



FULL COUNCIL

BURNLEY TOWN HALL

Wednesday, 22nd February, 2023 at 6.30 pm

PRESENT

MEMBERS

Councillors C Towneley (Chair), A Khan (Vice-Chair), A Anwar, H Baker, G Barton, G Birtwistle, C Briggs, S Chaudhary, S Cunliffe, A Fewings, S Graham, S Hall, J Harbour, B Horrocks, A Hosker, M Hurt, S Hussain, J Inckle, K Ingham, S Kazmi, A Kelly, W Khan, J Launer, A Lewis, G Lishman, M Lishman, S Lone, J McGowan, A Raja, C Sollis, M Steel, J Sumner, M Townsend, 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
Alison McEwan	Democracy Officer
Carol Eddleston	Democracy Officer
David Bristow	Mayor's Officer
Amy Johnson	Finance Manager
MJ Hindman	Graphic Designer
Dexter Almond	Admin Officer
Paul Barlow	Graphic Designer
Blake Morris	Admin Officer
Hannah Smith	Accountancy Officer

58. Minutes of Previous Meetings

RESOLVED That the minutes of the meetings of the Council held on 29th November 2022 and 25th January 2023 be confirmed and signed by the Chair.

59. Declarations of Interest

Councillor Fewings declared a pecuniary interest in agenda items 5c and 5d [minute no 63 and 64] as the owner of a property on Lower St James's Street and a other interest due to

his husband's association with Creative Spaces Burnley CIC. He would leave the meeting for the duration of these items and take no part in the discussion or voting thereon.

Councillor Fewings also declared a other prejudicial interest in agenda item 5i Capital Budget 2023/24 and Capital Investment Programme 2023/28 [included in minute no 65] due to his husband's association with Creative Spaces Burnley CIC. As this item was to be taken en bloc with other 2023/24 budget items, agenda items 5e to 5k and Supplementary Agenda item 5p, he would be required to leave the room and take no part in the discussion or en bloc vote on those items.

Councillor Lewis declared a other, non-prejudicial interest in agenda item 5p of the Supplementary Agenda, Conservative Group Budget Amendments [included in minute no 65], due to his voluntary role as Event Director of Padiham Greenway junior park run. He was therefore permitted to remain in the meeting and take part in the discussion and en bloc vote.

Councillors Graham, Hussain, Kelly, G Lishman, M Lishman and Lord W Khan declared a other non-prejudicial interest in the first Green Group amendment due to their involvement in the Citizens Advice Bureaux and/or Burnley, Pendle and Rossendale Council for Voluntary Services. They were permitted to remain in the meeting and take part in the discussion and the en bloc vote.

60. Mayor's Communications

The Mayor took the opportunity to encourage members to attend the Mayor's Ball on 15th April 2023 in the James Hargreaves Suite at Burnley Football Club.

She also informed the meeting that plans were being made throughout the country to *Ring for the King* at the Coronation of King Charles III on 6 May 2023, in preparation for which the Central Council of Church Bell Ringers had initiated an appeal to recruit more ringers to enable them to be trained in time to participate.

61. Recommendation of the Independent Remuneration Panel

Consideration was given to the findings of the Independent Remuneration Panel (IRP) in respect of a proposed percentage increase to the current Members' Allowance Scheme (MAS) for the financial year 2022/23.

RESOLVED, THAT: an increase of 4.04% to the members' basic allowance for the financial year 1st April 2022-31st March 2023 and the resulting increases to Special Responsibility Allowances as set out in Appendix 1 be approved.

62. Strategic Plan 2023

With reference to minute 83 of the Executive (13th February 2023), consideration was given to the Strategic Plan 2023.

RESOLVED: That the Strategic Plan 2023 be approved.

63. Revenue Budget Monitoring Q3 2022/23

Councillor Fewings left the room for the duration of this item.

With reference to minute 85 of the Executive (13th February 2023), consideration was given to the outturn forecast position for the year as at 31st March 2023 based upon actual spending, and income to 31st December 2022.

RESOLVED, THAT:

- 1) The latest revised net budget of £15.322m as shown in Table 1 be approved;
- 2) The net transfers from earmarked reserves of £4.284m as shown in Appendix 2 be approved, and
- 3) The requested carry forwards of £419k as shown in Appendix 3 be approved.

