



EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 10th December 2013 at 6.30pm

PRESENT

MEMBERS

Councillors Julie Cooper (in the Chair), John Harbour, Shah Hussain, Tony Harrison and Mark Townsend

OFFICERS

Steve Rumbelow	-	Chief Executive
Mick Cartledge	-	Director of Community Services
Mike Cook	-	Director of Economic Regeneration
Helen Seechurn	-	Director of Resources
David Wilcock	-	Head of People, Law & Regulation
Tom Forshaw	-	Head of Chief Executive's Office
Paul Gatrell	-	Head of Housing and Development Control
Mike Waite	-	Head of Corporate Engagement

ALSO IN ATTENDANCE

Councillors Margaret Brindle, Tracy Kennedy and Jeff Sumner.

74. Apologies

Apologies for absence were received from Councillor Howard Baker

75. Minutes

The Minutes of the Meeting held on the 12th November 2013 were confirmed as a correct record and signed by the Chair.

76. Minutes of Individual Decisions

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

Minute 16 – Customer Service Assistance, Contact Centre

77. Declaration of Interest

Councillor Mark Townsend declared a pecuniary interest in the item relating to Council Tax Technical Changes.

78. Public Question Time

Councillor Jeff Sumner, Councillor Tracy Kennedy, Jason Neville and Councillor Margaret Brindle addressed the Executive under the Council's Right To Speak Policy on the agenda item regarding Burnley Wood Appropriation Agreement Objections.

79. Burnley Wood Appropriation Agreement Objections

Purpose To report to the Executive objections received to the appropriation of land bounded by Glebe St., Kirkgate and Parkinson St. and seek authority for the Head of People, Law & Regulation to carry out the statutory procedures required in respect of the appropriation and disposal of land in Burnley Wood.

Reason for Decision The Council is obliged to consider any objections received through advertisement of the intention to appropriate land.

The development facilitated by the appropriation of the land edged and hatched red will make an important contribution to the future of Burnley Wood, and is in line with longstanding plans, which have been the subject of a thorough consultation process.

On balance, the need to progress regeneration of the area and provide homes to realise aspirations for developing a sustainable community significantly outweighed the considerations raised in the objections.

The Executive were satisfied on the evidence that suitable alternative open space provision was provided by other means as set out in the Burnley Wood Open Spaces Needs Assessment.

Decision

- (1) That objections to the appropriation for planning purposes of land at Burnley Wood were considered shown edged and hatched red on the attached plan Appendix 1 as is public open space under section 122 of the Local Government Act 1972 ; and
- (2) That approval for the appropriation was given and authority was given for the Head of People, Law & Regulation to:
 - a) Appropriate the land for planning purposes;
 - b) Following such appropriation, to advertise the Council's intention to dispose of such part of the land at Burnley Wood shown edged and

hatched red on the attached plan as is public open space under section 233 of the Town and Country Planning Act 1990; and

- c) If no objections are received by the date for receipt of objections specified in the advertisement referred to above, to dispose of the land edged and hatched red.

80. Burnley Wood Compulsory Purchase Order (CPO)

Purpose To seek approval for the compulsory purchase of the properties identified in the plan attached to this report; and to seek approval for the demolition of the remaining block of terraced housing within the CPO area.

Reason for Decision The acquisition of the land and clearance of terraced properties is required to facilitate the redevelopment of the site for new housing in line with the Borough's Housing Regeneration Plan. The Council has not been able to acquire all of the outstanding interests in the site. Most of the freehold ownerships are unregistered. One residential leasehold interest remains to be acquired together with some head leases. The use of the Council's compulsory purchase powers is therefore required to complete the assembly of the site.

The proposed redevelopment of this site will deliver a wider variety of housing in terms of size and type in order to create a more balanced housing market and help develop a more mixed, inclusive and sustainable community. All of the remaining residential properties to be included within the Order Lands are vacant and have Category 1 hazards. Vacant properties in the area have attracted anti-social behaviour, and their acquisition and clearance of the remaining properties will improve the local environment. The new housing development will increase the local population and should help to maintain the viability of local shops and schools. The approval to make a Compulsory Purchase Order will help to improve the economic, social and environmental well-being of the neighbourhood.

