



# FULL COUNCIL

## BURNLEY TOWN HALL

Wednesday, 17th May, 2017 at 4.00 pm

### PRESENT

### MEMBERS

Councillors J Sumner (Chair), H Baker (Vice-Chair), G Birtwistle, C Briggs, B Brindle, M Brindle, F Cant, I Carmichael, S Chaudhary, J Cunningham, T Ellis, D Fleming, B Foster, R Frost, S Graham, J Greenwood, J Harbour, T Harrison, D Heginbotham, A Hosker, S Hussain, M Ishtiaq, M Johnstone, A Kelly, A Khan, L Khan, W Khan, M Lishman, S Malik, T Martin, E Monk, A Newhouse, L Pate, A Raja, P Reynolds, D Roper, A Royle, A Tatchell, C Towneley, M Townsend and C White

### OFFICERS

Pam Smith	Chief Executive
Mick Cartledge	Chief Operating Officer
Lukman Patel	Head of Governance, Property, Law and Regulation
Asad Mushtaq	Head of Finance
Imelda Grady	Democracy Officer
Alison McEwan	Democracy Officer
David Farrar	Mayor's Officer
David Bristow	Deputy Mayor's Officer

#### 1. Election of Mayor

It was moved by Councillor Andy Tatchell, and seconded by Councillor Ida Carmichael and

RESOLVED UNANIMOUSLY

That Councillor Howard Baker be elected Mayor of the Borough for the Municipal Year 2017/18.

(Councillor Jeff Sumner then vacated the Chair in favour of the Mayor).

His Worship the Mayor, Councillor Howard Baker then made and subscribed the Declaration of Acceptance of Office as required by Law.

## **2. Vote of Thanks to the retiring Mayor**

It was moved by Councillor Gordon Birtwistle and seconded by Councillor Charlie Briggs that the grateful thanks of this Council be extended to the retiring Mayor for the services rendered by him during the past Municipal Year.

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

RESOLVED UNANIMOUSLY.

It was FURTHER RESOLVED –

That medallions be presented to Councillor Jeff Sumner, Mrs Lesley Sumner and Mr Lee Sumner as a token of the Council's appreciation of their services to the Borough during the Municipal Year now ending.

Cllr Sumner responded by reviewing the highlights of his period of office, thanking all those who had helped him.

He presented a decorative Shuttle to the Borough, accepted by the Mayor, as a token of his appreciation for all the help he had received, and in recognition of the Borough's Canal Heritage.

## **3. Appointment of Deputy Mayor**

It was moved by Councillor Jeff Sumner, and seconded by Councillor Gordon Birtwistle and

RESOLVED UNANIMOUSLY

That Councillor Charlie Briggs be elected Deputy Mayor/Mayor Elect of the Borough for the Municipal Year 2017/18.

The Deputy Mayor, Councillor Charlie Briggs then made and subscribed the Declaration of Acceptance of Office as required by Law.

## **4. Mayor's Communications**

The Chief Executive, Pam Smith, reported that His Worship the Mayor would be 'At Home' at the Town Hall, Burnley at 2.00pm on Tuesday 23<sup>rd</sup> May 2017.

She further reported that the Mayor's Charity Ball would be held on Friday 24<sup>th</sup> November 2017, at the Mechanics Theatre, Burnley.

## **5. Adjournment of Meeting**

The Mayor adjourned the meeting at 4.40pm.

### **The meeting reconvened at 6.30pm**

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

The Minutes of the meeting of the Council held on the 12<sup>th</sup> April were confirmed and signed by the Chair.

## **7. The Executive and their portfolios for 2017/18**

Consideration was given to changes to the Executive and their portfolios for 2017/18.

Councillor Mark Townsend informed Members of the resignations of Councillor Bea Foster as the Executive Member for Leisure and Culture, and of Councillor Wajid Khan as Executive Member for Resources and Performance Management on 17<sup>th</sup> May 2017. He informed Members of his appointment of Councillor Mohammed Ishtiaq as the Executive Member for Resources and Performance Management from 17<sup>th</sup> May 2017, and the changes to Portfolios as a result.

