



# FULL COUNCIL

## BURNLEY TOWN HALL

Wednesday, 18th December, 2019 at 6.30 pm

### PRESENT

### MEMBERS

Councillors A Kelly (Chair), W Khan (Vice-Chair), A Anwar, G Birtwistle, C Briggs, 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, 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, C Towneley and M Townsend

### OFFICERS

|                  |                                       |
|------------------|---------------------------------------|
| Mick Cartledge   | Chief Executive                       |
| Lukman Patel     | Chief Operating Officer               |
| Kate Ingram      | Strategic Head of Economy and Growth  |
| Asad Mushtaq     | Head of Finance and Property          |
| Catherine Waudby | Head of Legal and Democratic Services |
| Chris Gay        | Governance Manager                    |
| Eric Dickinson   | Democracy Officer                     |
| David Bristow    | Mayor's Officer                       |

#### 44. Declarations of Interest

Councillor Andy Fewings declared a Disclosable Pecuniary Interest in Item 5b regarding the Food (Official) Control Delivery Plan 2019-20 and in Item 5e Fees and Charges 2020-21.

#### 45. Mayor's Communications

Members were informed that The Governance Working Group, facilitated by the Centre for Public Scrutiny, has organised workshops on the 23<sup>rd</sup> January 2020 at either 2pm or 6pm to consider the outcome of a survey which was sent to Members earlier this week about their views on future governance arrangements at the Council.

Members were asked to complete the survey and endeavour to attend one of the workshops on the 23<sup>rd</sup> January 2020.

#### **46. Srebrenica**

It was moved by Councillor Lian Pate and seconded by Cllr Mohammed Ishtiaq that;

**This Council:**

- Notes that 2019 is the 24th anniversary of the Srebrenica genocide in Bosnia and Herzegovina, which saw over 8,000 Muslim men and boys killed by Serbian nationalist forces.
- Recognises the connections that residents from East Lancashire have to the atrocity; from the families and relatives that were affected, to those that have worked to bring peace and stability to the region.
- Applauds the work of those involved in the pursuit of justice for the victims and their surviving relatives, including the International Commission of Missing People (ICMP) and the Mothers of Srebrenica, whose courage and humility in the face of unthinkable horror is an inspiration to us all.
- Commends the work of the charity, Remembering Srebrenica, in raising awareness of this tragic and preventable genocide and working in communities across Britain to help them learn the lessons of Srebrenica.

**The Council resolves to:**

- Acknowledge the event in Burnley that will be held to commemorate the 25th anniversary in July 2020 and join with the commemorative gathering as part of the Remembering Srebrenica Memorial Week.
- Support the work of Remembering Srebrenica in communities across Burnley to learn the lessons from Srebrenica, to tackle hatred and intolerance to help build a better, safer and more cohesive society for everyone.
- Support the work of schools and education providers to bring the “Lessons from Srebrenica” programme to young people across Burnley.

An amendment was moved by Cllr Cosima Towneley and seconded by Cllr Gordon Birtwistle that;

**This Council:**

- Notes that 2020 is the 25th anniversary of the Srebrenica genocide in Bosnia and Herzegovina, which saw over 8,000 Muslim men and boys killed by Serbian nationalist forces and the 75<sup>th</sup> Anniversary of the murder of 6 million Jewish, Gypsy, disabled and political prisoners by the Nazi Regime during the 2<sup>nd</sup> World War.
- Recognises the connections that residents from East Lancashire have to these atrocities and declares murder on the grounds of race, religion, intellectual or physical ability or political belief to be in all cases abhorrent.

· Applauds the work of those involved in the pursuit of justice for the victims and their surviving relatives, including (without limitation) the International Commission of Missing People, Remembering Srebrenica and the Mothers of Srebrenica, whose courage and humility in the face of unthinkable horror is an inspiration to us all.

