FULL COUNCIL

BURNLEY TOWN HALL

Wednesday, 15th May, 2019 at 4.00 pm

PRESENT

MEMBERS

Councillors C Briggs (Chair), A Kelly (Vice-Chair), A Anwar, H Baker, G Birtwistle, B Brindle, P Campbell, F Cant, S Chaudhary, T Commis, I Emo, D Ferrier, A Fewings, B Foster, P Gill, S Hall, J Harbour, A Hosker, S Hussain, M Ishtiaq, M Johnstone, T Kennedy, A Khan, L Khan, S Khan, W 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, J Sumner, A Tatchell, C Towneley and M Townsend

OFFICERS

Mick Cartledge	Chief Executive
Lukman Patel	Chief Operating Officer
Asad Mushtaq	Head of Finance and Property
Catherine Waudby	Head of Legal and Democratic Services
Rob Dobson	Head of Policy and Engagement
Eric Dickinson	Democracy Officer
Imelda Grady	Democracy Officer
Alison McEwan	Democracy Officer
David Farrar	Mayor's Officer
David Bristow	Deputy Mayor's Officer
Jessica Jolly	Business Administraion Apprentice

1. Appointment of Mayor

It was moved by Councillor Gordon Birtwistle and seconded by Councillor Margaret Lishman and

RESOLVED UNANIMOUSLY

That Councillor Anne Kelly be elected Mayor of the Borough for the 2019/20 Municipal Year.

(Councillor Charlie Briggs then vacated the Chair in favour of the Mayor).

Her Worship the Mayor, Councillor Anne Kelly 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 Jeff Sumner and seconded by Councillor Neil Mottershead 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 Charlie Briggs, Mr Peter Briggs and Mrs Patricia Lunt as a token of the Council's appreciation of their services to the Borough during the Municipal Year now ending.

Councillor Briggs responded by reviewing the highlights of his period of office, thanking those who had helped him.

3. Appointment of Deputy Mayor

It was moved by Councillor Shah Hussain and seconded by Councillor Saeed Chaudhary and

RESOLVED UNANIMOUSLY

That Councillor Wajid Khan be elected Deputy Mayor/Mayor Elect of the Borough for the 2019/20 Municipal Year.

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

4. Mayor's Communications

The Chief Executive, Mick Cartledge, reported that Her Worship the Mayor's 'At Home' on the 22nd May had been cancelled and that the Mayor would host an alternative event at a date to be confirmed.

He further reported that the Mayor's Charity Dinner Dance would be held on Saturday 23rd November 2019 at the Crow Wood Hotel. Further details would be made available as soon as possible.

He also reported that the Mayor had received several messages of congratulations and good wishes and it was her intention to reply personally to each of them.

5. Minutes of the Last Meeting

RESOLVED The Minutes of the meeting of the Council held on the 20th February 2019 were confirmed and signed by the Chair.

6. Public Question Time

Mathew Isherwood addressed the Council under the Request to Speak Policy on electric car charging points and other environmental issues.

7. Election of the Leader of the Council and Appointment by the Leader of the Deputy Leader and the Executive

Consideration was given to the requirements of the Localism Act 2011 relating to the appointment of a Leader of the Council.

It was moved by Councillor Martin and Seconded by Councillor Saeed Chaudhary:-

“That Councillor Mark Townsend by elected as Leader of the Council for a four year term of office”

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

That Cllr Mark Townsend be elected Leader of the Council for a four year term of office. (Motion)	
Councillor Charlie Briggs	Against
Councillor Anne Kelly	Against
Councillor Afrasiab Anwar	For
Councillor Howard Baker	Against
Councillor Gordon Birtwistle	Against
Councillor Bill Brindle	For
Councillor Paul Campbell	For
Councillor Frank Cant	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 Peter Gill	Against
Councillor Sarah Hall	Against
Councillor John Harbour	For
Councillor Alan Hosker	Against
Councillor Shah Hussain	For
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	For
Councillor Tracy Kennedy	Against
Councillor Arif Khan	For
Councillor Lubna Khan	For
Councillor Shbana Khan	For
Councillor Wajid Khan	For
Councillor Gordon Lishman	Against
Councillor Margaret Lishman	Against
Councillor Sehrish Lone	For
Councillor Tony Martin	For
Councillor Peter McCann	Against
Councillor Lorraine Mehanna	Against
Councillor Neil Mottershead	Against
Councillor Andrew Newhouse	Against
Councillor Lian Pate	For
Councillor Emma Payne	Against
Councillor Mark Payne	Against
Councillor Asif Raja	For
Councillor David Roper	Against
Councillor Jeff Sumner	Against
Councillor Andrew Tatchell	For
Councillor Cosima Towneley	Against
Councillor Mark Townsend	For
Rejected	

Accordingly the motion was declared to be LOST.

