



BURNLEY BOROUGH COUNCIL

BURNLEY TOWN HALL

Thursday, 20th December 2012

PRESENT

MEMBERS

His Worshipful The Mayor (Councillor Charles Bullas) in the Chair;

Councillors Jonathan Barker, Gordon Birtwistle, Margaret Brindle, Paul Campbell, Frank Cant, Ida Carmichael, Saeed Chaudhary, Julie Cooper, Jean Cunningham, John Fifield, Bea Foster, Gary Frayling, Roger Frost, Joanne Greenwood, John Harbour, Tony Harrison, David Heginbotham, Shah Hussain, Mathew Isherwood, Marcus Johnstone, Anne Kelly, Tracy Kennedy, Arif Khan, Wajid Khan, Stephen Large, Margaret Lishman, Tony Martin, Peter McCann, Elizabeth Monk, Neil Mottershead, Andrew Newhouse, Lian Pate, Tom Porter, Paul Reynolds, Betsy Stringer, Jeff Sumner, Andrew Tatchell, Cosima Towneley and Mark Townsend.

OFFICERS

Steve Rumbelow	-	Chief Executive
Nick Aves	-	Director of Resources
Mike Cook	-	Director of Economic Regeneration
Tom Forshaw	-	Head of Chief Executive's Office
David Wilcock	-	Head of People, Law and Regulation
Mike Waite	-	Head of Corporate Engagement
Gina Cole	-	Organisational Development Officer
Eric Dickinson	-	Democracy Officer
Elaine Newsome	-	Democracy Officer
David Farrar	-	Mayor's Officer

54. Minutes

RESOLVED The Minutes of the meeting of the Council held on the 25th October 2012 were confirmed and signed by the Chair.

55. Declarations of Interest

Councillors Campbell, Carmichael, Greenwood, Heginbotham, Wajid Khan, Monk, Pate, Porter and Townsend declared an Other Interest (Personal) in Minute Number 63 relating to the ownership of second properties within the borough. Councillor Sumner declared an Other Interest (Personal) in Minute Number 65 in relation to the Burnley and District Sunday League.

56. Mayors Communications

His Worshipful the Mayor reported that this would be the last meeting at which the retiring Director of Resources, Nick Aves would be in attendance. He thanked him for his service to the Borough over the years and wished them well for the future.

At the invitation from His worshipful the Mayor, Political Group Leaders, Councillors Cooper, Carmichael and Lishman on behalf of the Liberal Democrat Group paid tribute to Mr Aves.

57. Presentation of Awards

His worshipful the Mayor presented the Investors in People Champion Status and the European Mentoring and Coaching Council 20th Anniversary Award to Gina Cole, Organisational Development Officer and David Wilcock, Head of People, Law and Regulation.

58. Public Question Time

Mr J Rowe addressed the Council under the Request to Speak Policy on the Changes to Council Tax Policies.

Mr Charles Oakes addressed the Council under the Request to Speak Policy on the age limits for Hackney Carriage vehicles.

59. Notice of Motion

It was moved by Councillor Julie Cooper and seconded by Councillor Tony Harrison that:-

“This Council condemns the Coalition Government’s changes to the NHS and calls upon the recently formed East Lancashire Clinical Commissioning Group (CCG) to include amendments to its constitution, set out below, as suggested by the 38 Degrees campaign group, so as to guarantee that local people will be properly consulted about changes and that any such changes will put the interests of patients before the profits of private companies.

The amendments to the CCG Constitution are:

- To protect local NHS services and consult patients properly before making changes
- To spend money wisely and don't do deals with irresponsible private companies
- To adopt policies and a constitution which reflect these values.

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

60. Recommendations from the Independent Remuneration Panel

Mr Graham Knott, member 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 2013/14 as required by the Local Authorities (Members Allowances) (England) Regulation 2003

RESOLVED That the report of the Independent Remuneration Panel be received.

61. Unauthorised Traveller Encampments

With reference to Minute 81 (20th November 2012) of the Executive consideration was given to an allocation from the capital programme to enable site protection measures.

RESOLVED That approval be given to an allocation of £15,791 from the Capital Programme to enable the site protection measures, as outlined in Appendix 1 to the report.

62. Revenue Budget 2013/14

With reference to Minute 94 (10th December 2012) of the Executive, consideration was given to savings to assist in balancing the 2013/14 revenue budget

RESOLVED That the non-staffing/posts savings totalling £820k to assist in balancing the 2013/14 revenue budget as detailed in appendix 1 to the report be approved.

63. Technical Changes to Council

With reference to Minute 95 (10th December 2012) of the Executive, consideration was given to the adoption of changes to Council Tax charged on empty properties and second homes.

