



# FULL COUNCIL

## BURNLEY TOWN HALL

**Wednesday, 16th December, 2020 at 6.30 pm**

This was a remote meeting held under the provisions of the Coronavirus Act 2020.

### PRESENT

### MEMBERS

His Worshipful The Mayor Councillor Wajid Khan in the Chair;

Councillors C Towneley (Vice-Chair), A Anwar, H Baker, G Birtwistle, C Briggs, B Brindle, P Campbell, F Cant, T Commis, I Emo, D Ferrier, A Fewings, B Foster, P Gill, S Graham, S Hall, J Harbour, A Hosker, S Hussain, M Ishtiaq, A Kelly, T Kennedy, A Khan, L Khan, S Khan, G Lishman, M Lishman, S Lone, T Martin, P McCann, L Mehanna, N Mottershead, A Newhouse, L Pate, E Payne, M Payne, A Raja, D Roper, A Royle, J Sumner, A Tatchell and M Townsend

### OFFICERS

Mick Cartledge	Chief Executive
Lukman Patel	Chief Operating Officer
Catherine Waudby	Head of Legal and Democratic Services
Howard Hamilton-Smith	Head of Finance and Property
Chris Gay	Governance Manager
Imelda Grady	Democracy Officer
Alison McEwan	Democracy Officer
Claudia Wilcock	Administration Officer
Mark Hindman	Graphic Designer

#### **58. Minute Silence in remembrance of former Councillors**

The Mayor asked members to join him in a minute silence in remembrance of former borough councillors Gary Frayling, Jean Cunningham and Alf Duffield.

Members paid tribute to them and passed on their condolences to their respective families.

#### **59. Declarations of Interest**

Councillors Afrasaib Anwar and Tracy Kennedy declared a personal interest in item 6 on the agenda. They took no part in the discussion or vote on this item.

Councillors Bea Foster, Margaret Lishman, Lian Pate and Cosima Towneley declared an interest (other) on item 7 (a) on the agenda. They remained in the meeting and voted on the item.

Councillor Andy Fewings declared a personal interest in items 7 (b), 7 (c) and 9 on the agenda. He took no part in the discussions or vote on these items.

Councillor Bea Foster and Howard Baker declared a prejudicial interest (other) in item 7(c) on the agenda. They took no part in the discussion or vote on this item.

The Chief Operating Officer, in consultation with the Chair of the Audit and Standards Committee, granted dispensations to all members to allow them to participate in item 7(e) in relation to the garden waste collection charges.

## **60. Minutes**

**RESOLVED** The Minutes of the meetings held on 29<sup>th</sup> October and 4<sup>th</sup> November 2020 were agreed as an accurate record.

## **61. Mayor's Communications**

The Mayor announced that the council had received national recognition for its support for Armed Forces Veterans with a Silver Award under the Defence Employer Recognition Scheme run by the Ministry of Defence and was presented with the certificate by Councillors Cosima Towneley and Lian Pate.

The Mayor praised the council's commitment to supporting the veterans and paid tribute to all members of the armed services past and present.

## **62. Public Question Time**

Clare Hales addressed the Council under the Request to Speak Policy on the former allotments on Grove Lane, Padiham, 6-8 Whitefield Street, Hapton and trees on Cambridge Drive, Padiham.

## **63. Motions to Council - Cancellation of GCSE's & A-Levels in 2021**

It was moved by Councillor Margaret Lishman and seconded by Councillor Anne Kelly that:

That this Council notes:

- (i) The impact that the COVID-19 pandemic continues to have on the education of all children;
- (ii) That the greater impact of the pandemic in the North West of England means that children in our area are suffering greater disadvantage than those in areas which have been less afflicted; and
- (iii) The requirement for children across England to sit GCSEs and A levels in the summer of 2021 will have a significant and deleterious impact on Burnley's children

in view of the education that they have missed due to the Covid-19 pandemic, which may lead to discrimination in their choices of higher education.

This Council calls on:

All Members of the Borough Council, the Leader of Council and the Council's Chief Executive

Burnley's Member of Parliament

Lancashire County Council, County Councillors and the Education Department to lobby the Prime Minister and the Secretary of State for Education to cancel the examination system for GCSEs and A levels in 2021 and to introduce an alternative system of fair assessment for this academic year no later than the beginning of 2021.

The necessary changes should be made as soon as possible. Students and staff need certainty and clarity *now* to prepare for next year including assessment criteria which are clear and fair and which take account of the fact that the pandemic has affected different parts of the country to different extents.

