



Extraordinary Meeting of the Burnley Borough Council

To be held at 6.30 pm on
Thursday, 28th October, 2021



Sir or Madam,

Notice is given of a MEETING of the COUNCIL of the BOROUGH OF BURNLEY to be held at MECHANICS THEATRE, BURNLEY on

DATE: Thursday, 28th October, 2021

starting at 6.30 pm

To transact the business specified below.

**Catherine Waudby
Head of Legal and Democratic Services**

Members of the public may ask a question, make a statement, or present a petition relating to any matter for which the Council has a responsibility or which affects the Borough.

Notice in writing of the subject matter must be given to the Head of Legal & Democratic Services by 5.00 pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or from the web at: <http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

All Full Council meetings are livestreamed on the Council's [Youtube Channel](#)

Due to limited space in the venue members of the public wishing to observe the meeting are advised to watch the live stream on Youtube. Priority will be given to those who have registered to speak if seating capacity is exceeded.

A G E N D A

- 1. Minutes of the Last Meeting** 5 - 10
To receive, as read, the Minutes of the proceedings of the previous Ordinary Council meeting held on 29th September 2021, and to confirm them or otherwise.
- 2. Declarations of Interest**
To receive any declarations of interest.
- 3. Public Question Time**
To receive questions, statements or petitions (if any) from members of the public.

4. Exclusion of the Public

To determine during which items, if any, the public are to be excluded from the meeting and to consider the exclusion of the public from the meeting before discussion takes place on the following item 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.

5. Pioneer Place

11 - 32

Information relating to the financial or business affairs of any particular person (including the authority holding that information)



BURNLEY BOROUGH COUNCIL FULL COUNCIL

BURNLEY TOWN HALL

Wednesday, 29th September, 2021

PRESENT

MEMBERS

Councillors C Towneley (Vice-Chair, in the Chair), A Anwar, H Baker, G Birtwistle, C Briggs, F Cant, P Chamberlain, S Chaudhary, S Cunliffe, I Emo, D Ferrier, A Fewings, B Foster, P Gill, S Graham, S Hall, J Harbour, A Hosker, M Hurt, S Hussain, J Inckle, K Ingham, M Ishtiaq, M Johnstone, A Kelly, T Kennedy, A Khan, W Khan, G Lishman, M Lishman, L Mehanna, M Payne, A Raja, A Royle, J Sumner, D Whitaker and A Wight

OFFICERS

Mick Cartledge	– Chief Executive
Lukman Patel	– Chief Operating Officer
Catherine Waudby	– Head of Legal and Democratic Services
Chris Gay	– Governance Manager
Alison McEwan	– Democracy Officer
Eric Dickinson	– Democracy Officer
David Bristow	– Mayor's Officer
Mark Hindman	– Graphic Designer
Paul Barlow	– Graphic Designer
Diane Whittle	– Administration Officer

23 Minutes of the Last Meeting

RESOLVED The Minutes of the meeting of the Council held on the 22nd July 2021 were confirmed and signed by the Chair.

24 Declarations of Interest

Cllr Andy Fewings declared an other prejudicial interest in Item 6d Capital Budget Monitoring Q1. He left the room and took no part in the debate or decision.

25 Mayor's Communications

The Chief Executive announced an extraordinary council meeting would take place on 20th October 2021. Further details would be provided in due course.

26 Public Question Time

Mr John Rowe addressed the meeting on the subject of governance arrangements. The Leader of the Council responded setting out the work that had previously taken place as part of a governance review.

27 Opposition to the Local Plan Motion

It was moved by Cllr Don Whitaker and seconded by Cllr Alan Hosker that:

‘The Burnley Local Plan, brought in by the Labour administration in 2018, has seen significant amounts of our green spaces allocated to housing developments in spite of the strong objections of local residents and the significant number of vacant houses in the Borough.

This has included land off Red Lees Road where 125 homes are now being built, fields behind Smithyfield Avenue and Rossendale Road allocated to housing, and several new industrial units proposed for our green spaces rather than on brownfield land.

This Council therefore resolves that the Burnley local Plan as it is currently constituted does not command the support of residents within the borough. This Council should work with the Government in their proposed Planning reforms to ensure that any new developments prioritises disused and/ or empty properties within the Borough, and utilises brownfield land wherever possible.

Cllr Andy Fewings moved an amendment to the motion which was seconded by Cllr Martyn Hurt that:

‘The Burnley Local Plan, brought in by the Labour administration in 2018, has seen significant amounts of our green spaces allocated for development in spite of the strong objections of local residents and the significant number of vacant houses in the Borough.