64. Capital Budget Monitoring Q3 2022/23

Councillor Fewings remained outside of the room for the duration of this item.

With reference to minute 86 of the Executive (13th February 2023), consideration was given to an update on capital expenditure and the resources position, with any variances highlighted.

RESOLVED, THAT:

- 1) Net budget changes totalling a decrease of £18,513,011 giving a revised capital budget for 2022/23 totalling £20,225,741 as detailed in Appendix 1 be approved, and
- 2) The proposed financing of the revised capital budget totalling £20,225,741 as detailed in Appendix 1 be approved.

65. Revenue and Capital Budget 2023/24, including Medium Term Financial Strategy, Treasury Management Strategy, Council Tax Support Scheme, Revenue Budget Statutory Report and Council Tax Resolution

Councillor Fewings remained outside of the room for the duration of this item.

Consideration was given to the Medium Term Financial Strategy 2024/28, the Treasury Management Strategy 2023/24 and Prudential Treasury Indicators, the Council Tax Support Scheme 2023/24, the Revenue Budget 2023/24, the Capital Budget 2023/24 and Capital Investment Programme 2023/28, Revenue Budget Statutory Report by the Finance Officer and Council Tax 2023/24. Consideration was also given to the relevant minutes 87, 88, 89, 90 and 91 of the Executive (13th February 2023).

It was moved by Councillor Graham and seconded by Councillor Anwar that the recommendations outlined in agenda items 5e to 5k and as set out in minutes 87 to 91 of the Executive (13th February 2023) be approved.

The first of two amendments submitted in advance by the Conservative Group and published at pages 8 and 9 of the Supplementary Agenda Pack was moved by Councillor McGowan and seconded by Councillor Whitaker.

In accordance with Council Procedure Rule (CPR) 16.7 a recorded vote was taken on the first Conservative Group amendment and it was declared to be LOST.

Conservative Group Amendment 1 (Amendment)	
Councillor Cosima Towneley	For
Councillor Arif Khan	Against
Councillor Afrasiab Anwar	Against
Councillor Howard Baker	Against
Councillor Gail Barton	Against
Councillor Gordon Birtwistle	Against
Councillor Charlie Briggs	Against
Councillor Saeed Chaudhary	Against
Councillor Scott Cunliffe	Against
Councillor Sue Graham	Against
Councillor Sarah Hall	Against
Councillor John Harbour	Against
Councillor Bill Horrocks	Against
Councillor Alan Hosker	For
Councillor Martyn Hurt	Against
Councillor Shah Hussain	Against
Councillor Jacqueline Inckle	Against
Councillor Karen Ingham	For
Councillor Syeda Kazmi	Against
Councillor Anne Kelly	Against
Councillor Lord Wajid Khan of Burnley	Against
Councillor Jack Launer	Against
Councillor Alun Lewis	Against
Councillor Gordon Lishman	Against
Councillor Margaret Lishman	Against
Councillor Sehrish Lone	Against
Councillor Jamie McGowan	For
Councillor Asif Raja	Against
Councillor Christine Sollis	Against
Councillor Mike Steel	For
Councillor Jeff Sumner	Against
Councillor Mark Townsend	Against
Councillor Don Whitaker	For
Councillor Andy Wight	Against
Rejected	

The second of two amendments submitted in advance by the Conservative Group and published at pages 10 and 11 of the Supplementary Agenda Pack was moved by Councillor Hosker and seconded by Councillor Steel.

In accordance with Council Procedure Rule (CPR) 16.7 a recorded vote was taken on the second Conservative Group amendment and it was declared to be LOST.

