



EXECUTIVE

BURNLEY TOWN HALL

Thursday, 15th February, 2024 at 6.30 pm

PRESENT

MEMBERS

Councillors A Anwar (Chair), M Lishman (Vice-Chair), H Baker, S Cunliffe, L Khan and J Launer

OFFICERS

Lukman Patel	– Chief Executive
Rob Dobson	– Chief Operating Officer
Paul Gatrell	– Head of Housing & Development Control
Howard Hamilton-Smith	– Director of Resources
Alison McEwan	– Democracy Officer

68. Minutes

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

69. Declaration of Interest

Cllr Anwar declared a DPI in Minute 89 as a director of Burnley & Barnfield Developments Ltd. Although there is no requirement for officers to declare an interest, Lukman Patel also declared an interest as a director of Burnley & Barnfield Developments Ltd. They both left the room and took no part in the debate or decision.

Cllr M Lishman declared an other, non-prejudicial interest in Minute 79 as Chair of the CVS and as a relative of Parish Councillors.

70. Exclusion of the Public

Exclusion of the press and public to be as set out in the agenda.

71. Right To Speak

Cllr Alan Hosker addressed the meeting under the Right to Speak policy. He raised the issues of recycling scheme extension in Hapton, and dogs on leads.

72. Executive Individual Decisions

The Executive Individual Decisions were noted.

73. Strategic Plan 2024/25

PURPOSE

To seek Executive endorsement of the Strategic Plan (appendix 1) for 2024/25.

REASONS 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.

74. Revenue Monitoring Report 2023/24 - Quarter 3 (to 31 December 2023)

PURPOSE

To report the forecast outturn position for the year ending 31 March 2024 based upon actual spending and income to 31 December 2023.

REASONS FOR DECISION

To give consideration to the level of revenue spending and income in 2023/24 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 noted:

- a. the projected revenue budget forecast position of a net overspend of £60k, as summarised in table 1 and detailed in Appendix 1, although it is expected that there will be a break-even position by the end of the financial year. The net overspend of £60k has reduced from a forecast net overspend of £166k as reported at Quarter 2.

The Executive resolved to seek approval from Full Council for:

- b. The latest revised net budget of £16.267m as shown in Table 1, and
- c. The net transfers from earmarked reserves of £6.014m as shown in Appendix 2.
- d. The requested carry forwards of £69k as shown in Appendix 3.

75. Capital Monitoring Report 2023/24 - Quarter 3 (to 31 December 2023)

PURPOSE

To provide Members with an update on capital expenditure and the resources position along with highlighting any variances.

REASONS FOR DECISION

To effectively manage the 2023/24 capital programme.

DECISION

After consideration of the revised report and appendices issued in the supplementary agenda the Executive resolved to:

- a. Recommend to Full Council, approval of net budget changes totalling a net increase of £69,936 giving a revised capital budget for 2023/24 totalling £41,727,259 as detailed in Appendix 1.
- b. Recommend to Full Council, approval of the proposed financing of the revised capital budget totalling £41,727,259 as shown in Appendix 2.
- c. Note the latest estimated year end position on capital receipts and contributions showing an assumed balance of £3,553,100 as at 31 March 2024 as shown in Appendix 3.

76. 2023/24 Treasury Management Quarter 3 (April - December)

PURPOSE

To report treasury management activity for the period 1 April to 31 December 2023.

REASONS FOR DECISION

To inform members of the treasury management activity in the first three quarters of 2023/24 and to fulfil statutory and regulatory requirements.

DECISION

The Executive resolved to:

- Note the treasury management activities undertaken during the period 1 April to 31 December 2023; and

- Recommend that Full Council endorse the quarterly update on the Treasury Management Strategy 2023/24 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.

77. Medium Term Financial Strategy - 2025/26-2028/29 Incorporating the Reserves Strategy

PURPOSE

To consider the longer term financial outlook within the context of a Medium-Term Financial Strategy covering the financial years 2025/26 to 2028/29, highlighting uncertainties, underlying risks and make recommendations to Council. The Medium-Term Financial Strategy should be read in conjunction with the Revenue Budget 2024/25 and the associated statutory report of the Chief Financial Officer.

REASONS 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 paramount 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:

- i. Approval of the latest Medium-Term Financial Strategy;
- ii. Approval of the Reserves Strategy, as appended to the Medium-Term Financial Strategy; and to
- iii. Note that a refreshed document will be provided when required as an aid to monitoring the continued delivery of an annually balanced budget; and
- iv. Note the annual review of the Financial Management Code.

