



# EXECUTIVE

BURNLEY TOWN HALL

Tuesday, 24<sup>th</sup> June 2008

## PRESENT

## MEMBERS

Councillor Gordon Birtwistle, in the Chair.

Councillors Charles Bullas, Charlie Briggs, Roger Frost, Margaret Lishman, Martin Smith and Jeff Sumner.

## OFFICERS

Nick Aves	-	Director of Resources
Mick Cartledge	-	Director of Community Services
Mike Cook	-	Director of Regeneration and Housing
Tom Forshaw	-	Head of Chief Executive's Office
David Wilcock	-	Head of People and Law
Michael Wellock	-	Elevate Project Manager
Simon Goff	-	Head of Green Spaces and Amenities
Farida Ahmed	-	Head of Property Consultancy
Peter Butterfield	-	Architectural Assistant
Paul Gatrell	-	Head of Housing
Chris Gay	-	Performance and Policy Manager
Rob Dobson	-	Corporate Policy Officer
Imelda Grady	-	Democracy Officer

## ALSO IN ATTENDANCE

Councillors Bill Bennett and Peter Doyle

<b>22. Minutes</b>
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The Minutes of the last meetings held on [27<sup>th</sup> May 2008](#) were agreed as a correct record and signed by the Chair.

**23. [Burnley Housing Investment Programme 2008/09](#)**

- Purpose To seek Executive approval to the Burnley Housing Investment Programme 2008/09, funded from Elevate and Housing Capital grants, and to recommend to Full Council that this programme is included within the Council's budget.
- Reason for Decision To allow the continued delivery of the Burnley Housing Investment Programme.
- Decision
- (1) That approval be given to the Burnley Housing Investment Programme 2008/09 be approved as set out in paragraph 10 (as amended) and paragraph 11 to the report and also as outlined in Appendix 1 to the report
  - (2) That Full Council be recommended to establish a budget for the Burnley Housing Investment Programme 2008/09 totalling £18,466,633
  - (3) That approval be given for the release of all budgets associated with the Housing Investment Programme 2008/09

**24. [Vacant Property Initiative](#)**

- Purpose To seek approval, to make various Compulsory Purchase Orders (CPO) for vacant properties in the private sector.
- To seek authority to tender the renovation works when the estimated cost of the works is in excess of £50,000 in accordance with Standing Order SOC16 and for the power to accept the tender to be delegated to the Head of Property Consultancy.
- Once renovated, to dispose of the properties in accordance with the Council's Disposal of Empty Dwellings Policy.
- Reason for Decision The owners of these properties have been contacted on numerous occasions and have either not responded or have failed to give reasonable proposals for renovating the properties and bringing them back into housing use. The Compulsory Purchase Order for renovation and re-sale of these properties will enable them to be brought back into use. Where owners have contacted us, we are currently working with them to reach an agreement for bringing the property back in to use. If agreement cannot be reached satisfactorily, we will use CPO powers as a last resort.
- These properties have been empty for an average of approximately 5 years and are considered to be strategically important and compliment other

regeneration initiatives in the neighbourhood or are a cause of repeated complaints from neighbours. Vacant properties such as these can cause detriment to the neighbourhood by lowering property prices and attracting vandals and fly tipping. Three of the properties are in Targeted Area Initiative (TAI) areas. Further properties from these areas will be in future reports for the Executive to consider CPO action.

- Decision
- (1) That in pursuance of powers obtained under Section 17 of the Housing Act 1985 (as amended) approval be given to make the following compulsory purchase orders for the purpose of renovation and re-sale by the most appropriate method:
    - The Burnley (27 Cleaver Street Burnley) Compulsory Purchase Order 2008
    - The Burnley (11 Queen Victoria Road Burnley) Compulsory Purchase Order 2008
    - The Burnley (42 Devonshire Road Burnley) Compulsory Purchase Order 2008
    - The Burnley (27 March Street Burnley) Compulsory Purchase Order 2008
    - The Burnley (29 March Street Burnley) Compulsory Purchase Order 2008
    - The Burnley (8 North Street Burnley) Compulsory Purchase Order 2008
    - The Burnley (10 North Street Burnley) Compulsory Purchase Order 2008
  - (2) That the Head of Property Consultancy be authorised to agree terms for acquisition of the properties and to re-sell the properties once renovated in accordance with the Disposal of Empty Dwellings Policy.
  - (3) That the Head of Property Consultancy be authorised to acquire the properties in this report by agreement as an alternative to compulsory purchase if terms can be agreed with the owners.
  - (4) That the Head of People and Law be authorised to;
    - take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Orders, including the publication and service of all notices, and the presentation of the Council's case at any Public Inquiry;
    - approve agreements with landowners for the withdrawal of objections to the Orders and take all necessary steps to acquire

interests in land within the Compulsory Purchase Orders by agreement.

- (5) That authorisation be given for the tendering of the renovation works when the estimated cost of the works is in excess of £50,000 in accordance with Standing Order SOC16 and the Head of Property Consultancy be delegated to accept the tender.
- (6) That subject to Elevate authorisation approval be given for the proceeds from the sale of the renovated properties to be recycled back in to the Vacant Property Initiative for further acquisitions and renovations.