This has included land off Red Lees Road where 125 homes are now being built, fields behind Smithyfield Avenue and Rossendale Road allocated to housing, Stoneyholme and Clifton Street Recreation ground which is a large ecological diverse and cherished green space owned by this Council and earmarked for development and several new industrial units proposed for our green spaces rather than on derelict sites in need of regeneration.

This Council notes that the Burnley local Plan as it is currently constituted does not command the support of residents within the borough nor the majority of this council chamber. This Council resolves to instruct the CEO to write to the local MP to call on his Government to i) bring forward Planning reforms to ensure that any new developments prioritises tackling the climate emergency by ensuring it is a material planning requirement that all new builds are net zero and of the highest ecological standard and ii) urgently provide full funding to this Council so that it can revise the local plan to take account of the Climate and Ecological Emergency.

It was resolved to adjourn the meeting for 10 minutes.

The meeting resumed at 6.57pm

On being put to the vote the amendment fell.

Cllr Gordon Birtwistle moved a further amendment to the motion and Cllr Sue Graham seconded the amendment, that:

‘The Burnley Local Plan brought in by the Labour administration in 2018, has seen significant amounts of our green spaces allocated to housing developments in spite of the strong objections of some local residents and the significant number of vacant houses in the Borough.

This Council notes that the Plan was produced over the preceding 8 years in line with statutory guidance; and asserts that the Plan needs to develop in a fully sustainable way to take account of changing conditions and demand, including the climate change emergency; increasing need for affordable homes to rent and buy; pressures on public transport, health and education services; and the central importance of achieving public support and consent for development.

This has included land off Red Lees Road where 125 homes are now being built, in the Standen Hall area of Briercliffe where 130 new houses are being built, and in fields behind Smithyfield Avenue and Rossendale Road allocated to housing and several new industrial units proposed for our green spaces rather than on brownfield land.

This Council endorses the current Plan’s “brownfield first” policy and notes that:

(i) 60% of housing sites in the local plan are brownfield sites;

(ii) According to monitoring reports, 96% of the 1625 new homes completed in Burnley between 2012 and 2020 were on previously developed land, including town centre apartments, conversion of derelict buildings, former school sites and former factory sites; and

(iii) Development on many brownfield sites and older housing areas requires preliminary investment to be suitable for development; and that Government investment in regeneration has been cut, making it more difficult for the Council to promote the use of those sites and vacant homes.

This Council notes that the 2011 Localism Act on which current plans are based makes provision for Neighbourhood Plans which the Department’s research has shown to enable more houses to be built with greater community consent, more affordable housing and added community facilities, and urges the Council’s Executive to use this legislation to increase engagement with communities that will improve the quality of the Local Plan.

This Council therefore notes that the Burnley Local Plan as it is currently constituted does not command the support of some residents within the Borough.

This Council notes that the substance of the Government’s proposed planning reforms is entirely unclear with the new Secretary of State taking all proposals off the table and a significant number of backbench Conservative MPs urging their Government to drop proposals for central Government to over-ride local voices.

This Council instructs the Leader and Chief Executive to engage with Burnley’s Member of Parliament asking him to work with Conservative Parliamentary colleagues and other interested parties in opposing further centralisation of planning powers aimed at building

more houses regardless of local circumstances; and to arrange a meeting with the Housing Minister to promote multi-year levelling-up investment to enable the Council to provide the future homes Burnley needs in the places they are needed, while ensuring the sustainability of development and restoring public confidence in the planning process.`

It was resolved to adjourn the meeting for 10 minutes.

The meeting resumed at 7.35pm

On being put to the vote the amendment was carried.

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

28 Anti-Racism Motion

It was moved by Cllr Scott Cunliffe and seconded by Cllr Bea Foster that:

This Council notes:

