



EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 4th July, 2017 at 6.30 pm

PRESENT

MEMBERS

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

OFFICERS

Mick Cartledge	– Chief Operating Officer
Lukman Patel	– Head of Governance, Law, Property, and Regulation
Paul Gatrell	– Head of Housing & Development Control
Eric Dickinson	– Democracy Officer

6. Minutes

The Minutes of the last meeting held on the 6th June 2017 were confirmed as a correct record and signed by the Chair.

7. Minutes of Individual Decisions

The Minute of the following individual decision made since the last meeting was noted;

Minute 7- Sussex Street Lease Variation

8. Declaration of Interest

Councillors Mohammed Ishtiaq, Lian Pate, and Mark Townsend declared a Disclosable Pecuniary Interest in the item relating to the Housing Act 2016.

9. Play Strategy

Purpose To approve the Play Area Strategy 2017-2026 and its recommendations.

Reason for Decision The recommendations contained in this report will ensure that the Council is able to maintain a good level of equipped play area provision across the Borough, to a high standard and within the resources available.

Decision

- (1) That the recommendations contained in the Play Strategy to refurbish 16 play areas over the next 10 years in partnership with park friends and local residents groups be approved;
- (2) That the recommendations contained in the strategy for the closure and relocation of 8 play areas be approved;
- (3) That it be noted that consultation will take place with ward members and local residents regarding proposals for the relocation and refurbishment of play areas in individual wards; and
- (4) That it be noted that capital funding of £250,000 will be required to support the proposed play area improvement programme during the period 2018 to 2026.

10. Housing and Planning Act 2016

Councillors Mohammed Ishtiaq, Lian Pate, and Mark Townsend left the room and did not take part in this item

Purpose To implement the new enforcement powers contained in the Housing and Planning Act 2016 (Part 2 Rogue landlords and property agents in England) including the use of civil penalty notices.

Reason for Decision The use of these new powers will support and complement the work that the Council continues to deliver to tackle rogue landlords. The civil penalties and extension of the use or rent repayment orders could be a powerful deterrent to rogue landlord behaviour through the enforcement of significant financial penalties

Decision

- (1) That the Council's Policy and Matrix for the use of Civil Penalties (Appendix 1) be approved;
- (2) That all powers be delegated to the Head of Housing and Development Control to issue, use and enforce civil penalties as

detailed in the Housing and Planning Act 2016 (and any regulations made there under);

(3) That all powers be delegated to the Head of Housing and Development Control to issue, use and enforce rent repayment orders as detailed in the Housing and Planning Act 2016 (and any regulations made there under);and

(4) That the money received from the civil penalties be returned to the housing revenue budget to fund further enforcement activity.

11. Local Development Scheme

Purpose To present for Executive's approval a revised Local Development Scheme (LDS) setting out the programme for the remaining stages of the preparation of the Burnley Local Plan.

Reason for Decision Councils are required by legislation to prepare and maintain a Local Development Scheme (LDS) setting out the development plan documents the Council intends to prepare, their scope and the timetable for their preparation.

The Council's current LDS was adopted in March 2016 and needs revising to reflect the Council's revised plan-making programme.

Decision That the revised Local Development Scheme (LDS) attached at Appendix 1 be adopted, subject to an amendment that the date of the adoption of the Local Plan be changed from March 2018 to before July 2018.

12. Council Tax Support Scheme

Purpose To seek approval to maintain the Council Tax Support Scheme broadly 'as is' for 2018/19, save for minor changes to the process of backdated claims, and to explain the reasons for suggesting that any changes identified as a result of the major review be implemented from 2019/20 rather than 2018/19.

Reason for Decision It was previously planned to undertake a major review of the CTS scheme during this year, but subsequently the roll-out of Universal Credit 'full service' was implemented on 17th May 2017. Therefore its full impact will not be known until late 2017 / early 2018. In light of this it is recommended that it would not be appropriate to implement a further significant change to the support that is available to residents on lower incomes until the full impacts of Universal Credit are known.

