



# EXECUTIVE

## BURNLEY TOWN HALL

Tuesday, 19<sup>th</sup> August 2014 at 6.30 pm

### PRESENT

### MEMBERS

Councillors Mark Townsend (in the Chair), Howard Baker, John Harbour, Tony Harrison, Shah Hussain and Bea Foster.

### OFFICERS

Steve Rumbelow	-	Chief Executive
Mick Cartledge	-	Director of Community Services
Helen Seechurn	-	Director of Resources
Tom Forshaw	-	Head of Chief Executive's Office
Kate Ingram	-	Head of Regeneration and Planning Policy
Clare Jackson	-	Private Sector Housing Manager
Eric Dickinson	-	Democracy Officer

### ALSO IN ATTENDANCE

Councillor Margaret Brindle

#### 15. Apologies

Apologies for absence were received from Mike Cook.

#### 16. Minutes

The Minutes of the Meeting held on the 15<sup>th</sup> July 2014 were confirmed as a correct record and signed by the Chair.

#### 17. Minutes of Individual Decisions

The Minutes of the following individual decisions made since the last meeting was noted;

Minute 2 - IT Combining Two Posts

Minute 3 - Environmental Health and Licensing Re-structure

## **18. Burnley Local Plan**

**Purpose** To seek Executive approval of the Burnley Local Plan: Additional Sites Consultation document (Appendix 1) to be published for public comment in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012.

**Reason for Decision** The Local Plan is one of the most important policy documents that the Council produces and is the key document in Burnley's Local Development Framework. It sets the overarching planning framework for the borough. The existing Local Plan was adopted in 2006 and it is important that work on the new Local Plan progresses quickly to ensure that the Borough has an up to date planning framework.

To ensure that any minor changes to the Burnley Local Plan Additional Sites Consultation document do not result in a delay to the start of the consultation period.

**Decision** (1) That the Burnley Local Plan: Additional Sites Consultation document be approved for public consultation in August/September 2014; and

(2) That the Head of Regeneration and Planning Policy be authorised to make minor editorial changes to the Burnley Local Plan: Additional Sites Consultation document prior to its publication.

## **19. Local Development Scheme**

**Purpose** To inform members of progress on Burnley's new Local Plan and seek approval to revise the programme for its preparation through an updated Local Development Scheme covering the period 2014 – 2017

**Reason for Decision** To ensure that the Council complies with the requirement of the Planning and Compulsory Purchase Act 2004 to have in place an up to date Local Development Scheme.

**Decision** (1) That the Local Development Scheme 2014 – 2017 be approved as attached at Appendix A to the report, which sets out the timetable for producing the new Local Plan for the Borough; and

(2) As amended, that the Head of Regeneration and Planning Policy be authorised to make minor editorial changes to the Local Development Scheme 2014 – 2017.

## **20. Atholl Street North**

**Purpose** To recommend that the properties 34, 36 and 38 Athol Street North, Burnley be included in a Clearance Area under section 289 of the Housing Act 1985 (as amended), in order to secure the subsequent acquisition and demolition. A gable elevation would be constructed to 32 Athol Street North.

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To carry out an environmental improvement scheme to the front elevations of 20 to 32 Athol Street North.

Reason for Decision Officers have considered the acquisition and renovation of 34 to 38 Athol Street North, however due to the serious disrepair and significant structural problems it would not be cost effective. The estimated cost of the acquisition, demolition, rebuilding of the gable wall against 32 Athol Street North and the environmental improvement works is £105,500. In comparison to acquire and renovate the three empty properties including the environmental improvement works the cost would be higher; approximately £143,000.

In addition it is evident that there is an abundance of this type of property in the immediate vicinity making it difficult to re-sell or let the properties should they be renovated.

- Decision
- (1) That in principle the inclusion of the following properties in a clearance area be approved:  
  
Numbers, 34, 36 and 38 Athol Street North Burnley BB11 4BS;
  - (2) That Officers be requested to take all necessary action prior to reporting back to a further meeting for the purpose of making a Compulsory Purchase Order for the above mentioned properties;
  - (3) That the Head of Finance and Property Management be authorised to agree terms for the acquisition of the properties and to acquire the properties in this report in advance of a Compulsory Purchase Order, in accordance with the terms of delegation; and
  - (4) That an environmental improvement scheme be carried out to the front elevations of 20 to 32 Athol Street North which will include:
    - a. Remedial tying works to the remaining seven properties to the front, rear, cavity wall and floors to prolong the 'life' of the properties indefinitely in relation to structural stability; and
    - b. Painting of the front elevation, door surrounds and window surrounds.

<b>21. Revenue Budget Monitoring 2014/15 Q1</b>
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Purpose To report the forecast outturn position for the year as at 31<sup>st</sup> March 2015 based upon actual spending and income to 30<sup>th</sup> June 2014.