The leasehold properties that are in the Council's ownership, and the one that remains privately owned, have been the subject of anti-social behaviour, including vandalism, fly-tipping and theft. The demolition of these properties in advance of the confirmation of the Compulsory Purchase Order, where possible, will reduce the opportunity for these properties to continue to attract these problems.

Decision

- (1) That delegated authority be given to the Head of Finance and Property Management to continue to acquire properties intended to be included in the proposed Compulsory Purchase Order in advance of confirmation of the Order, and to agree terms for their acquisition.
- (2) That the making be approved of the Compulsory Purchase Order, by the Head of People, Law and Regulation pursuant to section 226

(1) (a) of the Town and Country Planning Act 1990 in order to secure the purchase of the land and properties coloured pink on the plan at Appendix A to facilitate the proposed redevelopment of the site, including through the demolition of the remaining block of terraced housing in the plan, the Order to be known as

The Burnley (Land and Buildings in Burnley Wood, Burnley) Compulsory Purchase Order 2014

(3) That the Head of People, Law and Regulation be authorised to:

(a) Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order, including the publication and service of all Notices, the presentation of the Council's case at any Public Inquiry, and to reduce the boundary of the land to be acquired under the CPO and/or the interests in it (as necessary);

(b) Acquire interests in land within the Compulsory Purchase Order either by agreement or compulsorily; and

(c) Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order including, where appropriate, seeking exclusion of land from the Order and/or making arrangements for the rehousing or relocation of occupiers.

(4) That the Head of Housing and Development Control be authorised to demolish appropriate blocks in advance of the confirmation of the Compulsory Purchase Order.

81. Dog Services Community Scrutiny (CPO)

Purpose To agree on the proposed actions and timescales recommended by the working group in accordance with the review of issues relating to Dog Services that are delivered by the Council.

Reason for Decision To allow the Executive to formally consider recommendations endorsed by Community Services Scrutiny Committee following the work of the Dog Services Working Group and to continue to promote the work of the Service.

Decision That the following recommendations be approved as the basis for the effective delivery of dog services including action to effectively target dog fouling and other related issues in the Borough;

(1) To continue to promote the work of the service through positive engagement;

- (2) To further improve the process of dog service reportage by local residents via the implementation of the Council's new CRM system; and
- (3) That Community Services Scrutiny Committee regularly monitors the progress of the Action Plan (Appendix 1 to the report).

82. Public Toilet Review

Purpose To report on current provision of toilet facilities in the Borough and outline proposals for future action.

Reason for Decision To promote the ongoing review and rationalisation of toilet provision across the Borough to reduce costs.

Decision That the proposals for closure of the public toilets at Colne Road (Queensgate) adjacent to the bus depot, Briercliffe Road adjacent to the hospital, East Street in Hapton and reduced opening hours for the toilets at Padiham Town Hall, be subject to further consultation with Ward Councillors and Parish Councils with authority delegated to the Director of Resources in consultation with the Executive Member for Resources and Performance Management to decide on proposals for future action to ensure budget proposals are achieved.

83. Council Tax Technical Changes

Councillor Mark Townsend did not take part, and left the meeting for this item.

Purpose To set out proposals for a change to the Council's existing policy on Council Tax charges for empty properties.

Reason for Decision To grant owners of empty homes a reasonable period of time to put these properties back into use. This short period of 100% discount gives owners an incentive to do this quickly before charges apply.

To ensure effective and efficient administration of Council Tax for this class of discount.

Decision That Full Council be recommended to adopt the following change to the Council Tax charged for empty properties:

- (1) For properties that are empty for less than six months, apply a 100% discount for the first month followed by a 50% discount for the remaining five months.

