



BURNLEY BOROUGH COUNCIL

BURNLEY TOWN HALL

Wednesday, 9th July 2008

PRESENT

MEMBERS

Her Worshipful The Mayor (Councillor Ida Carmichael) in the Chair;
Councillors Zaheer Ahmed, Francis Ashworth, Howard Baker, Bill Bennett, Gordon Birtwistle, Justin Birtwistle, Charlie Briggs, Lynne Briggs, Bill Brindle, Charles Bullas, Frank Cant, Derek Dawson, Peter Doyle, Gary Frayling, Roger Frost, John Harbour, David Heginbotham, Karen Heseltine, Michael Heys, John Jones, Anne Kelly, Arif Khan, Maureen McCaffrey, Peter McCann, Mohammed Malik, Elizabeth Monk, Darren Reynolds, Paul Reynolds, Martin Smith, Len Starr, Andrew Tatchell, David Thomson, Cosima Towneley, Linda White and Sharon Wilkinson.

OFFICERS

Steve Rumbelow	- Chief Executive
Nick Aves	- Director of Resources
Mick Cartledge	- Director of Community Services
Tom Forshaw	- Head of Chief Executive's Office
David Wilcock	- Head of People and Law
Kevin Keith	- Public Relations Officer
Fleur Vickery	- Performance Officer
Imelda Grady	- Democracy Officer
Elaine Newsome	- Democracy Officer
David Farrar	- Mayor's Officer

14. Minutes

RESOLVED The Minutes of the meeting of the Council held on the 15th May 2008 were confirmed and signed by the Chair.

15. **Presentation of Awards**

Her Worshipful the Mayor (Councillor Ida Carmichael) congratulated the winners of the Team Burnley Make a Difference Awards and presented certificates to staff from the Legal and People and Development Teams, in relation to the Lexcel and DWF Awards.

16. **Public Question Time**

Mrs. Jennifer Braddock addressed the meeting under the Council's right to Speak Policy on the issue of Brennand Street and the surrounding area.

17. Notices of Motion

It was moved by Councillor Darren Reynolds and seconded by Councillor John Jones, that

“This Council note that the Government is pressing ahead with plans to charge householders varying amounts for waste collection based on the amount of waste collected

We believe this would be a disaster for Burnley leading to increased fly-tipping and disputes between neighbours.

It is the Council’s Policy that such varying charges will not be implemented in the Borough, instead the Council calls on Supermarkets and other Retailers and Manufacturers:

- To reduce the amount of packaging waste going to landfill through better packaging design
- To reduce to nearer zero to use of materials that are not biodegradable
- To introduce excess packaging disposal points in stores so that customers can leave excess packaging behind
- To introduce a voluntary moratorium on plastic bags

The Council asks that the Chief Executive make this call known to all large Retailers and Manufacturers with a Burnley presence.”

An amendment was proposed by Councillor Howard Baker and seconded by Councillor Frank Cant, that:

“This Council notes that the Government is investigating various ways of reducing household waste for the purpose of increasing recycling levels.

We firmly believe that any measures that might cause increased fly-tipping and as such be detrimental to the people of Burnley should not be adopted.

To help reduce household” waste the Council calls on Supermarkets, other Retailers and Manufacturers:

- To reduce the amount of packaging waste going to landfill through better packaging design
- To reduce to nearer zero the materials that are not biodegradable
- To introduce excess packaging disposal points in store that customers can leave excess packaging behind
- To introduce a voluntary moratorium on plastic bags

The Council asks that the Chief Executive make this call known to all large Retailers and Manufacturers with a Burnley presence.

The Council would also call upon the Executive to re-visit the policy on charges for the collection of items of household bulky waste in an attempt to further reduce fly-tipping throughout the Borough.”

On being put to the vote, the amendment was declared to be lost.

On being put to the vote, the motion was declared to be carried and it was **RESOLVED** accordingly.

18. Scrutiny Annual Report

The Council considered a report on the activities of the four Scrutiny Committees during the 2007-08 Municipal Year.

RESOLVED That the report be noted.

19. Statement of Pensions Policy

The Council considered the revised Statement of Pensions Policy and determined the changes required in light of the Local Government Pensions Scheme (Benefits, Membership and Contributions) Regulations 2007, which came into effect on the 1st April 2008.

RESOLVED That the amended Statement of Pensions Policy as submitted be approved.

20. Burnley Housing Investment Programme

The Council considered a report on the funding of the Burnley Housing Investment Programme for 2008/09.

