



# FULL COUNCIL

## BURNLEY TOWN HALL

Wednesday, 25th September, 2019 at 6.30 pm

### PRESENT

### MEMBERS

Her Worshipful The Mayor Cllr Anne Kelly in the Chair;

Councillors W Khan (Vice-Chair), A Anwar, H Baker, G Birtwistle, C Briggs, B Brindle, P Campbell, F Cant, S Chaudhary, T Commis, I Emo, D Ferrier, A Fewings, B Foster, P Gill, S Graham, S Hall, J Harbour, A Hosker, S Hussain, M Ishtiaq, M Johnstone, 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
Rob Dobson	Head of Policy and Engagement
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
Amy Johnson	Principal Accountant
Alison McEwan	Democracy Officer
David Bristow	Mayor's Officer

### 21. Minutes of the Last Meeting

**RESOLVED** The Minutes of the meeting of the Council held on the 10<sup>th</sup> July 2019 were confirmed and signed by the Chair.

## **22. Mayor's Communications**

The Mayor invited Cllr Cosima Towneley and Lt. Col. Jim Dowle to sign the refreshed Armed Forces Community Covenant. Wg. Cdr. Chris Ashworth then presented Cllr Towneley with the Defence Employer Recognition Scheme Bronze Award in recognition of the Council's work to support ex-service men and women.

## **23. Public Question Time**

Mubashar Lone and Mozaquir Ali addressed the Council on the situation in Kashmir under the Request to Speak Policy.

## **24. Notice of Motion - Kashmir**

It was moved by Cllr Arif Khan and seconded by Cllr Sue Graham that;

This Council recognises the direct family ties and relationships that many Burnley residents have with Kashmir and its people. It's thought that more than 500 people in the borough are of Kashmiri origin. This longstanding unresolved international problem has significantly deteriorated in recent weeks, which is causing concern to many residents. This Council calls for the following:

1. The Council expresses its concerns regarding human rights violations to the people of Kashmir, the imposition of curfews and lockdowns and the threat of increased conflict in the region and beyond.
2. That this Council condemns the revocation of article 370 of the Indian Constitution, removing the autonomous rights of the Kashmiri people and inflicting inhuman conditions by the imposed total lockdown on the entire region.
3. The Council expresses its concerns over the allegations of brutal army oppression to the people of Kashmir and calls for any crimes to be investigated and brought to justice.
4. That a letter be sent to the Foreign Secretary urging immediate action on the resolutions moved and agreed by this Council, and to express its concerns regarding the human rights violations and the threat of increased conflict in the region and beyond.
5. That all the past resolutions of the United Nations on Kashmir be fully implemented with immediate effect by India allowing a freedom of choice to the Kashmiri people.

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

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

<b>Motion on Kashmir (Motion)</b>	
Councillor Anne Kelly	For
Councillor Wajid Khan	For
Councillor Afrasiab Anwar	For
Councillor Howard Baker	For
Councillor Gordon Birtwistle	For
Councillor Charlie Briggs	For
Councillor Bill Brindle	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 Sue Graham	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 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>	

## **25. Review of Polling Districts, Places and Stations**

Consideration was given to the Returning Officers proposals following a review of polling districts, places and stations.

IT WAS RESOLVED

That the proposals for polling districts, places and stations as set out in the attached schedule be approved as follows;

- (a) The proposed change in the Cliviger with Worsthorne Ward to split polling district HB, to create a new additional polling district (HE) with the polling station as Mount Zion Church, Burnley Road, Cliviger. The now smaller polling district HB would remain, with Cliviger Village Hall continuing as the polling station;
- (b) If Kibble Bank Community Centre (polling district BA in Lanehead) is sold and is no longer available to use as a polling station that Members note the proposal to merge polling districts BA and BC in the Lanehead Ward, with the polling station as St James Lanehead C of E School, Briercliffe Road, Burnley;
- (c) The proposed change in the Brunshaw Ward to merge polling districts FC and FD to create one larger polling district, with Brunshaw Nursery, Morse Street continuing as the polling station; and
- (d) With the exception of a) to c) above, Members note the Returning Officers decision not to change any other polling districts/places/stations.

## **26. Appointments to Committees & Outside Bodies**

Consideration was given to the Council's appointments to the Council's Committees and Outside Bodies.

The Mayor informed the Council that only one nomination had been received to the Police and Crime Panel – Councillor Alan Hosker as Lead Member, and requested that any further nominations be submitted to the meeting. None were received.

