



FULL COUNCIL

BURNLEY TOWN HALL

Wednesday, 22nd November, 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, J Cunningham, T Ellis, D Fleming, G Frayling, B Foster, R Frost, S Graham, J Greenwood, J Harbour, D Heginbotham, A Hosker, S Hussain, M Ishtiaq, M Johnstone, A Kelly, A Khan, L Khan, W Khan, M Lishman, E Monk, N Mottershead, A Newhouse, L Pate, M Payne, A Raja, P Reynolds, D Roper, A Royle, J Sumner, A Tatchell, C Towneley, M Townsend and C White

OFFICERS

Mick Cartledge	Chief Executive
Lukman Patel	Head of Governance, Law, Property, and Regulation
Asad Mushtaq	Head of Finance
Imelda Grady	Democracy Officer
David Farrar	Mayor's Officer
Georgia Robinson	Business Administration Apprentice
Robie-Lea Stowell	Business Administration Apprentice
Chris Gay	Governance Manager

37. Minutes of the Last Meeting

RESOLVED The Minutes of the meeting of the Council held on the 27th September 2017 were confirmed and signed by the Chair.

38. Declarations of Interest

The Mayor indicated that under Section 31 (4) of the Localism Act 2011 all the Members present at the meeting had been granted a dispensation by the Monitoring Officer regarding matters concerning or incidental to item 5 (g) (Paragraphs 1, 5 (a), 9(a) and appendix 1) on the agenda. The dispensation was for the period 6.30 pm to 11.59 pm on the 22nd November 2017.

39. Mayor's Communications

At the request of the Chair everyone present observed one minutes silence as a mark of respect to the late former Mayor Ken Butterworth.

Councillors Gordon Birtwistle and John Harbour paid tribute to Mr Butterworth on his service to the Borough.

40. Public Question Time

Pat Woolven addressed the Council under the Request to Speak Policy on issues in the Burnley Wood area.

Jamie McGowan addressed the Council under the Request to Speak Policy on crime and anti-social behaviour in Padiham.

41. Revenue Budget Monitoring Quarter 2, 2017/18

With reference to Minute 40 of the Executive (14th November 2017) consideration was given to the revenue budget monitoring for Quarter 2 of 2017/18.

RESOLVED

That approval be given to the latest revised budget of £14.596m as shown in Appendix 1 to the report and the net transfers to earmarked reserves of £26k as shown in Appendix 4 to the report.

42. Capital Budget Monitoring Quarter 2, 2017/18

With reference to Minute 41 of the Executive (14th November 2017) consideration was given to the capital expenditure and resources position along with highlighting any variances.

RESOLVED

- (1) That approval be given to the net budget changes totalling a reduction of £240,509 giving a revised capital budget for 2017/18 totalling £15,348,708 as detailed in Appendix 1;
- (2) That approval be given to the proposed financing of the revised capital budget totalling £15,348,708 as shown in Appendix 2; and
- (3) That the latest estimated year end position on capital receipts and contributions showing an assumed balance of £2,097,875 at 31st March 2018, in Appendix 3 be noted

43. Treasury Management Mid-Year Report 2017/18

With reference to Minute 42 of the Executive (14th November 2017) consideration was given to the treasury management activity for the period 01/04/17 to 30/09/17.

RESOLVED

- (1) That the Treasury Management activities undertaken during the period 1 April to 30 September 2017 be noted:
- (2) That the mid-year update on Treasury Management Strategy for 2017/18 be endorsed in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management.
- (3) That approval be given to the increase in the limit for deposits in Goldman Sachs International Bank from £2m to £4m as per the revised counterparty list at Appendix 3 ; and
- (4) That approval be given to the option to invest in a property fund as discussed in paragraph 9 of the report to a maximum limit of £2m.

44. Fees and Charges Tariff 2018/19

With reference to Minute 43 of the Executive (14th November 2017) consideration was given to the proposed list of fees and charges to be levied from 1st January 2018.

Amendments were reported in respect of the fees and charges in Appendix A (pages 1 and 2) in respect of burials and cremations as follows

- i. No charge for cremation or internment for babies up to 12 months old
- ii. From 1 year to 17 years the charge will be £202 for cremation and £298 for burial

Amendments were made to the fees and charges in Appendix A (page 8) in respect of Contract parking charges showing an increase of 2% (and not 2.5%)

RESOLVED

- (1) That approval be given to the proposed tariff of fees & charges from 1 January 2018 as outlined in Appendix A and as amended;
- (2) That the Head of Finance in consultation with the relevant Head of Service be authorised to determine any new charges or changes to existing charges relating to the preparation and approval of the 2018/19 revenue budget;
- (3) That the Executive Portfolio Members be authorised to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same as a minimum;

- (4) That the Head of Regeneration and Planning Policy in consultation with the Executive Member for Resources and Performance Management and the Head of Finance be authorised to adjust fees and charges in relation to the Markets service from time to time to reflect current trading conditions and the overall position of the market; and
- (5) That the Head of Housing and Development Control in consultation with the Executive Member for Resources and Performance Management and the Head of Finance be authorised to adjust fees and charges in relation to statutory planning fees should Parliamentary confirmation be received.

