



# FULL COUNCIL

## BURNLEY TOWN HALL

Wednesday, 24th February, 2021 at 6.30 pm.

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

### PRESENT

### MEMBERS

His Worshipful The Mayor Lord Wajid Khan in the Chair;

Councillors C Towneley (Vice-Chair), A Anwar, H Baker, G Birtwistle, C Briggs, B Brindle, P Campbell, F Cant, S Chaudhary, T Commis, I Emo, D Ferrier, A Fewings, B Foster, P Gill, S Graham, S Hall, J Harbour, A Hosker, S Hussain, M Ishtiaq, M Johnstone, A Kelly, 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
Howard Hamilton-Smith	Head of Finance and Property
Catherine Waudby	Head of Legal and Democratic Services
Chris Gay	Governance Manager
Eric Dickinson	Democracy Officer
Imelda Grady	Democracy Officer
Alison McEwan	Democracy Officer
Mark Hindman	Graphic Designer

#### 73. Minute Silence

The Mayor asked members to join him in a minute silence in remembrance of former borough Councillors Mohammed Fazal Subhan, David Heginbotham and Paula Riley.

He also paid tribute to David Knagg, who had served as a Trustee on the Stocks Massey Bequest Fund for 36 years.

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

#### 74. Declarations of Interest

The following members declared non prejudicial interests (other) on the following items. They stayed in the meeting and were able to vote on the items;

Councillor Margaret Lishman - items 6(b) and 6(g).

Councillor Cosima Towneley – item 6(b) and 6(g).

Councillor Andy Fewings – items 6(a), 6(b) and 6(g)

Councillor Lian Pate – item 6(b)

### **75. Minutes of the Last Meeting**

**RESOLVED** The Minutes of the meeting of the Council held on the 16<sup>th</sup> December 2020 were agreed as a correct record.

### **76. Mayor's Communications**

There were no communications to report.

### **77. Public Question Time**

Clare Hales addressed the Council under the request to speak policy on Burnley Bridge, Burnley Market Hall and on fixed penalty notices issued in Hapton.

### **78. Revenue Budget Monitoring 2020/21 Quarter 3**

With reference to Minute 20 of the Executive (15<sup>th</sup> February 2021) consideration was given to the forecast outturn position for year as at 31<sup>st</sup> March 2021 based upon actual spending and income to 31st December 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 for the net transfers to earmarked reserves of £1.334m as shown in Appendix 2.

### **79. Capital Budget Monitoring 2020/21 Quarter 3**

With reference to Minute 71 of the Executive (15<sup>th</sup> February 2021) consideration was given to the Council's capital monitoring position.

#### **RESOLVED**

- (1) That approval of net budget changes totalling a decrease of £2,902,750 giving a revised capital budget for 2020/21 totalling £14,476,665 as detailed in Appendix 1; and
- (2) That approval be given to the proposed financing of the revised capital budget totalling £14,476,665 as shown in Appendix 2.

## 80. Revenue and Capital Budget and Council Tax 2021/22

Consideration was given to the Revenue and Capital Budget and Council Tax for 2021/22.

It was moved by Councillor Sue Graham and seconded by Councillor Mark Townsend

“That the Council approved the proposals contained in items 6 (c) to 6(h) on the agenda and adopts the relevant minutes of the Executive. These relate to the approval of the Council’s revenue and capital budget and the setting of the Council Tax 2021/22”

An amendment was submitted by the Conservative Group and moved by Councillor Cosima Towneley and seconded by Councillor Tom Commis

That the Council ring fence the sums detailed below for the purpose of facilitating the following agendas: Adult retraining & education, Climate Change Emergency, Local Flooding and Health & Wellbeing.