**The Council resolves to:**

- Mark the 25th and 75th Anniversaries as part of a Borough wide Day of Remembrance for all victims of genocide on 27th January 2020
- Acknowledge the event in Burnley that will be held to commemorate the 25th anniversary in July 2020 and join with the commemorative gathering as part of the Remembering Srebrenica Memorial Week.
- Support the work within communities & by educationalists across Burnley to promote cultural understanding and acceptance, tackle hatred & intolerance to build a better, safer, cohesive society through the Lessons of Srebrenica & the Holocaust.

On being put to the vote the amendment was declared to be lost

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

On being put to the vote the motion was declared to be carried and it was RESOLVED accordingly.;

| <b>Item 4a Srebrenica (Motion)</b> |         |
|------------------------------------|---------|
| Councillor Anne Kelly              | For     |
| Councillor Wajid Khan              | For     |
| Councillor Afrasiab Anwar          | For     |
| Councillor Gordon Birtwistle       | For     |
| Councillor Charlie Briggs          | For     |
| Councillor Paul Campbell           | For     |
| Councillor Frank Cant              | For     |
| Councillor Saeed Chaudhary         | For     |
| Councillor Tom Commis              | For     |
| Councillor Ivor Emo                | Abstain |
| Councillor Dale Ferrier            | For     |
| Councillor Andy Fewings            | For     |
| Councillor Beatrice Foster         | For     |
| Councillor Peter Gill              | For     |
| Councillor Sarah Hall              | For     |
| Councillor John Harbour            | For     |
| Councillor Alan Hosker             | For     |
| Councillor Shah Hussain            | For     |
| Councillor Mohammed Ishtiaq        | For     |
| Councillor Marcus Johnstone        | For     |
| Councillor Tracy Kennedy           | 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  | For     |
| Councillor Lian Pate        | For     |
| Councillor Emma Payne       | For     |
| 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 Cosima Towneley  | Abstain |
| Councillor Mark Townsend    | For     |
| <b>Carried</b>              |         |

#### **47. Single Use Plastics**

It was moved by Councillor Sarah Hall and seconded by Cllr Andy Fewings that;

This Council notes that

A) Lancashire County Council has already passed a motion to ban the use of -single use-plastics (“SUP”) within its estate, setting the standard for the County [1];

B) whilst SUPs items are cheap, convenient, and readily available, the growing production and disposal of them has had major impacts on the environment and biodiversity [2];

C) oceans and Britain’s iconic watercourses [3] are becoming increasingly polluted, as highlighted in recent TV programmes like the BBC programme Blue Planet 2, and marine life in particular is suffering because 8 million metric tons of plastic waste ends up in the world’s oceans each year [4];

D) the disposal of plastic waste produces chemicals known to be carcinogenic [5], and micro plastics are present in the food chain as they are ingested by animals [6]; and

E) only 30% of plastic waste is currently recycled, with China recently banning the import of landfill and recycling, leaving countries having to finally take responsibility for their waste [7].

This Council believes that:

i) reducing the consumption of unnecessary (i.e. excluding medical items) SUPs (“USUPs”) is vital to protecting the environment we live in

ii) having passed a Climate Emergency Motion to tackle carbon emissions, it follows that the Council should become as environmentally sound as possible

iii) it is its responsibility to model and encourage more behaviour within the Borough to protect the environment

This Council resolves to:

1) conduct an in-depth audit of all items used within the council estate for USUPs and publish the results to the public by 30 April 2020

2) thereafter, complete annual audits of the councils’ USUP use, and publish these results to the public annually, no later than the 30 April in each year

3) end the procurement and use of USUPs, including (but not limited to) cups, cutlery, water bottles, stirrers and straws, within all Council run operations, premises and events by March 31, 2020

4) include, as a condition of any new licence to occupy, lease or other tenancy or other disposal of council premises, a provision that no USUPs will be generated or permitted at such premises

