



BURNLEY BOROUGH COUNCIL

BURNLEY TOWN HALL

Wednesday, 17th December 2008

PRESENT

MEMBERS

Her Worshipful The Mayor (Councillor Ida Carmichael), in the Chair;

Councillors Francis Ashworth, Bill Bennett, Gordon Birtwistle, Justin Birtwistle, Charlie Briggs, Lynne Briggs, Bill Brindle, Charlie Bullas, Frank Cant, Julie Cooper, Derek Dawson, Peter Doyle, Gary Frayling, Roger Frost, John Harbour, Allen Harris, David Heginbotham, Karen Heseltine, Michael Heys, Imtiaz Hussain, John Jones, Anne Kelly, Arif Khan, Wajid Khan, Anthony Lambert, Margaret Lishman, Peter McCann, Mohammed Malik, Darren Reynolds, Paul Reynolds, Martin Smith, Jeff Sumner, Andy Tatchell, David Thomson, Cosima Towneley, Linda White and Sharon Wilkinson.

OFFICERS

Steve Rumbelow	- Chief Executive
Mick Cartledge	- Director of Community Services
Mike Cook	- Director of Regeneration and Housing
Nick Aves	- Director of Resources
David Brown	- Director of Environment
Tom Forshaw	- Head of Chief Executive's Office
Jeremy Richards	- Public Relations Officer
David Wilcock	- Head of People and Law
Elaine Newsome	- Democracy Officer
Imelda Grady	- Democracy Officer
David Bristow	- Deputy Mayor's Officer

55. Minutes

RESOLVED The Minutes of the meetings of the Council held on the 22nd October 2008 and 9th December 2008 were confirmed and signed by the Chair.

56. Mayor's Communication

Her Worshipful the Mayor, Councillor Ida Carmichael, indicated that she had received a request from the Leader for permission to address the Council on the current economic climate.

She was satisfied that the matter was urgent and would allow the Leader to make a short statement on this occasion.

The Leader, Councillor Gordon Birtwistle, addressed Council on the current economic climate and said that he would keep Members informed of developments in Burnley through his strategic plan progress report.

57. Report from the Independent Remuneration Panel on the Members Allowance Scheme for 2009/10

Mrs Brenda Rochester, Chair of the Independent Remuneration Panel, presented the Panel's report.

Consideration was given to the findings of the Independent Remuneration Panel in respect of the Members Allowance Scheme for 2009/10 as required by the Local Authorities (Members Allowance)(England) Regulation 2003.

RESOLVED That the report be noted and the Panel be thanked for their report.

58. Medium Term Financial Strategy - Use of Earmarked Reserves

With reference to Minute No. 135 of the Executive (8th December 2008), consideration was given to the Council's use of earmarked reserves and the accounting treatment of Pension costs.

RESOLVED That approval be given for:-

- (1) The closure of the Capital Support Reserve and the balance transferred to the Modernisation Reserves;
- (2) Provision to be made in the current years Revenue Budget in the sum of £203,551 to fund outstanding Pension costs at 31st March 2008;
- (3) An equivalent amount to be withdrawn from the Modernisation Reserves and be credited to the Revenue Account to fund this cost;
- (4) An amount of £75,000 to be transferred out of the provision made in the budget for 2008/09 for pension strain to meet costs of managing the Capital Support Reserve; and
- (5) No amendment to be made to the remaining earmarked reserves.

59. Efficiency and Value for Money Savings Proposals

With reference to Minute No. 136 of the Executive (8th December 2008), consideration was given to proposals for a range of efficiency, service priority and value for money savings.

RESOLVED That approval be given for £652k efficiency and value for money savings as outlined in the appendices to the report now submitted.

60. Treasury Management Quarterly Monitoring Report

With reference to Minute No. 137 of the Executive (8th December 2008), consideration was given to the proposed revised list of counter-parties for investment purposes.

- RESOLVED**
- (1) That, subject to the removal from the list of the Bank of Ireland, the list of approved counter-parties for investment detailed in appendix 2 of the report now submitted, be approved; and
 - (2) That no deposits be invested with the Anglo-Irish Bancorp or Bradford and Bingley Plc until clarification of their status is received.

61. Flexible Retirement Scheme

With reference to Minute No. 133 of the Executive (8th December 2008), consideration was given to the proposed flexible retirement scheme to ensure the council met its obligations under the Local Government's Pension Scheme Regulations.

RESOLVED That approval be given to the Flexible Retirement Scheme as outlined in appendix 1 to the report now submitted.

