



BURNLEY BOROUGH COUNCIL

BURNLEY TOWN HALL

Wednesday 28th September 2016

PRESENT

MEMBERS

His Worshipful The Mayor (Councillor Jeff Sumner) in the Chair;

Councillors Baker, Birtwistle, Briggs, Bill Brindle, Margaret Brindle, Cant, Carmichael, Cunningham, Ellis, Fleming, Foster, Frayling, Greenwood, Harbour, Harrison, Heginbotham, Hosker, Hussain, Ishtiaq, Johnstone, Kelly, Arif Khan, Lubna Khan, Wajid Khan, Malik, Martin, Monk, Mottershead, Newhouse, Pate, Payne, Porter, Raja, Reynolds, Royle, Tatchell, Towneley, and White.

OFFICERS

Pam Smith	- Chief Executive
Mick Cartledge	- Director of Community Services
Lukman Patel	- Head of Governance, Law, Property & Regulation
Eric Dickinson	- Democracy Officer
Imelda Grady	- Democracy Officer
David Bristow	- Mayor's Officer

20. Minutes

RESOLVED The Minutes of the meeting of the Council held on the 13th July 2016 were confirmed by the Chair.

21. Declarations of Interest

The Mayor indicated that Pam Smith and Lukman Patel would leave the chamber when Item 5 (e) on the agenda was being discussed, regarding Update Officer Disciplinary Procedure Rules and Appointment of the Independent Panel (Standing Panel), as they each had a prejudicial interest in that item.

22. Mayor's Communications

The Mayor indicated that following consultation with Group Leaders it had been agreed that the next Full Council meeting would be moved from 14th December to 21st December 2016.

23. Revenue Monitoring Cycle 1 2016/17

With reference to Minute 36 (16th August 2016) of the Executive consideration was given to the forecast outturn position for the year as at 31st March 2017 based upon actual spending and income to 30th June 2016.

RESOLVED

- (1) That the latest revised budget of £15,223k be approved as shown in Appendix 1; and
- (2) That the net transfers from earmarked reserves in the quarter of £735k be approved as shown in Appendix 4 .

24. Capital Budget Monitoring 2016/17 Cycle 1

With reference to Minute 37 (16th August 2016) of the Executive consideration was given to capital expenditure and the resources position and any variances for Cycle 1 to 30th June 2016.

RESOLVED

- (1) That an increased capital budget of £148,000 for the Burnley Town Centre Pedestrian Upgrade scheme (50% of the overall increased cost) be approved to be financed by additional borrowing or in year revenue savings in the event that sufficient revenue savings should arise;
- (2) That the revised capital budget for 2016/17 totalling £9,332,789 be approved as outlined in Appendix 1;and
- (3) That the proposed financing of the revised capital budget totalling £9,332,789 be approved as shown in Appendix 2.

25. Revenue Budget 2017-2020 Latest Position and Savings Proposals

With reference to Minute 48 (20th September 2016) of the Executive consideration was given to the latest position regarding balancing the Revenue Budgets 2017-20 and proposed savings.

RESOLVED

- (1) That proposed savings totalling £2.166 million to assist in balancing the 2017/18, 2018/19 and 2019/20 revenue budgets be approved as shown in Appendix 1;and
- (2) That the proposed invest to save of £30k be approved as shown in Appendix 2.

26. Appointment to Committees and Working Groups for the 2016/17 Municipal Year

Consideration was given to the replacement of a Liberal Democrat Member on the Audit and Standards Committee for the remainder of the 2016/17 Municipal Year.

RESOLVED That Councillor Gordon Birtwistle be appointed to replace Councillor Charlie Briggs as a Liberal Democrat Member on the Audit and Standards Committee for the remainder of the 2016/17 Municipal Year.

27. Update Officer Disciplinary Procedure Rules And Appointment Of The Independent Panel (Standing Panel)

Pam Smith and Lukman Patel left the room for this item and did not take part in the discussion.

Consideration was given to an update on the Officer Disciplinary Procedure Rules and the establishment and appointment of an Independent Panel (Standing Panel) in order to implement the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

RESOLVED

- (1) That the anomaly and consequential amendments to the Officer Disciplinary Procedure Rules as set out in paragraphs 7 and 8 be noted, and the resulting updated Part 4.9 of the constitution (Appendix 1) be noted; and
- (2) That the relevant Standing Panel be established and appointed to, and its consequent Independent Panel be established, as set out in paragraphs 10 and 15 including the following Labour Members- Councillors Baker, Cant, Frayling, Arif Khan, Lubna Khan, Raja and Tatchell.

28. Constitutional Updates and Council Delegations

Consideration was given to constitutional updates regarding Part 3 (Executive) decisions by the Leader and Minor Amendments by the Monitoring Officer, and to the approval of a Part 3 (Council) delegation regarding the suspension of taxi licences.

RESOLVED

- (1) That the following constitutional updates be noted relating to;
 - (a) Part 3 (Executive Functions) Scheme of Delegation updates by the Leader on;
 - (i) 11th August 2016 Finance delegations transferred from the Head of Finance and Property Management to the Accountancy Division Manager from 1st September 2016 (Appendix 1); and
 - (ii) 30th August 2016 Property Delegations have been reviewed

and amendments made relating to the Head of Governance, Law & Regulation from 1st September 2016 (Appendix 2).

(b) That minor amendments to Part 4.6 of the constitution (Financial Procedure Rules) by the Monitoring Officer, which were made on 31st August 2016, be noted as follows;

(i) The words “and the Executive” should be included after “Scrutiny Committee” in FPR B5.2;and

(ii)Amend FPR B5.9 and include the words “virements and” after the opening words “A report detailing any”.

(2) That the following delegation for the Head of Governance, Law & Regulation be added to Part 3 of the Constitution relating to the Scheme of delegation (Council Functions) for Licensing Committee (see Appendices 3a and 3b);

“Enable the suspension or refusal to renew, as appropriate, of any Hackney Carriage and/or Private Hire Drivers and/ or Operators Licence where the holders of such licences have failed to complete a council approved child sexual exploitation (CSE) course by 31st December 2016.

Where the Council intends to suspend a drivers/operators licence because they have failed to complete a CSE course, the licence holder will be offered the opportunity to put forward any exceptional circumstances to the Licensing Committee to show why the licence should not be suspended or why it should not be renewed.

The suspension of any licence would continue until such time as a driver/operator is able to complete the CSE training.”

29. Scrutiny Committee Chair’s Cycle 2 Report 2016/17

Consideration was given to the Scrutiny Committee Chair’s report for cycle 2.

RESOLVED That the cycle 2 report of the Scrutiny Chair be noted.

30. Strategic Plan Progress Reports

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