RESOLVED That approval be given to the following changes to the Council Tax charged on empty properties and second homes:

- 1) To end the full Council Tax exemption for properties that are empty for less than six months and replace it with a 50% discount
- 2) To end the full Council Tax exemption on empty properties that are undergoing major structural repair and replace it with a 50% discount for up to 12 months
- 3) To end the 50% discount on properties that have been empty for longer than six months (or 12 months if undergoing structural repair)
- 4) To end the 50% discount on second homes/furnished and unoccupied properties

- 5) The Introduction of an additional Council Tax premium for properties than have been empty for over 2 years. Owners of all properties that have been empty for over 2 years will have to pay 150% Council Tax for these properties

64. Localised Scheme for Council Tax

With reference to Minute 96 (10th December 2012) of the Executive, consideration was given to the adoption of a Council Tax Support scheme for 2013/15 and 2014/15

RESOLVED That approval be given to option 2 and the adoption of a Council Tax Support scheme for 2013/4 and 2014/5 that :-

- 1) Calculates support in the same means tested way as Council Tax Benefit
- 2) Cuts the final benefit award by 8.5% for all groups of working age
- 3) Supports vulnerable groups
- 4) Incorporates a discretionary hardship provision and policy to be brought back to a later executive to support claimants suffering financial hardship as a result of the changes
- 5) Incentivises work

65. Fees and Charges 2013/14

With reference to Minute 97 (10th December 2012) of the Executive, consideration was given to the proposed tariff of fees and charges from 1st January 2013.

An Amendment to the Motion was moved by Councillor Margaret Lishman and Seconded by Councillor Gordon Birtwistle:

“To amend the Fees and Charges for 2013/14 as follows:

That the charges for cremation, Car Parking Charges and Bulky Waste Collection Charges should be **not** be increased and the difference in the budget should be funded by:

- 2% increase in sports and culture charges;
- No reduction in charges for Grade A football pitches;
- A reduction in Ward Opportunities funding; and
- Use of reserves in the short term.

In addition, consideration should be given to the closure of the 9-hole golf facility at Towneley Park.”

66. Adjournment of Meeting

The Mayor adjourned the meeting for a short time to allow Members the opportunity to consider the amendment.

67. The Meeting reconvened at 8.48pm

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

RESOLVED (1) That the proposed tariff of fees & charges from 1st January 2013 as outlined in Appendix A to the report be approved;

(2) That delegated authority be granted to;

- 1) The Head of Finance & Property Management, in consultation with the relevant Head of Service, to determine any new charges or changes to existing charges relating to the preparation and approval of the 2013/14 revenue budget.
- 2) Executive Portfolio Holders to amend fees & charges periodically in their own area on the basis that overall income in their portfolio area remains the same.
- 3) The Head of Facilities Management in consultation with the Executive Member for Resources and Performance Management and the Director of Economic Regeneration 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.

68. Strategic Review of Taxi Policy and Age Limits of Hackney Carriage Vehicles

With reference to Minute 24 (22nd November 2012) of the Licensing Committee, consideration was given to an amendment to the Councils policy on age limits for Hackney Carriage Vehicles.

RESOLVED That approval be given to the following amendments to the age limits for hackney carriage vehicles:

- 1) Where a hackney vehicle over three years old is written off the fleet as a result of accident damage, the damaged vehicle can be replaced by a vehicle no older than that involved in the accident, and
- 2) As an interim measure, in light of Manganese Bronze being placed in administration, licences for vehicles over 12 years old would continue to be renewed until such time as a policy review of hackney vehicle types had been completed and approved by Council.

69. Amendments to the Constitution

Consideration was given to an amendment to Part 3 of the Councils Constitution in relation to the determination of the Council Tax Base and Estimated Business Rate collection.

RESOLVED That approval be given to the inclusion of a delegation to the Director of Resources in Part 3. A. 1 (Council Functions) of the Scheme of Delegation as follows:

g. Director of Resources

To determine prior to the start of each financial year, in consultation with the Executive Member for Resources and Performance Management:

1. The Council Tax Base
2. The estimated business rates to be collected as set out in the NNDR1 return

70. Appointments to Committees

Consideration was given to a revised Membership of the Community Services Scrutiny Committee for the remainder of the 2012/13 Municipal Year.

RESOLVED That Councillor Jonathan Barker be replaced on Community Services Scrutiny Committee by Councillor Tony Harrison.

71. Strategic Plan Progress Reports and Minutes of Committees

RESOLVED That the Strategic Plan Progress Reports of Executive Members together with the Minutes of the meetings of the following Committees held on the dates shown be received and the decisions contained within them be noted.

Committees	Date
The Executive	16 th October 2012
The Executive	20 th November 2012
Development Control	18 th October 2012
Development Control	29 th November 2012
Licensing	22 nd November 2012
Community Services	27 th November 2012
Resources	4 th December 2012
Economic Regeneration	5 th December 2012
Standards	7 th November 2012

72. Waiving of Council Procedure Rules

RESOLVED That approval be given to the waiving of Council Procedure Rule 8.1 to allow the meeting to continue beyond 10pm in order to complete the remaining items of business.

73. 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 would be 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 the consultations or negotiations or contemplated consultations or negotiations, in connection with and labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

74. Revenue Budget 2013/14 – Workforce Planning

With reference to Minute 102 (10th December 2012) of the Executive, consideration was given to a reduction in the Revenue Budget for 2013/14.

RESOLVED That approval be given to the reduction of £957,663 in the revenue budget for 2013/14.