RESOLVED That a budget be established for the Burnley Housing Investment Programme 2008/09 totalling £18,466,633.00.

21. Capital Spending Approval - Towneley Park Restoration Project

With reference to Minute No. 28 (24th June 2008) of the Executive, consideration was given to the Towneley Park Restoration Project.

RESOLVED That approval be given to the additional slippage of £246,383 from the 2007/08 Capital Programme.

22. Appointments to Committees, Outside Bodies and Working Groups

Consideration was given to a report on membership of the Council's Committees, appointments to outside organisations and the appointment of the Chair to a Committee for 2008/09.

RESOLVED (1) That approval be given to the change of the appointment to the Lancashire Locals from Councillor Karen Heseltine to Councillor Roger Frost;

- (2) That approval be given to the replacement of Councillor Maureen McCaffrey with Councillor Justin Birtwistle on the Environment and Housing Scrutiny Committee;
- (3) That Councillor John Jones be appointed as Chair of Environment and Housing Scrutiny Committee; and
- (4) That approval be given to the change of the qualified appointment to the Lancashire County Council Adult Social Care and Health Scrutiny Committee from the Chair to the Vice Chair of Leadership and Community Scrutiny Committee for the remainder of the 2008/09 Municipal Year.

23. Amendments to Part 3 of the Council's Constitution

Consideration was given to amendments to part of the Council's Constitution in relation to the Scheme of Delegation for the Head of Streetscene regarding Anti Social Behaviour, Head of People and Law, the Membership of the Audit Committee.

Further consideration was given to an amendment to Part 2 of the Council's Constitution to add the Statement of Pensions Policy to the Policy Framework.

RESOLVED

- (1) That approval be given to the amendment of Part 3 of the Council's Constitution to amend the current delegation given to the Head of Streetscene, as follows:

“That authorisation to take legal action on Anti Social Behaviour, relating to Crime and Disorder Act 1989 and the Anti Social Behaviour Act 2003 be delegated to the Head of Streetscene, such as ASBO, Dispersals, Closure Orders for Nuisance and Class A Drugs Closure Applications.”

- (2) That approval be given to the amendment of Part 3 of the Council's Constitution to change the existing paragraphs outlining the delegations to the Head of People and Law, as follows:-

- (a) That paragraph 5 be delegated to Heads of Service and amended to the following:

“To authorise long service pro-rotta awards for employees with over 20 years service who had been made redundant, etc. if they would have had 25 years service by their normal retirement date.

- (b) That paragraph 11 be amended to the following:

“To agree requests for secondments both internally within the Council and to or from external organisations in consultation with the Director of Finance unless this relates to a Chief Officer then consultation would be with the

Executive Member.” and

(c) That paragraph 22 be removed.

(3) That approval be given to the amendment to Part 3 of the Council’s Constitution to confirm that the 9 Member Audit Committee includes an Executive Member and the Chair of Better Services Scrutiny Committee; and

(4) That approval be given to the amendment of Article 4.1 of Part 2 of the Council’s Constitution to add the Statement of Pensions Policy to the Policy Framework.

24. Transfer of Charities to Padiham Town Council

The Council considered a report on the transfer of the James Blackburn, Henry James Helm and WJD Bromley Charities into one Charity named the Padiham Town Council Charitable Trust and the transfer of its administration from Burnley Borough Council to Padiham Town Council.

RESOLVED

(1) That Members note the decision made by the Trustees to transfer the assets to the Padiham Town Council Charitable Trust; and

(2) That approval be given to the appointments of the following Trustees: The Mayor of Padiham, three Padiham Town Council Members and the Vicar of Padiham (Reverend Mark Jones) to act as Trustees for the Padiham Town Council Charitable Trust and the transfer of its administration to Padiham Town Council.

25. Strategic Plan Progress Reports and Minutes of Committees

RESOLVED

That the Strategic Plan Progress Reports and the Minutes of the Meetings of the following Committees held on the dates shown be received and the decisions contained in them be noted.

<u>Committee</u>	<u>Date</u>
<u>The Executive</u>	27 th May 2008
<u>The Executive</u>	24 th June 2008
<u>Development Control</u>	22 nd May 2008
<u>Development Control</u>	19 th June 2008
<u>Licensing</u>	29 th May 2008
<u>Better Services</u>	10 th June 2008
<u>Economy</u>	12 th June 2008
<u>Leadership and Community</u>	17 th June 2008
<u>Environment and Housing</u>	18 th June 2008
<u>Audit</u>	26 th June 2008