	<b><u>Funding From:</u></b>		<b><u>Funding For:</u></b>
1.	Climate Change Emergency (2021) Community Recovery Plan	£50,000 <u>£25,000</u> <b><u>£75,000</u></b>	<b><u>Climate Change Emergency / Local Flooding Agenda</u></b> Borough Woodland survey, Beating up, siting & establishment of new Community Orchards or other woodland (possibly commercial plantings)
2.	Covid Reserve Water Fountain Fund	£100,000 <u>£20,500</u> <b><u>£120,500.00</u></b>	<b><u>Health &amp; Wellbeing Agenda</u></b> Padiham Greenway – Sweetclough Link Padiham Greenway – Pollard Moor Link Padiham Bypass – Foxendole Lane Link Maintenance & Repair of present Greenway infrastructure *Total costs for 3 schemes in total
3.	Climate Change Emergency 2020 Community Recovery Plan	£25,000 <u>£25,000</u> <b><u>50,000</u></b>	<b><u>Employment &amp; Retraining</u></b> Adult Upskilling
			<b><u>Total £245,500</u></b>

## **Adjournment of meeting**

With the consent of members the Mayor adjourned the meeting at 7.37pm

## **The meeting reconvened at 7.52 pm**

In accordance with Council Procedure Rule 16.7 a recorded vote was taken on the amendment.

The amendment was declared to be LOST.

In accordance with Council Procedure Rule 16.7 a recorded vote was taken on the original motion and it was declared to be CARRIED and it was

## **RESOLVED**

- (1) That the latest Medium-Term Financial Strategy be approved;
- (2) That the approach that has been adopted in developing the budget proposals that reflect the Council's Strategic Objectives for 2021/22 be endorsed;
- (3) That the proposals contained in this report be approved;
- (4) That the setting of a Council Tax Requirement of £7,266,131 for the financial year 2021/22 be approved;
- (5) That the setting of a Net Budget Requirement of £15,415,612 for 2021/22 be approved;
- (6) That the statutory report issued by the Head of Finance and Property under the Local Government Act 2003 be received;
- (7) That the Chief Operating Officer/Heads of Service be authorised to progress action plans to deliver the 2021/22 budget;
- (8) That approval be given to a Council Tax (Band D) figure of £312.28 for this Council for the year commencing 1<sup>st</sup> April 2021 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 1.99% Council Tax increase;
- (9) That the 2021/22 Capital Budget, totalling £18,792,347, as set out in Appendix 1 be approved;
- (10) That the Capital Strategy 2021-26 as set out in Appendix 4 be approved.
- (11) That the treasury management strategy statement for 2021/22 as set out in Appendix 1 be approved;
- (12) That the prudential and treasury indicators for 2021/22 to 2023/24 per Appendix 2, including the authorised limit for external debt of £61.103m in 2021/22 be approved;

- (13) Tha the list of Counterparties for Deposits outlined within Appendix 3 be approved;
- (14) That the Council's MRP Statement for 2021/22 as set out in Appendix 4 be approved:
- (15) That it be noted that on 2<sup>nd</sup> December 2020 the Council calculated the Council Tax Base 2021/22
- a) for the whole Council area as 23,268 band D equivalent properties (Item T in the formula in Section 31B of the Local Government Finance Act 1992 [the "Act"] as amended by the Localism Act 2011)
  - b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix B.
- (16) That the Council Tax requirement calculated for the Council's own purposes for 2021/22 (excluding parish precepts) is £7,266,131.
- (17) That the following amounts be calculated by the Council for the financial year 2021/22 in accordance with Sections 31 to 36 of the Act
- (a) £53,695,789 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) (a) of the Act taking into account all precepts issued to it by Parish Councils;
  - (b) £46,261,131 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
  - (c) £7,434,658 being the amount by which the aggregate at (17)(a) above exceeds the aggregate at (17)(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
  - (d) £319.52 being the amount at (17)(c) above (Item R), all divided by Item T (15(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts);
  - (e) £168,527 being the aggregate of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix B);
  - (f) £312.28 being the amount at (17)(d) above less the result given by dividing the amount at (17)(e) above by Item T (the amount at 15(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item (Parish

precept) relates.

(18) To note that the County Council, the Police and Crime Commissioner for Lancashire and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

(19) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below and in Appendix A as the amounts of Council Tax for 2021/22 for each part of its area and for each of the categories of dwellings.

