



FULL COUNCIL

MECHANICS THEATRE, MANCHESTER ROAD, BURNLEY

Wednesday, 23rd February, 2022 at 6.30 pm

PRESENT

MEMBERS

Councillors M Townsend (Chair), C Towneley (Vice-Chair), A Anwar, H Baker, G Birtwistle, C Briggs, P Campbell, P Chamberlain, S Chaudhary, T Commis, S Cunliffe, I Emo, D Ferrier, B Foster, S Graham, S Hall, J Harbour, A Hosker, M Hurt, S Hussain, J Inckle, K Ingham, M Ishtiaq, M Johnstone, A Kelly, T Kennedy, A Khan, L Khan, S Khan, G Lishman, M Lishman, S Lone, L Mehanna, N Mottershead, E Payne, M Payne, A Raja, A Royle, J Sumner, D Whitaker and A Wight

OFFICERS

Mick Cartledge	Chief Executive
Lukman Patel	Chief Operating Officer
Howard Hamilton-Smith	Head of Finance and Property
Catherine Waudby	Head of Legal and Democratic Services
Chris Gay	Governance Manager
Eric Dickinson	Democracy Officer
Imelda Grady	Democracy Officer
Alison McEwan	Democracy Officer
David Bristow	Mayor's Officer
Amy Johnson	Finance Manager
Mark Hindman	Graphic Designer
Paul Barlow	Graphic Designer

71. Minutes of the Last Meeting, and Administrative Update

RESOLVED

The Minutes of the meeting of the Council held on the 26th January 2022 were confirmed and signed by the Chair. It was also RESOLVED to add an administrative update to Minute 7 of the Minutes of 27th May 2020 Full Council as Paragraph (3); That the appointment of Kathryn Haworth be approved as the parish representative member of the Audit and Standards Committee from 9th April 2020 until 8th April 2023

72. Mayor's Communications

It was announced that Councillor Paul Campbell and Councillor Sue Graham will have achieved 8 years' service to the Council by the end of this Municipal Year, and this was recognised by the award of a Long Service Award.

Councillor Sue Graham was presented with the award, with Councillor Paul Campbell not being present at that time.

It was also stated that for this meeting after consultation with Member Structures Working Group it was decided that the Strategic Progress Reports would not be on the agenda as they had been discussed at the recent meeting of Full Council on 26th January 2022.

It was further announced that Imelda Grady, an Officer who has provided over 20 years service to the Council within the Democracy Team, will be retiring from the Council soon and she was presented with flowers by the Leader Councillor Afrasiab Anwar on behalf of all Group Leaders.

Group Leaders and other Members expressed their thanks to Imelda for her great service to the Council.

73. Public Question Time

Fiona Wild addressed the Council under the Right To Speak policy on Nitrous Oxide Misuse.

74. Revenue Budget Monitoring Q3 2021/22

With reference to Minute 87 of the Executive (14th February 2022) consideration was given to the forecast outturn position for the year as at 31st March 2022 based upon actual spending and income to 31st December 2021 and to note the financial impact of the Coronavirus pandemic.

RESOLVED

- (1) That approval be given to the latest revised net budget of £15.419M as shown in Table 1;
- (2) That approval be given for the net transfers from earmarked reserves of £2.166M as shown in Table 2; and
- (3) That approval be given for the carry forward of forecast unspent budgets as requested by Heads of Service in Appendix 3. These amounts totalling 182k are to be transferred into the Carry Forward Reserve. The monies will be transferred back out to create additional revenue budgets in 2022/23 or when required.

75. Capital Budget Monitoring Q3 2021/22

With reference to Minute 88 of the Executive (14th February 2022) consideration was given to capital expenditure and the resources position along with highlighting any variances.

RESOLVED

- (1) That approval be given of net budget changes totalling a decrease of £5,725,705 giving a revised capital budget for 2021/22 totalling £36,670,513 as detailed in Appendix 1;
- (2) That approval be given for the proposed financing of the revised capital budget totalling £36,670,513 as shown in Appendix 2; and

- (3) That the latest estimated year end position on capital receipts and contributions be noted showing an assumed balance of £1,840,205 at 31 March 2022 as shown in Appendix 3.

76. Revenue and Capital Budget and Council Tax 2022/23

Consideration was given to the Medium Term Financial Strategy, Revenue and Capital Budget 2022/23, Treasury Management Strategy 2022/23, Revenue Budget Statutory Report, Council Tax 2022/23, and the Members Allowance Scheme relating to Items 5(c) to 5(i) on the agenda.

Consideration was also given to the relevant Minutes 89,90,91, and 92 of the Executive (14th February 2022).