- 5) include, as a condition of any new council contract, a provision that no USUPs will be generated or permitted in the Borough
  - 6) assess the councils' supply chain, and switch to businesses that are as USUP-free as possible
  - 7) encourage local businesses (including Burnley Market and Burnley FC) to phase out and stop their use of USUPs
  - 8) carry out a feasibility study to identify (i) a space owned by this Council within the Borough to house a zero-waste [8] community run co-operative shop with rent and rate incentives and (ii) for siting of refill stations, to discourage the purchase of USUP bottles
  - 9) facilitate education programmes to the public to discourage the use of USUP
- References
- [1] <http://council.lancashire.gov.uk/mgConvert2PDF.aspx?ID=144764>
  - [2] [https://wedocs.unep.org/bitstream/handle/20.500.11822/25496/singleUsePlastic\\_sustainability.pdf?sequence=1&isAllowed=y](https://wedocs.unep.org/bitstream/handle/20.500.11822/25496/singleUsePlastic_sustainability.pdf?sequence=1&isAllowed=y)
  - [3] <https://friendsoftheearth.uk/plastics/plastic-problem>
  - [4] <https://science.sciencemag.org/content/347/6223/768>
  - [5] <https://royalsocietypublishing.org/doi/full/10.1098/rstb.2009.0053#sec-5>
  - [6] <https://www.independent.co.uk/life-style/food-and-drink/food-microplastics-eating-plasticpollution-environment-a8395556.html>
  - [7] <https://www.cnbc.com/2018/04/16/climate-change-china-bans-import-of-foreign-waste-to-stop-pollution.html>
  - [8] <https://www.theguardian.com/environment/2019/apr/21/the-zero-waste-revolution-how-a-new-wave-of-shops-could-end-excess-packaging>

In accordance with Council Procedure Rule 12- Motions on Expenditure- as this item would have the effect of materially increasing the expenditure or reduce the revenue of the Council or involve capital expenditure, the motion was REFERRED to the Executive without discussion to consider and report back to a future meeting of the Full Council.

#### **48. Unitary Authority**

It was moved by Councillor Charlie Briggs that;

“Council notes changes to the criteria for the creation of Unitary Authorities used by the Department of Communities and Local Government, which means proposals for new ones no longer need the support of all the Councils affected.

Council also notes the strong indications that a unilateral proposal for an authority is likely to be submitted covering the Pennine area of Lancashire and that the Member of Parliament for Burnley supports such a body.

This Council believes abolishing existing local councils and imposing a Unitary Authority centred on Blackburn will lead to the loss of any true local control on local matters by local residents and their representatives.

Therefore, Council resolves to oppose proposals for such a Pennine Lancashire Unitary Authority”.

In accordance with Council Procedure Rule 14.7(a) Councillor Briggs proposed an ALTERED motion as follows, and this was consented to by the meeting and then seconded by Councillor Margaret Lishman;

“Council notes changes to the criteria for the creation of Unitary Authorities used by the Department of Communities and Local Government, which means proposals for new ones no longer need the support of all the Councils affected.

Council also notes that a unilateral proposal for an authority has been submitted covering the Pennine area of Lancashire.

This Council believes abolishing existing local councils and imposing a Unitary Authority centred on Blackburn will lead to the loss of any true local control on local matters by local residents and their representatives.

Therefore, Council resolves to oppose proposals for such a Pennine Lancashire Unitary Authority.”

An amendment was moved by Cllr Mark Townsend and seconded by Cllr John Harbour that;

“Council notes changes to the criteria for the creation of Unitary Authorities used by the Department of Communities and Local Government, which means proposals for new ones no longer need the support of all the Councils affected. **This Council firmly believes that all Councils impacted by any proposals should have their views heard.**

Council also notes that a unilateral proposal for an authority **has been** submitted covering the Pennine area of Lancashire **by Blackburn with Darwen Council. In response to this there are strong indications from Lancashire County Council that they will come forward with their own alternative proposals covering the whole of Lancashire if Government are minded to positively consider the Pennine proposal.**

This Council believes abolishing existing local councils and imposing a Unitary Authority centred on **Preston or** Blackburn will lead to **a dilution** of local control on local matters by local residents and their representatives.

Therefore, Council resolves to **participate in discussions on unitary authorities but make clear to all parties that it** opposes proposals for **authorities that**  
a. **Suggest the creation of a Blackburn Centric** Pennine Lancashire Unitary Authority, **or**  
b. **Suggest the transfer of any powers, financial control or service delivery responsibilities from Burnley Council to a Preston centric Lancashire wide authority.”**

In accordance with Council procedure Rule 13(k) a motion was carried to ADJOURN the meeting for 10 minutes.

