

COUNCIL FORUM
Thursday 20th April 2017

PRESENT – *The Mayor Councillor Akhtar H., (in the Chair), Councillors; Akhtar P; Ali; Bateson; Brookfield; Casey; Connor; Daley; Davies; Entwistle; Fazal; Foster D; Foster K; Gee; Groves; Gunn; Hardman; Harling; Humphrys; Hussain F; Hussain I; Jan-Virmani; Johnson; Kay; Khan M; Khan Z; Khonat; Lee; Liddle; Mahmood A; Mahmood Q; Marrow; McFall; McGurk; Mulla; Murray; Nuttall; Oates; Rigby C; Rigby J; Shorrocks; Sidat; Slater Ja; Slater Jo; Slater Ju; Slater N; Smith D, Smith J; Surve; Talbot; Tapp; Vali; Whittle and Wright.*

RESOLUTIONS

72 Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

73 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Mustafa Desai, Pete Hollings, Shaukat Hussain, Trevor Maxfield, Abdul Patel, John Pearson, Phil Riley, and Brian Taylor.

74 Minutes of the Finance Council Meeting held on 27th February 2017

RESOLVED – That the Minutes of the Finance Council meeting held on the 27th February 2017 be agreed as a correct record.

75 Declarations of Interest

Councillor Ron Whittle declared an interest in Agenda Item 10 (Treasury Management Update- Pension Contributions) – BwD representative on the Lancashire County Pension Fund Committee.

76 Mayoral Communications

The Mayor thanked all Organisations, Groups, Councillors and staff for all their support during his Mayoral year, and thanks were also passed to his chosen charities.

77 Council Forum

The Chief Executive advised that three questions had been received from Members of the Public under Procedure Rule 10 as follows:

Question from Mr Farrell to the Executive Member for Neighbourhood and Prevention, Arshid Mahmood:

My properties are my pension, so where will my pension come from (as a result of Selective Licensing effect on landlords)?

Councillor Mahmood provided a response to the question and supplementary question arising, advising Mr Farrell he was required to hold a licence for his property however the cost of the licence could be submitted as a cost against the tax he would pay on the income he received from the rent for the property. There were numerous costs associated with owning and renting out a property which would change over time and with changes in legislation, but the scheme was intended to benefit both landlords and tenants. Councillor Mahmood offered to meet Mr Farrell to discuss the matter further.

Question from Sabir Esa to Councillor Damian Talbot:

My question is about the recent by-election in the Higher Croft Ward. I would like a clear concise explanation of the errors which allowed an illegal candidate to be selected as the Labour Party candidate, especially as the same person stood in the previous May election for Labour in the Livesey with Pleasington Ward, thereby contravening the rules of the Electoral Commission on two occasions. I seek an assurance that Cllr. Talbot and the officers of the Labour Party will in future abide by the legal requirements for the selection of candidates, and when they are made aware of the cost of running this illegal by-election, would repay this sum of money to the Borough of Blackburn with Darwen, which was clearly caused by their incompetence.

The Leader of the Council, Mohammed Khan answered this question and supplementary question arising and advised that the cost of the by-election was approximately £8,800, and further to advice received from the Electoral Commission, the costs of this would be met by the Council. There would be no significant further costs relating to holding the by-election again as it would now be held on the same day as the General Election on 8th June. Councillor Khan outlined the process for selecting and verifying candidates, and advised that until it came to light, there was an innocent belief that the candidate was eligible, and he once again apologised for this genuine mistake further to the recent apology reported in the local press. Cllr Khan also confirmed that Councillor Talbot was not the agent for the candidate.

Question from Kieran Richards to Councillor John Slater:

The Council's policy on refuse collection is to implement alternate weekly collections and on green waste is to charge for collection. In a recent leaflet issued by your party a commitment is made that you will look to reintroduce weekly collections and free green waste collection. How does the Conservative leader propose to fund these commitments?

Councillor Slater provided a response to this question and supplementary question advising that his party would honour their manifesto pledge and reintroduce weekly refuse collections and scrap the 'garden tax', referring to increases in fly tipping since the introduction of the green waste collection charges. Councillor Slater advised that to fund these changes, the Executive Board would be reduced, the post of Deputy Chief Executive would be deleted and that some of the additional costs could be funded by borrowing amongst other changes.

78 The Motions Submitted under Procedure Rule 12

The Chief Executive announced that one Notice of Motion had been submitted under Procedure Rule 12 as follows:

'This Council calls on the Government to abandon its 'National Funding Formula' proposals, and to make a commitment to maintaining schools' funding so as to ensure both sustainability and the quality of our children's education.

On average every primary school pupil in England stands to lose approximately £400 in funding and every secondary school pupil stands to lose approximately £550 per pupil. Many schools in Blackburn with Darwen will lose considerably more than these averages. Children across our borough will lose out as a result of these proposals and this Council condemns the short-sighted failure to recognise the importance to the economy of investing in our next generation'.

Mover: Cllr Dave Harling

Seconder: Cllr Damian Talbot

During debate Council Forum agreed that a Recorded Vote would be held. Councillor Maureen Bateson moved a minor amendment on the first line of Motion by adding 'any future' ahead of 'Government' and deletion of 'the'. This amendment was accepted by the Mover and Seconder and Council Forum and now became the Substantive Motion and now read as follows:

'This Council calls on any future Government to abandon its 'National Funding Formula' proposals, and to make a commitment to maintaining schools' funding so as to ensure both sustainability and the quality of our children's education.

