



# FULL COUNCIL

## TOWN HALL, BURNLEY

Wednesday, 17th May, 2017 at 4.00 pm

### SUPPLEMENTARY AGENDA

#### 8) *Items for Decision by the Council*

- |    |  |           |
|----|--|-----------|
| a) | <b><i>The Executive and their portfolios for 2017/18</i></b>   | To Follow |
|    | To note the Executive and their portfolios for 2017/18.  |           |
| b) | <b><i>Appointments to Committees, Working Groups and Panels 2017/18</i></b>  | 3 - 12    |
|    | To appoint to committees, working groups and panels for the 2017/18 Municipal Year.  |           |
| c) | <b><i>Appointment of Chairs and Vice Chairs of Scrutiny, Regulatory and other Committees 2017/18</i></b>   | 13 - 14   |
|    | To consider the appointment of Chairs and Vice Chairs of Scrutiny, Regulatory and other Committees for the 2017/18 Municipal year.                                       |           |
| d) | <b><i>Appointments to Outside Bodies for 2017/18</i></b>   | 15 - 30   |
|    | To consider the appointment of representatives to serve on various outside bodies for the 2017/18 Municipal year.  |           |
| e) | <b><i>Updates to the Constitution</i></b>  | 31 - 36   |
|    | To consider updates to the constitution regarding the Scheme of Delegation, and to receive, for information, details of an urgent decision taken by the Chief Executive. |           |

#### 9) *Questions*

To deal with questions (if any) relating to matters not contained in the Minutes before the Council and of which notice in writing has been received in accordance with Standing Order No. 10(2).

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## Constitution and appointments of Committees, Working Groups, Forums and Panels for the 2017/18 Municipal Year

### REPORT TO FULL COUNCIL



<b>DATE</b>	<b>17/05/2017</b>
<b>PORTFOLIO</b>	<b>None</b>
<b>REPORT AUTHOR</b>	<b>Imelda Grady</b>
<b>TEL NO</b>	<b>01282 477258</b>
<b>EMAIL</b>	<b>igrady@burnley.gov.uk</b>

#### PURPOSE

1. To appoint Committees, Working Groups, Forums and Panels for the 2017/18 Municipal Year.

#### RECOMMENDATION

2. The Council is asked to:
  - (1) Approve the committees/sub-committees, working groups, forums and panels to be appointed as outlined in Appendix 1 to the report, including their size and terms of reference; and
  - (2) Approve the membership of each of the committees, working groups, forums and panels as outlined in Appendix 2

#### REASONS FOR RECOMMENDATION

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

#### SUMMARY OF KEY POINTS

4. The Council is required at the beginning of the municipal year to decide which committees, sub-committees, working groups, forums and panels to establish for the ensuing year and to make the appointments in accordance with the statutory political balance calculation where relevant, and as required by the Local Government and Housing Act 1989.
5. A list detailing the nominations to serve on the committees, working groups, forums and panels will be circulated at the meeting of the Full Council on 17<sup>th</sup> May and Members will be asked to approve these nominations.

#### FINANCIAL IMPLICATIONS AND BUDGET PROVISION

6. None

**POLICY IMPLICATIONS**

7. None

**DETAILS OF CONSULTATION**

8.

**BACKGROUND PAPERS**

9. None

**FURTHER INFORMATION**

**PLEASE CONTACT: Imelda Grady**

**ALSO:**

**Burnley Borough Council  
Constitution of Committees, Working Groups, Panels and Boards  
for the Municipal Year 2017/18**

**Scrutiny Committee**

**17 Members - politically balanced**

To provide strategic oversight of services and policy development by monitoring and reviewing the performance of the Council and recommending efficiencies and/or improvements accordingly and to monitor, review and make recommendations on the Council's strategic budget and objectives

**Audit and Standards Committee**

**9 Members- politically balanced**

**To include an Executive Member and the Chair of Scrutiny**

To consider audit and risk management issues regarding the Council. To promote and maintain high standards of conduct within the Council. To advise the Council on the adoption or revision of its code of conduct. To regulate members pecuniary interests and interests other than pecuniary interests. To hear complaints referred to the Committee about Borough Council members and Parish/Town Council members within the Borough Boundary. To ensure that all members of the Council have access to training in all aspects of the member code of conduct, that this training is actively promoted, and that members are aware of the standards expected of local councillors under the code

**Development Control Committee**

**16 Members – politically balanced**

**To include relevant Executive Member**

Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (functions and responsibilities) (England) Regulations 2000 (the functions regulations).

The registration of common land or town and village greens and to register the variation of rights of common as set out in Schedule 1 to the Functions Regulations

The exercise of powers relating to the regulation of the use of highways as set out in Schedule 1 to the Functions Regulations

**Licensing Committee**

**15 Members - politically balanced**

Relating to taxi, gaming, entertainment, food and miscellaneous licensing.