45. Parliamentary Boundary Proposals

Consideration was given to the Council's response to the proposed changes to the parliamentary boundaries put forward by the Boundary Commission.

RESOLVED

That the Chief Executive write to the Boundary Commission opposing the changes to the Burnley Parliamentary boundary and in doing so make the following points

"This Council strongly disagrees with the Government's arbitrary policy of reducing the number of MP's from 650 to 600 which is out of step with the UK's rising population. The capacity of the Commons to scrutinise legislation will be undermined especially in light of the country's decision to leave the European Union which will significantly increase the amount of legislation to be managed in the UK. This is in stark contrast to the unrepresentative House of Lords which remains bloated with unelected peers and continues to grow having gone from 666 in 1999 to over 800 today and with no upper limit set.

However, Burnley Council supports the principle of creating constituencies of roughly similar sized populations, and whilst still of the opinion that the latest proposals remain a significant improvement on those put forward in 2012 the Council believe that the 2016 consultation proposals for the Burnley constituency should have remained unchanged. Whilst it would have been clearly preferable to retain the current co-terminous boundary between the district council and the Parliamentary constituency, the 2016 proposals did at least keep the main urban areas of Burnley and Padiham largely intact. In contrast the latest proposals remove a large urban Ward, Rosegrove & Lowerhouse, from the heart of Burnley and assigns it to the Accrington constituency. A constituency to which residents of the Ward have no association."

46. Appointments to Committees and Working Groups

Consideration was given to the appointment of Liberal Democrat, Conservative and Burnley and Padiham Independent Group Councillors to Committees and Working Groups for the remainder of the Municipal Year 2017/18 following the resignation from the Liberal Democrat Group of Councillors Charlie Briggs, Neil Mottershead, Mark Payne and Christine White.

RESOLVED

That the following appointments to Committees and Working Groups be made for the remainder of the 2017/18 Municipal Year:

Audit and Standards Committee – Councillors Margaret Lishman (LD), Andrew Newhouse (C) and Mark Payne (B&P IND)

Licensing Committee – Councillors Gordon Birtwistle (LD), Anne Kelly (LD), Ida Carmichael (C) and Christine White (B&P IND)

Development Control Committee – Councillors Gordon Birtwistle (LD), Tom Porter (LD), Andrew Newhouse (C), Cosima Towneley (C) and Neil Mottershead (B&P IND)

Scrutiny Committee – Councillors Gordon Birtwistle (LD), Anne Kelly (LD), Roger Frost (LD), David Heginbotham (C), Neil Mottershead (B&P IND) and Christine White (B&P IND)

Member Structures Support Working Group – Councillors Gordon Birtwistle (LD), Margaret Lishman (LD), David Heginbotham (C) and Mark Payne (B&P IND)

47. Constitutional Updates and Council Delegations

Consideration was given to the changes made to Part 3 of the Constitution by the Leader and the Monitoring Officer; an amendment to Part 5.1 of the Constitution regarding the Code of Conduct; and an amendment to give authority to the Chief Operating Officer to discharge the delegations in the Constitution afforded to the Head of Governance, Law, Property and Regulation.

RESOLVED

- (1) That the changes made to Part 3 (Executive Functions) of the constitution by the Leader/Deputy Leader be noted, as follows;
 - (a) 18th October 2017- Deputy Leader-Additional delegations to the Head of Housing and Development Control regarding the civil penalties and rent repayment orders as detailed in the Housing and Planning Act 2016 (Appendix 1)
 - (b) 24th October 2017- Leader- Additional delegation to the Head of Governance, Law, Property and Regulation regarding bids at auction and contract to buy properties not included in the approved Council acquisition programme (Appendix 2)
- (2) That the change added to Part 3 (Executive Functions) of the constitution by the Monitoring Officer on 27th October 2017 relating to a minor amendment be noted, as follows , for the Head of Governance, Law, Property & Regulation (Paragraph 26);

The Water Industry Act 1991 - In so far as Burnley Borough Council is

the enforcing authority as detailed in Part III and Part IV of the Act

- (3) That the Members Code of Conduct (Part 5.1 of the Constitution) regarding Member training be added to and amended, as follows in bold;

3.1 All Members to undertake Code of Conduct/ethical standards training annually, and to make it compulsory for all Members to receive training on Safeguarding Level 1 and CSE, within 6 months of their election for New Members and within 6 months of this change being approved at Full Council (i.e. 22nd May 2018) for existing Members; and

- (4) That the Chief Operating Officer be given delegated authority to discharge the delegations in the Council's Constitution afforded to the Head of Governance, Law, Property and Regulation until further notice.

48. Report from the Chair of Scrutiny

RESOLVED That the Cycle 3 report of the Scrutiny Chair be noted.

49. Strategic Plan Progress Reports

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

50. Exclusion of the Public

RESOLVED

That the public be excluded from the meeting before discussion on Minute 51 on the grounds that in view of the nature of the business to be transacted, if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972 relating to consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holder under, the authority.

51. Revenue budget 2017/18 - Workforce Planning

Consideration was given to proposed workforce reductions as part of the budget savings for 2018/19.

RESOLVED That the report be noted.