On average every primary school pupil in England stands to lose approximately £400 in funding and every secondary school pupil stands to lose approximately £550 per pupil. Many schools in Blackburn with Darwen will lose considerably more than these averages. Children across our borough will lose out as a result of these proposals and this Council condemns the short-sighted failure to recognise the importance to the economy of investing in our next generation'.

A Recorded Vote was then held with Councillors voting as follows:

For

The Mayor Councillor Akhtar H., Akhtar P; (in the Chair), Councillors; Ali; Bateson; Brookfield; Casey; Connor; Daley; Davies; Entwistle; Fazal; Foster D; Foster K; Gee; Groves; Gunn, Hardman; Harling; Humphrys; Hussain F; Hussain I; Jan-Virmani; Johnson; Kay; Khan M; Khan Z; Khonat; Lee; Liddle; Mahmood A; Mahmood Q; Marrow; McFall; McGurk; Mulla; Murray; Nuttall; Oates; Rigby C; Rigby J; Shorrocks; Sidat; Slater Ja; Slater Jo; Slater Ju; Slater N; Smith D, Smith J; Surve; Talbot; Tapp; Vali; Whittle and Wright.

Against

None

Abstention

None

RESOLVED – That the Motion be carried.

79 The Mayoralty 2017/18

A report was submitted containing recommendations relating to the office of Mayor and Deputy Mayor in 2017/18.

It was reported that Annual Council formally appointed Members of the Council to the office of Mayor and Deputy Mayor for the forthcoming Municipal year. The Member appointed to the position of Deputy Mayor was normally appointed to the office of Mayor in the following year.

A report on the appointment of the Mayor was submitted to Council Forum each year, and in the event that the proportionality of the Council changed going forward in a way that would affect the nomination of Mayor for a particular year, a report on this matter would be submitted for Council's

consideration - in 2018 there would be all –out Elections, so the position would need to be reviewed then.

It was the turn of the Conservative Group to nominate the Mayor, who in line with usual practice would usually be the serving Deputy Mayor, which in this case was Councillor Colin Rigby. It was also recommended that Council Forum agree the nomination of Deputy Mayor for 2017/18.

RESOLVED –

- 1) That in line with the usual practice of the Deputy Mayor in the current year serving as Mayor the following year, Councillor Colin Rigby OBE be nominated to serve as Mayor in 2017/18; and
- 2) That Councillor Pat McFall be nominated to serve as Deputy Mayor for 2017/18.

80 Treasury Management Update re: Payment of Employer Pension Contributions to the Lancashire Local Government Pension Fund

A report was submitted which provided an update on the option taken, following triennial valuation of the Local Government Pension Scheme, to pay the annual deficit contributions for the next 3 years, as one upfront payment; in doing so the Lancashire Pension Fund would provide a discount for the early payment.

RESOLVED- That the payment of the annual deficit contribution due for 2017/18, 2018/19 and 2019/20 in advance in April 2017 be noted.

81 Policy and Corporate Resources Committee

In submitting the report of the Policy and Corporate Resources Committee, Councillor Jim Shorrocks advised that the Annual Scrutiny Review on 8th May had been postponed and would now be held at the first meeting of the Committee in the new Municipal Year, and all Councillors were welcome to attend.

RESOLVED – That the report of the Policy and Corporate Resources Overview and Scrutiny Committee be noted.

82 Reports of the Executive Members with Portfolios

Council Forum received and considered reports and updates from the Leader and Executive Member with portfolios. They were considered as follows:

Leader, Children's Services, Environment, Leisure, Culture and Young People, Neighbourhoods and Prevention, Resources, Schools and Education, Regeneration and Health and Adult Social Care.

RESOLVED – That the reports of the Leader and Executive Members for the following portfolios: Children's Services, Environment, Leisure, Culture and Young People, Neighbourhoods and Prevention, Resources, Schools and Education, Regeneration and Health and Adult Social Care be noted.

62 Questions Received from Members under Procedure Rule 11

The Chief Executive reported that two questions had been received under Procedure Rule 11 as follows:

For the Executive Member for Environment, Councillor Jim Smith from Councillor David Foster:

What decision making powers has the Executive Member delegated to his Assistant Executive Members?

Councillor Jim Smith advised in response to this question and associated supplementary question that his Assistant Executive Members had input into decisions, but that the final decisions were taken by himself. In terms of the Olive Lane Park decision referred to by Councillor Foster, he took account of the 'decisions' on this matter by his Assistant Executive Members and signed off the final decision.

For the Executive Member for Environment, Councillor Jim Smith from Councillor Roy Davies:

How much money has been spent by the Council on Olive Lane Park Darwen?

Councillor Jim Smith advised in response to this question and associated supplementary question that Olive Lane park was one of over 140 parks and open space sites maintained by the Council. The budget for parks and open spaces was not split down to individual sites, it was apportioned across all 140 sites. As Olive Lane park was not an individually costed site, it was not possible to provide any information from the Environment Portfolio on costs spent within the park. The total budget available for parks and open spaces for 2017/18 was £1,132,000. Councillor Smith confirmed that there were no plans to close the site and that ways of developing the park were being considered.

Signed at a meeting of the Council
on the day of
(being the next ensuing meeting of the Council) by

MAYOR