Functions relating to licensing and registration as set out in Schedule 1 to the Functions Regulations and through its Sub Committees functions relating to taxis and the Licensing Act 2003, the Gambling Act 2005, Part 1 of the Health and Safety at Work Act 1974, Section 27 of the Local Government (Miscellaneous Provisions) Act 1982 and the Scrap Metal Dealers Act 2011.

**Member Structures and Support Working Group**

**12 Members – custom is to be politically balanced**

**To include Group Leaders**

To review and, as necessary draw up proposals for modernising the Council's Member Structures in the light of new legislation and best practice, and to make appropriate recommendations to full Council. To keep under review the range of existing support and services provided for Council Members and to make recommendations, if necessary, to the appropriate Committees for improvements. To consider the annual Member Training and Development Programme (including induction training for new Council Members). To act as a Forum for the discussion of matters relating

to how Members and officers work together. To deal with all matter relating to the provision and use of IT equipment by Members

### **Three Tier Forum**

#### **6 Members - not politically balanced**

This forum involves the County, Borough and Parish representatives in discussing relevant issues. Of the 6 Borough Members appointed by Full Council. In 2016/17 there were 4 Labour, 1 Liberal Democrat and 1 Conservative. However, it has not met during 2016/17 and currently Lancashire County Council is reviewing its approach to working with districts. Officially, it has never been formally abolished and appointments continue to be made subject to clarification of its status.

### **Police and Crime Panel**

#### **1 Member plus substitute – politically balanced across the County**

This is a formally constituted joint committee, politically balanced, of all the authorities in the Lancashire force area.

At present, to meet the political balance across the Lancashire Authorities, Burnley is required to appoint one Labour member and one Labour substitute.

### **Appeals Committee (JNC)**

#### **3 Members – by qualification**

To comprise 2 Executive and either the Chair or Vice Chair of Scrutiny member (not on the investigating Committee). (See Part 4.9 of the Constitution for further details.)

To consider appeals against dismissal, other disciplinary action, grading and grievances by employees of the Council not on NJC terms and conditions.

### **Appeals Panel (NJC)**

#### **3 Members - by qualification**

To comprise 2 members of the Executive and 1 member of the management team..

To deal with the final stages of appeals against dismissal, other disciplinary action by employees of the Council who are on the conditions of service of the NJC for Local Government Services.

### **Redundancy Appeal Panel**

#### **3 Members - by qualification**

To comprise any 3 members of the Executive for those employees covered by the Council's redundancy policy

### **Joint Consultative Panel**

#### **3 Members - by qualification**

To comprise 3 Members - Leader, Deputy Leader, Chair and Executive Member for Resources and Performance Management and 3 Trade Unions representatives.

To act as a forum for consultation and negotiation between the Council and Trade Union Representatives of employees subject to the national agreement of the NJC for Local Government Services and other employees

### **Parking and Traffic Regulations outside London (Patrol) Adjudication Joint Committee**

#### **1 Member plus substitute - by qualification**

Representation consists of the relevant Executive Member (the Executive Member for Community Services), with the substitute being from the largest opposition party.

The Committee is constitutionally and legally a joint committee between Burnley and other Local Authorities and has been established to adjudicate on parking and traffic regulations.

Political balance requirements are not necessary for the appointments due to the low number

of Members being appointed.

## **EXECUTIVE APPOINTMENTS**

**The following appointments will be made by the Executive at its meeting on 6<sup>th</sup> June 2017**

### **Traffic Regulation Order Sub Committee**

#### **3 Executive Members**

To consider objections made to Traffic Regulation Orders and powers to amend or confirm Traffic Regulation Orders or refer them to the Executive for a decision.

### **Pennine Lancashire Building Control Joint Committee**

#### **by qualification**

Representation on the PLBC Joint Committee consists of the Executive Member for Housing and Environment, with the substitute being the Executive Member for Resources.

The Committee is constitutionally and legally an Executive joint committee between Burnley and Blackburn with Darwin Local Authorities and has been established to in relation to the Building Control Service, including the enforcement of Building Regulations, in the Joint Area. Political balance requirements are not necessary for the appointments due to the low number of Members being appointed.

### **Pennine Lancashire Leaders and Chief Executives Joint Committee (PLACE)**

#### **by qualification**

Representation on the Joint Committee consists of the Leader, with the substitute being the Deputy Leader.

The Committee is constitutionally and legally a statutory joint committee between Burnley and other Pennine Lancashire Local Authorities to oversee the role of Regenerate Pennine Lancashire. Political balance requirements are not necessary for the appointments due to the low number of Members being appointed.