It was Moved by Councillor Sue Graham and Seconded by Councillor Afrasiab Anwar; "That the Council approves the proposals contained in Items 5 (c) to 5 (i) on the agenda and as set out in the relevant Minutes 89-92 of the 14th February 2022 Executive."

An Amendment was submitted by the Green Group and Moved by Councillor Scott Cunliffe and Seconded by Councillor Martyn Hurt ;

"Item 5d Revenue Budget Appx 2 Page 96 Growth Proposal
Proposed Additional Budget Line £15,000 Source: Covid Reserve
30 new allotment plots in Burnley Borough

Reasoning:

1. The council should aspire to provide an allotment to anyone who wants one
2. There are currently 300 people on allotment waiting lists across the borough
3. Greenspaces have identified potential sites for new allotments
4. Fresh produce from allotments help families to reduce food costs
5. Allotments improve the wellbeing of residents
6. Allotments improve biodiversity within the borough

Item 5e Capital Budget Appendix 3 Page 114

Amendment: p.114 £21,000 IT Upgrades: Replacement of circa 65 tablets (iPads) used by members and officers to access electronically meeting agenda papers and reports. Propose that the cost should be spread over 3 years. i.e. £7k per year triggering a capital saving of £14k this year.

Amended text: Replacement of tablets (iPads) as required by members and officers to access electronically meeting agenda papers and reports.

Reasoning:

- 1) All members should be asked if they require a tablet to conduct their Council business. For example, 3 out of 5 of the current Green Group do not require a Council funded tablet
- 2) All existing tablets should be tested to examine if they are in a good condition to carry out the required function. The ones received by our group are in a good working order. Once an accurate need is known it could trigger savings in year 2 and year 3.

Item 5e Capital Budget Appendix 3 Page 114

Amendment: p.114: £100,000 Audio & Visual Upgrade to Facilitate On-line Meetings. Replacement of the delegate public address and induction loop systems in the Council Chamber and public gallery; plus, the installation of an electronic delegate voting system and display and fixed cameras to facilitate the live streaming of Council meetings.

Amended text: Replacement of the delegate public address and induction loop systems in the Council Chamber and public gallery; plus, the installation of an electronic delegate voting system and display and fixed cameras to facilitate the live streaming of Council meetings, electric plug charging points that can be accessed by members and staff, and improved chamber accessibility for all members.

Reasoning:

Estimates received for the original replacements only come to £70,000. The remaining money should be used to further upgrade the chamber so all members and staff have equal access to and from the chamber and can operate and recharge their electronic devices without disruption during meetings, many of which are over two hours in duration”

It was Moved by the Mayor Councillor Mark Townsend and Seconded by the Deputy Mayor Councillor Cosima Towneley under Council Procedure Rule (CPR) 13 Motion without Notice to adjourn the meeting but the Motion was LOST

In accordance with CPR 16.7 a recorded vote was taken on the Green Group amendment and it was declared to be CARRIED.

The Green Group amendment became part of the substantive motion and in accordance with CPR 16.7 a recorded vote was taken on the substantive Motion and it was declared to be CARRIED.

RESOLVED

- (1) That the latest Medium Term Financial Strategy be approved;
- (2) That the Reserves Strategy be approved, as appended to the Medium Term Financial Strategy;
- (3) That it be noted that a refreshed document will be provided when required as an aid to monitoring the continued delivery of an annually balanced budget;
- (4) That the approach that has been adopted in developing budget proposals that reflect the Council's Strategic Objectives for 2022/23 be endorsed;
- (5) That the proposals contained in the Revenue Budget 2022/23 report be approved;
- (6) That the setting of a Council Tax requirement of £7,480,375 for the financial year 2022/23 be approved;
- (7) That the setting of a Net Budget Requirement of £15,231,941 be approved for 2022/23;
- (8) That in Revenue Budget Appx 2 Growth Proposal -Additional Budget Line £15,000 Source: Covid Reserve -30 new allotment plots in Burnley Borough be approved
- (9) That the statutory report issued by the Head of Finance and Property under the Local Government Act 200 be received and considered;
- (10) That the Chief Operating Officer/Heads of Service be authorised to progress action plans to deliver the 2022/23 budget;
- (11) That approval be given for a Council Tax (Band D) figure of £318.49 for this Council for the year commencing 1st April 2022 and adopt the statutory resolution to set the full Council Tax for the year. This is equivalent to a 1.99% Council Tax increase;