Conservative Group Amendment 2 (Amendment)	
Councillor Cosima Towneley	For
Councillor Arif Khan	Against
Councillor Afrasiab Anwar	Against
Councillor Howard Baker	Against
Councillor Gail Barton	Against
Councillor Gordon Birtwistle	Against
Councillor Charlie Briggs	Against
Councillor Saeed Chaudhary	Against
Councillor Scott Cunliffe	Against
Councillor Sue Graham	Against
Councillor Sarah Hall	Against
Councillor John Harbour	Against
Councillor Bill Horrocks	Against
Councillor Alan Hosker	For
Councillor Martyn Hurt	Against
Councillor Shah Hussain	Against
Councillor Jacqueline Inckle	Against
Councillor Karen Ingham	For
Councillor Syeda Kazmi	Against
Councillor Anne Kelly	Against
Councillor Lord Wajid Khan of Burnley	Against
Councillor Jack Launer	Against
Councillor Alun Lewis	Against
Councillor Gordon Lishman	Against
Councillor Margaret Lishman	Against
Councillor Sehrish Lone	Against
Councillor Jamie McGowan	For
Councillor Asif Raja	Against
Councillor Christine Sollis	Against
Councillor Mike Steel	For
Councillor Jeff Sumner	Against
Councillor Mark Townsend	Against
Councillor Don Whitaker	For
Councillor Andy Wight	Against
Rejected	

Two amendments were submitted by the Green Group. As these had not been published or circulated in advance, and with the consent of members, the Mayor adjourned the meeting at 19:52 to allow all members to read and consider them.

The meeting reconvened at 20:00.

It was moved by Councillor Hurt and seconded by Councillor Launer that Full Council:

‘Remove £10,000 for Coronation celebrations.

Increase the grant to the CAB in 2023/24 by a one-off contribution of £10,000 and allocate officer time to help community organisations promote their crowdfunders for coronation celebrations.’ (Item 5h page 177 and 188), and

Ring-fence any savings identified from any vacant positions that arise from the CEO recruitment process and award the savings to Burnley Pendle and Rossendale Council for Voluntary Services for them to use to support organisations across the Borough that are helping people who are struggling with the cost of living crisis’.

In accordance with CPR 16.7 a recorded vote was taken on the first of two Green Group amendments and it was declared to be LOST.

Green Group Amendment 1 (Amendment)	
Councillor Cosima Towneley	Against
Councillor Arif Khan	Against
Councillor Afrasiab Anwar	Against
Councillor Howard Baker	Against
Councillor Gail Barton	Against
Councillor Gordon Birtwistle	Against
Councillor Charlie Briggs	Against
Councillor Saeed Chaudhary	Against
Councillor Scott Cunliffe	For
Councillor Sue Graham	Against
Councillor Sarah Hall	For
Councillor John Harbour	Against
Councillor Bill Horrocks	Against
Councillor Alan Hosker	Against
Councillor Martyn Hurt	For
Councillor Shah Hussain	Against
Councillor Jacqueline Inckle	Against
Councillor Karen Ingham	No vote recorded
Councillor Syeda Kazmi	Against
Councillor Anne Kelly	Against
Councillor Lord Wajid Khan of Burnley	Against
Councillor Jack Launer	For
Councillor Alun Lewis	Against
Councillor Gordon Lishman	Against
Councillor Margaret Lishman	Against
Councillor Sehrish Lone	Against
Councillor Jamie McGowan	Against
Councillor Asif Raja	Against
Councillor Christine Sollis	Against
Councillor Mike Steel	Against
Councillor Jeff Sumner	Against
Councillor Mark Townsend	Against
Councillor Don Whitaker	Against
Councillor Andy Wight	For
Rejected	

It was moved by Councillor Cunliffe and seconded by Councillor Wight that Full Council:

‘Change the 2.99% Council Tax rise to 0% for 2023/24 only, the impact of the loss of Council Tax income over the 5-year Medium Term Financial Strategy period to be funded from reserves over the next 5 years at a cost of £1.21m.’ (Item 5h page 178).

In accordance with CPR 16.7 a recorded vote was taken on the second of the Green Group amendments and it was declared to be LOST.