In accordance with Council Procedure Rule 16.4(a) a recorded vote was taken on the amendment.

On being put to the vote the amendment was declared to be carried and became the substantive motion.

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

| <b>Item 4c Unitary Authority (Amendment)</b> |     |
|--|-----|
| Councillor Anne Kelly                        | For |
| Councillor Wajid Khan                        | For |
| Councillor Afrasiab Anwar                    | For |
| Councillor Gordon Birtwistle                 | For |
| Councillor Charlie Briggs                    | For |
| Councillor Paul Campbell                     | For |
| Councillor Frank Cant                        | For |
| Councillor Saeed Chaudhary                   | For |
| Councillor Tom Commis                        | For |
| Councillor Ivor Emo                          | For |
| Councillor Dale Ferrier                      | For |
| Councillor Andy Fewings                      | For |
| Councillor Beatrice Foster                   | For |
| Councillor Peter Gill                        | For |
| Councillor Sarah Hall                        | For |
| Councillor John Harbour                      | For |
| Councillor Alan Hosker                       | For |
| Councillor Shah Hussain                      | For |
| Councillor Mohammed Ishtiaq                  | For |
| Councillor Marcus Johnstone                  | For |
| Councillor Tracy Kennedy                     | 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                   | For |
| Councillor Lian Pate                         | For |
| Councillor Emma Payne                        | For |
| 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 Cosima Towneley                   | For |
| Councillor Mark Townsend                     | For |
| <b>Carried</b>                               |     |

#### **49. Passivhaus Version 2**

It was moved by Councillor Andy Fewings and seconded by Councillor Sarah Hall that;

This Council notes:

- 1) The Government's most recent figures[1] for Burnley show that more than 15%, or nearly 6000 of Burnley's households are in fuel poverty;
- 2) The loss of income to the local economy as a result of these lower energy efficiency standards, as those 6000 householders' income is spent paying energy bills rather than in local shops and on local services;
- 3) Whilst the Government cancelled the introduction of Zero Carbon Home Standards in 2016, it has recently confirmed that the Council can set their own energy efficiency standards for new buildings beyond those set in Part L of the Building Regulations[2]; and
- 4) The report from the Intergovernmental Panel on Climate Change highlighting that we have less than 11 years to take serious action to reduce emissions to avoid massive damage to the global environment.[3]
- 5) That a working group for Climate Emergency has been set up, but that budgets will be set shortly and so a motion to full council is necessary given that we are in an emergency situation.

This Council believes:

- 1) That we must take urgent action to improve the energy efficiency standards in new buildings in order to i) tackle the issue of fuel poverty in the borough, ii) reduce carbon emissions, iii) save energy and iv) keep money that would go to energy companies circulating in our local economy;
- 2) That improving energy efficiency in new buildings and retrofitting old buildings are just part of a strategy to reduce emissions in our area but they are important steps to take that should be part of a wider strategy; and
- 3) That the internationally recognised 'Passivhaus Standard' offers an alternative to the UK's diminished energy efficiency ambitions for newbuild housing and complies with UK Building Regulations.

This Council resolves:

- 1) To specify Passivhaus Standards for all buildings on Council-owned land or as a condition of sale on any council land.
- 2) To renovate all houses which are acquired under Compulsory Purchase Order by the Council as energy efficient as possible and having regard to the Passivhaus Standards where possible; and
- 3) To produce Supplementary Planning Guidance at the earliest opportunity calling for higher energy efficiency standards compliant with the internationally recognised Passivhaus Zero Carbon Standards.