Adjournment of Meeting

The Mayor adjourned the meeting at 7.00pm

The meeting reconvened at 7.20 pm

8. Appointments to Committees, Working Groups and Panels 2019/20

In the absence of a Leader being elected the Mayor indicated her intention to adjourn the Council meeting to a later date.

Before she did so she informed Council that there were two appointments to Committees required as a matter of urgency.

The appointment of an Interim Licensing Committee and the establishment of its sub committees (Licensing Act 2003 and Taxi Licensing) with the same arrangements as in the previous year. The Licensing Committee was a regulatory function and some decisions were required to be taken urgently on the grounds of public safety. This required a Chair and Vice Chair to be in place in order for decisions to be taken lawfully; and

The appointment of an Interim Development Control Committee and its Chair and Vice Chair were also required to enable the Council to meet statutory deadlines.

All other appointments to committees, working groups and panels were deferred to the next Council meeting.

The Mayor also informed Council of the need to revise the qualifications to the membership of the Development Control Committee and remove the requirement for the appointment of the relevant Executive member..

It was moved by the Mayor and seconded by the Deputy Mayor that the qualification to appoint the relevant Executive member to the Interim Development Control Committee be removed.

RESOLVED

(1)That an Interim Licensing Committee be approved and its membership be as follows;

Councillors	**Councillors**
Howard Baker	Mohammed Ishtiaq
Charlie Briggs	Arif Khan
Paul Campbell	Margaret Lishman
Frank Cant	Sehrish Lone
Ivor Emo	Tony Martin
Peter Gill	Emma Payne
Sarah Hall	Jeff Sumner
Shah Hussain	

(2) That approval be given to the establishment of a Licensing Act 2003 sub committee and a Taxi Licensing sub committee with the same arrangements as in the previous year.

(3) That the qualification to appoint the relevant Executive member to the Development Control Committee be removed for the interim period.

(4) That an Interim Development Control Committee be approved and its membership be as follows:

Councillors	**Councillors**
Anwar A	Ishtiaq M
Birtwistle G	Johnstone M
Cant F	Lishman G
Chaudhary S	Mottershead N
Fewings A	Payne M
Graham S	Raja A
Harbour J	Sumner J
Hosker A	Towneley Cosima

9. Appointment of Chairs and Vice Chairs of Scrutiny, Regulatory and other

Committees

Consideration was given to the appointment of Chairs and Vice Chairs to the Interim Licensing Committee and Interim Development Control Committee

In accordance with Council procedure rule 16.4 a recorded vote was taken on each of the appointments

On the appointment of Chair of the Interim Licensing Committee

Name	Group	KHAN, A	SUMNER	Abstain
Councillor Afrasiab Anwar	Labour	✓		
Councillor Howard Baker	LD		✓	
Councillor Gordon Birtwistle	LD		✓	
Councillor Charlie Briggs	B&PI		✓	
Councillor Bill Brindle	Labour	✓		
Councillor Paul Campbell	Labour	✓		
Councillor Frank Cant	Labour	✓		
Councillor Saeed Chaudhary	Labour	✓		
Councillor Tom Commis	UKIP		✓	
Councillor Ivor Emo	Cons		✓	
Councillor Dale Ferrier	Cons		✓	
Councillor Andy Fewings	Green		✓	
Councillor Beatrice Foster	Labour	✓		
Councillor Peter Gill	UKIP		✓	
Councillor Sarah Hall	Green		✓	
Councillor John Harbour	Labour	✓		
Councillor Alan Hosker	UKIP		✓	
Councillor Shah Hussain	Labour	✓		
Councillor Mohammed Ishtiaq	Labour	✓		
Councillor Marcus Johnstone	Labour	✓		
Councillor Anne Kelly	LD		✓	
Councillor Tracy Kennedy	LD		✓	
Councillor Arif Khan	Labour	✓		
Councillor Lubna Khan	Labour	✓		
Councillor Shbana Khan	Labour	✓		
Councillor Wajid Khan	Labour	✓		
Councillor Gordon Lishman	LD		✓	
Councillor Margaret Lishman	LD		✓	
Councillor Sehrish Lone	Labour	✓		
Councillor Peter McCann	LD		✓	
Councillor Tony Martin	Labour	✓		
Councillor Lorraine Mehanna	B&PI		✓	
Councillor Neil Mottershead	B&PI		✓	
Councillor Andrew Newhouse	Cons		✓	
Councillor Lian Pate	Labour	✓		
Councillor Emma Payne	B&PI		✓	
Councillor Mark Payne	B&PI		✓	
Councillor Asif Raja	Labour	✓		
Councillor David Roper	Ind		✓	

Councillor Jeff Sumner	LD		✓	
Councillor Andrew Tatchell	Labour	✓		
Councillor Cosima Towneley	Cons		✓	
Councillor Mark Townsend	Labour	✓		
		20	23	

RESOLVED

That Councillor Jeff Sumner be appointed Chair of the Interim Licensing Committee.