Green Group Amendment 2 (Amendment)	
Councillor Cosima Towneley	Abstain
Councillor Arif Khan	Against
Councillor Afrasiab Anwar	Against
Councillor Howard Baker	Against
Councillor Gail Barton	Against
Councillor Gordon Birtwistle	Against
Councillor Charlie Briggs	Against
Councillor Saeed Chaudhary	Against
Councillor Scott Cunliffe	For
Councillor Sue Graham	Against
Councillor Sarah Hall	For
Councillor John Harbour	Against
Councillor Bill Horrocks	Against
Councillor Alan Hosker	Abstain
Councillor Martyn Hurt	For
Councillor Shah Hussain	Against
Councillor Jacqueline Inckle	Against
Councillor Karen Ingham	No vote recorded
Councillor Syeda Kazmi	Against
Councillor Anne Kelly	Against
Councillor Lord Wajid Khan of Burnley	Against
Councillor Jack Launer	For
Councillor Alun Lewis	Against
Councillor Gordon Lishman	Against
Councillor Margaret Lishman	Against
Councillor Sehrish Lone	Against
Councillor Jamie McGowan	Abstain
Councillor Asif Raja	Against
Councillor Christine Sollis	Against
Councillor Mike Steel	Abstain
Councillor Jeff Sumner	Against
Councillor Mark Townsend	Against
Councillor Don Whitaker	Abstain
Councillor Andy Wight	For
Rejected	

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

Budget 2023/24 (Resolution)	
Councillor Cosima Towneley	Against
Councillor Arif Khan	For
Councillor Afrasiab Anwar	For
Councillor Howard Baker	For
Councillor Gail Barton	For
Councillor Gordon Birtwistle	For
Councillor Charlie Briggs	For
Councillor Saeed Chaudhary	For
Councillor Scott Cunliffe	Abstain
Councillor Sue Graham	For
Councillor Sarah Hall	Abstain
Councillor John Harbour	For
Councillor Bill Horrocks	For
Councillor Alan Hosker	Against
Councillor Martyn Hurt	Abstain
Councillor Shah Hussain	For
Councillor Jacqueline Inckle	For
Councillor Karen Ingham	No vote recorded
Councillor Syeda Kazmi	For
Councillor Anne Kelly	For
Councillor Lord Wajid Khan of Burnley	For
Councillor Jack Launer	Abstain
Councillor Alun Lewis	For
Councillor Gordon Lishman	For
Councillor Margaret Lishman	For
Councillor Sehrish Lone	For
Councillor Jamie McGowan	Against
Councillor Asif Raja	For
Councillor Christine Sollis	For
Councillor Mike Steel	Against
Councillor Jeff Sumner	For
Councillor Mark Townsend	For
Councillor Don Whitaker	Against
Councillor Andy Wight	Abstain
Carried	

RESOLVED, THAT:

- 1) The latest Medium-Term Financial Strategy be approved;
- 2) The Reserves Strategy, as appended to the Medium-Term Financial Strategy be approved;
- 3) The Treasury Management Strategy Statement for 2023/24 as set out in Appendix 1 be approved;
- 4) The prudential and treasury indicators for 2023/24 to 2025/26 as per Appendix 2 including the authorised limit for external debt of £96.918m in 2023/24 be approved;
- 5) The list of Counterparties for Deposits outlined within Appendix 3 be approved;

- 6) The Council's MRP Statement for 2023/24 as set out in Appendix 4 of the report be approved;
- 7) Changes to the Council Tax Support Scheme for 2023/24 to increase the maximum level of subsidy for working age claimants from 85% to 100% for a one-year period be approved;
- 8) The approach that has been adopted in developing budget proposals that reflect the Council's Strategic Objectives for 2023/24 be endorsed;
- 9) The proposals contained in the Revenue Budget 2023/24 be approved;
- 10) The setting of a Council Tax Requirement of £7,722,735 for the financial year 2023/24 be approved;
- 11) The setting of a Net Budget Requirement of £16,266,712 for 2023/24 be approved;
- 12) The Statutory Report issued by the Head of Finance and Property under the Local Government Act 2003 be received and considered;
- 13) The Chief Operating Officer/Heads of Service be authorised to progress action plans to deliver the 2023/24 budget;
- 14) Approval be given for a Council Tax (Band D) figure of £328.01 for this Council for the year commencing 1st April 2023 and for the statutory resolution to set the full Council Tax for the year to be adopted. This is equivalent to 2.99% Council Tax Increase;
- 15) The 2023/24 Capital Budget, totalling £41,357,215 as set out in Appendix 1 be approved;
- 16) The 2023/28 Capital Investment Programme as set out in Appendix 1 be noted;
- 17) The estimated position on capital resources as set out in Appendix 2 be noted;
- 18) It be noted that on 2nd December 2022 the Council calculated the Council Tax base 2023/24
 - a) for the whole Council area as 23,544 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.
- 19) The Council Tax requirement calculated for the Council's own purposes for 2023/24 (excluding parish precepts) be £7,722,735.
- 20) The following amounts be calculated by the Council for the financial year 2023/24 in accordance with Sections 31 to 36 of the Act
 - (a) £53,611,571 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) £45,715,509 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
 - (c) £7,896,062 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) £335.37 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) £173,327 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) £328.01 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.