### **VALUATION BANDS**

#### **Burnley Borough Council**

A	B	C	D	E	F	G	H
£208.19	£242.88	£277.58	£312.28	£381.68	£451.07	£520.47	£624.56

#### **Lancashire County Council**

A	B	C	D	E	F	G	H
£970.79	£1,132.59	£1,294.39	£1,456.19	£1,779.79	£2,103.39	£2,426.98	£2,912.38

#### **Police and Crime Commissioner for Lancashire**

A	B	C	D	E	F	G	H
£150.97	£176.13	£201.29	£226.45	£276.77	£327.09	£377.42	£452.90

#### **Lancashire Combined Fire Authority**

A	B	C	D	E	F	G	H
£48.18	£56.21	£64.24	£72.27	£88.33	£104.39	£120.45	£144.54

#### **Aggregate of Council Tax Requirements**

A	B	C	D	E	F	G	H
£1,378.13	£1,607.81	£1,837.50	£2,067.19	£2,526.57	£2,985.94	£3,445.32	£4,134.38

(20) That it be determined that the Council's basic amount of Council Tax for 2021/22 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

<b>Conservative Group Amendment (Amendment)</b>	
Councillor Wajid Khan	Against
Councillor Cosima Towneley	For
Councillor Afrasiab Anwar	Against
Councillor Howard Baker	Against
Councillor Gordon Birtwistle	Against
Councillor Charlie Briggs	Against
Councillor Bill Brindle	Against
Councillor Paul Campbell	Against
Councillor Frank Cant	Against
Councillor Saeed Chaudhary	Against
Councillor Tom Commis	For
Councillor Ivor Emo	For
Councillor Dale Ferrier	For
Councillor Andy Fewings	Against
Councillor Beatrice Foster	Against
Councillor Peter Gill	For
Councillor Sue Graham	Against
Councillor Sarah Hall	Against
Councillor John Harbour	Against
Councillor Alan Hosker	For
Councillor Shah Hussain	Against
Councillor Mohammed Ishtiaq	Against
Councillor Marcus Johnstone	Against
Councillor Anne Kelly	Against
Councillor Arif Khan	Against
Councillor Lubna Khan	Against
Councillor Shbana Khan	Against
Councillor Gordon Lishman	Against
Councillor Margaret Lishman	Against
Councillor Sehrish Lone	Against
Councillor Tony Martin	Against
Councillor Peter McCann	Against
Councillor Lorraine Mehanna	Against
Councillor Neil Mottershead	Against
Councillor Andrew Newhouse	Against
Councillor Lian Pate	Against
Councillor Emma Payne	Against
Councillor Mark Payne	Against
Councillor Asif Raja	Against
Councillor David Roper	Against
Councillor Ann Royle	Against
Councillor Jeff Sumner	Against
Councillor Andrew Tatchell	Against

Councillor Mark Townsend	Against
<b>Rejected</b>	
<b>Revenue and Capital budget and Council tax 2021/22 (Motion)</b>	
Councillor Wajid Khan	For
Councillor Cosima Towneley	Abstain
Councillor Afrasiab Anwar	For
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 Saeed Chaudhary	For
Councillor Tom Commis	Abstain
Councillor Ivor Emo	Abstain
Councillor Dale Ferrier	Abstain
Councillor Andy Fewings	Abstain
Councillor Beatrice Foster	For
Councillor Peter Gill	Abstain
Councillor Sue Graham	For
Councillor Sarah Hall	Abstain
Councillor John Harbour	For
Councillor Alan Hosker	Abstain
Councillor Shah Hussain	For
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	For
Councillor Anne Kelly	For
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	Abstain
Councillor Lian Pate	For
Councillor Emma Payne	No vote recorded
Councillor Mark Payne	For
Councillor Asif Raja	For
Councillor David Roper	For
Councillor Ann Royle	For
Councillor Jeff Sumner	For
Councillor Andrew Tatchell	For
Councillor Mark Townsend	For
<b>Carried</b>	



## **81. Strategic Plan 2021**

With reference to Minute 72 of the Executive (15<sup>th</sup> February 2021) consideration was given to the Strategic Plan 2021.

### **RESOLVED**

That approval be given to the Strategic Plan (appendix1) amended to include the following additional words at the end of PL3 "...and reduce the blight of empty properties".

## **82. Localism Act 2011 - Annual Pay Policy Statement**

With reference to Minute 77 of the Executive (15<sup>th</sup> February 2021) consideration was given to the Localism Act 2011- Pay Policy Statement.

### **RESOLVED**

That the report and attached Pay Policy Statement for 2021/22 be approved.

## **83. Constitutional Reporting**

Consideration was given to the constitutional amendments and reporting since the last Council meetings.

