



SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Wednesday, 9th August, 2017 at 6.30 pm

PRESENT

MEMBERS

Councillors A Tatchell (Chair), M Brindle (Vice-Chair), G Birtwistle, J Cunningham, B Foster, D Heginbotham, M Johnstone, A Kelly, S Malik, T Martin and P Reynolds

OFFICERS

Mick Cartledge – Chief Operating Officer
Alison McEwan – Democracy Officer

9. Apologies

None were received.

10. Minutes

The minutes of the previous meeting were approved as a correct record and signed by the Chair.

11. Notice of Key Decisions and Private Meetings

Members noted the Notice of Key Decisions and Private Meetings for the period 15th August onwards.

12. Empire Theatre

Mick Cartledge introduced the report and outlined the key points from the results of the two stage feasibility study that had been commissioned jointly with Burnley Empire Theatre Trust, The Theatres Trust, Burnley College, UCLAN and Burnley and District Civic Trust.

The following points were highlighted

- The report proposed an incremental approach to developing the Empire Theatre, but the report also acknowledged the significant risks in terms of ownership funding and costs.
- The Council would be the only partner that would take on the financial risk in the short to medium term and these risks were significant. In light of these, and the wider strategic opportunities and projects that the Council was planning to deliver over the next few years, it was recommended that the Council did not take on a role on the Building Preservation Trust, as outlined in the feasibility report.
- Conversely, but for the same financial reasons, no justification could be made for investing over £2 million in demolishing the building. Building Control would continue to monitor the state of the building, and whilst it was acknowledged that the building was in a very poor state, there were no visible signs of significant failure.
- It was therefore proposed that the town centre masterplanning exercise consider the site further, as part of the wider town centre masterplanning exercise. In doing so, it was acknowledged that The Crown would probably auction the building and there was still potential for an investor to come forward who wanted to both re-develop the site and had the funds to do so (although this might be highly unlikely) and hence the need to consider the site in the wider Masterplan.

In discussing the report, members considered the following

- If the Crown were to auction the property would someone buy it speculatively? The building had been listed for auction previously, and it was believed that there had been some interest in the property. If no buyer was secured, the Crown would potentially re-list until sold. Any sale would also bring potential risks if the purchaser didn't have sufficient resources or knowledge to bring the building back into use.
- The Crown (Duchy of Lancashire) had ownership of the main part of the building. What responsibilities did they have with regard to upkeep of the building? They had no legal responsibility for the upkeep of the building. The Council, through the Building Control function was responsible for ensuring that the outside of the building posed no danger to the public. Members were concerned that the longer the building was left, the more significant the deterioration. The Building Control function would respond as required.
- People with businesses connected to the building were facing costs to carry out repairs to their properties which stemmed from the poor condition of the Theatre.
- The Masterplanning exercise being carried out in the Town Centre. Would this consider this site? Yes it would consider the town centre as a whole, and also consider potential development options for several sites including this.

IT WAS RESOLVED THAT:

Having considered the results of The Empire Theatre viability study, the Scrutiny Committee endorsed the following recommendations to the Executive:

- a) *Due to the significant financial risk and lack of identified commercial operator and the wider resource needs of other strategic projects within the Borough, the Executive are recommended not to support the Council's involvement in project as outlined in the viability study report.*
- b) *That the site is considered further as part of the Town Centre Masterplan that is currently being developed.*

13. Scrutiny Review Groups

The Railway Review Group had held a positive meeting with representatives from Lancashire County Council and Northern Rail. The Working Group was pleased with the outcome, and a report would now be drafted with the aim of being presented to the September Executive meeting. Internal checks would be carried out prior to the report being presented to the September Scrutiny Committee for approval for submission to the Executive.

Three submissions had been received for future review groups. These were:

Fire safety
Environmental enforcement
Dementia services in Burnley.

The outline proposals were being circulated to appropriate officers within the council who would provide information to help groups work up a project plan and timescales for each project. Dates for meetings will be circulated to committee members.

14. Work Programme 2017/18

There were no amendments to the work programme.