On the appointment of Vice Chair of the Interim Licensing Committee

Name	Group	CANT	GILL	Abstain
Councillor Afrasiab Anwar	Labour	✓		
Councillor Howard Baker	LD		✓	
Councillor Gordon Birtwistle	LD		✓	
Councillor Charlie Briggs	B&PI		✓	
Councillor Bill Brindle	Labour	✓		
Councillor Paul Campbell	Labour	✓		
Councillor Frank Cant	Labour	✓		
Councillor Saeed Chaudhary	Labour	✓		
Councillor Tom Commis	UKIP		✓	
Councillor Ivor Emo	Cons		✓	
Councillor Dale Ferrier	Cons		✓	
Councillor Andy Fewings	Green		✓	
Councillor Beatrice Foster	Labour	✓		
Councillor Peter Gill	UKIP		✓	
Councillor Sarah Hall	Green		✓	
Councillor John Harbour	Labour	✓		
Councillor Alan Hosker	UKIP		✓	
Councillor Shah Hussain	Labour	✓		
Councillor Mohammed Ishtiaq	Labour	✓		
Councillor Marcus Johnstone	Labour	✓		
Councillor Anne Kelly	LD		✓	
Councillor Tracy Kennedy	LD		✓	
Councillor Arif Khan	Labour	✓		
Councillor Lubna Khan	Labour	✓		
Councillor Shbana Khan	Labour	✓		
Councillor Wajid Khan	Labour	✓		
Councillor Gordon Lishman	LD		✓	
Councillor Margaret Lishman	LD		✓	
Councillor Sehrish Lone	Labour	✓		
Councillor Peter McCann	LD		✓	
Councillor Tony Martin	Labour	✓		
Councillor Lorraine Mehanna	B&PI		✓	
Councillor Neil Mottershead	B&PI		✓	
Councillor Andrew Newhouse	Cons		✓	
Councillor Lian Pate	Labour	✓		
Councillor Emma Payne	B&PI		✓	

Councillor Mark Payne	B&PI		✓	
Councillor Asif Raja	Labour	✓		
Councillor David Roper	Ind		✓	
Councillor Jeff Sumner	LD		✓	
Councillor Andrew Tatchell	Labour	✓		
Councillor Cosima Towneley	Cons		✓	
Councillor Mark Townsend	Labour	✓		
		20	23	

RESOLVED

That Councillor Peter Gill be appointed Vice Chair of the Interim Licensing Committee

On the appointment of Chair of appointment of Chair of the Interim Development Control Committee

Name	Group	CHAUDHARY	TOWNELEY	Abstain
Councillor Afrasiab Anwar	Labour	✓		
Councillor Howard Baker	LD		✓	
Councillor Gordon Birtwistle	LD		✓	
Councillor Charlie Briggs	B&PI		✓	
Councillor Bill Brindle	Labour	✓		
Councillor Paul Campbell	Labour	✓		
Councillor Frank Cant	Labour	✓		
Councillor Saeed Chaudhary	Labour	✓		
Councillor Tom Commis	UKIP		✓	
Councillor Ivor Emo	Cons		✓	
Councillor Dale Ferrier	Cons		✓	
Councillor Andy Fewings	Green		✓	
Councillor Beatrice Foster	Labour	✓		
Councillor Peter Gill	UKIP		✓	
Councillor Sarah Hall	Green		✓	
Councillor John Harbour	Labour	✓		
Councillor Alan Hosker	UKIP		✓	
Councillor Shah Hussain	Labour	✓		
Councillor Mohammed Ishtiaq	Labour	✓		
Councillor Marcus Johnstone	Labour	✓		
Councillor Anne Kelly	LD		✓	
Councillor Tracy Kennedy	LD		✓	
Councillor Arif Khan	Labour	✓		
Councillor Lubna Khan	Labour	✓		
Councillor Shbana Khan	Labour	✓		
Councillor Wajid Khan	Labour	✓		
Councillor Gordon Lishman	LD		✓	
Councillor Margaret Lishman	LD		✓	
Councillor Sehrish Lone	Labour	✓		
Councillor Peter McCann	LD		✓	
Councillor Tony Martin	Labour	✓		

Councillor Lorraine Mehanna	B&PI		✓	
Councillor Neil Mottershead	B&PI		✓	
Councillor Andrew Newhouse	Cons		✓	
Councillor Lian Pate	Labour	✓		
Councillor Emma Payne	B&PI		✓	
Councillor Mark Payne	B&PI		✓	
Councillor Asif Raja	Labour	✓		
Councillor David Roper	Ind		✓	
Councillor Jeff Sumner	LD		✓	
Councillor Andrew Tatchell	Labour	✓		
Councillor Cosima Towneley	Cons		✓	
Councillor Mark Townsend	Labour	✓		
		20	23	

