



BURNLEY BOROUGH COUNCIL

BURNLEY TOWN HALL

Wednesday 4th June 2014

PRESENT

MEMBERS

His Worshipful The Mayor (Councillor Frank Cant) in the Chair;

Councillors Baker, Barker, Briggs, Brindle, Campbell, Carmichael, Chaudhary, Cooper, Cunningham, Ellis, Fifield, Foster, Frayling, Frost, Graham, Harbour, Harrison, Hussain, Isherwood, Johnstone, Kelly, Kennedy, Arif Khan, Wajid Khan, Large, Lishman, Martin, Monk, Mottershead, Newhouse, Pate, Reynolds, Stringer, Sumner, Tatchell, Townsend

OFFICERS

Steve Rumbelow	-	Chief Executive
Mick Cartledge	-	Director of Community Services
Mike Cook	-	Director of Economic Regeneration
Helen Seechurn	-	Director of Resources
Tom Forshaw	-	Head of Chief Executive's Office
Jeremy Richards	-	Communications Officer
Imelda Grady	-	Democracy Officer
Eric Dickinson	-	Democracy Officer
Maureen Neave	-	Assistant Democracy Officer
David Farrar		Mayors Officer
David Bristow		Deputy Mayor's Officer

1. Election of Mayor

It was moved by Councillor John Harbour and seconded by Councillor Roger Frost and

RESOLVED UNANIMOUSLY

That Councillor Andy Tatchell be elected Mayor of the Borough for the Municipal Year 2014/15.

(Councillor Frank Cant then vacated the Chair in favour of the Mayor).

His worship the Mayor, Councillor Andy Tatchell, then made and subscribed the Declaration of Acceptance of Office as required by Law.

2. Thanks to the retiring Mayor

It was moved by Councillor Julie Cooper and seconded by Councillor Ida Carmichael that the grateful thanks of this Council be extended to the retiring Mayor for the services rendered by him during the past Municipal Year.

On being put to the vote the motion was declared to be carried and it was

RESOLVED UNANIMOUSLY accordingly

It was FURTHER RESOLVED –

That medallions be presented to Councillor Frank Cant and Mrs Gillian Cant as a token of the Council's appreciation of their services to the Borough during the Municipal Year now ending.

Councillor Frank Cant responded by reviewing the highlights of his period of office, thanking those who had helped him and announcing the results of the Mayor's Charity Fund Appeal.

3. Appointment of Deputy Mayor

It was moved by Councillor Julie Cooper and seconded by Councillor Ida Carmichael and

RESOLVED UNANIMOUSLY –

That Councillor Elizabeth Monk be elected Deputy Mayor of the Borough for the Municipal Year 2014/15 and Mayor elect for the Municipal Year 2015/16.

The Deputy Mayor, Councillor Elizabeth Monk, then made and subscribed the Declaration of Acceptance of Office as required by Law.

4. Mayor's Communications

The Chief Executive, Mr Steve Rumbelow, reported that His Worship the Mayor would be 'At Home' at the Town Hall, Burnley at 2.00 p.m. on Thursday 12th June 2014.

He further reported that the Mayor's Charity Ball would be held on Saturday 25th April 2015 at the James Hargreaves Suite, Burnley Football.

5. Adjournment of Meeting

The Mayor adjourned the meeting at 4.40 p.m.

6. The meeting reconvened at 7.00 pm

The Mayor, Councillor Andy Tatchell, reconvened the meeting and at his request everyone present observed one minute silence as a mark of respect for the late James Wyld, former Councillor and Mayor of Burnley.

The Mayor further asked Members to join him in congratulating Burnley Football Club on their promotion to the Premier League and invited the Group Leaders, Councillors Townsend, Briggs and Carmichael to add their good wishes for a successful forthcoming season.

The Mayor informed the meeting that order of the agenda would be varied to allow item 8 (a) The Election of the Leader and the appointment by the Leader of the Deputy Leader and the Executive, to be taken before Item 7, Public Question Time.

7. Minutes

RESOLVED The Minutes of the meeting of the Council held on 10th April 2014 were confirmed and signed by the Chair.

8. Declarations of Interest

Declarations of disclosable pecuniary interests were made by the Senior Officers present in relation to item 11 – Senior Management Review..

9. Election of the Leader of the Council and appointment by the Leader of the Deputy Leader and the Executive

It was moved by Councillor Jean Cunningham and seconded by Councillor Gary Frayling:-

“That Councillor Mark Townsend be elected as the Leader of the Council”

Councillor Mark Townsend informed Members of his appointment of the Deputy Leader and Executive Members.

