

CONSTITUTIONAL REPORTING

FULL COUNCIL



DATE	27th February 2024
PORTFOLIO	Leader
REPORT AUTHOR	Alison McEwan
TEL NO	01282 477259
EMAIL	amcewan@burnley.gov.uk

PURPOSE

1. To consider changes to representatives on Committees proposed by Burnley Independents.
2. To appoint a Vice-Chair of Development Control Committee as Cllr Sollis will no longer sit on the Committee.
3. To consider nominations to the vacancy of a local authority trustee to the board of Burnley Leisure and Culture.
4. To approve an amendment to the appointment term for local authority trustees to Burnley Leisure in the circumstances specified.
5. To add the Town Board to the Council's list of Outside Bodies, and to appoint a representative to the Board.

RECOMMENDATION

6. To approve the nominations submitted by Burnley Independents as below:

Committee	Remove	Add
Development Control	Cllr C Sollis	Cllr A Raja
Scrutiny	Cllr C Sollis	Cllr S Chaudhary

7. To appoint a Vice-Chair of Development Control from the nominations received (to follow).
8. To consider the nominations for the vacancy of local authority trustee to the board of Burnley Leisure & Culture and make an appointment (to follow).

9. To approve that the appointment at 8. will continue until July 2026, provided the elected member continues to fulfil all the relevant requirements relating to the position.
10. To approve the change to the appointments process for Burnley Leisure & Culture Trustees as set out at paragraph 23.
11. To approve the addition of the Town Board to the Council's list of Outside Bodies and the representation on that Board to be agreed as the Leader of the Council and Executive Member for Strategic Development and Growth (to be appointed by the Executive) and an Opposition Member who will be appointed by Council.
12. Subject to 11. above receiving approval, to consider the nominations to the Town Board of an Opposition Member and to make an appointment to the position (to follow)

REASONS FOR RECOMMENDATION

13. To ensure that committee memberships are updated as required.
14. To ensure that each Committee has a Chair and Vice-Chair in place.
15. To ensure that the Council is represented on appropriate Outside Bodies, and that the membership of the Outside Bodies is maintained.

SUMMARY OF KEY POINTS

16. Burnley Independents have indicated they would like to make changes to some of their committee places.
17. Those places are allocated to groups in line with the political balance calculation, and it is for those groups to consider how to allocate those places.
18. The proposed changes are as follows:

Committee	Remove	Add
Development Control	Cllr C Sollis	Cllr A Raja
Scrutiny	Cllr C Sollis	Cllr S Chaudhary

19. As a result of the above changes, there will be a vacancy for the Vice-Chair of DC position.
20. Since July 2022 the Council has adopted new arrangements for the appointment of local authority trustees to the Board of Burnley Leisure and Culture. There are two local authority trustees appointed to the board and it was agreed that rather than the appointments be made annually, local authority trustees would serve for a term of two years, albeit the initial appointment for the two positions was for two years and three years respectively. The rationale for this was to promote continuity and certainty for Burnley Leisure and Culture.

21. As a result of Councillor Cunliffe being appointed to the Executive, he cannot continue to serve as a local authority trustee on the Board of Burnley Leisure and Culture. Under the current rules, if nominations were received and approved at this meeting, the local authority trustee would only serve until July 2024 when the current term ends and a new nominations process would take place.
22. The Chief Executive of Burnley Leisure has requested that the new local authority trustee appointment take effect from the time of the nomination being agreed and be added to the usual term of appointment (two years). In essence in this case, the term of appointment for the local authority trustee would be for a maximum of 2 years 6 months. This request is reasonable given the need for continuity and certainty. It is proposed to enshrine this change in the constitution in the following way;
23. In circumstances where a vacancy arises for a local authority trustee and where the appointment would be made less than six months from the date of the July Council meeting where the appointment would ordinarily take place, the vacancy may be filled in accordance with the agreed procedure, and the appointment will be effective from that date and such period shall be added to the usual term of appointment of two years without the need for further nomination.

Town Board

24. In October 2023 Burnley was announced as one of 55 towns selected by the Government to benefit from the 'Long-Term Plan for Towns' Programme.
25. Burnley will benefit from funding and support of up to £20 million to develop a long-term plan for Burnley.
26. The Government published guidance on 18th December 2023 detailing requirements to establish a Town Board to act in an advisory capacity in the development of the vision and long-term plan, and setting out the governance requirements of the programme. Burnley Borough Council is the Accountable Body.
27. The Board must be established by 1st April 2024 at the very latest. In line with the guidance, Karen Buchanan, Principal of Burnley College has been invited to Chair the Town Board following consultation with Group Leaders, and the MP, and has accepted the position. The Chair may appoint a Vice Chair from the other public (but not elected representatives) and private sector representatives
28. The Board must contain representation from the Local Authority – the Leader of the Council, Executive Member for Resources and an Opposition Member. The Executive will appoint the Leader and the Executive Member, but the Opposition Member must be appointed by Council.