### **RESOLVED**

- (1) That the report detailing the urgent Executive decisions made from August 2018 to December 2020 be noted;
- (2) That the waiver of call in granted relating to an urgent decision (Executive Functions) taken by the Chief Executive on 8<sup>th</sup> January 2021 relating to the Additional Restrictions Grant be noted;
- (3) That approval be given to a change to Part 3 (Council) Scheme of Delegation to transfer a specific delegation to the Council's Senior Solicitor to the Council's Principal Legal Officer (Litigation and Regulation) with effect from 19<sup>th</sup> March 2021;
- (4) That the changes made by the Leader to Part 3 (Executive) delegations relating to the Senior Solicitor's retirement from the Council on 19<sup>th</sup> March 2021 and also relating to the delegations of Community Safety Manager (Appendix 1) be noted;
- (5) That approval be given to an addition to the Council's Procedure Rules for Remote Meetings (Part 4a of the Constitution) as A10 – Breaks during remote meetings "The Chairman may adjourn a debate or the meeting (without the requirement for a vote pursuant to clause 16 of the Council Procedure Rules) for up to five minutes to allow the opportunity for members and officers to (inter alia) take a refreshment, have a comfort break or attend to dependants. This will be limited to one five minute break per sixty minute interval".

(6) That approval be given to the addition of the LEP Joint Scrutiny to the List of the Council's Outside Bodies and that Councillor Marcus Johnstone be appointed as Lead member and Councillor Frank Cant be appointed as substitute member on the LEP Joint Scrutiny.

### **Duration of meeting**

In accordance with Council Procedure Rule 13(i) members considered a motion without notice to extend the meeting beyond three hours and it was RESOLVED accordingly.

### **84. Reports from Committee Chairs**

#### **RESOLVED**

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

#### **Adjournment of meeting at 9.55pm**

Under Part 4 (a) (10) of the Council Procedure Rules the Mayor adjourned the meeting for 5 minutes

