



# FULL COUNCIL

## BURNLEY TOWN HALL

Wednesday, 27th September, 2017 at 6.30 pm

### PRESENT

### MEMBERS

Councillors H Baker (Chair), C Briggs (Vice-Chair), G Birtwistle, B Brindle, M Brindle, F Cant, I Carmichael, S Chaudhary, J Cunningham, D Fleming, S Graham, J Greenwood, J Harbour, T Harrison, D Heginbotham, A Hosker, S Hussain, M Ishtiaq, M Johnstone, A Khan, L Khan, W Khan, S Malik, T Martin, N Mottershead, A Newhouse, L Pate, M Payne, T Porter, A Raja, P Reynolds, D Roper, A Royle, J Sumner, A Tatchell and M Townsend

### OFFICERS

Mick Cartledge	Chief Executive
Lukman Patel	Head of Governance, Law, Property, and Regulation
Asad Mushtaq	Head of Finance
Amanda Rumbelow	Property Solicitor
Eric Dickinson	Democracy Officer
Alison McEwan	Democracy Officer
David Farrar	Mayor's Officer

### 28. Minutes of the Last Meeting

**RESOLVED** The Minutes of the Extraordinary meeting of the Council held on the 6<sup>th</sup> September 2017 were confirmed and signed by the Chair.

### 29. Business Rates Pooling

With reference to Minute 30 of the Executive (19<sup>th</sup> September 2017) consideration was given to participation in the Lancashire Business Rates Pool for 2018/19.

### RESOLVED

- (1) That the Council's participation in a pool for the 2018/19 financial year be approved; and
- (2) That the submission of a request for the Council to participate in the Lancashire Business Rates Pool for 2018/19 and future years be approved.

### **30. Revenue Monitoring Quarter 1 2017-18**

With reference to Minute 22 of the Executive (15<sup>th</sup> August 2017) consideration was given to the forecast outturn position for the year as at 31 March 2018 based upon actual spending and income to 30 June 2017.

#### **RESOLVED**

- (1) That the projected revenue budget forecast underspend of £70k (see the overview table in paragraph 6) be noted;
- (2) That the latest revised budget of £14.596m, as shown in Appendix 1, be approved; and
- (3) That the net transfers from earmarked reserves of £1.582m, as shown in Appendix 4, be approved.

### **31. Capital Monitoring Quarter 1 2017-18**

With reference to Minute 23 of the Executive (15<sup>th</sup> August 2017) consideration was given to an update on capital expenditure and resources opposition along with highlighting any variances.

#### **RESOLVED**

- (1) That the revised capital budget for 2017/18 totalling £15,589,217, as outlined in Appendix 2, be approved;
- (2) That the proposed financing of the revised capital budget totalling £15,589,217 as shown in Appendix 3, be approved;
- (3) That the latest estimated year end position on capital receipts and contributions showing an assumed balance of £2,231,605 at 31st March 2018, in Appendix 4, be noted;
- (4) That a new Capital Scheme for the Calder Park Sport & Play Equipment, totalling £13,700, funded from 3rd Party Contributions and Ward Opportunities Fund, be approved; and
- (5) That a new Capital Scheme for the Brun Valley Forest Park, totalling £10,486, funded from 3rd Party Contributions, be approved.

### **32. Revenue Budget 2018-21**

With reference to Minute 29 of the Executive (19<sup>th</sup> September 2017) consideration was given to the latest position regarding balancing the Council's 2018/21 revenue budgets and the proposed savings.

## **RESOLVED**

(1) That savings approved at Full Council in September 2016 totalling £0.613m (see paragraph 10 below) to assist in balancing the 2018/19 and 2019/20 revenue Budgets, see Appendix 1 to the report, be approved; and

(2) That proposed savings totalling £1.436m to assist in balancing the 2018/19, 2019/20, and 2020/21 revenue budgets, see Appendix 1 to the report, be approved.

### **33. Constitutional Updates**

Consideration was given to constitutional updates including changes to Part 3 Executive Functions by the Leader, changes to Part 3 Council Functions, an Urgent Decision by the Chief Executive, appointments to Committees and Outside Bodies, and changes to Part 5 of the constitution.

## **RESOLVED**

(1) That the changes made to Part 3 of the constitution by the Leader be noted, as follows;

(a) 29th August 2017- Additional delegation to the Section 151 Officer/Head of Finance regarding the Council's Strategic Services Delivery Partners (Appendix 1);

(b) 31st August 2017- Withdrawal of existing relevant Pension delegations from Executive Functions (effective from 27th September 2017) (Appendix 2); and

(c) 29th August 2017- Amendment of the existing delegation to the Head of Green Spaces and Amenities regarding the loan of paintings (Appendix 3).

(2) That adding a delegation to the Section 151 Officer/Head of Finance and Head of Governance, Law, Property & Regulation and Chief Operating Officer regarding the Council's Strategic Services Delivery Partners relating to Council Functions be approved as follows;

“To make all decisions (strategic, operational or otherwise) in relation to the agreements entered into with the Council's Strategic Services Delivery Partners limited to the delegated limits set out in the Financial Procedure Rules”.

(3) That any existing relevant Pension delegations currently within Part 3 Executive Functions of the constitution be transferred and added to the same Officers within Part 3's Council Functions;

(4) That the Urgent Officer Decision regarding Council Functions taken by the previous Chief Executive Officer to amend Part 4.8 of the Constitution, relating to the Appointments Committee for the Chief Executive Officer, be noted (Appendix 4);

(5) That Councillor Lian Pate be appointed as a replacement for the Lancashire Police and Crime Panel if the Council's representative and substitute are unable to attend, in order to ensure as far as possible that the Council is represented;

(6) That Councillor Andy Tatchell be appointed as a Labour Group Councillor to the Development Control Committee to replace Councillor Tony Harrison;

(7) That Councillor Sue Graham be appointed to the vacancy on the Leisure Trust to replace Councillor Tony Harrison;

(8) That Part 5.9 Protocol for Awards to Recognise Service to the Community or the Council be amended, so that for a Long Service Award the timing of the award be amended to; "The awards be given on an annual basis at the last meeting before the Appointments Council in the final year"; and

(9) That the Members Code of Conduct regarding Member training be amended as follows;

3.1 All Members to undertake Code of Conduct/ethical standards training annually;

3.4 to amend and add at the end "...or Audit and Standards Committee who may recommend that the Member be removed from the Development Control Committee or Licensing Committee as is relevant"; and

3.4 and 7.2- after "... in the first place to the Member concerned" to add "...and the relevant Group Leader" and to remove this after "...at the next available session."

#### **34. Non Attendance of Councillor**

This item was withdrawn.

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

**RESOLVED** That the Cycle 2 report of the Scrutiny Chair be noted.

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

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