RESOLVED

- (1) That Councillor Mark Townsend be elected as Leader of the Council; and
- (2) That the Leader’s appointment of the Deputy Leader and the Executive be noted, as follows; -
 - Councillor John Harbour - Deputy Leader and Executive Member for Housing and Environment
 - Councillor Howard Baker - Executive Member for Resources and Performance Management
 - Councillor Shah Hussain- Executive Member for Regeneration and Economic Development
 - Councillor Bea Foster- Executive Member for Leisure and Culture
 - Councillor Tony Harrison – Executive Member for Community Services

10. Public Question Time

Mrs P Woolven addressed the Council under the Request To Speak Policy on flytipping at the cemetery.

Mr J Rowe addressed the Council under the Request to Speak Policy on Extwistle Hall.

Ms J Curran addressed the Council under the Request to Speak Policy on fracking.

11. Appointments to Committees, Sub Committees, Working Groups, Panels and Boards 2014/15

Consideration was given to a report on Membership of the Council's Committees, Working Groups and Panels for the 2014/15 Municipal Year.

RESOLVED

- (1) That the list of Committees, Working Groups and Panels as set out in Appendix 1 to the report as submitted be approved; and
- (2) That the Membership of the Council's Committees, Working Groups and Panels for the 2014/15 Municipal Year be approved as set out in Appendix A to these minutes.

12. Appointment of Chairs and Vice-Chairs of Committees

With reference to Minute No. 11, the Council gave consideration to the appointment of Chairs and Vice-Chairs of the Scrutiny, Regulatory and Other Committees for the Municipal Year 2014/15.

RESOLVED That the following appointments of Chairs and Vice-Chairs be made for the 2014/15 Municipal Year for Scrutiny, Regulatory and Other Committees:-

Scrutiny Committee	Chair:	Ida Carmichael
	Vice Chair:	Betsy Stringer
Audit Committee	Chair:	John Fifield
	Vice Chair:	Elizabeth Monk
Standards Committee	Chair	Ann Royle
	Vice Chair	Tony Harrison
Development Control Committee	Chair:	Arif Khan
	Vice Chair:	Frank Cant
Licensing Committee	Chair:	Stephen Large
	Vice Chair:	Jean Cunningham

13. Appointment to Outside Bodies

Consideration was given to the Council's appointments to Outside Bodies for 2014/15.

RESOLVED That the Outside Bodies list for 214/15 be approved as set out in Appendix B to these minutes.

14. Revenue Budget Monitoring 2013/14 – cycle 4

Consideration was given to Revenue Monitoring 2013/14 Cycle 4.

RESOLVED

- (1) That the projected revenue budget forecast underspend of £58k be noted. This represents a decrease of £141k from that reported in quarter 3 – end Decembers, as shown in the overview table in paragraph 6 of the report;
- (2) That approval be given to;
 - (i) the latest revised budget of £16,721k as shown in appendix 1 to the report;
 - (ii) .the net transfers from earmarked reserves in the quarter of £2k as shown in appendix 5 to the report;
 - (iii) The amendment to the Financial Procedure Rules to delegate authority to the Executive to utilise up to £100k per quarter from earmarked reserves subject to any use of reserves under the delegated authority being reported in the next quarterly budget monitoring report to Full Council;
 - (iv) The use in 2014/15 of £100k from the transformation reserve for an adviser for change programme;
 - (v) A payment to the Leisure Trust of £9k from underspends in the 2013/14 Council budget for establishing the Leisure Trust.

15. Capital Budget Monitoring Report 2013/14 Cycle 4

Consideration was given to the Capital Budget 2013/14 Cycle 4 and revised Capital Budget 2013/14.

RESOLVED

- (1) That approval be given to the Capital Budget for 2013/14 totalling £21,638,828, as outlined in Appendix 1 to the report;
;
- (2) That the proposed financing of the revised budget totalling £21,638,828 as outlined in Appendix 2 to the report be noted; and
- (3) The latest estimated year end position on capital receipts and contributions showing an assumed balance of £3,014,561 as at 31st

March 2014 as outlined in Appendix 3 to the report be noted.

16. Part 3 Executive delegation by the Leader and urgent decision by the Chief Executive; NNDR Discretionary Rate Relief

In compliance with the Constitution, Council received for noting, details of a decision that had been made by the Leader in relation to Part 3 (executive Functions) Scheme of Delegation following a decision that had been made by the Chief Executive under urgency powers to adopt an updated Non Domestic Rate Discretionary Relief Policy.