RESOLVED

That Councillor Cosima Towneley be appointed as Chair of the Interim Development Control Committee

On the appointment of Vice Chair of the Interim Development Control Committee

Name	Group	CANT	BIRTWISTLE	Abstain
Councillor Afrasiab Anwar	Labour	✓		
Councillor Howard Baker	LD		✓	
Councillor Gordon Birtwistle	LD		✓	
Councillor Charlie Briggs	B&PI		✓	
Councillor Bill Brindle	Labour	✓		
Councillor Paul Campbell	Labour	✓		
Councillor Frank Cant	Labour	✓		
Councillor Saeed Chaudhary	Labour	✓		
Councillor Tom Commis	UKIP		✓	
Councillor Ivor Emo	Cons		✓	
Councillor Dale Ferrier	Cons		✓	
Councillor Andy Fewings	Green		✓	
Councillor Beatrice Foster	Labour	✓		
Councillor Peter Gill	UKIP		✓	
Councillor Sarah Hall	Green		✓	
Councillor John Harbour	Labour	✓		
Councillor Alan Hosker	UKIP		✓	
Councillor Shah Hussain	Labour	✓		
Councillor Mohammed Ishtiaq	Labour	✓		
Councillor Marcus Johnstone	Labour	✓		
Councillor Anne Kelly	LD		✓	
Councillor Tracy Kennedy	LD		✓	
Councillor Arif Khan	Labour	✓		
Councillor Lubna Khan	Labour	✓		
Councillor Shbana Khan	Labour	✓		
Councillor Wajid Khan	Labour	✓		

Councillor Gordon Lishman	LD		✓	
Councillor Margaret Lishman	LD		✓	
Councillor Sehrish Lone	Labour	✓		
Councillor Peter McCann	LD		✓	
Councillor Tony Martin	Labour	✓		
Councillor Lorraine Mehanna	B&PI		✓	
Councillor Neil Mottershead	B&PI		✓	
Councillor Andrew Newhouse	Cons		✓	
Councillor Lian Pate	Labour	✓		
Councillor Emma Payne	B&PI		✓	
Councillor Mark Payne	B&PI		✓	
Councillor Asif Raja	Labour	✓		
Councillor David Roper	Ind		✓	
Councillor Jeff Sumner	LD		✓	
Councillor Andrew Tatchell	Labour	✓		
Councillor Cosima Towneley	Cons		✓	
Councillor Mark Townsend	Labour	✓		
		20	23	

RESOLVED

That Councillor Gordon Birtwistle be appointed as Vice Chair of the Interim Development Control Committee

10. Appointments to Outside Bodies for 2019/20

This item was deferred to the next Council meeting.

11. Appointment to the Independent Remuneration Panel

Consideration was given to the re-appointment of David Sparrow to the Independent Remuneration Panel for a further three year term of office.

RESOLVED

That David Sparrow be re-appointed to the Independent Remuneration Parnl until 14th May 2022.

12. Amendment to Hackney Carriage Bye Laws

Further to Minute 15 of the Licensing Committee (27th February 2017) consideration was given to the proposed amendments to the Hackney Carriage Bye Laws to ensure that they

accurately reflected the requirements of the Council with regard to driver training, behaviour and customer care.

RESOLVED

(1) That approval be given to the proposed changes to the Burnley Hackney Carriage Bye Laws (as shown in Appendix B to the report), including the amendment at Clause 17 (a) to replace the words 'him/her' to 'him'; and

(2) That the Head of Legal and Democratic Services be authorised to take all necessary steps to finalise the making of Bye Laws and submit the same to the Secretary of State for confirmation.

13. Constitutional Updates

Consideration was given to the amendments to Part 3 (Executive Functions) Scheme of Delegation made by the Leader relating to the Head of People and Development from 1st April 2019 and to inform members of call-in waivers which related to Urgent Executive Decisions.

RESOLVED

(1) That the amendments to Part 3 (Executive Functions) Scheme of Delegation made by the Leader relating to the Head of People and Development from 1st April 2019, be noted: and
(2) That the call-in waiver relating to an Urgent Executive decision for On The Banks, Sandygate Square, as set out in Appendix 2 to the report, be noted.

14. Mayor's Communications

The Mayor reported that David Farrar the Mayor's Officer was retiring after
many years' service and that this might be his last Council meeting. On behalf of the Council the Mayor wished him well in his retirement and all Members joined the Mayor in acknowledging his contribution to the Council.

15. Adjournment

The Mayor duly adjourned the meeting until Wednesday 29th May 2019 commencing at 6.30pm to consider the unfinished business.