<b>25.</b> <a href="#"><u>Direct Rail Link to Manchester and National Rail Improvements Programme</u></a>
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| Purpose             | To seek Members approval of the Council's response to Network Rail's consultation on the Lancashire and Cumbria Rail Utilisation Strategy (RUS).<br><br>To seek Members view on the use of National Rail Improvements Programme Funding.  |
| Reason for Decision | Securing a direct rail link to Manchester with a journey time of less than 45 minutes is identified as a key 10-year transformational project in Burnley's Future. The RUS sets out Network Rail's plans for the railway in Lancashire and Cumbria over the next 10 years and will influence the investment decisions of Network Rail and the Department for Transport (DfT). It is important that the RUS reflects BBC's aspirations for a direct rail service to Manchester alongside other improvements. |
| Decision            | (1) That approval be given to the response to the Rail Utilisation Strategy as included in Appendix 2 of the report; and<br><br>(2) Support be sought from Network Rail and Northern Rail to make significant investment in Manchester Road station with an upgrade to a fully staffed station with a smaller investment at Central station and its subsequent down grading to an un-staffed stop.  |

<b>26.</b> <a href="#"><u>Fire and Asbestos Works Capital Budget</u></a>
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| Purpose             | To approve the release of funding from the Fire and Asbestos Works Capital Budget for 2008/09. |
| Reason for Decision | The release of these funds is required under the Council's policy.                             |

Decision That approval be given to the release of funding from the Fire and Asbestos Works Capital Budget up to a maximum of £57,500 to cover the cost of capital works and associated staff time.

**27. [Disability Discrimination Act \(DDA\) and Access to Council Buildings Programme for 2008/09](#)**

Purpose To update Members on the current programme and to obtain a decision on the priorities for the programme of works for 2008/09.

To seek approval to expend the 2008/09 DDA budget on essential improvement works to Burnley Town Hall and prioritise the remainder of the budget.

To seek approval to add the insurance monies from the Ightenhill Bowls Pavilion fire, and also the balance of the 2007/08 budget, to the 2008/09 DDA budget.

Reason for Decision To comply with DDA; Regulatory Reform (Fire Safety) Order 2006; Building Regulations, Fire Officer's requirements and Council Policy.

Decision (1) That approval be given to increase the Capital Programme DDA budget of £100,000 for the 2008/09 financial year by the following:-

The DDA balance from last year 2007/08:	£ 14,423
The insurance monies from Ightenhill Bowls Pavilion:	£ 60,947
<b>Total Budget:</b>	<b>£175,370</b>

(2) That approval be given to release £130,000 of the DDA budget for essential works at Burnley Town Hall.

(3) That the Head of Property Consultancy, in consultation with the Portfolio Holder, be authorised to accept the lowest/most suitable tender or quotation and also, where appropriate, to use contractors from the Schedule of Rates Approved List for each area of work.

**28. [Capital Spending Approval – Towneley Park Restoration Project](#)**

Purpose To seek approval to spend capital funds allocated in the Councils Capital Programme 2008/09, which has previously been approved by the Executive and to seek approval for additional slippage.

Reason for Decision Approval of the Executive is required for any capital spend exceeding £50,000

- Decision
- (1) That the explanation given for the additional slippage be noted.
  - (2) That Full Council be recommended to approve the additional slippage of £246,383 from the 2007/08 Capital programme
  - (3) That approval be given to the establishment of an additional capital budget of £47,138, which will be funded by the Heritage Lottery Fund.
  - (4) That Officers be authorised to spend £704,772 from the capital programme in 2008/09.

## **29. [2007/08 Performance Summary](#)**

Purpose To provide a summary of the performance of the Council's Best Value Performance Indicators (BVPs)[1] for 2007/08.

Reason for Decision To ensure the Council continues to improve its services, and is recognised as providing good value for money

- Decision
- (1) That the significant improvements in Council performance achieved in the last year be noted and that all staff be thanked for their efforts in achieving the improvements; and
  - (2) That Officers be tasked with developing plans to ensure that improvements continue through 2008/09 and beyond, as BVPs are replaced with new National Indicators (NI) and as the Council enters into the new Local Area Agreement (LAA)[2].

## **30. [Corporate Customer Service Charter](#)**

Purpose To seek Executive approval for the publication of a corporate Customer Service Charter.

Reason for Decision The development of a customer charter is a strategic objective. Two of the Council's values are:

- Putting the needs of the public first
- Listening carefully, communicating clearly and responding promptly.

The Charter forms part of our commitment to put these values into practice.

Publishing a charter and monitoring performance against it, is one of the first criteria for achieving Charter Mark status, the public sector benchmark for quality customer service.

Decision That approval be given to the Customer Service Charter.

<b>31. Exclusion of the Public</b>
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Purpose To exclude the public from the meeting.

Reason for Decision Minute Nos. 32 and 33 contain exempt information relating to 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 next items of business 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 Part VA of the Local Government Act 1972.

<b>32. Prairie Playing Fields: Five-a-side Soccer Development – Next Stages</b>
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Purpose To consider the next stages of the proposed project with PlayFootball Ltd at Prairie Playing Fields.

Reason for Decision Due to the change in the offer from PlayFootball Ltd, there is a need to consider the different options available to the Council.

Option 1

Utilise Football Foundation Funding to develop 16 changing rooms

Option 2

Progress scheme with 10 changing rooms subject to satisfactory response from Playfootball Ltd

Option 3

Continue with 16 changing rooms, funded by Playfootball and the Council

Option 4

Go to open market for other partners

The options appraisal highlights that option 2 is the best way forward for the Council.

- Decision (1) That approval be given for the Council to continues negotiations with PlayFootball Ltd on the basis of option 2.
- (2) That delegated authority be given to the Head of Property Services to finalise the negotiation of and complete a lease with PlayFootball Ltd, in consultation with the Executive Member for Leisure and Culture, Director of Community Services and Head of People and Law.

<b>33. Release of Capital Programme Monies - Golf Course Improvement Programme</b>
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Purpose To seek approval to release £30,000 in the capital programme for planned improvements on the 18 hole and 9 hole golf courses.

Reason for Decision Approval of the Executive is required to release funds from the Council's capital programme budget.

Decision That approval be given to approve the release of £30,000 to fund improvements on the 18 and 9 hole golf courses.