RESOLVED That the delegation and decision be noted.

17. Exclusion of the Public

RESOLVED That the public be excluded from the meeting before discussion takes place on the following item of business 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 any 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 holders under, the authority.

15. Senior Management Review

With reference to Minute 135 (15th April 2014) of the Executive consideration was given to a revised senior management restructure and the reduction in senior management posts.

RESOLVED

- (1) That approval be given to the proposed management structure as detailed in Appendix 1 to the report, to deliver savings for 2015/16 and delegated authority be given to the Chief Executive to make any adjustments to job roles and/or post designations and grades which are required;
- (2) That the deletion of the following posts from the Council's senior management establishment be confirmed; Director of Economic Regeneration, the Head of the Chief Executive's Office and the Head of Facilities Management;
- (3) That the deletion of the following posts as a consequence of (1) and (2) above be confirmed: People and Development Manager, Contact Burnley Manager, one Director's Secretary post;
- (4) That the proposed arrangements and timetable for the structure changes to be implemented be noted;

- (5) That the deletion of the post of Head of Sport and Culture following the establishment of the Leisure Trust be confirmed;
- (6) That authority be given to the current Head of People, Law and Regulation to issue redundancy notices to the postholders where no suitable alternative employment is identified;
- (7) The delegated authority be given to the Monitoring Officer to make consequential amendments to Part 7 of the Constitution (Management Structure); and
- (8) That with effect from 1st April 2014, Chief Officers receive a 1.5% cost of living rise which shall be inclusive of any national pay award below this amount be confirmed.

MEMBERSHIP OF COMMITTEES/WORKING GROUPS FOR 2014-2015

SCRUTINY COMMITTEE-17

Councillors	Councillors
Jonathan Barker	David Heginbotham
Charlie Briggs	Marcus Johnstone
Ida Carmichael	Anne Kelly
Jean Cunningham	Margaret Lishman
Trish Ellis	Elizabeth Monk
John Fifield	Paul Reynolds
Gary Frayling	Betsy Stringer
Roger Frost	Jeff Sumner
Sue Graham	

BUDGET SCRUTINY PANEL

Two from each group

Councillors	Councillors
Sue Graham	Tracy Kennedy
Mathew Isherwood	Margaret Lishman
Marcus Johnstone	Andrew Newhouse

AUDIT COMMITTEE-9

-to include 1 Exec+ Chair of Scrutiny Committee

Councillors	Councillors
Howard Baker	Stephen Large
Ida Carmichael	Margaret Lishman
John Fifield	Elizabeth Monk
Tony Harrison	Betsy Stringer
Anne Kelly	

STANDARDS COMMITTEE-6

Councillors	Councillors
Saeed Chaudhary	Tracy Kennedy
Sue Graham	Andrew Newhouse
Tony Harrison	Ann Royle

DEVELOPMENT CONTROL COMMITTEE-16

-to include relevant executive member

Councillors	Councillors
Charles Bullas	Anne Kelly
Frank Cant	Arif Khan
Saeed Chaudhary	Elizabeth Monk
Jean Cunningham	Neil Mottershead
Trish Ellis	Tom Porter
Roger Frost	Paul Reynolds
Sue Graham	Ann Royle
John Harbour	Cosima Towneley

LICENSING COMMITTEE-15

Councillors	Councillors
Frank Cant	Anne Kelly
Ida Carmichael	Arif Khan
Saeed Chaudhary	Stephen Large
Jean Cunningham	Neil Mottershead
John Fifield	Tom Porter
Gary Frayling	Ann Royle
Shah Hussain	Jeff Sumner
Mathew Isherwood	

MEMBER STRUCTURES AND SUPPORT WORKING GROUP-12

Councillors	Councillors
Howard Baker	John Harbour
Charlie Briggs	Tracy Kennedy
Frank Cant	Arif Khan
Ida Carmichael	Stephen Large
Bea Foster	Andrew Tatchell
Roger Frost	Mark Townsend

LANCASHIRE POLICE AND CRIME PANEL

Councillors	Councillors
Tony Harrison	Margaret Brindle
Sue Graham (sub)	Jeff Sumner (substitute)

3 TIER FORUM -6

Councillors	Councillors
Howard Baker	Gary Frayling
Jean Cunningham	Andrew Newhouse
John Fifield	Tom Porter

PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL) ADJUDICATION JOINT COMMITTEE - 2