- the recent success of the England squad for UEFA Euros 2020, which if it was not for injury would have included Burnley FC Goalkeeper Nick Pope.*
- that thousands of racist comments aimed at England players (notably Marcus Rashford, Jadon Sancho and Bukayo Saka) were posted online after England's defeat by penalties in the UEFA Euros 2020 Final. The number of social media accounts permanently suspended amid a blaze of racial and hateful messages is unclear, arguably it is currently too easy to respawn accounts with nothing more than a new email address or sim card.*
- that an online petition launched by Huda Jawad, Shaista Aziz and Amna Abdul calling for the Football Association (FA) and the government to work together to reinforce stricter sanctions for those responsible for online and offline racial abuse; the petition received over one million signatures from concerned citizens around the country since it was launched after the UEFA Euros 2020 Final on Sunday 11th July 2021.*
- Burnley Football Club has an anonymous text to report 'CLARETS RESPECT' text line should anyone witness or experience any of any form of discrimination at any place in or around Turf Moor. On matchdays the text line is monitored in real time and includes proactive actions such as covert and overt monitoring in the designated area. The Club works closely with its Dedicated Football Officer (DFO) and Lancashire Police, including following guidance from the Professional Footballers Association (PFA), the FA, Kick it Out and the Premier Leagues 'No Room for Racism' throughout the year too.*
- Burnley FC in the Community (BFCitC), the official charity of Burnley FC, has a positive track record of delivering various inclusion projects and targeted intervention in East Lancashire for all ages and demographics.*
- the upcoming Online Safety Bill and the propose setting up of independent regulatory bodies for online platforms.*

This Council believes:

- that all forms of discrimination are unacceptable and that any individual found guilty of online or offline hate crime and racism should receive a ban for life from all football games in England with an emphasis on stringent identification processes and sanctions for those online.*

- *places with Premier League Clubs, like Burnley, need to continue to lead from the front in combating racist abuse and hate crimes both online and offline.*
- *Football's governing bodies including the FA and the Premier League, the Government and Social Media corporations should work effectively together to tackle online abuse and prevent hate crimes from appearing and remaining on their platforms.*

This Council resolves:

- *to work closely with Burnley Football Club and Burnley Football Club in the Community to schedule anti-racism messages across Council social platforms on match days.*
- *to work closely with Building Bridges Burnley to promote community cohesion and dialogue around issues of diversity and racism.*
- *that the Chief Executive will write to the FA, the Premier League and social media companies urging them to work together with the government to reduce hate crime and racial abuse online.*
- *that the Chief Executive will write to the MP for Burnley and the Leader of the House of Commons to urge them to call on the Government to strengthen legislation to prevent online abuse, holding social media companies accountable for the publication of abusive content and to appropriately punish hate crimes carried out by 'football fans'.*

On being put to the vote the motion was CARRIED and it was RESOLVED accordingly.

29 Constitutional Updates Report

It was RESOLVED that Council note:

1. The waiver of call in relating to an urgent decision taken by the Executive on 14th July 2021 (Minute 28 as amended) relating to Charter Walk
2. The minor changes made by the COO under delegated powers to Part 4.7 Standing Orders for Contracts regarding the Council's Common Seal (to align with Part 2 Article 14.05), tender thresholds, and any other minor matters.

30 Appointments to Committees, Working Groups and Outside Bodies

It was RESOLVED that:

1. Burnley Leisure Trust – Cllr Frank Cant be appointed to replace Cllr Mohammed Ishtiaq.
2. LCC Health Scrutiny Committee(Lead) - Cllr Saeed Chaudhary be appointed to replace Cllr Frank Cant.
3. The appointment of Mr David Swift as Independent Member of the Audit & Standards Committee be approved.

31 Revenue Budget Monitoring Q1 2021/22

It was RESOLVED that Council approve:

1. The latest revised net budget of **£15.419m and**
2. Net transfers from earmarked reserves of **£1.816m**

32 Capital Budget Monitoring Q1 2021/22

Cllr Fewings left the meeting and took no part in the debate or decision making.

It was RESOLVED that Council approve:

1. Net budget changes totalling a decrease of £4,284,007 giving a revised capital budget for 2021/22 totalling £16,243,296
2. The proposed financing of the revised capital budget totalling £16,243,296.

Cllr Fewings returned to the meeting.

33 Revenue Budget 2022-25 Latest Position and Savings Proposals

It was RESOLVED that Council approve the proposed savings totalling £139k to assist in balancing the 2022/23 revenue budget.

34 Reports from Committee Chairs

It was RESOLVED that the reports of Committee Chairs be noted.

35 Strategic Plan Progress Reports

It was RESOLVED that the Strategic Plan Progress Reports of the Leader, Deputy Leader and Executive Member for Resources & Performance, Executive Member for Health & Wellbeing and Executive Member for Housing and Development Control be noted.

Duration of meeting

In accordance with CPR 13(L) members considered a motion without notice that the meeting continue beyond 3 hours duration until the end of the meetings business and it was RESOLVED accordingly.

It was RESOLVED that the Strategic Plan Progress Reports of the Executive Member for Community and Environmental Services and the Executive Member for Economy & Growth be noted.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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