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MEMBERSHIP OF COMMITTEES/WORKING GROUPS FOR 2017-18

**SCRUTINY COMMITTEE-17 (10:4:2:1)**

**CHAIR –  
VICE CHAIR –**

<b>Councillors</b>	<b>Councillors</b>

**AUDIT and STANDARDS COMMITTEE-9 (6:2:1:0)**

**-to include 1 Executive member and the Chair of Scrutiny Committee**

**CHAIR –  
VICE CHAIR –**

<b>Councillors</b>	<b>Councillors</b>

**DEVELOPMENT CONTROL COMMITTEE-16 (10:4:1:1)**

**-to include relevant Executive member**

**CHAIR –  
VICE CHAIR –**

<b>Councillors</b>	<b>Councillors</b>

**LICENSING COMMITTEE-15 (10:3:1:1)**

**CHAIR –  
VICE CHAIR –**

<b>Councillors</b>	<b>Councillors</b>

**MEMBER STRUCTURES AND SUPPORT WORKING GROUP-12 (7:3:1:1)  
To include Group Leaders**

<b>Councillors</b>	<b>Councillors</b>

**LANCASHIRE POLICE AND CRIME PANEL  
(1 Labour member and 1 Labour substitute)**

<b>Councillors</b>	<b>Councillors</b>

**3 TIER FORUM -6 (4:1:1:0)**

<b>Councillors</b>	<b>Councillors</b>

**PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL)  
ADJUDICATION JOINT COMMITTEE - 2**

**Include relevant Executive Member  
and 1 member from largest opposition group (Lib Dem)**

<b>Councillors</b>	<b>Councillors</b>

## MEMBERSHIP OF COMMITTEES/WORKING GROUPS FOR 2017-18

## SCRUTINY COMMITTEE-17 (10:4:2:1)

CHAIR –  
VICE CHAIR –

Councillors	Councillors
Gordon Birtwistle - LD	Anne Kelly -LD
Margaret Brindle -FI	Lubna Khan -L
Jean Cunningham - L	Sobia Malik -L
Bea Foster - L	Tony Martin -L
Roger Frost - LD	Andrew Newhouse -C
Joanne Greenwood - L	Mark Payne -LD
Tony Harrison - L	Paul Reynolds -L
David Heginbotham - C	Andy Tatchell - L
Marcus Johnstone -L	

## AUDIT and STANDARDS COMMITTEE-9 (6:2:1:0)

-to include 1 Executive member and the Chair of Scrutiny Committee

CHAIR –  
VICE CHAIR –

Councillors	Councillors
Jean Cunningham - L	Andrew Newhouse -C
Joanne Greenwood - L	Ann Royle -L
Tony Harrison - L	Jeff Sumner -LD
Mohammed Ishtiaq - L	Andy Tatchell - L
Margaret Lishman - LD	

## DEVELOPMENT CONTROL COMMITTEE-16 (10:4:1:1)

-to include relevant Executive member

CHAIR –  
VICE CHAIR –

Councillors	Councillors
Gordon Birtwistle -LD	Marcus Johnstone –L
Margaret Brindle -FI	Arif Khan –L
Frank Cant -L	Lubna Khan -L
Trish Ellis --L	Neil Mottershead -LD
Danny Fleming -L	Mark Payne -LD
Sue Graham -L	Tom Porter -LD
John Harbour -L	Asif Raja -L
Tony Harrison -L	Cosima Towneley -C

**LICENSING COMMITTEE-15 (10:3:1:1)****CHAIR –  
VICE CHAIR –**

<b>Councillors</b>	<b>Councillors</b>
Gordon Birtwistle -LD	Shah Hussain -L
Bill Brindle -FI	Mohammed Ishtiaq -L
Frank Cant -L	Anne Kelly -LD
Ida Carmichael -C	Sobia Malik -L
Saeed Chaudhary -L	Liz Monk -L
Jean Cunningham -L	Ann Royle -L
Danny Fleming -L	Christine White -LD
Gary Frayling -L	

**MEMBER STRUCTURES AND SUPPORT WORKING GROUP-12 (7:3:1:1)  
To include Group Leaders**

<b>Councillors</b>	<b>Councillors</b>
Gordon Birtwistle -LD	Arif Khan -L
Margaret Brindle -FI	Margaret Lishman -LD
Frank Cant -L	Ann Royle -L
Jean Cunningham -L	Andy Tatchell -L
John Harbour -L	Mark Townsend -L
David Heginbotham -C	Christine White -LD

**LANCASHIRE POLICE AND CRIME PANEL  
(1 Labour member and 1 Labour substitute)**

<b>Councillors</b>	<b>Councillors</b>
Sue Graham -L	Bea Foster -L

**3 TIER FORUM -6 (4:1:1:0)**

<b>Councillors</b>	<b>Councillors</b>
Jean Cunningham -L	Lubna Khan -L
Sue Graham -L	Lian Pate -L
David Heginbotham -C	Jeff Sumner -LD

**PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL)  
ADJUDICATION JOINT COMMITTEE - 2****Include relevant Executive Member  
and 1 member from largest opposition group (Lib Dem)**

<b>Councillors</b>	<b>Councillors</b>
Lian Pate -L	Tom Porter -LD

## Nominations for Chairs and Vice Chairs of Committee

Please note that the nominations will be circulated at the Council meeting

<b>Committee</b>	<b>Chair - Cllr</b>	<b>Vice Chair- Cllr</b>
Scrutiny Committee	Andy Tatchell (L) David Heginbotham (C) -	- Anne Kelly (LD) Andrew Newhouse (C) Margaret Brindle (FI)
Audit and Standards Committee	Jean Cunningham (L) Andrew Newhouse(C)	Tony Harrison (L) Andrew Newhouse (C)
Development Control Committee	Frank Cant (L) Cosima Towneley (C)	Arif Khan (L) Cosima Towneley (C)
Licensing Committee	Ann Royle (L) Ida Carmichael (C)	Gary Frayling (L) Ida Carmichael (C)

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**REPORT TO FULL COUNCIL**



<b>DATE</b>	<b>17<sup>th</sup> May 2017</b>
<b>PORTFOLIO</b>	<b>None</b>
<b>REPORT AUTHOR</b>	<b>Eric Dickinson</b>
<b>TEL NO</b>	<b>01282 477256</b>
<b>EMAIL</b>	<b>edickinson@burnley.gov.uk</b>

**Outside Bodies Appointments for 2017/18**

**PURPOSE**

1. To seek appointments to the Council’s Outside Bodies for 2017/18.

**RECOMMENDATION**

2. (1) That Members approve the Outside Bodies list for 2017/18 attached as Appendix 1;  
  
 (2) That the Head of Governance, Law, Property & Regulation be given delegated authority, in consultation with the Leader, to agree Calico’s 4 independent persons nominations to its Board.

**REASONS FOR RECOMMENDATION**

3. To ensure that the Outside Bodies list, which the Council appoints Members and Officers to, contributes to the Council’s Objectives.

**SUMMARY OF KEY POINTS**

4. Since Full Council in May 2007, there has been an agreed criteria for the inclusion of an Outside Body (OB) as set out below;
  - 1.The appointment was a Statutory requirement
  - 2.The appointment would make a direct and significant contribution to the Council’s Strategic Objectives
  3. There was not significant cost and resource implications for the Council set against any benefit accrued.
  4. That the balances of risk having been considered there would be a detrimental effect on the Council were it not represented.
  - 5.The appointment would raise the profile of the Council at a National or Regional level

Since May 2007 Members who have been appointed to OB have been asked annually to complete a report on their activities.

Every two years a review has been undertaken of the OB list to complement the annual OB appointments process at the Appointments Council in May of each year. The last biennial review took place in May 2015, and so the next one is now due in May 2017.

5. An analysis of the 2015/16 returns from Members and Officers received in March/April 2016 confirmed generally that the criteria for continued OB inclusion on the list has been met, but also led to the following specific recommendations for changes to the OB list (Appendix 1) for 2016/17 at the 18<sup>th</sup> May 2016 Full Council being agreed, as follows;

- That Burnley College be removed from the OB list following the expiry of the Council's current appointments
- That delegated authority be given to the Head of Governance, Law & Regulation, in consultation with the Leader, to agree Calico's 4 independent persons nominations to its Board
- That a review of the Council's involvement with East Lancashire into Employment be carried out during 2016/17

6. An analysis of the 2016/17 returns from Members and Officers received in March/April 2017 confirmed generally that the criteria for continued OB inclusion on the list has been met, but also following feedback relating to the specific Outside Bodies outlined below, the actions below are being taken to resolve any issues;

- East Lancashire Into Employment- the company is being voluntarily liquidated, and Burnley and Hyndburn councils are appointing one councillor each to conclude the formalities over the next Municipal year.
- Burnley and Pendle Citizens Advice Bureau (BPCAB)- it has been confirmed that the OB is still active
- Police and Crime Commissioner Quarterly Community Safety Portfolio Holders (PCCQCSPH) – it is being confirmed whether the OB is still active
- Lancashire Waste Partnership (LWP) – continue Member appointment
- Marketing Lancashire- contact arrangements corrected

8. The following specific recommendations for changes to the OB list (Appendix 1) for 2017/18 are therefore proposed for the 17<sup>th</sup> May 2017 Full Council meeting;

- East Lancashire Into Employment – One Councillor only to be appointed by the Council

9. It should also be noted that regrading the Acorn Fund, Cllr Howard Baker will have an ex-officio position on the Board as Mayor during 2017/18, therefore there will be a vacancy on the Board after May 2017 (term expires 2020).



**FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

10. None.

**POLICY IMPLICATIONS**

11. None.

**DETAILS OF CONSULTATION**

12. Group Leaders.

**BACKGROUND PAPERS**

13. Pro forma Member and Officer returns 2015/16 and 16/17.

**FURTHER INFORMATION**

**PLEASE CONTACT:**

**ALSO:**

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**REPRESENTATION ON OUTSIDE BODIES  
FOR THE MUNICIPAL YEAR 2017/18**

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
1.	Barnfield and Burnley Developments Limited  -Directors	Leader Chief Executive	Cllr Mark Townsend Pam Smith  Appointed by the Executive	Leader Chief Executive	Leader Chief Executive
2.	Burnley & Pendle Children's Partnership	Executive Member for Leisure & Culture	Cllr Bea Foster	Executive Member for Leisure & Culture	Executive Member for Leisure & Culture
3.	Burnley Education Trust	Chief Executive	Pam Smith	Chief Executive	Chief Executive
4.	Burnley Leisure – Directors (E )	Any 2 Members	Cllr Tony Harrison  Cllr Asif Raja	Any 2 Members	<b>Any 2 Members</b>
5.	Burnley Pendle and Rossendale Council for Voluntary Service – Executive Committee	1 Member  Any Executive Member	Cllr Tony Martin  Cllr Bea Foster	1 Member  Any Executive Member	<b>1 Member</b>  <b>Any Executive Member</b>

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
6.	Burnley and Pendle Citizens Advice Bureau (E)	Executive Member for Community Services  1 Experienced Opposition Member	Cllr Lian Pate  Cllr Margaret Brindle	Executive Member for Community Services  1 Experienced Opposition Member	Executive Member for Community Services  <b>1 Experienced Opposition Member</b>
7.	Burnley Private Rented Sector Forum (D/E)	Executive Member for Housing and Environment  Chair of Scrutiny Committee	Cllr John Harbour  Cllr Andy Tatchell	Executive Member for Housing and Environment  Chair of Scrutiny Committee	Executive Member for Housing and Environment  Chair of Scrutiny Committee
8.	Burnley Town Centre Partnership	Executive Member for Regeneration and Economic Development  Vice Chair of Scrutiny Committee	Cllr Sue Graham  Cllr Anne Kelly	Executive Member for Regeneration and Economic Development  Vice Chair of Scrutiny Committee	Executive Member for Regeneration and Economic Development  Vice Chair of Scrutiny Committee
9.	Calico Board of Management – Annual General meeting Voting Rights (E)	Director of Community Services	Mick Cartledge	Director of Community Services	Director of Community Services
10.	East Lancashire Health and Well Being Partnership	Any Executive Member	Cllr Sue Graham	Any Executive Member	<b>Any Executive Member</b>

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
11.	<b>East Lancashire Into Employment Co. Ltd – Directors</b>	Executive Member for Regeneration and Economic Development  Any Executive Member	Cllr Sue Graham  Cllr Bea Foster	Executive Member for Regeneration and Economic Development	Executive Member for Regeneration and Economic Development
12.	LCC Health Scrutiny Committee  (same Membership for Joint Lancashire Health Scrutiny Committee)	Any Member of Scrutiny Committee  Sub: Any Member of Scrutiny Committee	Cllr Lubna Khan  Sub: Cllr Jean Cunningham	Any Member of Scrutiny Committee  Sub: Any Member of Scrutiny Committee	<b>Any Member of Scrutiny Committee</b>  <b>Sub:</b> <b>Any Member of Scrutiny Committee</b>
13.	Lancashire Waste Partnership	Executive Member for Community Services	Cllr Lian Pate	Executive Member for Community Services	Executive Member for Community Services
14.	Local Government Association	Leader	Cllr Mark Townsend	Leader	Leader
15.	Marketing Lancashire  (previously called Lancashire Tourism Forum)	Executive Member for Regeneration and Economic Development	Cllr Sue Graham	Executive Member for Regeneration and Economic Development	Executive Member for Regeneration and Economic Development

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
16.	North Western Local Authorities Employers' Organisation	Executive Member for Resources and Performance Management  Sub: Any Executive Member	Cllr Wajid Khan  Sub: Cllr Mark Townsend	Executive Member for Resources and Performance Management  Sub: Any Executive Member	Executive Member for Resources and Performance Management  <b>Sub: Any Executive Member</b>
17.	Over Fifties Forum	Any Member	Cllr Ann Royle	Any Member	<b>Any Member</b>
18.	<b>Police and Crime Commissioner Quarterly Community Safety Portfolio Holders</b>	Executive Member for Community Services	Cllr Lian Pate	Executive Member for Community Services	<b>Executive Member for Community Services</b>
19.	Regenerate Pennine Lancashire Combined Body -(From 101214)  <b>NOW "GROWTH LANCASHIRE"</b>	1 Public Sector Director Leader  and An Alternate Director -the Executive Member for Regeneration and Economic Development	Cllr Mark Townsend  and Cllr Sue Graham	1 Public Sector Director Leader  and An Alternate Director -the Executive Member for Regeneration and Economic Development	1 Public Sector Director Leader  and An Alternate Director -the Executive Member for Regeneration and Economic Development