- (12) That the 2022/23 Capital Budget, totalling £37,805,441, as set out in Appendix 1 be approved;
- (13) That the 2022-27 Capital Investment Programme as set out in Appendix 1 be approved;
- (14) That the estimated position on capital resources as set out in Appendix 2 be noted;
- (15) That Capital Budget Appendix 3 regarding £21,000 IT Upgrades amended text be approved as follows; Replacement of tablets (iPads) as required by members and officers to access electronically meeting agenda papers and reports.
- (16) That Capital Budget Appendix 3 regarding £100,000 Audio & Visual Upgrade to Facilitate On-line amended text be approved as follows; Replacement of the delegate public address and induction loop systems in the Council Chamber and public gallery; plus, the installation of an electronic delegate voting system and display and fixed cameras to facilitate the live streaming of Council meetings, electric plug charging points that can be accessed by members and staff, and improved chamber accessibility for all members.
- (17) That the Treasury Management Strategy statement for 2022/23 as set out in Appendix 1 be approved;
- (18) That the prudential and treasury indicators for 2022/23 to 2024/25 as per Appendix 2 including the authorised limit for external debt of £95.346M in 2022/23 be approved;
- (19) That the list of Counterparties for Deposits outlined in Appendix 3 be approved;
- (20) That the Council's MRP Statement for 2022/23 as set out in Appendix 4 of this report be approved;
- (21) That it be noted that on 2nd December 2021 the Council calculated the Council Tax base 2022/23

- a) for the whole Council area as 23,487 band D equivalent properties (Item T in the formula in Section 31B of the Local Government Finance Act 1992 [the "Act"] as amended by the Localism Act 2011)
- b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix B.

(22) That the Council Tax requirement calculated for the Council's own purposes for 2022/23 (excluding parish precepts) is £7,480,375.

(23) That the following amounts be calculated by the Council for the financial year 2022/23 in accordance with Sections 31 to 36 of the Act

- (a) £50,124,956 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) (a) of the Act taking into account all precepts issued to it by Parish Councils;
- (b) £42,475,241 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
- (c) £7,649,715 being the amount by which the aggregate at (3)(a)

above exceeds the aggregate at (3)(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);

- (d) £325.70 being the amount at (3)(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish Precepts);
- (e) £169,340 being the aggregate of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix B);
- (f) £318.49 being the amount at (3)(d) above less the result given by dividing the amount at (3)(e) above by Item T (the amount at 1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item (Parish precept) relates.

(24) To note that the County Council, the Police and Crime Commissioner for Lancashire and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

(25) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below and in Appendix A as the amounts of Council Tax for 2022/23 for each part of its area and for each of the categories of dwellings.

VALUATION BANDS

Burnley Borough Council

A	B	C	D	E	F	G	H
£212.33	£247.71	£283.10	£318.49	£389.27	£460.04	£530.82	£636.98

Lancashire County Council

A	B	C	D	E	F	G	H
£1,009.53	£1,177.78	£1,346.04	£1,514.29	£1,850.80	£2,187.31	£2,523.82	£3,028.58

Police and Crime Commissioner for Lancashire

A	B	C	D	E	F	G	H
£157.63	£183.91	£210.18	£236.45	£288.99	£341.54	£394.08	£472.90

Lancashire Combined Fire Authority

A	B	C	D	E	F	G	H
£51.51	£60.10	£68.68	£77.27	£94.44	£111.61	£128.78	£154.54

Aggregate of Council Tax Requirements

A	B	C	D	E	F	G	H
£1,431.00	£1,669.50	£1,908.00	£2,146.50	£2,623.50	£3,100.50	£3,577.50	£4,293.00

(26) That it be determined that the Council's basic amount of Council Tax for 2022/23 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992; and

(27) That the level of Members Allowances for 2022-25 be approved as set out in the appendix to the report

Green Amendment (Amendment)	
Councillor Mark Townsend	For
Councillor Cosima Towneley	For
Councillor Afrasiab Anwar	For
Councillor Howard Baker	For
Councillor Gordon Birtwistle	For
Councillor Charlie Briggs	For
Councillor Paul Campbell	No vote recorded
Councillor Phil Chamberlain	Against
Councillor Saeed Chaudhary	For
Councillor Tom Commis	For
Councillor Scott Cunliffe	For
Councillor Ivor Emo	Against
Councillor Dale Ferrier	Against
Councillor Beatrice Foster	For
Councillor Sue Graham	For
Councillor Sarah Hall	For
Councillor John Harbour	For
Councillor Alan Hosker	Against
Councillor Martyn Hurt	For
Councillor Shah Hussain	For