Over the next 3 to 4 years Burnley Council can expect the housing benefit caseload to fall by approximately one half, to around 4,500 to 5,000 claims. This is due to more residents transferring to universal credit and having their housing costs met that way. Time is required to understand the possible impact that this change will have on the way potential and existing Council Tax Support claimants use our services.

Decision That Full Council be recommended ;

- (1) That the changes to the Council Tax Support Scheme with respect to backdated claims, as set out in paragraph 8, be approved;
- (2) That all other aspects of the Council Tax Support Scheme for 2018/19 be maintained; and
- (3) That the timelines for the continuing review of the scheme in time for implementation in 2019/20 be noted.

13. Business Rates- Discretionary Scheme 2017/18

Purpose To advise Members of the new measures to assist businesses that were introduced in the Spring Budget. There has been a delay in receiving the detail (due to the General Election) but the Government is advising that there is no reason that Councils cannot proceed with implementing their schemes. There is an element of discretion within the new measures and we are seeking advice on whether Members wish to modify the suggested scheme (at Appendix 1).

Reason for Decision The attached scheme incorporates Government objectives in providing funding for local schemes. Help should be directed at those ratepayers who faced the biggest increases in their bills and / or who occupy the properties with lower rateable values. It also allows for flexibility to ensure that expenditure remains within the funding allocated by Government.

Decision That Full Council be recommended;

- (1) That the Discretionary Relief Scheme set out in Appendix 1 be approved; and
- (2) That the associated updates to the Council's Discretionary Rate Relief Policy (Appendix 3) be approved, subject to an amendment that any references to the Director of Resources be changed to the Council's Section 151 Officer.

14. Final Outturn Position 2016/17

Purpose To report the final position on the Council's revenue and capital accounts for 2016/17

To report to Members on the performance of the 2016/17 capital investment programme and present the financing of capital expenditure incurred during 2016/17

To seek approval of a revised 2017/18 capital budget after incorporating net carry forward commitments (slippage) from 2016/17.

Reason for Decision To conclude the revenue and capital budget monitoring process for 2016/17 and report the final outturn position as outlined in the Council's Statement of Accounts for 2016/17.

To increase the 2017/18 Council capital programme for amounts carried forward from 2016/17 and other budget adjustments as shown in Appendix 5.

Decision That Full Council be recommended;

- (1) That the final position on the Council's revenue account for 2016/17 and the net overall surplus, compared with the revised budget of £377k as shown in the table in paragraph 8 which equates to approximately 2.5% of the net revenue budget, be approved;
- (2) That the transfers to/from Earmarked Reserves totalling a net £1.059m to reserves (see Appendix 2) be approved;
- (3) That the additional revenue budget carry forward requests from Heads of Service totalling £201k (an increase of £141k) from those previously approved in February 2017 (see Appendix 3) be approved;
- (4) That the final position on capital spending and financing of £6.790m for 2016/17 as shown in Appendices 4 & 5, which equates to 85% of the final resources position, be approved; and
- (5) That the revised capital budget for 2017/18 totalling £12.794m as outlined in Appendix 6, (including net carry forward of £0.727m) be approved.

15. Annual Treasury Management Review of 2016/17 Activity

Purpose To inform members of the Council's treasury management activity during 2016/17.

Reason for Decision To comply with the regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the prudential and treasury indicators for 2016/17. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

For 2016/17 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 24/02/16)
- a mid-year treasury update report (Council 21/12/16)
- an annual review following the end of the year describing the activity compared to the strategy (this report).

The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activities. This report is therefore important, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

The recommendations contained in this report will ensure that the Council is able to maintain a good level of equipped play area provision across the Borough, to a high standard and within the resources available.

Decision That Full Council be recommended that the annual treasury management activity for the year ended 31 March 2017 be noted.