



FULL COUNCIL

BURNLEY TOWN HALL

Tuesday, 31st July, 2018 at 6.30 pm

PRESENT

MEMBERS

Councillors C Briggs (Chair), A Kelly (Vice-Chair), A Anwar, G Birtwistle, P Campbell, F Cant, I Carmichael, S Chaudhary, T Commis, I Emo, D Ferrier, A Fewings, B Foster, S Graham, J Greenwood, J Harbour, A Hosker, S Hussain, M Ishtiaq, M Johnstone, A Khan, L Khan, S Khan, W Khan, T Martin, E Monk, N Mottershead, A Newhouse, L Pate, M Payne, A Raja, P Reynolds, D Roper, A Royle, J Sumner, A Tatchell, M Townsend and C White

OFFICERS

Mick Cartledge	Chief Executive
Lukman Patel	Chief Operating Officer
Asad Mushtaq	Head of Finance and Property
Kate Ingram	Strategic Head of Economy and Growth
Elizabeth Murphy	Planning Policy Manager
Pete Milward	Principal Planner
Erika Eden-Porter	Principal Planner
Eric Dickinson	Democracy Officer
Alison McEwan	Democracy Officer
David Farrar	Mayor's Officer

11. Minutes of the Last Meeting

RESOLVED The Minutes of the meeting of the Council held on the 16th May 2018 were confirmed and signed by the Chair.

12. Declarations of Interest

Councillor Mark Townsend declared an other interest (prejudicial) interest in Item 6 (a) on the agenda relating to the North West Growth Corridor.

13. Adjournment of Meeting

The Mayor adjourned the meeting for a short time to allow a Member to receive legal advice from the Monitoring Officer.

14. Local Plan Adoption

With reference to Minute 27 of the Executive (19th July 2018) consideration was given to the adoption of Burnley's Local Plan.

In accordance with Council procedure rule 16.4 a recorded vote was taken on the amendment.

For the Motion

Councillors Afrasiab Anwar, Paul Campbell, Ida Carmichael, Frank Cant, Saeed Chaudhary, Bea Foster, Sue Graham, Joanne Greenwood, John Harbour, Shah Hussain, Mohammed Ishtiaq, Marcus Johnstone, Arif Khan, Lubna Khan, Shbana Khan, Wajid Khan, Tony Martin, Elizabeth Monk, Lian Pate, Asif Raja Paul Reynolds, David Roper, Ann Royle, Andrew Tatchell, and Mark Townsend

Against the motion

Councillors Gordon Birtwistle, Tom Commis, Ivor Emo, Dale Ferrier, Andy Fewings, Alan Hosker, Anne Kelly, Neil Mottershead, Andrew Newhouse, Mark Payne, Jeff Summer and Christine White

Abstained from the motion

Councillor Charlie Briggs

RESOLVED

(1) That Burnley's Local Plan be adopted; and

(2) That the Strategic Head of Economy and Growth be authorised to make minor editorial amendments and corrections to the Local Plan, the accompanying Policies Map and any other relevant documents prior to printing.

Local Plan (Resolution)	
Councillor Charlie Briggs	Abstain
Councillor Anne Kelly	Against
Councillor Afrasiab Anwar	For
Councillor Gordon Birtwistle	Against
Councillor Paul Campbell	For
Councillor Frank Cant	For
Councillor Ida Carmichael	For
Councillor Saeed Chaudhary	For
Councillor Tom Commis	Against
Councillor Ivor Emo	Against
Councillor Dale Ferrier	Against
Councillor Andy Fewings	Against
Councillor Beatrice Foster	For
Councillor Sue Graham	For

Councillor Joanne Greenwood	For
Councillor John Harbour	For
Councillor Alan Hosker	Against
Councillor Shah Hussain	For
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	For
Councillor Arif Khan	For
Councillor Lubna Khan	For
Councillor Shbana Khan	For
Councillor Wajid Khan	For
Councillor Tony Martin	For
Councillor Elizabeth Monk	For
Councillor Neil Mottershead	Against
Councillor Andrew Newhouse	Against
Councillor Lian Pate	For
Councillor Mark Payne	Against
Councillor Asif Raja	For
Councillor Paul Reynolds	For
Councillor David Roper	For
Councillor Ann Royle	For
Councillor Jeff Sumner	Against
Councillor Andrew Tatchell	For
Councillor Mark Townsend	For
Councillor Christine White	Against
Carried	

15. NW Growth Corridor

Cllr Mark Townsend left the room and did not take part in this item.

With reference to Minute 8 of the Executive (5th June 2018) consideration was given to the incorporation of the North West Growth Corridor scheme into the Council's Capital Programme.

RESOLVED

That the North West Growth Corridor scheme be incorporated into the Council's Capital Programme.