## SECTION 2 - PERIOD APPOINTMENTS

	<u>Outside Body</u>	<u>Qualifications 2016/17</u>	<u>Appointed 2016/17</u>	<u>Qualifications 2017/18</u>	<u>Appointed 2017/18</u>
20.	<b>Burnley Acorn Fund- (periods of four years)</b>	3 Members (from Oct 2016 to Oct 2020)  Director of Resources is Ex Officio	3 Members (from Oct 2016 to Oct 2020) Cllr Howard Baker Cllr Jean Cunningham Cllr Ann Royle  Director of Resources is Ex Officio	3 Members (from Oct 2016 to Oct 2020)  *1 Any Member to fill vacancy due to Cllr Howard Baker (Mayor Elect) becoming ex officio from May 2017  (from May 2017 to Oct 2020)  Director of Resources is Ex Officio	<b>*1 Any Member (from May 2017 to Oct 2020)</b>  Section 151 Officer Ex Officio
21.	Stocks Massey Bequest- Representative Trustees (periods of four years)	Relevant Executive Member-Leisure and Culture (term May 2016-May 2020)  Chair of Scrutiny Committee (term expires May 2018)	Cllr Bea Foster  (term May 2016-May 2020)  Cllr Andy Tatchell  (term expires May 2018)	Relevant Executive Member-Leisure and Culture (term May 2016-May 2020)  Chair of Scrutiny Committee (term expires May 2018)	None  None

Meetings held in Daytime, unless as stated below;

E - Evening

D/E - Daytime/Evening

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**REPRESENTATION ON OUTSIDE BODIES  
FOR THE MUNICIPAL YEAR 2017/18**

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
1.	Barnfield and Burnley Developments Limited  -Directors	Leader Chief Executive	Cllr Mark Townsend Pam Smith  Appointed by the Executive	Leader Chief Executive	<b>Leader Chief Executive</b>
2.	<b>Burnley &amp; Pendle Children's Partnership</b>	Executive Member for Leisure & Culture	Cllr Bea Foster	Any Executive Member	<b>Cllr John Harbour</b>
3.	Burnley Education Trust	Chief Executive	Pam Smith	Chief Executive	<b>Chief Executive</b>
4.	Burnley Leisure – Directors (E )	Any 2 Members	Cllr Tony Harrison Cllr Asif Raja	Any 2 Members	<b>Cllr Tony Harrison Cllr Asif Raja</b>
5. *	<b>Burnley Pendle and Rossendale Council for Voluntary Service – Executive Committee</b>	1 Member  Any Executive Member	Cllr Tony Martin Cllr Bea Foster	Any 2 Members	<b>Cllr Tony Martin  Cllr Bea Foster  Councillor Ida Carmichael  Cllr Margaret Brindle</b>

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
6.	Burnley and Pendle Citizens Advice Bureau (E)	Executive Member for Community Services  1 Experienced Opposition Member	Cllr Lian Pate  Cllr Margaret Brindle	Executive Member for Community Services  1 Experienced Opposition Member	<b>Executive Member for Community Services</b>  <b>Cllr Ida Carmichael</b>
7.	Burnley Private Rented Sector Forum (D/E)	Executive Member for Housing and Environment  Chair of Scrutiny Committee	Cllr John Harbour  Cllr Andy Tatchell	Executive Member for Housing and Environment  Chair of Scrutiny Committee	<b>Executive Member for Housing and Environment</b>  <b>Chair of Scrutiny Committee</b>
8.	Burnley Town Centre Partnership	Executive Member for Regeneration and Economic Development  Vice Chair of Scrutiny Committee	Cllr Sue Graham  Cllr Anne Kelly	Executive Member for Regeneration and Economic Development  Vice Chair of Scrutiny Committee	<b>Executive Member for Regeneration and Economic Development</b>  <b>Vice Chair of Scrutiny Committee</b>
9.	Calico Board of Management – Annual General meeting Voting Rights (E)	Director of Community Services	Mick Cartledge	Chief Operating Officer	Chief Operating Officer
10.	East Lancashire Health and Well Being Partnership	Any Executive Member	Cllr Sue Graham	Any Executive Member	<b>Cllr Lian Pate</b>