21) It be noted 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.

22) The Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby set the aggregate amounts shown in the tables below and in Appendix A as the amounts of Council Tax for 2023/24 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
£218.67	£255.12	£291.56	£328.01	£400.90	£473.79	£546.68	£656.02

Lancashire County Council

A	B	C	D	E	F	G	H
£1,049.81	£1,224.77	£1,399.74	£1,574.71	£1,924.65	£2,274.58	£2,624.52	£3,149.42

Police and Crime Commissioner for Lancashire

A	B	C	D	E	F	G	H
£167.63	£195.57	£223.51	£251.45	£307.33	£363.21	£419.08	£502.90

Lancashire Combined Fire Authority

A	B	C	D	E	F	G	H
£54.85	£63.99	£73.13	£82.27	£100.55	£118.83	£137.12	£164.54

Aggregate of Council Tax Requirements

A	B	C	D	E	F	G	H
£1,490.96	£1,739.45	£1,987.94	£2,236.44	£2,733.43	£3,230.41	£3,727.40	£4,472.88

23) It be determined that the Council's basic amount of Council Tax for 2023/24 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

66. Pay Policy Statement 2023/24

Councillor Fewings returned to the meeting.

With reference to minute 84 of the Executive (13th February 2023) consideration was given to the Council's Pay Policy Statement 2023/24 which was required to be published prior to the end of March each year.

RESOLVED, THAT: The Pay Policy Statement 2023/24 be approved and published on the Council's website subject to the following amendment to lines three and four of paragraph 35: '(from April 2020 2023 this increases to 19.4%).

67. Code of Conduct Review

With reference to minute 35 of the Audit and Standards Committee (26th January 2023), consideration was given to the review of the Borough Council's existing Code of Conduct for Members and associated Complaints Procedure following the publication of the Local Government Ethical Standards report produced by the Committee on Standards in Public Life (CSPL) and the Local Government Association's (LGA) Model Code of Conduct (LGA's Model Code).

RESOLVED, THAT: the proposed changes to the Council's existing Code and associated Complaints Procedure, as set out in Appendix B in response to the Best Practice recommendations contained in the Local Government Ethical Standards report produced by the CSPL as abstracted in the LGA's Model Code, be made.

68. Constitutional Updates and Reporting

Consideration was given to a report containing constitutional amendments, appointments to committees and reporting.

RESOLVED, THAT:

- 1) Call-in waivers relating to the urgent Executive Reports and Urgent Chief Executive Decision be noted;
- 2) The addition to the Constitution Part 3 Scheme of Delegation approved by the Leader on 17th January 2023, granting a delegation to the Chief Operating Officer to exercise delegations granted to Heads of Service in their absence, be noted;
- 3) The changes to the Financial Procedure Rules and Standing Orders for Contracts be approved;
- 4) The Council's updated Procurement Strategy 2023-28 be approved;
- 5) The updated Part 3 Scheme of Delegation (Council Functions) and Proper Officer List be approved, and
- 6) The appointment of Cllr Mark Payne to the Scrutiny Committee be approved.

69. Local Government (Disqualification) Act 2022 Changes To Disqualification Criteria For Councillors

With reference to minute 36 of the Audit and Standards Committee (26th January 2023), consideration was given to a report on the new grounds for disqualification from being elected to, or being a member of, a local authority that had been introduced by the Local Government (Disqualification) Act 2022.

RESOLVED, THAT: the Monitoring Officer be requested to forward a copy of the report to Parish and Town Councils in the borough for information along with a recommendation that the report be considered and noted at their next Parish and Town Council meetings.