statement for 2022/23 as set out in Appendix 4 of this report.

## **91. Revenue Budget 22-23 including savings proposals**

### **PURPOSE**

To consider the estimates of revenue income and expenditure for 2022/23 and to make recommendations to Full Council about next year's Revenue Budget.

### **REASONS 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 2022/23 that ensures the viability of the Council and aligns resources to the Council's strategic priorities.

### **DECISION**

The Executive RESOLVED to recommend that Full Council:

- i) Endorse the approach that has been adopted in developing budget proposals that reflect the Council's Strategic Objectives for 2022/23;
- ii) Approve the proposals contained in this report;
- iii) Set a Council Tax Requirement of £7,480,375 for the financial year 2022/23;
- iv) Set a Net Budget Requirement of £15,231,941 for 2022/23;
- v) Receive and consider the statutory report issued by the Head of Finance and Property under the Local Government Act, 2003;
- vi) Authorise the Chief Operating Officer/Heads of Service to progress action plans to deliver the 2022/23 budget;
- vii) Approve a Council Tax (Band D) figure of £318.49 for this Council for the year commencing 1st April 2022 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 1.99% Council tax increase.

## **92. Capital Budget 22-23 and investment programme 22-27**

### **PURPOSE**

To recommend approval of the capital budget for 2022/23

### **REASON FOR DECISION**

To establish a capital budget that reflects the Council's overall priorities and provides a framework for capital spending to be undertaken during 2022/23.

## DECISION

The Executive RESOLVED:

a) to recommend that Full Council:

(i) Approve the 2022/23 Capital Budget, totalling £37,805,441, as set out in Appendix 1

(ii) Note the 2022-27 Capital Investment Programme as set out in Appendix 1.

(iii) Note the estimated position on capital resources as set out in Appendix 2.

b) That subject to a)(i) above the Executive approve the release of capital scheme budgets including slippage from 2021/22, subject to compliance with the Financial Procedure Rules and that there will be full compliance with Standing Orders for Contracts.

c) to Approve the Capital Strategy 2022-27, as set out in Appendix 4

### **93. Pay Policy Statement**

#### 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

It was RESOLVED that Full Council be recommended to approve the amended recommendations, as set out below:

- To approve this report and the attached Pay Policy Statement for 2022/23;
- To note the Council's Gender Pay Gap report which is at Appendix H of the Pay Policy Statement.
- To agree a delegation to the Strategic HR Manager to make minor amendments to finalise the Pay Policy Statement following agreement of pay awards for 2021-22.
- To approve, subject to reaching a collective agreement or following consultation with affected employees, an amendment to NJC terms and conditions which will require employees on Grades 7-11 to provide a minimum of 2 months' notice of termination and for employees on Grades 12-14 to provide a minimum of 3 months'.

### **94. Migration of Land Charges**

## PURPOSE

To inform the Executive of the ongoing work with Her Majesty's Land Registry (HMLR) in connection with the migration of the Council's Local Land Charges service to HMLR and to seek approval to enter into a Collaboration Agreement and agree a Development Plan with HMLR.

## REASON FOR DECISION

To enable the Council to progress the migration of the Council's Local Land Charges Service to HMLR.

## DECISION

It was RESOLVED that the Executive authorise the Head of Legal and Democratic Services to enter into a Collaboration Agreement and agree a Delivery Plan with HMLR and enter into any other agreements necessary to facilitate the migration of the Council's Local Land Charges service to HMLR.

### **95. Exclusion of the Public**

Members determined to exclude the public from the meeting before discussion took place on the items of business relating to Minute 100 (Item 21 Lower St James Street Heritage Action Zone), and Minute 101 (Item 22 Sale of Land at Holme Road) 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 3 of Schedule 12A of the Local Government Act 1972.

### **96. Lower St James St Heritage Action Zone**

## PURPOSE

The purpose of the report is to approve proposals to develop a Creative Hub project as part of the Lower St James's Street Historic Action Zone programme.

## REASON FOR DECISION

In April 2020 Burnley Council successfully signed terms with Historic England, securing a grant of circa £1.261m to create a Heritage Action Zone on Lower St James Street. Along with match funding from the private sector, Lancashire County Council, the LEP and from Burnley Council, the total project value is £2,516,775.14. The funding is allocated to complete public realm works, grants for property refurbishments, community engagement with a specific amount ring-fenced for Burnley Council to acquire and transform a property into a hub for creative industries. The recommendations are required to progress the creative hub project.

## DECISION

The Executive RESOLVED to:



- a) Authorise acquisition of the property referred to in paragraph 9 by the end of March 2022, in the HAZ project area for the purpose of renovation/redevelopment under the HAZ scheme.
- b) Authorise the Strategic Head of Economy and Growth in consultation with the Executive Member for Economy and Growth to appoint an operator/leasee for the project following a tender exercise.
- c) Authorise the tendering of any renovation works and delegate power to accept the tender to the Strategic Head of Economy and Growth, in consultation with the Head of Finance and Property and the Executive Member for Economy and Growth.
- d) Delegate authority to the Head of Finance and Property Services in consultation with Strategic Head of Economy and Growth and the Executive Member for Resources and Performance to agree terms for the disposal of the building on completion of the works to the organisation chosen at b) above on the terms set out in paragraph 13.
- e) Delegate authority to the Head of Legal and Democratic Services to execute all documents necessary to give effect to this decision.

<b>97. Knowledge Quarter: Sale of Land at Stoneyholme Recreation Ground, Holme Road, Burnley</b>
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#### PURPOSE

To seek authority to sell Burnley College 2.26 ha (5.57 acres), or thereabouts, of land at Holme Road, Burnley, shown edged red on the plan contained in Appendix 1, to enable the development of an extension to the existing College/UCLan complex at Princess Way, subject to planning permission.

#### REASON FOR DECISION

The sale of the land will facilitate the development of additional educational facilities on a key development site, in accordance with its allocation in the Local Plan and planning permission. It is anticipated that a completed scheme will attract an estimated 2,000 additional students to Burnley from a wide array of subject areas and study routes and create an estimated 150 full time equivalent new jobs.

#### DECISION

The Executive RESOLVED to:

- i. Delegate authority to the Head of Finance & Property to negotiate and agree the terms for sale of land at Holme Road, Burnley, as reported, in accordance with the planning resolution of the Development Control Committee and the associated decision.
- ii. Delegate authority to the Head of Legal & Democratic Services to complete all associated legal documentation to give effect to the decision.