[1][https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/731183/Fuel\\_poverty\\_sub-regional\\_tables\\_2018.xlsx](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/731183/Fuel_poverty_sub-regional_tables_2018.xlsx)

[2] <https://www.ukgbc.org/news/government-confirms-local-authorities-can-set-energy-standards-beyond-part-l-in-nppf/>

[3] <https://www.theguardian.com/environment/2018/oct/08/global-warming-must-not-exceed-15c-warns-landmark-un-report>

In accordance with Council Procedure Rule 12- Motions on Expenditure- as this item would have the effect of materially increasing the expenditure or reduce the revenue of the Council or involve capital expenditure, the motion was REFERRED to the Executive without discussion to consider and report back to a future meeting of the Full Council.

## 50. Health and Safety 2019-20

With reference to Minute 59 of the Executive (10<sup>th</sup> December 2019) consideration was given to the Health and Safety Plan necessary to meet statutory requirements.

RESOLVED

That approval be given to the Health and Safety Intervention Plan (reviewed 2019/2020) as detailed in Appendix 1.

#### **51. Food (Official ) Control Delivery Plan 2019-20**

*Councillor Andy Fewings left the room for this item and did not take part in the debate or vote.*

With reference to Minute 60 of the Executive (10<sup>th</sup> December 2019) consideration was given to the Food (Official Controls) Delivery Plan necessary to meet statutory requirements.

RESOLVED

That approval be given to the the Food (Official Controls) Delivery Plan (reviewed 2019/20) as detailed in Appendix 1.

#### **52. Revenue Monitoring Quarter 2 2019-20**

With reference to Minute 49 of the Executive (29<sup>th</sup> October 2019) consideration was given to the forecast outturn position for the year as at 31 March 2020 based upon actual spending and income to 30 September 2019.

RESOLVED

- (1) That approval be given to the latest revised net budget of £15.815m as shown in Table 1; and
- (2) That approval be given to the net transfers to earmarked reserves of £0.852m as shown in Appendix 2.

#### **53. Capital Monitoring Quarter 2 2019-20**

With reference to Minute 50 of the Executive (29<sup>th</sup> October 2019) consideration was given to an update on capital expenditure and the resources position along with highlighting any variances.

RESOLVED

- (1) That the net budget changes totalling a decrease of £2,809,717 be approved, giving a revised capital budget for 2019/20 totalling £17,481,484 as detailed in Appendix 1;
- (2) That the proposed financing of the revised capital budget be approved totalling £17,481,484 as shown in Appendix 2; and

(3) That a new Capital Scheme be approved highlighted in Appendix 1.

#### **54. Fees and Charges 2020-21**

*Councillor Andy Fewings left the room for this item and did not take part in the debate or vote.*

With reference to Minute 63 of the Executive (10<sup>th</sup> December 2019) consideration was given to the Council's proposed fees and charges from 1 January 2020.

An amendment was moved by Cllr Mark Townsend and seconded by Councillor John Harbour that;

“The bulky waste collection charge be reduced from the current £13.50 to £6.75, and that the commercial waste increase be changed from the proposed 5/6% to 2%”.

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

On being put to the vote the amendment was declared to be lost.

On being put to the vote it was RESOLVED accordingly;

- (1) That the proposed tariff of fees & charges from 1 January 2020 be approved with an increase of 2% as outlined in Appendix A of the report;
- (2) That the Head of Finance and Property be authorised, in consultation with the relevant Head of Service, to determine any new charges or changes to existing charges relating to the preparation and approval of the 2020/21 revenue budget;
- (3) That the Executive Portfolio Members be authorised to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum; and
- (4) That the Strategic Head of Economy and Growth be authorised, in consultation with the Executive Member for Resources and Performance Management and the Head of Finance and Property, to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market.

| <b>Item 5c Fees and Charges 2020/21 (Amendment)</b> |         |
|---|---------|
| Councillor Anne Kelly                               | Against |
| Councillor Wajid Khan                               | For     |
| Councillor Afrasiab Anwar                           | For     |
| Councillor Gordon Birtwistle                        | Against |
| Councillor Charlie Briggs                           | Against |
| 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     | Conflict Of Interests |
| 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 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 Ann Royle        | For                   |
| Councillor Jeff Sumner      | Against               |
| Councillor Andrew Tatchell  | For                   |
| Councillor Cosima Towneley  | Against               |
| Councillor Mark Townsend    | For                   |
| <b>Rejected</b>             |                       |

## **55. Treasury Management 2019-20**

With reference to Minute 64 of the Executive (10<sup>th</sup> December 2019) consideration was given to the treasury management activity for the first half year of 2019/20 covering the period 1 April to 30 September 2019.