84. Business Growth Programme

Purpose To provide Members with a progress update.

For Members to approve a request to re-profile expenditure for the programme.

Reason for Decision Enquiries received from businesses in the first year of the programme have either been successfully supported by the Business Growth Programme or the Business Support team have assisted businesses to secure grants from other schemes e.g. Accelerating Business Growth, Fuse Programme.

Given that some of the existing support initiatives are to come to an end in December 2014 means there will be a greater demand on the Business Growth Programme in year 2 and 3.

A recent marketing exercise has been undertaken to raise awareness of the Programme and this is envisaged to generate further demand on the Programme.

Decision That the proposed re-profiling be approved having considered the information contained in this report.

85. Organisational Development Strategy

Purpose To revise the Council's Organisational Development Strategy.

Reason for Decision The Council's Organisational Development Strategy is a strategic overview for the Council's change programme, providing a clear direction and focus for how the Council as an organisation needs to develop in the future. This is a planned 2 year revision to the Strategy. The update also brings the OD Strategy into line with the mid-year revisions to the Council's Strategic Plan 2013/14 to 2014/15.

Decision That the Council's revised Organisational Development Strategy be approved.

86. Revenue Budget 2014/15

Purpose To provide savings proposals for Members to recommend to full Council in order to balance the Council's 2014/15 revenue budget.

Reason for Decision To progress the preparation of the Council's revenue budget and the setting of the Council Tax for 2014/2015 and to ensure that the Council is placed in the best position to manage the anticipated reduction in core funding that will take place in the next financial year.

Decision That Full Council be recommended to approve proposed savings totalling £1,495 million and the proposed use of earmarked reserves of £220k to balance the 2014/15 revenue budget (see Appendix 1 of the report).

87. Fees and Charges 2014/15

Purpose To inform Members of the Council's proposed fees and charges from 1st January 2014.

Reason To set the Council's fees and charges from 1st January 2014 and assist in for finalising the 2014/15 budget process.

Decision

Decision That Full Council be recommended to :

- (1) Approve the proposed tariff of fees & charges from 1st January 2014 as outlined in Appendix A attached to the report;
- (2) Authorise the Head of Finance & Property Management in consultation with the relevant Head of Service to determine any new charges or changes to existing charges relating to the preparation and approval of the 2014/15 revenue budget;
- (3) Authorise the Executive Portfolio Members to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum; and
- (4) Authorise the Head of Facilities Management in consultation with the Executive Member for Resources and Performance Management and the Director of Economic Regeneration to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market.

88. Exclusion of the Public

Purpose To consider when it may be relevant to exclude the public from the meeting, and clarify the order of the agenda.

Reason Minute Number 89 contains exempt information relating to any for consultations or negotiations, or contemplated consultations or Decision negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Decision That the public be excluded from the meeting before discussion takes place on the item relating to Minute 89 since 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 VA of

89. Workforce Planning 2014/15

Purpose To seek approval to the deletion of a number of posts, in order to achieve savings in the Revenue Budget for 2014/15.

Reason for Decision To ensure that the Council is placed in the best position to manage the anticipated reduction in core funding that will take place in the next financial year.

Decision

- (1) That the deletion of 18 posts (ft 16.3) as set out in Appendix 1 to the report be approved;
- (2) That it be noted that team restructures have been undertaken and implemented during 2013/14, as reported in Appendix 2 to the report, approved under delegated authority of the Member for Resources & Performance Management to contribute towards saving target for 2014/15;
- (3) That delegated authority be granted to the Director of Resources in consultation with the Executive Member for Resources & Performance Management to amend the list for those posts dependent on external funding for which confirmation is awaited;
- (4) That the Head of People, Law & Regulation be authorised to issue redundancy notices to staff occupying posts approved for deletion; and
- (5) That detailed information be noted on the cost of redundancy and pension strain is awaited, although some £200k is available from within the existing Revenue Budget 2013/14, an update will be provided once the information is available and in the event that additional resource is required.