Councillor Jacqueline Inckle	For
Councillor Karen Ingham	For
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	For
Councillor Anne Kelly	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 Lorraine Mehanna	For
Councillor Neil Mottershead	No vote recorded
Councillor Emma Payne	For
Councillor Mark Payne	For
Councillor Asif Raja	For
Councillor Ann Royle	For
Councillor Jeff Sumner	For
Councillor Don Whitaker	Against
Councillor Andy Wight	For
Carried	
Budget 2022/23 (Resolution)	
Councillor Mark Townsend	For
Councillor Cosima Towneley	Against
Councillor Afrasiab Anwar	For
Councillor Howard Baker	For
Councillor Gordon Birtwistle	For
Councillor Charlie Briggs	For
Councillor Paul Campbell	No vote recorded
Councillor Phil Chamberlain	Against
Councillor Saeed Chaudhary	For
Councillor Tom Commis	Against
Councillor Scott Cunliffe	For
Councillor Ivor Emo	Against
Councillor Dale Ferrier	Against
Councillor Beatrice Foster	For
Councillor Sue Graham	For
Councillor Sarah Hall	For
Councillor John Harbour	For
Councillor Alan Hosker	Against
Councillor Martyn Hurt	For
Councillor Shah Hussain	For
Councillor Jacqueline Inckle	For
Councillor Karen Ingham	Against
Councillor Mohammed Ishtiaq	For
Councillor Marcus Johnstone	For
Councillor Anne Kelly	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 Lorraine Mehanna	For
Councillor Neil Mottershead	No vote recorded
Councillor Emma Payne	No vote recorded
Councillor Mark Payne	For
Councillor Asif Raja	For
Councillor Ann Royle	For
Councillor Jeff Sumner	For
Councillor Don Whitaker	Against
Councillor Andy Wight	For
Carried	

77. Strategic Plan 2022

With reference to Minute 84 of the Executive (14th February 2022) consideration was given to the Strategic Plan 2022.

RESOLVED

That approval be given to the Strategic Plan 2022, including the amendment at the Executive to PR2 below;

PR2-We will proactively support the Borough`s businesses in the urban and rural areas to innovate and expand, and make the Borough a natural choice for business relocation.

78. Pay Policy Statement- Localism Act 2011

With reference to Minute 93 of the Executive (14th February 2022) consideration was given to the Localism Act 2011 Pay Policy Statement which is required to be published prior to the end of March each year.

RESOLVED

- (1) That this report and the attached Pay Policy Statement for 2022/23 be approved;
- (2) That the Council's Gender Pay Gap report which is at Appendix H of the Pay Policy Statement be noted;
- (3) That a delegation to the Strategic HR Manager to make minor amendments to finalise the Pay Policy Statement following agreement of pay awards for 2021-22 be approved; and
- (4) That, subject to reaching a collective agreement or following consultation with affected employees, an amendment to NJC terms and conditions which will require employees on Grades 7-11 to provide a minimum of 2 months' notice of termination and for employees on Grades 12-14 to provide a minimum of 3 months be approved

79. Appointment Process of External Auditors 2023/27

With reference to Minute 26 of the Audit and Standards Committee (27th January 2022) consideration was given to the Appointment process of External Auditors for 2023/27.

RESOLVED

That the Council accepts the Public Sector Audit Appointments (PSAA) invitation to opt into the sector-led Option for the appointment of external auditors to principal local government and police bodies for 5 financial years commencing 1 April 2023.

80. Appointment Process to Burnley Leisure as an Outside Body

Members considered the arrangements for the appointment of Members to Burnley Leisure Trust's Board of Trustees.

RESOLVED

That the changes to the nomination and appointment of Local Authority Trustees to the Board of Burnley Leisure Trust be approved as outlined in Section 9 of the report.

81. Constitutional Updates and Reporting

Consideration was given to a Constitutional Amendments and Reporting report.

RESOLVED

- (1) That Members were informed of a waiver of call-in relating to an urgent decision (Executive Functions) taken by the Chief Executive on 28 January 2022 relating to Omicron Additional Restrictions Grants;
- (2) That Part 3 (Council Functions) Scheme of Delegation relating to the Licensing Committee and the Head of Legal and Democratic Services be amended in accordance with Appendix A of the report to 2nd February 2022 Licensing Committee (attached as Appx 2) to enable the Head of Legal & Democratic Services to act where training requirements are not met; and
- (3) That Councillor Scott Cunliffe be appointed to Member Structures Working Group to replace Councillor Andy Fewings relating to the Green Group.

82. Reports from Committee Chairs

RESOLVED

That the reports of the Chairs of Scrutiny, Audit and Standards, Licensing, and Development Control be noted.