78. 2024/25 Treasury Management Strategy and 2024/25 - 2026/27 Prudential and Treasury Indicators

PURPOSE

- a) To comply with the amended Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2021.
- b) To outline a Treasury Management Strategy Statement for the financial year 2024/25.
- c) To set out prudential indicators for the financial years 2024/27 in line with the CIPFA's Prudential Code 2021.
- d) To seek approval for the Council's Minimum Revenue Provision (MRP) Policy Statement for the financial year 2024/25 in accordance with Government regulations.

REASONS 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

That the Executive resolved to recommend to Full Council approval of:

- a) The Treasury Management Strategy Statement for 2024/25 as set out in Appendix 1
- b) The prudential and treasury indicators for 2024/25 to 2026/2027 per Appendix 2 including the authorised limit for external debt of £100.199m in 2024/25.
- c) The list of Counterparties for Deposits outlined within Appendix 3.
- d) The Council's MRP Statement for 2024/25 as set out in Appendix 4 of this report.

79. Revenue Budget 2024/25

PURPOSE

To consider the estimates of revenue income and expenditure for 2024/25 and to make recommendations to Full Council about next year's Revenue Budget.

REASONS FOR DECISION

1. 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).
2. To set a balanced budget for the financial year 2024/25 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 2024/25;
- ii) Approve the proposals contained in this report;
- iii) Set a Council Tax Requirement of £8,054,980 for the financial year 2024/25;
- iv) Set a Net Budget Requirement of £18,986,918 for 2024/25;
- v) Receive and consider the statutory report issued by the Director of Resources under the Local Government Act, 2003;
- vi) Authorise the Chief Operating Officer/Directors/Heads of Service to progress action plans to deliver the 2024/25 budget;
- vii) Approve a Council Tax (Band D) figure of £337.82 for this Council for the year commencing 1st April 2024 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 2.99% Council tax increase.

80. Capital Budget for 2024/25 and Capital Investment Programme 2024-29

PURPOSE

To recommend approval of the capital budget for 2024/25.

REASONS 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 2024/5.

DECISION

a) The Executive resolved to recommend that Full Council:

- (i) Approve the 2024/25 Capital Budget, totalling £16,290,933, as set out in Appendix 1,
- (ii) Note the 2024-29 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 2023/24, 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 2024-29, as set out in Appendix 4.

81. Council Tax Support Scheme and Empty Homes Premium Policy

PURPOSE

To present the findings of the Council Tax Support Scheme consultation with regards to plans to temporarily increase the maximum level of subsidy for working age claimants, for the 2024/25 and 2025/26 scheme and to amend the Council's Empty Homes Premium Policy.

REASONS FOR DECISION

To provide temporary support, by increasing the level of subsidy for eligible working age claimants within the Council Tax Support Scheme, up to a maximum of 95% for 2024/25 and 90% for 2025/26, to help alleviate some of the financial hardship caused by the cost-of-living crisis; and

To amend the Council's Empty Homes Premium Policy, to include powers contained within the Levelling Up and Regeneration Act 2023, which will assist in bringing empty homes back into use

DECISION

That the Executive resolved to recommend to Full Council the approval of:
a. changes to the Council Tax Support Scheme for 2024/25 to increase the

maximum level of subsidy for working age claimants from 85% to 95% for a one-year period.

b. changes to the Council Tax Support Scheme for 2025/26 to increase the maximum level of subsidy for working age claimants from 85% to 90% for a one-year period.

c. the Council's Empty Homes Premium Policy 2024/25.

d. authorisation to the Director of Resources, in consultation with the Executive Member for Resources and Performance Management, to amend the Empty Homes Premium Policy to ensure that it complies with forthcoming legislation.

82. Committees and Outside Bodies Updates

PURPOSE

To update the appointments to Committees, Working Groups and Panels for the 2023/24 Municipal Year.

REASONS FOR DECISION

To comply with legislation and to ensure that the Council continues to have an effective decision-making structure.

DECISION

The Executive resolved to approve the appointments to Committees and Outside Bodies as set out below:

a. Traffic Regulation Order Sub-Committee: Cllrs Baker, Cunliffe & Launer.

b. Pennine Lancashire Leaders & Chief Executives Joint Committee (PLACE): Cllr Anwar and Cllr M Lishman (substitute).

c. Barnfield & Burnley Developments Limited (Directors): Cllr Anwar & Lukman Patel.

d. Housing Joint Venture Contract

(Council Representatives): Cllr L Khan, Kate Ingram

(Stakeholder Representatives): Cllr Anwar, Lukman Patel, Paul Gatrell.