Reason for Decision To give consideration to the level of revenue spending and income in 2014/15 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 (1) That the projected revenue budget forecast underspend

of £56k be noted (see the overview table in paragraph 6);

- (3) That Full Council be recommended to approve the latest revised budget of £15,701k as shown in Appendix 1;
- (4) That Full Council be recommended to approve a full and final payment to the Leisure Trust for budget requests totalling £24k arising from 2013/14 Sport & Culture healthier lifestyle activities that would have been carried forward into 2014/15. This payment is for externally funded schemes; and
- (5) That Full Council be recommended to approve the net transfers from earmarked reserves in the quarter of £225k as shown in Appendix 4.

## **22. Capital Budget Monitoring 2014/15 Q1**

- Purpose** To provide Members with an update on capital expenditure and resources position along with highlighting any variances.
- Reason for Decision** To effectively manage the 2014/15 capital programme.
- Decision**
- (1) That Full Council be recommended to approve the revised capital budget for 2014/15 totalling £17,700,613, as outlined in Appendix 1;
  - (2) That Full Council be recommended to approve the proposed financing of the revised capital budget totalling £17,700,613 as shown in Appendix 2; and
  - (3) That the latest estimated year end position on capital receipts and contributions be noted showing an assumed balance of £962,930 at 31<sup>st</sup> March 2015, in Appendix 3.

## **23. 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 for Decision** Minute Numbers 24 & 25 contain exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Decision** That the public be excluded from the meeting before discussion takes place on the items relating to Minutes 24 & 25 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 the Local Government Act 1972.

## **24. Procurement of Parking Enforcement and Cash Collection Services**

**Purpose** For the Executive to make a decision on the preferred course of action for procurement of parking enforcement and cash collection services.

**Reason for Decision** Parking enforcement is necessary to safeguard the Council's parking income stream and regulate the use of car parks, and a cash collection service is necessary to ensure that parking revenues are counted and banked. The contract for enforcement and cash collection expires in September 2014, and approval has already been given to participate in a contract procurement exercise to ensure service continuity.

In addition to the Preston procurement, there are now two additional options for service via LCC to consider. Whilst the Preston option appears to be the most financially advantageous at present, some of the costs in the Preston tender are sensitive to participation levels and although there is confidence that most districts will take this route, the districts have yet to formally make their decisions. Some flexibility is therefore required in the resolution.

**Decision**

- (1) That the proposals outlined by LCC be noted but elected to remain with the current operational model by approving Option 1, the joint procurement led by Preston. The procurement exercise is close to conclusion and provides the Council with efficiencies and greater flexibility than the other options;
- (2) That in the unlikely event that Option 1 ceases to be the most economically advantageous, due to lack of other authority participation, that delegated authority be given to the Director of Community Services in consultation with the Director of Resources and the relevant Executive Member(s) to enter into the most suitable option for provision of the services;
- (3) That the Director of Community Services in consultation with the Director of Resources and the relevant Executive Member(s) be given delegated authority to agree any subsequent contract period extensions provided for in the contract of the chosen option; and
- (4) That the Head of People, Law and Regulation be granted delegated authority to execute all documents necessary to give effect to the above decision.

## **25. Strategic Business Case of the Change Programme**

**Purpose** To consider the initial business case in support of the procurement of a strategic partner as part of the Council's Change Programme and authorise the commencement of a procurement exercise.

**Reason for Decision** The Council faces major financial challenges over the next few years. Since 2010, the Council has seen Government funding reductions of £7m. The Medium-Term Financial Strategy identifies a further funding gap of

£3m, or 19%, by 2016/17. The Council, however, remains committed to deliver its strategic priorities and is an ambitious place-shaper.

To meet these challenges, a transformation in how the Council delivers services is required; consequently the Council has commenced a Change Programme, approved at April 2014 Executive, for a wholesale review of service delivery Council-wide. A significant element of this Programme is to consider the viability of forming new delivery partnerships for some services through a strategic procurement exercise.

This report sets out an initial high level business case for a range of Council services to be delivered through partnership and demonstrates that there is market interest for strategic partnership with savings ranging from 15-25% effectively contributing annually savings of between £0.7m-£1.2m to assist in closing the budget deficit once fully implemented, whilst also contributing to the Council's wider strategic aims.

- Decision
- (1) That the business case as set out be accepted and approved;
  - (2) That the release of transformation reserves of £25k be approved to fund external legal advice to facilitate the OJEU procurement;
  - (3) That the Director of Resources be authorised, in consultation with the Leader of the Council, to commence the procurement of a strategic partner through a competitive dialogue process (Phase 2 of the Change Programme);
  - (4) That the Director of Resources be authorised to negotiate and accept the most economically advantageous tender in consultation with the Leader of the Council;
  - (5) That it be noted that a further business case on conclusion of the procurement will be submitted to the Executive outlining the overall deal and finalised savings position; and
  - (6) That the Head of People, Law & Regulation be granted delegated authority to execute all documents necessary to give effect to the above decision.