### **RESOLVED**

That the mid-year update on Treasury Management Strategy for 2019/20 be endorsed in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.

## **56. Constitution Updates**

Consideration was given to a number of constitutional updates including Part 3, Part 4.1, and Part 5.1 of the constitution.

### **RESOLVED**

- (1) That an additional delegation for the Head of Finance and Property relating to management activities within Part 3 (Exec Functions) of the constitution be noted, as agreed by the Leader;
- (2) That an amendment be approved to Part 3 Council Functions Para 3 Delegation to Development Control Committee regarding Decisions contrary to the Local Plan, as set out in Paragraph 19;
- (3) That an amendment be approved to Part 5.1 Code of Conduct for Members and Part 4.1 CPR 24 regarding training being mandatory for Members before they can consider development control items at Full Council and Development Control Committee, as set out in Paragraph 20;
- (4) That an amendment be approved to Part 4.1 of the Constitution on Council Procedure Rule 10.1 regarding Questions and Observations by Members, including any consequential changes, as set out in Paragraph 21;
- (5) That a change be approved to Part 4.1 Council Procedure Rules to increase efficiency at meetings be considered regarding CPR 13, as set out in Paragraph 22;
- (6) That it be noted that Call in was waived regarding an urgent decision made by the Chief Executive on 18th October 2019 Executive on Business Rates Retention 2020 to 2021 and Onwards: Lancashire Pool; and
- (7) That Minor Amendments made by the Monitoring Officer to Part 5.8 of the constitution relating to the Local Code of Governance be noted.

## **57. Appointments to Committees**

Consideration was given to a number of appointments to Committees, Working Groups and Outside Bodies.

### **RESOLVED**

- (1) That the appointment of Councillor Peter Gill as a substitute member on the Lancashire Police and Crime Panel be approved; and
- (2) That the appointment of Councillor Mark Townsend as the Labour representative on the Licensing Committee, to replace Councillor Sehrish Lone, be approved.

## **58. Complaint Under Code of Conduct**

Councillor Tony Martin, as Chair of a Standards Hearing held on the 3<sup>rd</sup> December 2019, reported on the outcome of the Hearing Panel.

RESOLVED

That the outcome of the Hearing panel be noted.

## **59. Report from the Chair of Scrutiny**

**RESOLVED** That the Cycle 3 report of the Scrutiny Chair be noted.

## **60. Duration of Meeting**

In accordance with Council Procedure Rule 13 (l), Members considered a motion without notice to continue the meeting beyond three hours in duration until the business was concluded and it was RESOLVED accordingly.

## **61. Strategic Plan Progress Reports**

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

## **62. Exclusion of the Public**

RESOLVED

That the public be excluded from the meeting before discussion takes place on the following items of business relating to Minute 63 on the grounds that 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 relating to the financial or business affairs of any particular person (including the authority holding that information).

## **63. Market Investment Proposal**

With reference to Minute 55 of the Executive (29<sup>th</sup> October 2019) consideration was given to an item on proposals regarding the Burnley Market Hall.

In accordance with Council Procedure Rule 13(f) it was moved by Councillor Gordon Birtwistle and seconded by Councillor Cosima Towneley that the item be withdrawn.

On being put to the vote the motion to withdraw was declared to be lost.

In accordance with Council Procedure Rule 22.1 it was moved by Councillor Andrew Newhouse and seconded by Councillor Dale Ferrier to suspend Council Procedure Rule 15.2, and on being put to the vote this was RESOLVED accordingly.

Consequently, in accordance with Council Procedure Rule 13(f) it was moved by Councillor Andrew Newhouse and seconded by Councillor Cosima Towneley that the item be withdrawn.

On being put to the vote the motion to withdraw was declared to be carried, and the item was WITHDRAWN accordingly.