#### **The meeting reconvened at 10 pm**

### **85. Strategic Plan Progress Reports**

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

### **86. Council Tax Appendices A and B**

## **Council Tax Schedule 2021/22**

## **APPENDIX A**

	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Burnley Borough Council	208.19	242.88	277.58	312.28	381.68	451.07	520.47	624.56
Lancashire County Council	970.79	1,132.59	1,294.39	1,456.19	1,779.79	2,103.39	2,426.98	2,912.38
Police and Crime Commissioner for Lancashire	150.97	176.13	201.29	226.45	276.77	327.09	377.42	452.90
Lancs. Combined Fire Authority	48.18	56.21	64.24	72.27	88.33	104.39	120.45	144.54
<b>Total - Areas Outside Parish/Town Council Areas</b>	<b>1,378.13</b>	<b>1,607.81</b>	<b>1,837.50</b>	<b>2,067.19</b>	<b>2,526.57</b>	<b>2,985.94</b>	<b>3,445.32</b>	<b>4,134.38</b>
<b>Parish/Town Council Areas</b>	<b>Band A £</b>	<b>Band B £</b>	<b>Band C £</b>	<b>Band D £</b>	<b>Band E £</b>	<b>Band F £</b>	<b>Band G £</b>	<b>Band H £</b>
<b>Briercliffe with Extwistle</b>								
Parish/Town Council Only	13.27	15.48	17.69	19.90	24.32	28.74	33.17	39.80
Parish/Town and District	221.46	258.36	295.27	332.18	406.00	479.81	553.64	664.36
<b>Total</b>	<b>1,391.40</b>	<b>1,623.29</b>	<b>1,855.19</b>	<b>2,087.09</b>	<b>2,550.89</b>	<b>3,014.68</b>	<b>3,478.49</b>	<b>4,174.18</b>
<b>Cliviger</b>								
Parish/Town Council Only	7.50	8.75	10.00	11.25	13.75	16.25	18.75	22.50
Parish/Town and District	215.69	251.63	287.58	323.53	395.43	467.32	539.22	647.06
<b>Total</b>	<b>1,385.63</b>	<b>1,616.56</b>	<b>1,847.50</b>	<b>2,078.44</b>	<b>2,540.32</b>	<b>3,002.19</b>	<b>3,464.07</b>	<b>4,156.88</b>
<b>Habergham Eaves</b>								
Parish/Town Council Only	8.30	9.68	11.07	12.45	15.22	17.98	20.75	24.90
Parish/Town and District	216.49	252.56	288.65	324.73	396.90	469.05	541.22	649.46
<b>Total</b>	<b>1,386.43</b>	<b>1,617.49</b>	<b>1,848.57</b>	<b>2,079.64</b>	<b>2,541.79</b>	<b>3,003.92</b>	<b>3,466.07</b>	<b>4,159.28</b>
<b>Padiham</b>								
Parish/Town Council Only	21.75	25.37	29.00	32.62	39.87	47.12	54.37	65.24
Parish/Town and District	229.94	268.25	306.58	344.90	421.55	498.19	574.84	689.80
<b>Total</b>	<b>1,399.88</b>	<b>1,633.18</b>	<b>1,866.50</b>	<b>2,099.81</b>	<b>2,566.44</b>	<b>3,033.06</b>	<b>3,499.69</b>	<b>4,199.62</b>
<b>Worsthorne with Hurstwood</b>								
Parish/Town Council Only	14.20	16.57	18.93	21.30	26.03	30.77	35.50	42.60
Parish/Town and District	222.39	259.45	296.51	333.58	407.71	481.84	555.97	667.16
<b>Total</b>	<b>1,392.33</b>	<b>1,624.38</b>	<b>1,856.43</b>	<b>2,088.49</b>	<b>2,552.60</b>	<b>3,016.71</b>	<b>3,480.82</b>	<b>4,176.98</b>
<b>Hapton</b>								
Parish/Town Council Only	13.87	16.18	18.49	20.80	25.42	30.04	34.67	41.60
Parish/Town and District	222.06	259.06	296.07	333.08	407.10	481.11	555.14	666.16
<b>Total</b>	<b>1,392.00</b>	<b>1,623.99</b>	<b>1,855.99</b>	<b>2,087.99</b>	<b>2,551.99</b>	<b>3,015.98</b>	<b>3,479.99</b>	<b>4,175.98</b>
<b>Ightenhill</b>								
Parish/Town Council Only	3.27	3.81	4.36	4.90	5.99	7.08	8.17	9.80
Parish/Town and District	211.46	246.69	281.94	317.18	387.67	458.15	528.64	634.36
<b>Total</b>	<b>1,381.40</b>	<b>1,611.62</b>	<b>1,841.86</b>	<b>2,072.09</b>	<b>2,532.56</b>	<b>2,993.02</b>	<b>3,453.49</b>	<b>4,144.18</b>
<b>Dunnocks Shaw</b>								
Parish/Town Council Only	6.86	8.00	9.15	10.29	12.58	14.86	17.15	20.58
Parish/Town and District	215.05	250.88	286.73	322.57	394.26	465.93	537.62	645.14
<b>Total</b>	<b>1,384.99</b>	<b>1,615.81</b>	<b>1,846.65</b>	<b>2,077.48</b>	<b>2,539.15</b>	<b>3,000.80</b>	<b>3,462.47</b>	<b>4,154.96</b>

## Parish/Town Council Precepts 2021/22

## APPENDIX B

	2020/21		
Parish/Town Council	Tax Base	Precept	Council Tax (Band D) £
		£	£
Briercliffe with Extwistle	1,257	22,500	17.90
Cliviger	901	10,000	11.10
Habergham Eaves	515	6,684	12.98
Padiham	2,645	85,990	32.51
Worsthorne with Hurstwood	1,033	22,000	21.30
Hapton	706	15,000	21.25
Ightenhill	722	3,100	4.29
Dunnockshaw	67	600	8.96
Total/Average	7,846	165,874	21.14

	2021/22			
Parish/Town Council	Tax Base	Precept	Council Tax (Band D) £	Council Tax Increase %
		£	£	%
Briercliffe with Extwistle	1,256	25,000	19.90	11.2%
Cliviger	889	10,000	11.25	1.4%
Habergham Eaves	509	6,337	12.45	-4.1%
Padiham	2,636	85,990	32.62	0.3%
Worsthorne with Hurstwood	1,033	22,000	21.30	0.0%
Hapton	721	15,000	20.80	-2.1%
Ightenhill	714	3,500	4.90	14.2%
Dunnockshaw	68	700	10.29	14.8%
Total/Average	7,826	168,527	21.53	1.9%