62. Car Parking Charges 2009/10

With reference to Minute No. 139 of the Executive (8th December 2008), consideration was given to the proposed Strategy and Car Parking Charges for 2009/10.

RESOLVED That approval be given to hold all Car Parking Charges at 2008/09 levels during 2009/10.

63. Parker Lane Works 2009/10

With reference to Minute No. 144 of the Executive (8th December 2008), consideration was given to a forward commitment in the 2009/10 Capital Budget to fund accommodation works to council buildings.

RESOLVED That approval be given for an estimated sum of up to £235,000 to be funded from the Council's 2009/10 Capital Programme for accommodation works to council buildings as detailed in appendix 1 to the report now submitted

64. Adoption of a new Publication Scheme

Consideration was given to the adoption of a new Publication Scheme under the Freedom of Information Act 2000.

RESOLVED

- (1) That approval be given for the adoption of the Model Publication Scheme, as issued and approved by the Information Commissioner; and
- (2) That the policy framework of the Council contained in Part 2 of the Council's Constitution be amended to include 'Data Protection and Freedom of Information Policy'.

65. Amendments to Parts 2 and 3 of the Council's Constitution

Consideration was given to amendments of Part 2 and 3 of the Council's Constitution in relation to the Scheme of Delegation relating to the Head of Planning and Environment and the functions of the Licensing Committee; and to the Policy Framework as set out in Part 2 relating to Pensions and the Terms and Conditions of Staff.

An amendment was proposed by Councillor Julie Cooper and seconded by Councillor Anthony Lambert that the motion be amended as follows:-

That the wording

"In such cases, the driver will be offered the opportunity to put any exceptional circumstances to the Licensing Committee to show why the licence should not be revoked or renewed."

be replaced with

"In such cases the driver will be offered the opportunity to put any circumstances to show why the licence should not be revoked or renewed to the Licensing Committee for final disposal."

The mover and seconder of the motion accepted the amendment.

RESOLVED

- (1) That approval be given to the amendment of Part 3 of the Council's Constitution to include an additional delegation to the Head of Planning and Environment, relating to the functions of the Licensing Committee as follows:

In the event that a driver fails to successfully complete the Driver's VRQ2 (BTEC) course for Transporting Passengers by Taxi and Private Hire within the time limits set out in b and c above, to approve the use of the Head of Planning and Environment's delegated powers to suspend or refuse to renew, as appropriate, the Hackney Carriage and/or Private Hire Drivers Licence.

In such cases the driver will be offered the opportunity to put any circumstances to show why the licence should not be revoked or renewed to the Licensing Committee for final disposal

- (2) That approval be given to amend Part 2 of the Council's Constitution in respect of the Policy Framework to:

- (i) amend Statement of Pensions Policy to matters related to Local Government Pensions; and
- (ii) add appointing staff and their terms and conditions.

66. Appointments to Committees, Working Groups and Outside Bodies 2008/09

Consideration was given to a report outlining various changes to the Committees, Working Groups and Outside Bodies List 2008/09.

RESOLVED

- (1) That approval be given for the appointments to the Weaver's Triangle Working Group outside body, formally the Weaver's Triangle Partnership Board, to be amended from the Leader, Executive Members for Resources, Regeneration and Economic Development, and Planning and Environment, to the Leader, Chief Executive and the Director of Regeneration;
- (2) That approval be given to remove the East Lancashire E-Partnership Joint Committee from the list of Outside Body Appointments;
- (3) That Councillor Peter McCann be appointed to the East Lancashire Into Employment Board of Directors to replace the current officer appointment for the remainder of the 2008/09 Municipal Year; and
- (4) That approval be given to the following appointments on the committees and working groups to replace Councillor Cosima Towneley:
 - Environment and Housing Scrutiny - Councillor Ida Carmichael
 - Licensing Committee - Councillor Michael Heys
 - Redundancy Appeals Committee - Substitute Panel - Councillor Peter Doyle
 - Lancashire Locals - Councillor Peter Doyle
 - Finance and Performance Scrutiny Panel - Councillor David Heginbotham

67. Strategic Plan Progress Reports and Minutes to 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.

Committee	Date
The Executive	23 rd October 2008
The Executive	11 th November 2008
Development Control	30 th October 2008
Development Control	27 th November 2008

Better Services
Economy
Leadership and Community
Environment and Housing

25th November 2008
4th December 2008
2nd December 2008
3rd December 2008