16. Combined Outturn Revenue and Capital Budget Monitoring 2017-18

With reference to Minute 22 of the Executive (3rd July 2018) consideration was given to the final position on the Council's revenue and capital accounts for 2017/18, the performance of the 2017/18 capital investment programme, the financing of capital expenditure incurred during 2017/18, and approval of a revised 2018/19 capital budget.

RESOLVED

(1) That the final position on the Council's revenue account for 2017/18 and the net overall surplus, compared with the revised budget, of £0.092m as shown in the table

in paragraph 8 which equates to approximately 0.6% of the net revenue budget, be approved;

- (2) That the transfers to/from Earmarked Reserves totalling a net £1.254m from reserves (see Appendix 2) be approved;
- (3) That the additional revenue budget carry forward requests from Heads of Service totalling £0.042m (see Appendix 3) be approved;
- (4) That the final position on capital spending and financing of £9.982m for 2017/18 as shown in Appendices 4 & 5, which equates to 88% of the final resources position, be approved; and
- (5) That the revised capital budget for 2018/19 totalling £11.451m as outlined in Appendix 6 (including net carry forward of £1.310m) be approved.

17. Annual Treasury Management Review of 2017-18 Activity

With reference to Minute 23 of the Executive (3rd July 2018) consideration was given to the Council's treasury management activity during 2017/18.

RESOLVED

That the annual treasury management activity for the year ended 31 March 2018 be noted.

18. Appointments Update to Committees, Working Groups, and Outside Bodies 2018-19

Consideration was given to changes to appointments to Committees and Outside Bodies for the remainder of the 2018/19 Municipal Year, to appointments of a parish council co-optee and two independent co-optees to the Audit and Standards Committee, and to the appointment of the Independent Persons to the Council under the Localism Act 2011.

RESOLVED

That the following appointments be made for the remainder of the 2018/19 Municipal Year;

- (1) Councillor Margaret Brindle as the Labour member on the Scrutiny Committee and the Development Control Committee, to replace Councillor Margaret Brindle as the Free Independent member on those Committees;
- (2) Councillor Margaret Brindle as Vice Chair of the Scrutiny Committee;
- (3) Councillor Margaret Brindle as the Labour member on the Member Structures and Support Working Group;
- (4) Councillor Bill Brindle as the Labour member on the Audit and Standards Committee to replace Councillor Tom Commis as the UKIP member;

- (5) Councillor Tom Commis as the UKIP member on the Licensing Committee to replace Councillor Bill Brindle as the Free Independent Member; and
- (6) Councillor Margaret Brindle as a Scrutiny member to the LCC Health Scrutiny Committee;
- (7) Gillian Smith as the Parish Council co-optee; Paul Prior, Director of Finance and Resources, Burnley College and Louise Gaskell, Director Finance and Policy, East Lancs Chamber of Commerce as the independent co-optees to the Audit and Standards Committee for three years to July 2021; and
- (8) Mohammed Usman Khan and Patricia Higginbottom as Independent Persons under the Section 28(7) of the Localism Act for three years to July 2021.

19. Members Code of Conduct

With reference to Minute 9 of the Audit and Standards Committee (19th July 2018) consideration was given to the recommendations of a review of section 5.1 of the Council's Code of Conduct: Complaints Procedure Guidance in relation to arrangements for dealing with complaints about Council members.

RESOLVED

- (1) That the Council's Member Complaints Procedure Guidance be updated in relation to investigation timescales, the maintenance of the general principles of the code during an investigation; and the inclusion of the appendix detailing the procedures for conducting a Code of Conduct Hearing; and
- (2) That these changes be adopted.

20. Constitutional Updates

Consideration was given to changes made to Part 3 (Executive Functions) of the constitution by the Leader/Deputy Leader, and of Minor Amendments made to Part 3 (Executive and Council Functions) of the constitution by the Monitoring Officer.

RESOLVED

- (1) That the changes made to Part 3 (Executive Functions) of the constitution by the Leader/Deputy Leader be noted, as follows;
- (a) 14th June 2018 - Additional delegation to the Head of Housing and Development Control regarding Part III of the Building Act 1984. (Appendix 1)
- (2) That Minor Amendments (Executive Functions) made to Part 3 of the constitution by the Monitoring Officer be noted relating to the Scheme of Delegation, regarding the portfolio title of an Executive Member being changed to Executive Member for Economy and Growth, and updating Statutory references in relation to dogs within the delegations of the Head of Streetscene; and

(3) That a Minor Amendment (Council Functions) made by the Monitoring Officer be noted relating to a Licensing Policy i.e. the Street Traders Policy.

21. Report from the Chair of Scrutiny

RESOLVED

That the Cycle 1 report of the Chair of Scrutiny be noted.

22. Strategic Plan Progress Reports

RESOLVED

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