In accordance with Council Procedure Rule 16.4 a recorded vote was taken.

On being put to the vote the motion was declared to be carried and it was RESOLVED accordingly.

<b>Cancellation of GCSE's and A-Levels in 2021 (Motion)</b>	
Councillor Wajid Khan	For
Councillor Cosima Towneley	Abstain
Councillor Afrasiab Anwar	Conflict Of Interests
Councillor Howard Baker	For
Councillor Gordon Birtwistle	For
Councillor Charlie Briggs	For
Councillor Bill Brindle	For
Councillor Paul Campbell	For
Councillor Frank Cant	For
Councillor Tom Commis	Abstain
Councillor Ivor Emo	Abstain
Councillor Dale Ferrier	Abstain
Councillor Andy Fewings	For
Councillor Beatrice Foster	For
Councillor Peter Gill	Abstain
Councillor Sue Graham	For
Councillor Sarah Hall	For
Councillor John Harbour	For
Councillor Alan Hosker	Abstain
Councillor Shah Hussain	For
Councillor Mohammed Ishtiaq	For
Councillor Anne Kelly	For
Councillor Tracy Kennedy	Conflict Of Interests
Councillor Arif Khan	For
Councillor Lubna Khan	For
Councillor Shbana Khan	For
Councillor Gordon Lishman	For
Councillor Margaret Lishman	For
Councillor Sehrish Lone	For

Councillor Tony Martin	For
Councillor Peter McCann	For
Councillor Lorraine Mehanna	For
Councillor Neil Mottershead	For
Councillor Andrew Newhouse	For
Councillor Lian Pate	For
Councillor Emma Payne	For
Councillor Mark Payne	For
Councillor Asif Raja	For
Councillor David Roper	Abstain
Councillor Ann Royle	For
Councillor Jeff Sumner	For
Councillor Andrew Tatchell	For
Councillor Mark Townsend	For
<b>Carried</b>	

#### **64. Covid-19 Community Recovery Plan**

With reference to Minute 58 of the Executive (8<sup>th</sup> December 2020) consideration was given to the Council's Covid-19 Community Recovery Plan.

#### **RESOLVED**

That the Council work in partnership- through the development of Burnley Together- to achieve community recovery.

#### **65. Capital Monitoring Report 2020-21 Qtr 2 (to 30th September 2020)**

With reference to Minute 60 of the Executive (8<sup>th</sup> December 2020) consideration was given to the Council's capital monitoring quarter 2 to 30<sup>th</sup> September 2020.

#### **RESOLVED**

1. That approval be given to net budget changes totalling a decrease of £2,206,530 giving a revised capital budget for 2020/21 totalling £16,908,615 as detailed in Appendix 1;
2. That approval be given of the proposed financing of the revised capital budget totalling £16,908,615 as shown in Appendix 2; and
3. That the latest estimated year end position on capital receipts and contributions showing an assumed balance of £836,227 at 31 March 2021 as show in Appendix 3 be noted.

#### **66. Revenue Monitoring Report 2020-21 Qrt 2 (to 30th September 2020)**

With reference to Minute 61 of the Executive (8<sup>th</sup> December 2020) consideration was given to the forecast outturn position for year as at 31 March 2021 based upon actual spending and income to 30 September 2020.

## RESOLVED

- (1) That approval be given to the latest revised net budget of £15.693m as shown in Table 1; and
- (2) That approval be given to the transfer of the unallocated Tranche 4 Government funding of £0.86m into a newly created Covid-19 Reserve that can be called upon when required and that delegated authority on the use of the reserve be given to the Head of Finance and Property and the Executive Member for Resources.
- (3) That approval be given to waive the current year Service Level Agreement charge to Burnley Leisure of £275k.
- (4) That approval be given to the net transfer of £1.217m to earmarked reserves as shown in Appendix 2.

### 67. Treasury Management Mid Year Report

With reference to Minute 62 of the Executive (8<sup>th</sup> December 2020) consideration was given to the treasury management activity for the first half of the year 2020/21 covering the period 1 April to 30 September 2020.

## RESOLVED

1. That the mid-year update on Treasury Management Strategy for 2020/21 in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management be endorsed; and
2. That approval be given for the revised Counterparty list and investment limits for Local Authority and Money Market Funds as set out in Appendix 2 to this report.

### 68. Fees and Charges

With reference to Minute of the Executive (8<sup>th</sup> December 2020) consideration was given to the Council's proposed fees and charges from 1 January 2021.