83. Multi-use Games Areas

PURPOSE

To provide the Executive with a detailed overview of the current position, and a proposed way forward, regarding the provision, condition and work needed (including costed options), for improvement of the Council's Multi-use Games Areas (MUGAs) stock.

REASONS FOR DECISION

- i. Stipulations of the Play Zones funding criteria would not allow us to upgrade existing MUGAs. In addition, the necessity for charging, a gate access system and online booking would not be applicable for use of our MUGAs.
- ii. To ensure the Council's MUGA stock is safe, of good quality, fit for purpose and sustainable in the future.
- iii. To address the shortfall in provision for MUGAs in West Burnley/Padiham.

DECISION

That the Executive:

- i. Notes the current position regarding the Football Foundation's Play Zones programme.
- ii. Agree to not proceed with the previously secured £30,000 per annum Capital investment programme (to be used as match funding) for the Football Foundation's Play Zones programme.
- iii. Notes the MUGAs 2023/24 Condition Inspections report findings.
- iv. Authorises the development of a MUGA Improvement Programme with £70,000 of capital investment each year for 5 years starting from 2024/25.
- v. Authorises Green Spaces to explore potential sites for a new (or upgraded) MUGA where Play Zones funding could be pursued, working with other relevant organisations.

84. Pay Policy Statement 2024/25

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.

REASONS 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

The Executive resolved to recommend that Full Council:

- i. approves this report and the attached Pay Policy Statement for 2024/25;
- ii. notes the Council's Gender Pay Gap report which is at Appendix H of the Pay Policy Statement

85. Long-Term Plan for Towns

The Executive considered the report with an additional recommendation:

2f. To delegate authority to the Head of Legal and Democratic Services to draft and agree the Terms of Reference for the Town Board in consultation with the Leader of the Council and Chair of the Board.

PURPOSE

To provide an update on the Council's progress on the Government's Log-Term Plan for Towns programme.

REASONS FOR DECISION

- i. To ensure that the Executive is updated on progress.
- ii. To inform members of the initial composition of the Town Board, and ensure the Executive is represented.
- iii. To provide an overview of the next steps for the Long-Term Plan for Towns programme.

DECISION

That the Executive resolved to:

- a. note the governance arrangements for the Town Board.
- b. recommend that Council approve the addition of the Town Board to its list of Outside Bodies and that they appoint the Leader, the Executive Member for Sustainable Development & Growth, as well as an Opposition Member to sit on the Town Board via the usual Constitutional Reporting mechanisms.
- c. that the Executive appoint the Leader of the Council and the Executive Member for Sustainable Development & Growth to sit on the Town Board once Full Council approve recommendation 2(b).
- d. endorses the appointment of Karen Buchanan as Chair of the Town Board.
- e. Authorises the Director of Economy & Growth to tender and appoint consultants to work with the Town Board to undertake consultation and to develop its Long-Term Plan and 3-year investment Plan.
- f. delegate authority to the Head of Legal and Democratic Services to draft and agree the Terms of Reference for the Town Board in consultation with the Leader of the Council and Chair of the Board.

86. Exclusion of the Public

Members determined to exclude the public from the meeting before discussion took place on Minutes 87 and 88 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 Schedule 12A of the Local Government Act 1972.

87. Procurement Framework - Stairlift Procurement

PURPOSE

To seek approval from Members to enter into a contract through a procurement framework with Procurement for Housing as set out in the report.

REASON FOR DECISION

To ensure the Council continues to deliver stairlifts to disabled people through the disabled facilities grants programme. The continued installation of the stairlifts helps people to remain living independently in their own home.

DECISION

That the Executive delegate authority to the:

- a) Head of Housing and Development Control to negotiate the terms of the contract through the framework as set out in the report.
- b) Head of Legal and Democratic services to execute all documents to give effect to this decision.

88. Levelling Up Fund

Cllr Anwar and Lukman Patel left the meeting and took no part in the debate or decision.

Cllr Margaret Lishman took the Chair for the duration of the item.

The Executive considered the report with an amendment to Recommendation 2b – Agree to underwrite the funding shortfall as set out in para 18 IF REQUIRED.

PURPOSE

The purpose of the report is to update the Executive on progress on the LUF programme.

REASON FOR DECISION

A decision is necessary to ensure the timely delivery of the LUF Programme and minimise risk to the council.

DECISION

The Executive resolved to:

- a) Note the content of the report and confirm their agreement to the proposed way forward.
- b) underwrite the funding shortfall as set out in para 18 if required.