### **RESOLVED**

That the Executive and their portfolios from 17<sup>th</sup> May 2017 be noted as follows:-

- Cllr John Harbour – Deputy Leader and Executive Member for Housing and Environment
- Cllr Sue Graham – Executive Member for Regeneration and Economic Development
- Cllr Mohammed Ishtiaq – Executive Member for Resources and Performance Management
- Lian Pate – Executive Member for Community and Leisure Services

## **8. Appointments to Committees, Working Groups and Panels 2017/18**

Consideration was given to a report on Membership of the Council's Committee's, Working Groups and Panels for the 2017/18 Municipal Year.

### **RESOLVED**

1. That that the list of Committees, Working Groups and Panels as set out in Appendix 1 to the report be approved as submitted.
2. That the Membership of the Council's Committees, Working Groups and Panels for the 2017/18 Municipal Year be approved as follows:

MEMBERSHIP OF COMMITTEES/WORKING GROUPS FOR 2017-18

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

**CHAIR – Andy Tatchell**

**VICE CHAIR – Margaret Brindle**

<b>Councillors</b>	<b>Councillors</b>
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 – Jean Cunningham**

**VICE CHAIR – Tony Harrison**

<b>Councillors</b>	<b>Councillors</b>
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 – Frank Cant**  
**VICE CHAIR – Arif Khan**

<b>Councillors</b>	<b>Councillors</b>
Charlie Briggs -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 – Ann Royle**  
**VICE CHAIR – Gary Frayling**

<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

**9. Appointment of Chairs and Vice Chairs of Scrutiny, Regulatory and other Committees 2017/18**

With reference to Minute No. 8, the Council gave consideration to the appointment of Chairs and Vice-Chairs of the Scrutiny, Regulatory and Other Committees for the Municipal Year 2017/18.

**RESOLVED**

That the following appointments of Chairs and Vice-Chairs be made for the 2017/18 Municipal Year for Scrutiny, Regulatory and Other Committees:-

Scrutiny Committee	Chair: Andy Tatchell Vice Chair: Margaret Brindle
Audit and Standards Committee	Chair: Jean Cunningham Vice Chair: Tony Harrison
Development Control Committee	Chair: Frank Cant Vice Chair: Arif Khan
Licensing Committee	Chair: Ann Royle Vice Chair: Gary Frayling

**10. Appointments to Outside Bodies for 2017/18**

Consideration was given to the Council's appointments to Outside Bodies for 2017/18.

**RESOLVED**

1. That the Outside Bodies list for 2017/18 be approved as set out below:-

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

	<b>Outside Body</b>	<b>Qualification 2017/18</b>	<b>Appointed 2017/18</b>
1.	Barnfield and Burnley Developments Limited  -Directors	Leader  Chief Executive	<b>Cllr Mark Townsend</b>  <b>Pam Smith</b>

	<b>Outside Body</b>	<b>Qualification 2017/18</b>	<b>Appointed 2017/18</b>
2.	Burnley & Pendle Children's Partnership	Any Executive Member	<b>Cllr John Harbour</b>
3.	Burnley Education Trust	Chief Executive	<b>Pam Smith</b>
4.	Burnley Leisure – Directors  (E )	Any Members	2 <b>Cllr Tony Harrison</b> <b>Cllr Asif Raja</b>
5.	Burnley Pendle and Rossendale Council for Voluntary Service – Executive Committee	Any Members	2 <b>Cllr Tony Martin</b>  <b>Cllr Bea Foster</b>
6.	Burnley and Pendle Citizens Advice Bureau  (E)	Executive Member for Community and Leisure Services  1 Experienced Opposition Member	<b>Cllr Lian Pate</b>  <b>Cllr Ida Carmichael</b>