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
11.	<b>East Lancashire Into Employment Co. Ltd – Directors</b>	Executive Member for Regeneration and Economic Development  Any Executive Member	Cllr Sue Graham  Cllr Bea Foster	Executive Member for Regeneration and Economic Development	<b>Executive Member for Regeneration and Economic Development</b>
12. *	LCC Health Scrutiny Committee  (same Membership for Joint Lancashire Health Scrutiny Committee)	Any Member of Scrutiny Committee  Sub: Any Member of Scrutiny Committee	Cllr Lubna Khan  Sub: Cllr Jean Cunningham	Any Member of Scrutiny Committee  Sub: Any Member of Scrutiny Committee	<b>Cllr Tony Harrison</b> <b>Cllr Margaret Brindle</b>  Sub: <b>Cllr Jean Cunningham</b> <b>Cllr Margaret Brindle</b>
13.	Lancashire Waste Partnership	Executive Member for Community Services	Cllr Lian Pate	Executive Member for Community and Leisure Services	<b>Executive Member for Community and Leisure Services</b>
14.	Local Government Association	Leader	Cllr Mark Townsend	Leader	<b>Leader</b>
15.	Marketing Lancashire  (previously called Lancashire Tourism Forum)	Executive Member for Regeneration and Economic Development	Cllr Sue Graham	Executive Member for Regeneration and Economic Development	<b>Executive Member for Regeneration and Economic Development</b>

	<b>Outside Body</b>	<b>Qualification 2016/17</b>	<b>Appointed 2016/17</b>	<b>Qualification 2017/18</b>	<b>Nominated 2017/18</b>
16.	North Western Local Authorities Employers' Organisation	Executive Member for Resources and Performance Management  Sub: Any Executive Member	Cllr Wajid Khan  Sub: Cllr Mark Townsend	Executive Member for Resources and Performance Management  Sub: Any Executive Member	<b>Executive Member for Resources and Performance Management</b>  <b>Sub: Cllr Mark Townsend</b>
17.	Over Fifties Forum	Any Member	Cllr Ann Royle	Any Member	<b>Cllr Bea Foster</b>
18.	Police and Crime Commissioner Quarterly Community Safety Portfolio Holders	Executive Member for Community Services	Cllr Lian Pate	Executive Member for Community and Leisure Services	<b>Executive Member for Community and Leisure Services</b>
19.	Regenerate Pennine Lancashire Combined Body -(From 101214)  <b>NOW "GROWTH LANCASHIRE"</b>	1 Public Sector Director  Leader  and An Alternate Director -the Executive Member for Regeneration and Economic Development	Cllr Mark Townsend  and Cllr Sue Graham	1 Public Sector Director  Leader  and An Alternate Director -the Executive Member for Regeneration and Economic Development	<b>1 Public Sector Director</b>  <b>Leader</b>  <b>and</b> <b>Executive Member for Regeneration and Economic Development</b>

## SECTION 2 - PERIOD APPOINTMENTS

	<u>Outside Body</u>	<u>Qualifications 2016/17</u>	<u>Appointed 2016/17</u>	<u>Qualifications 2017/18</u>	<u>Appointed 2017/18</u>
20.	<b>Burnley Acorn Fund- (periods of four years)</b>	3 Members (from Oct 2016 to Oct 2020)  Director of Resources is Ex Officio	3 Members (from Oct 2016 to Oct 2020) Cllr Howard Baker Cllr Jean Cunningham Cllr Ann Royle  Director of Resources is Ex Officio	3 Members (from Oct 2016 to Oct 2020) *1 Any Member to fill vacancy due to Cllr Howard Baker (Mayor Elect) becoming ex officio from May 2017 (from May 2017 to Oct 2020)  Director of Resources Ex Officio	<b>Cllr Andy Tatchell (from May 2017 to Oct 2020)</b>  <b>Section 151 Officer Ex Officio</b>
21.	<b>Stocks Massey Bequest-Representative Trustees (periods of four years)</b>	Relevant Executive Member-Leisure and Culture (term May 2016-May 2020)  Chair of Scrutiny Committee (term expires May 2018)	Cllr Bea Foster  (term May 2016-May 2020)  Cllr Andy Tatchell (term expires May 2018)	Any Executive Member  (term May 2017-May 2020)  Chair of Scrutiny Committee (term expires May 2018)	<b>Cllr John Harbour (term May 2017-2020)</b>

Meetings held in Daytime, unless as stated below;

E - Evening

D/E - Daytime/Evening

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## Constitutional Updates and Council Delegations

### REPORT TO FULL COUNCIL



<b>DATE</b>	<b>17/05/2017</b>
<b>PORTFOLIO</b>	<b>Leader</b>
<b>REPORT AUTHOR</b>	<b>Eric Dickinson</b>
<b>TEL NO</b>	<b>01282 477256</b>
<b>EMAIL</b>	<b>edickinson@burnley.gov.uk</b>

### PURPOSE

1. To inform Members of the changes made to Part 3 of the constitution by the Leader , relating to the Scheme of Delegation, for the Head of Governance, Law, Property & Regulation.
2. To inform Members of an Urgent Executive decision made by the Chief Executive and related waiver of call-in, and associated Urgent Council decision made by the Chief Executive, regarding Grove Lane in Padiham.