29. The proposed membership of the Board includes public, private and community representatives:

	Representative
Parliamentary Representative	MP
Local councillors	Leader & relevant Exec Member (Executive appointments) Opposition member BBC (Council appointment) Relevant Exec Member LCC
Senior Representative from Police	PCC representative
Community Partners, for example: Community Groups Faith Groups Local charities Neighbourhood forums Youth groups Local CVS	Burnley Together Youth Parliament representative
Local businesses and social enterprises: BID – Chair or Board Members Key local employers/investors	Burnley Bondholders representative BID Representative SME representative
Cultural, arts, heritage and sporting organisations: Sports clubs Local heritage groups	Burnley Football Club Chair Burnley Leisure & Culture
Public agencies and anchor institutions: Local schools, further education and higher education	Principal Burnley College UCLan representative

Community engagement is at the heart of the Long-Term Plan for Towns, and this will allow the Board to engage with the wider community.

Board membership is by invitation, and those invited will have demonstrated how they meet the following criteria:

- Demonstrable passion and commitment to the development of the town's future
- Record of commitment of time and resources into local social and economic infrastructure
- Willingness to engage with the Local Authority and Town Board, abiding by the Terms of Reference of the Town Board and its Code of Conduct and Decision-making processes
- Respected and credible local community leader
- Ability to meet the time commitments of the Board and attend Board meetings regularly
- Domain knowledge or expertise, pertinent to the business of the Board

30. Governance and secretariat functions will be provided by the Democracy Team. Membership, meeting and governance arrangements will be published on the Council's website alongside other meeting information.

31. Board Members will be expected to uphold the Nolan Principles, and will sign up to a code of conduct based on the Member's Code of Conduct.
32. Once established formally the Board will meet at least six weekly, although during the initial development phase is likely to meet more frequently. In order to commence initial scoping works the board will meet in shadow format to facilitate early discussions to support the development of the long-term plan.
33. The Long-Term Plan will comprise a 10-year vision and 3-year investment plan. The plan must be submitted on or before 1st August 2024.
34. Town Boards are responsible for developing the Long-Term Plan. The Town Board's 10-year vision should be a long-term, strategic document. It should be backed by insights gained through engagement with local people, to create buy-in with the public. The guidance acknowledges that in many places that are existing strategies and plan in place and the long term plan should build on these. The plan should include:
 - i. A 250-word vision statement that articulates, at a high level, the vision for the future of the town and how success will be judged.
 - ii. The strategic case for change, building on the evidence in the pack provided by DLUHC with, where relevant, more granular local data and stories.
 - iii. The outcomes and objectives the town is trying to meet and how these align with the priorities of the local community, including what local people think needs fixing, the opportunities the investment offers over the decade, and priority outcomes for 2034 and beyond.
 - iv. The planned direction of travel for the regeneration of the town, across the 3 investment themes – Safety and Security; High Streets, Heritage and Regeneration; and Transport and Connectivity. Detail on investment and interventions only need to focus on the first 3 years and should sit within the 3-year investment plan annex.
 - v. Clear evidence that the Town Board is community led, including through its membership, ways of working and distinction from the local authority, and evidence of buy-in from local businesses, civil society and communities. It should describe how these stakeholders have been engaged to date, and how that engagement will continue going forward.
 - vi. How the Town Board will attract and combine new and existing private, public and philanthropic investment, setting out the existing commitments and ambitions to secure further support going forwards.
 - vii. High level delivery milestones over the 10-year lifespan of the programme, with an overview of potential future interventions and how the powers in the policy toolkit^[1] will be used in a way that best suits the town across the 3 investment themes.

In addition, the Town Board must produce a 3-Year Investment Plan Annex

This should set out:

- the interventions and powers the Town Board wishes to use over the 3 years for each investment theme; • whether the interventions are from the list of interventions (Appendix 3) or are 'off-menu';
- how the Town Board will use the interventions locally and how much they will cost; and

- how the interventions will address the outcomes set out in the 10-year vision, grounded in evidence and data.

35. There is an expectation that Town Boards should move as quickly as possible to engage the local community and work up their vision and Long-Term Plan. From 1 April 2024, Town Boards should submit their Long-Term Plan to DLUHC. The final deadline for submitting plans is 1 August 2024. Further details on how to submit will be published in supplementary guidance in early 2024.

25. It is proposed that the Council appoints consultants to work with the board to develop an engagement and consultation strategy, to undertake early “upfront” engagement to feed into the Vision Document, to work with the board to develop its vision and investment plan and to test out the plans through further public and stakeholder engagement. The costs of this work will be met from the Capacity Funding that is made available.

26. There will be regular updates to Council through Executive Member Reports.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

36. Long-Term Plan for Towns Expenditure is through the programme allocation.

POLICY IMPLICATIONS

37. None.

DETAILS OF CONSULTATION

38. Member Structures and Support Working Group.

BACKGROUND PAPERS

39. None.

FURTHER INFORMATION

PLEASE CONTACT:

Alison McEwan

Catherine Waudby, Monitoring Officer