Include relevant Executive Member and 1 from largest opposition group

Councillors	Councillors
Tony Harrison	Roger Frost

**REPRESENTATION ON OUTSIDE BODIES
FOR THE MUNICIPAL YEAR 2014/15**

	Outside Body	Qualification 2014/15	Appointed 2014/15
1.	Barnfield and Burnley Developments Limited -Directors (previously called Weavers Triangle Joint Venture Company)	Leader Chief Executive Director of Economic Regeneration	Leader Chief Executive Director of Economic Regeneration To be appointed by the Executive
2.	Burnley Children's Trust	Executive Member for Leisure & Culture	Cllr Bea Foster
3.	Burnley Education Trust	Chief Executive	Steve Rumbelow
4.	Burnley Leisure – Directors (was Shadow Leisure Trust Board) (E)	Any 2 Members	Cllr Andy Tatchell Cllr Jean Cunningham
5.	Burnley Pendle and Rossendale Council for Voluntary Service – Executive Committee	1 Member Executive Member for Community Services	Cllr Betsy Stringer Cllr Tony Harrison

	Outside Body	Qualification 2014/15	Appointed 2014/15
6.	Burnley and Pendle Citizens Advice Bureau (E)	Executive Member for Community Services 1 Senior Opposition Member	Cllr Tony Harrison Cllr Ida Carmichael
7.	Burnley Private Rented Sector Forum (D/E)	Executive Member for Housing and Environment Chair of Scrutiny Committee	Cllr John Harbour Cllr Ida Carmichael
8.	Burnley Town Centre Partnership	Executive Member for Regeneration and Economic Development Vice Chair of Scrutiny Committee	Cllr Shah Hussain Cllr Betsy Stringer
9.	Calico Board of Management – Annual General meeting Voting Rights (E)	Director of Economic Regeneration	Mike Cook
10.	East Lancashire Health and Well Being Partnership	Any Executive Member	Cllr Tony Harrison

	Outside Body	Qualification 2014/15	Appointed 2014/15
11.	East Lancashire Into Employment Co. Ltd – Directors	Executive Member for Regeneration and Economic Development Any Executive Member	Cllr Shah Hussain Cllr Bea Foster
12.	LCC Health Scrutiny Committee (same Membership for Joint Lancashire Health Scrutiny Committee)	Any Member of Scrutiny Committee Sub: Any Member of Scrutiny Committee	Cllr Trish Ellis Sub: Cllr Betsy Stringer
13.	Lancashire Waste Partnership	Executive Member for Community Services	Cllr Tony Harrison
14.	Local Government Association	Leader	Cllr Mark Townsend
15.	Marketing Lancashire (previously called Lancashire Tourism Forum)	Executive Member for Regeneration and Economic Development	Cllr Shah Hussain

	Outside Body	Qualification 2014/15	Appointed 2014/15
16.	North Western Local Authorities Employers' Organisation	Executive Member for Resources and Performance Management Sub: Any Executive Member	Cllr Howard Baker Sub: Cllr Mark Townsend
17.	Over Fifties Forum	Any Member	Cllr Betsy Stringer
18.	Police and Crime Commissioner Quarterly Community Safety Portfolio Holders	Executive Member for Community Services	Cllr Tony Harrison
19.	Regenerate Pennine Lancashire Governing Body Regenerate Pennine Lancashire Board	Executive Member for Regeneration and Economic Development Chief Executive	Cllr Shah Hussain Steve Rumbelow

SECTION 2 - PERIOD APPOINTMENTS

	<u>Outside Body</u>	<u>Qualifications 2014/15</u>	<u>Nominated 2014/15</u>
20.	Burnley Acorn Fund- (periods of four years)	3 Members (from Oct 2012 to Oct 2016) Director of Resources is Ex Officio	Cllr Jean Cunningham (term expires Oct 2016) Cllr Roger Frost (term expires Oct 2016) Cllr Ann Royle (term expires Oct 2016) Helen Seechurn Ex Officio
21.	Burnley College Governing Board (periods of four years) (E)	1 Member Council Nominee (term expires 2016)	Cllr Shah Hussain (from Nov 2013-2017) Nick Aves (term expires 2016)
22.	Stocks Massey Bequest-Representative Trustees (periods of four years)	Relevant Executive Member-Leisure and Culture (term expires May 2016)	Cllr Bea Foster (term expires May 2016)

	<u>Outside Body</u>	<u>Qualifications 2014/15</u>	<u>Nominated 2014/15</u>
		Chair of Scrutiny Committee (term expires May 2018)	Cllr Ida Carmichael (term expires May 2018)

Meetings held in Daytime, unless as stated below;

E - Evening

D/E - Daytime/Evening