### RECOMMENDATION

3. That the delegation added to Part 3 of the constitution by the Leader for the Head of Governance, Law, Property & Regulation regarding the Regulation of Invesigatory Powers Act (RIPA) as set out in Appendix 1 be noted; and
4. That an Urgent Executive decision made by the Chief Executive, and related waiver of call-in (agreed by the Chair of Scrutiny), and associated Urgent Council decision made by the Chief Executive (consulted on with the Mayor), regarding Grove Lane in Padiham as set out in Appendix 2 be noted.

### REASONS FOR RECOMMENDATION

5. To ensure that the requirements of the constitution are upheld, and that maximum transparency is maintained.

## **SUMMARY OF KEY POINTS**

### 6. Changes to Part 3 of the Constitution by the Leader

#### Head of Governance, Law, Property & Regulation.

On 25<sup>th</sup> April 2017 the Leader added a delegation for the Head of Governance, Law, Property & Regulation regarding RIPA (Appendix 1).

### 7. Urgent Executive and Council decision by the Chief Executive

On 5<sup>th</sup> May 2017 the Chief Executive made an Urgent Executive decision which was subject to a waiver of call-in, as well as making an associated Urgent Council decision, regarding Grove Lane in Padiham as set out in the relevant Minute (Appendix 2).

As required by the constitution the Chair of Scrutiny agreed the waiver of call-in regarding the Executive decision, and the Mayor (Councillor Jeff Sumner) was consulted on the Council decision.

Consequently this is now being reported to Full Council, as required by the constitution.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

8. None.

## **POLICY IMPLICATIONS**

9. None.

## **DETAILS OF CONSULTATION**

10. Group Leaders

## **BACKGROUND PAPERS**

11. None.

## **FURTHER INFORMATION**

**PLEASE CONTACT: Eric Dickinson**

**ALSO:**



To: The Head of Governance, Law, Property & Regulation, the Chief Executive, the Chief Operating Officer

**Amendment to Part 3 Scheme of Delegation (Executive Functions)**

I give notice that on 25<sup>th</sup> April 2017, I approved the following recommendation;

That the Leader approves changes to Part 3 (Executive) of the Council's constitution, i.e. the Scheme of Delegation, effective from 25<sup>th</sup> April 2017 to add part (v) to the following delegation for the Head of Governance, Law, Property & Regulation, as follows;

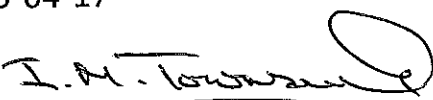
To be the Senior Responsible Officer in relation to the Regulation of Investigatory Powers Act 2000 ("RIPA") and, in particular, to be responsible for:

- (i) the integrity of the Council's procedures under RIPA relating to the authorisation of directed surveillance or the use of a covert human intelligence source;
- (ii) Ensuring compliance with RIPA and any relevant Codes of Practice;
- (iii) Engaging with Commissioners and Inspectors of the Office of Surveillance Commissioners; and
- (iv) Overseeing the implementation of any post-inspection action plans recommended or approved by any such Commissioner.

**Add**

(v) Setting the terms of the Council's Corporate RIPA Policy (and modifying, amending or otherwise updating the Policy), in consultation with the Leader.

DATED: 25-04-17

SIGNED:  25/4/2017.

Leader- Councillor Mark Townsend

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# URGENT DELEGATED DECISION BY THE CHIEF EXECUTIVE

BURNLEY TOWN HALL

## PRESENT

OFFICERS Eric Dickinson - Democracy Officer

### 3. Land at Grove Lane, Padiham

- Purpose** To seek approval for an increased price in relation to the purchase of 18.5 acres of land at Grove Lane Padiham.
- Reason For Decision** Acquisition of the site will help to ensure the securing of £7 million of Growth Deal Funding and the delivery of flood defence works in Padiham.
- Use of urgency powers is required to ensure that the sale can proceed as agreed with the vendor and whilst HCA funds are still available through their approval processes.
- Decision** That the Chief Executive uses Executive Urgency Powers (in relation to (a) and Council Urgency Powers (in relation to (b) in order to effect option 3 and:
- (a) Approves the increase in the sale price as set out in paragraph 16 of this report;
  - (b) Approves the increase in the Capital Budget funded from the Transformation Reserve as set out in Section 18 of this report;and
  - (c) Approves the terms set out in paragraph 17 of this report.

The decision is urgent in order to ensure that the sale can proceed as agreed with the vendor and whilst HCA funds are still available through their approval processes, and is therefore not subject to call-in in accordance with Part 4.5 of the constitution.

Decision made by:

Chief Executive

Date: 5.5.2017.

Decision Published on: 5.5.2017

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