	<b>Outside Body</b>	<b>Qualification 2017/18</b>	<b>Appointed 2017/18</b>
7.	Burnley Private Rented Sector Forum  (D/E)	Executive Member for Housing and Environment   Chair of Scrutiny Committee	<b>Cllr John Harbour</b>   <b>Cllr Andy Tatchell</b>
8.	Burnley Town Centre Partnership	Executive Member for Regeneration and Economic Development   Vice Chair of Scrutiny Committee	<b>Cllr Sue Graham</b>   <b>Cllr Margaret Brindle</b>
9.	Calico Board of Management – Annual General meeting Voting Rights  (E)	Chief Operating Officer	<b>Mick Cartledge</b>
10.	East Lancashire Health and Well Being Partnership	Any Executive Member	<b>Cllr Lian Pate</b>
11.	<b>East Lancashire Into Employment Co. Ltd – Directors</b>	Executive Member for Regeneration and Economic Development	<b>Cllr Sue Graham</b>

	<b>Outside Body</b>	<b>Qualification 2017/18</b>	<b>Appointed 2017/18</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	<b>Cllr Tony Harrison</b>  <b>Sub:</b>  <b>Cllr Margaret Brindle</b>
13.	Lancashire Waste Partnership	Executive Member for Community and Leisure Services	<b>Cllr Lian Pate</b>
14.	Local Government Association	Leader	<b>Cllr Mark Townsend</b>
15.	Marketing Lancashire  (previously called Lancashire Tourism Forum)	Executive Member for Regeneration and Economic Development	<b>Cllr Sue Graham</b>
16.	North Western Local Authorities Employers' Organisation	Executive Member for Resources and Performance Management  Sub: Any Executive Member	<b>Cllr Mohammed Ishtiaq</b>  <b>Sub: Cllr Mark Townsend</b>

	<b>Outside Body</b>	<b>Qualification 2017/18</b>	<b>Appointed 2017/18</b>
17.	Over Fifties Forum	Any Member	<b>Cllr Bea Foster</b>
18.	Police and Crime Commissioner Quarterly Community Safety Portfolio Holders	Executive Member for Community and Leisure Services	<b>Cllr Lian Pate</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	<b>Cllr Mark Townsend</b>  and <b>Cllr Sue Graham</b>

## SECTION 2 - PERIOD APPOINTMENTS

	<u>Outside Body</u>	<u>Qualifications 2017/18</u>	<u>Appointed 2017/18</u>
20.	<b>Burnley Acorn Fund-</b>  <b>(periods of four years)</b>	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>Already appointed 2016;</b>  <b>(from Oct 2016 to Oct 2020)</b>  <b>Cllr Jean Cunningham</b>  <b>Cllr Ann Royle</b>  <b>Appointed 2017;</b>  <b>(from May 2017 to Oct 2020)</b>  <b>Cllr Andy Tatchell</b>  <b>Section 151 Officer-Asad Mushtaq</b>  <b>Ex Officio</b>
21.	<b>Stocks Massey Bequest-Representative Trustees</b>  <b>(periods of four years)</b>	Any Executive Member  (term May 2017-May 2020)  Chair of Scrutiny Committee  (term expires May 2018)	<b>Cllr John Harbour</b>  <b>(term May 2017-May 2020)</b>  <b>Cllr Andy Tatchell</b>  <b>(term expires May 2018)</b>

2. That the Head of Governance, Law, Property and Regulation be given delegated authority, in consultation with the Leader, to agree Calico's 4 independent persons nominations to its Board.

## **11. Updates to the Constitution**

Consideration was given to a number of proposed updates to the constitution regarding the Regulation of Investigatory Powers Act (RIPA).

### **RESOLVED**

1. That a delegation added to Part 3 of the Constitution by the Leader for the Head of Governance, Property, Law and Regulation regarding the Regulation of Investigatory Powers Act (RIPA) be noted.
2. 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 be noted.