An amendment was moved by Councillor Mark Townsend and seconded by Councillor Afrasaib Anwar to form an additional clause 5 to the existing motion as follows:

- 5.(1) To recommend that the Leader or relevant Executive member authorise the Head of Streetscene to make necessary adjustments in order to implement a new car parking scheme to be known as 'Free after 3pm'. 'Free after 3pm' will be introduced to Council operated pay and display car parks in Burnley Town Centre from the 20th February 2021 for an initial 3 month period. Under 'Free after 3pm' there will be free parking available in these car parks from 3pm every day.
- (2) That Full Council approves the budget for the scheme (£27,000) to be met from the Council's COVID Reserve as the initiative is part of this Council's plan for the economic recovery of the town as we start to emerge from the worst of the Coronavirus pandemic."

It was moved by Councillor Andy Fewings and seconded by Councillor Cosima Towneley that there be an adjournment to allow members to consider the amendment. On being put to the vote the motion to adjourn was LOST.

On being put to the vote the amendment was declared to be CARRIED

### **Duration of the meeting**

In accordance with Council Procedure rule 13 (i) members considered a motion without notice to extend the meeting by 1 hour beyond three hours in duration and it was RESOLVED accordingly

### **Private Session**

In accordance with Section 100A(4) of the Local Government Act 1972, it was moved by Councillor Cosima Towneley and seconded by the Mayor that the meeting move into private session in order for legal advice to be given. On being put to the vote the motion was declared to be CARRIED.

The meeting reconvened at 9.18 p.m.

The Chief Operating Officer clarified that the amendment as carried would be added at recommendation 3 of the original motion.

On being put to the vote the substantive motion was declared to be carried and it was RESOLVED

1. That approval be given to the proposed tariff of fees & charges from 1 April 2021 with an increase of 2.5% as outlined in Appendix A attached:
2. That the Head of Finance and Property, in consultation with the relevant Head of Service, be authorised to determine any new charges or changes to existing charges relating to the preparation and approval of the 2021/22 revenue budget.
3. That the Executive Portfolio Members be authorised 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
  - (i) that the Leader or relevant Executive member authorise the Head of Streetscene to make necessary adjustments in order to implement a new car parking scheme to be known as 'Free after 3pm'. 'Free after 3pm' will be introduced to Council operated pay and display car parks in Burnley Town Centre from the 20th February 2021 for an initial 3 month period. Under 'Free after 3pm' there will be free parking available in these car parks from 3pm every day.
  - (ii) That approval be given to a budget for the scheme (£27,000) to be met from the Council's COVID Reserve as the initiative is part of this Council's plan for the economic recovery of the town as we start to emerge from the worst of the Coronavirus pandemic."
4. That the Strategic Head of Economy and Growth, in consultation with the Executive

Member for Resources and Performance Management and the Head of Finance and Property, be authorised 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.

## **69. Constitutional Updates, Reporting & Outside Bodies Report**

Consideration was given to a number of constitutional update and appointments to outside bodies.

### **RESOLVED**

1. That the minor amendments to the Constitution – Part 3 Scheme of Delegation in relation to the Head of Streetscene to deal with submission of representations in Licensing matters be noted;
2. That the Chief Executive be given delegated powers to allow him to make, in exceptional circumstances between polling district reviews, temporary alterations to the designation of polling places in consultation with Group Leaders.
3. That the revised Executive Portfolios as submitted by the Leader of the Council on 23<sup>rd</sup> November 2020 be noted`
4. That approval be given to the inclusion of the COVID-19 Economic Recovery Board on the Council's list of Outside Bodies, and
  - i. that the Leader of the Council and one experienced opposition member be appointed to the Board, and
  - ii. that the Leader of the Council and Councillor Margaret Lishman as the Experienced Opposition Member' be appointed to the COVID-19 Economic Recovery Board;
5. That the Urgent Delegated (Council Function) decision made by the Chief Executive regarding Temporary Planning & Compliance Officer be noted:
6. That the call-in waivers be noted for Urgent Delegated (Executive Function) decisions made by the Chief Executive relating to:
  - Local restrictions Support Grant & Additional Support Grant
  - COVID Grant Acceptance

## **70. Reports from Committee Chairs**

### **RESOLVED**

That the reports of the Chairs of Scrutiny, Development Control and Licensing be noted.

## **71. Strategic Plan Progress Reports**

**RESOLVED** That the Strategic Plan Progress Reports of Executive Members be noted.

The meeting finished at 10.25 pm