RESOLVED

- (1) Council notes the retirement of the current Independent member on the Audit and Standards Committee;
- (2) That Council approves the appointment of Stuart Arnfield as the Independent member of the Audit and Standards Committee from 1st October 2019 until July 2021;
- (3) That Council approves the BREXIT Party committee appointments; and
- (4) That Council approves the appointment of Cllr Alan Hosker as Lead Member on Lancashire Police and Crime Panel.

## **27. Constitutional Updates**

Consideration was given to a report on various amendments to the constitution at 5.1 Code of Conduct and CPR 20 relating to Members Conduct; delegations to the Head of Housing and Development Control relating to Development Control within Part 3 (Council Functions) as proposed by a Member; and an amendment to Part 5.1 Code of Conduct regarding mandatory training for Members before consideration of development control items at DC Committee or Full Council, and accordingly a new Council Procedure Rule.

RESOLVED

- 1) That amendments to the constitution relating to Part 5.1 Code of Conduct and CPR 20 relating to Members Conduct be approved.
- 2) That various amendments to the delegations of the Head of Housing and Development Control relating to Development Control within Part 3 (Council Functions) of the constitution as proposed by a Member be approved.
- 3) That an amendment to Part 5.1 Code of Conduct for Members regarding training being mandatory for Members before they can consider development control items at Development Control Committee or Full Council, and accordingly a new Council Procedure Rule 24 be approved.

## **28. Complaint under Code of Conduct**

Members considered the decision of the Audit & Standards Sub-Committee Hearing Panel on 23<sup>rd</sup> July 2019.

RESOLVED

That the decision be noted.

## **29. Strategic Plan**

With reference to Minute 35 of the Executive (17<sup>th</sup> September 2019) consideration was given to the updated Strategic Plan.

An amendment was moved by Councillor Baker and seconded by Councillor Birtwistle;

“That Strategic Plan Priority PL2 – We will improve the management and condition of private rented accommodation be amended to read, ‘We will improve the management and condition of rented accommodation’ by the removal of the word private”

Cllrs Briggs and Lishman accepted the amendment, which went forward as the substantive motion.

RESOLVED

That subject to Strategic Priority PL2 being revised to read 'We will improve the management and condition of rented accommodation' the Strategic Plan be approved.

### **30. Capital Budget Monitoring Q1 2019/20**

With reference to Minute 30 of the Executive (13<sup>th</sup> August 2019) consideration was given to a revised capital budget.

RESOLVED

- (1) That net budget changes totalling a decrease of £1,053,740 giving a revised capital budget for 2019/20 totalling £20,291,201 as detailed in Appendix 1 be approved;
- (2) That the proposed financing of the revised capital budget totalling £20,291,201 as shown in Appendix 2 be approved;
- (3) That the latest estimated year end position on capital receipts and contributions be noted showing an assumed balance of £1,853,381 at 31 March 2020 as shown in Appendix 3;
- (4) That a new Capital Scheme named Changing Places, totalling £99,897, funded from 3rd Party Contributions be approved.

### **31. Revenue Budget Monitoring Q1 2019/20**

With reference to Minute 29 of the Executive (13<sup>th</sup> August 2019) consideration was given to the current forecast outturn position, based on savings identified within the reporting period.

RESOLVED

- (1) That the projected revenue budget forecast position of an overspend of £248k be noted, as summarised in table 1 and detailed in Appendix 1. Also that the position as at the end of the quarter be noted on the achievement of salary and non-salary savings targets and the balances yet to be found, as can be seen in Table 2;
- (2) That the latest revised net budget of £15.815m as shown in Table 1 be approved; and
- (3) That the net transfers to earmarked reserves of £1.385m as shown in Appendix 2 be approved.

## **32. Council Tax Premium**

With reference to Minute 39 of the Executive (17<sup>th</sup> September 2019) consideration was given to the extension of Council Tax Premium and adoption of a Council Tax Premium Policy.

An amendment was proposed by Councillor Townsend and seconded by Councillor Harbour

“That the following clauses (iii) to (vii) be added to the existing motion:

(iii) Ring-fences the additional revenue identified in this report towards any revenue pressure that the proposal at paragraph 2(vi) could (if approved by Full Council at its February 2020 budget setting meeting) create; and

(iv) Directs the Executive to undertake a statutory consultation of the Local Council Tax Support Scheme (the “Scheme”) in accordance with Schedule 1A of the Local Government Finance Act 1992 and the Local Government Finance Act 2012 (as amended);

(v) Directs the Executive to bring to Full Council an updated Scheme for consideration to its annual budget setting council in February 2020;

(vi) Asks the Executive to consider and approve for consultation an amendment to the Scheme from 2020/21. The proposal being to reduce the minimum payment for working age claimants from 17.5% to 15% over the next 2 years (1.5% in 2020/21 and a further 1% in 2021/22) and report to Full Council on this proposal at its annual budget setting meeting in February 2020 as part of the updated Scheme it presents in accordance with paragraph 2(v);

(vii) Delegates authority to the council’s Head of Finance and Property to undertake the statutory consultation and all actions necessary to give effect to this resolution (including determining the length of the consultation period).”

### **Adjournment of meeting**

The Mayor adjourned the meeting at 7.45pm

### **The meeting reconvened at 8.17pm**

In accordance with CPR 14.7 (b) Cllr Townsend proposed and Cllr Harbour seconded an alteration to clause (iii) of the amendment which then read;

‘(iii) consider contributing the additional revenue identified in this report towards any revenue pressure that the proposal at paragraph 2(vi) could (if approved by Full Council at its February 2020 budget setting meeting) create;’

Councillor Lishman and Councillor Briggs accepted the altered amendment, and this went forward as the substantive motion:

That Full Council are recommended:

- (i) to adopt the Council Tax Premium Policy
- (ii) to apply the following progression of increased premiums, in addition to those already approved:
  - From 1 April 2020 • Properties empty for a period of more than 5 years – the maximum premium will be 200% - equivalent to a Council Tax charge x 3
  - From 1 April 2021 • Properties empty for a period of more than 10 years – the maximum premium will be 300% - equivalent to a Council Tax charge x 4
- (iii) consider contributing the additional revenue identified in this report towards any revenue pressure that the proposal at paragraph 2(vi) could (if approved by Full Council at its February 2020 budget setting meeting) create;
- (iv) Directs the Executive to undertake a statutory consultation of the Local Council Tax Support Scheme (the “Scheme”) in accordance with Schedule 1A of the Local Government Finance Act 1992 and the Local Government Finance Act 2012 (as amended);
- (v) Directs the Executive to bring to Full Council an updated Scheme for consideration to its annual budget setting council in February 2020;
- (vi) Asks the Executive to consider and approve for consultation an amendment to the Scheme from 2020/21. The proposal being to reduce the minimum payment for working age claimants from 17.5% to 15% over the next 2 years (1.5% in 2020/21 and a further 1% in 2021/22) and report to Full Council on this proposal at its annual budget setting meeting in February 2020 as part of the updated Scheme it presents in accordance with paragraph 2(v);
- (vii) Delegates authority to the council’s Head of Finance and Property to undertake the statutory consultation and all actions necessary to give effect to this resolution (including determining the length of the consultation period).

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

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



**6h - Council Tax Premium (Motion)**

That Full Council are recommended to approve the substantive motion.

Councillor Anne Kelly	For
Councillor Wajid Khan	For
Councillor Afrasiab Anwar	For
Councillor Howard Baker	For
Councillor Gordon Birtwistle	For
Councillor Charlie Briggs	For
Councillor Bill Brindle	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 Sue Graham	For
Councillor Sarah Hall	For
Councillor John Harbour	For
Councillor Alan Hosker	For
Councillor Shah Hussain	No vote recorded
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	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	No vote recorded
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	Against
Councillor Mark Townsend	For
<b>Carried</b>	

### **33. Business Rates Discretionary Relief Policy**

With reference to Minute 40 of the Executive (17<sup>th</sup> September 2019) consideration was given to the adoption of an updated Non-Domestic Rates Relief Policy.

**RESOLVED**

That the updated Non-Domestic Rates Relief Policy be adopted.

### **34. Revenue Budgets 2020-23 Latest Position & Savings Proposals**

With regard to Minute 41 of the Executive (17<sup>th</sup> September 2019) consideration was given to the latest position regarding balancing the Council's 2020-23 budgets.

**RESOLVED**

- (1) That savings approved at previous Full Council meetings totalling £277k (as at Section 8) to assist in balancing the 2020/21 and 2021/22 revenue budgets – as detailed in Appendix 1 be approved.
- (2) That further proposed savings totalling £242k to assist in balancing the 2020/21 and 2021/22 revenue budgets – as detailed in Appendix 1 be approved.

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

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

### **36. Strategic Plan Progress Reports**

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