

COUNCIL FORUM MEETING
Thursday 28th January 2010

PRESENT – The Mayor Councillor Jim Hirst (in the Chair), Councillors, Ali, Barry, Bateson, Browne, Cottam, Davies, Doherty, Entwistle, Foster D, Foster K, Graham, Gordon, Hardman, Harling, Hollern, Hollings, Huggill, Humphrys, Hussain F, Hussain I, Jan-Virman, Michael Johnson, Mike Johnson, Jones, Kay, Khan M, Khan Z, Khonat, Law-Riding, Lee, Lorgat, Mahmood, Maxfield, McFall, McGarvey, Melia, Milburn, Mulla, O’Keefe, Patel A, Pearson, Rehman, Rigby C, Rigby J, Rizwan, Shorrock, Slater Jacqueline, Slater John, Slater Julie, Smith Joseph, Surve, Talbot, Tapp, Thayne, Walsh, Williams J S, Williams S J and Wright.

RESOLUTIONS

65 Notice Convening the Meeting

The Chief Executive read the notice convening the meeting.

66 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Meleady, M Patel, J Smith and Waghat.

67 Minutes of the Meeting held on 5th November 2009 and the Minutes of the Policy Council held on 3rd December 2009

RESOLVED - That the minutes of the Council Forum meeting held on 5th November 2009 and the Policy Council Meeting held on 3rd December 2009 be agreed as a correct record.

68 Declarations of interest

Councillor Paul Browne, Tony Melia, Phil Jones, Roy Davies and Trevor Maxfield declared a personal interest in Agenda Item 12 as Darwen Town Councillors.

Councillor Hardman declared a prejudicial interest in Agenda Item 12 as a Livesey Parish Councillor.

69 Mayoral Communications

The Mayor passed on his condolences to the family of Naeemah Achha, the young pupil who had tragically recently died.

The Mayor recently had the pleasure of meeting the Arch Bishop of Canterbury and attending both remembrance services held in Blackburn and Darwen.

In November, the Mayor had attended the switch on of the Christmas Lights in Blackburn and Darwen and had ridden the Big Wheel at the front of the Town Hall. He had also welcomed the OMANI delegation from Muscat.

In December, the Mayors busy schedule saw him attending numerous Carol Services and Events.

Finally, the Major passed on congratulations to Jason Roberts from Blackburn Rovers, the Reverend Mike Wedgeworth from Blackburn Cathedral and Councillor Eileen Entwistle who had received M.B.E's in the New Years Honours List.

A minutes silence was held in memory of those who lost their lives in the Haiti Earthquake.

70 Public Questions

The Chief Executive reported that no Public questions had been received.

71 Motions

The Chief Executive reported that two motions have been submitted under procedure rule 12

The first motion was as follows:

Blackburn with Darwen Council

That this Council being desirous of recognising the outstanding and meritorious service rendered to the townspeople of Blackburn with Darwen by the 93 (East Lancashire) Signal Squadron (V) for 40 years in support of operational military deployments both home and abroad, as well as being actively involved in the organisation and support for Civic events, charitable causes and assistance to various public organisations within the Borough, and award the BLACKBURN with DARWEN CIVIC MEDAL designed for the presentation by the Council to honour those who have rendered distinguished service to the Borough.

Proposed by Councillor Michael Lee

Seconded by Councillor David Foster

A report was also submitted on this matter.

RESOLVED - That the motion be carried.

Concessionary bus travel for the over 60's

This Council supports free concessionary bus travel for the over 60's enjoyed by 8 million people nationally and calls on all three major political parties on social and environmental grounds to pledge its continuation without changing the criteria for eligibility.

Proposed by Councillor Dave Harling

Seconded By Councillor John Wright

Councillor David Foster moved the following amendment – addition of the following second paragraph:

It further recognises the importance of the Community Transport in reducing social exclusion and urges a future government to give sufficient funding to allow Community Transport to be eligible for free concessionary travel for citizens within the Borough.

The amendment was accepted.

RESOLVED -That the motion as amended be carried.

72 Year Planner 2010 - 2011

A revised year planner for 2010 – 2011 was submitted for approval, following submissions of the draft version to the Policy Council meeting in December.

The Chief Executive outlined one additional change to those outlined on the summary on the front page of the year planner – the Licensing Committee in September had been changed from 30th September 2010 to 28th September 2010

RESOLVED - That the Year Planner 2010 – 2011 as submitted be approved.

73 Carbon Management

A report was submitted, which sought approval to a commitment to carbon reduction through a sign up to the 10:10 campaign.

Members were reminded of the number of initiatives the Council had implemented to reduce emissions.

Following a public debate with the Government Ministers on the issues, the 10% cut in emissions, labelled 10:10, was launched. Its ambitious aim was to unite every sector of British society in achieving a 10% cut

in carbon emissions. Hundreds of organisations – businesses, schools, universities across the public and private sector as well as thousands of individuals had already signed up and the particular challenge for local authorities was to reduce the emissions covered by National Indicator 185.

Signing up to 10:10 would be a strong indication that the Council was fully committed to this agenda and would take a leadership role in the community.

An active campaign would be launched that would include raising awareness of the 10:10 commitment and what staff could do to meet the target. The Energy Champion scheme would be promoted and expanded, and campaign information would come through Team Talk and intranet.

During 2010 a number of new initiatives would be launched including new ICT equipment, support to sustainable travel, the use of council buildings, and widespread encouragement to staff to change their behaviour and make lower use of carbon.

RESOLVED – That the Council notes that:

1. Climate change predictions show that, without severe cuts in greenhouse gas emissions, increased temperatures will have a hugely detrimental impact on the planet, causing widespread flooding and bringing extreme weather. The global economy, agriculture and water availability will be badly affected. These changes will affect all of us and poorest countries the worst;
2. That under current commitments the UK is due to cut emissions by 34 percent by 2020. Stringent requirements such as the Carbon Reduction Commitment are being imposed on local authorities. Climate change scientists advise that cuts of 10% a year are needed to avert the worst consequences of climate change;
3. A number of Councils have signed up to the “10:10 campaign” which seeks to get individuals and organisations to make a firm commitment to reduce their carbon emissions by 10% during 2010;

This Council believes that it is possible to achieve this target with the right degree of political will, and that it is important to show its commitment to making these emission reductions; and

This Council therefore resolves to sign up to the 10:10 campaign and make a firm commitment to reduce its emissions as measured for

National Indicator 185 (minus outsourced emissions) by 10 percent between the end of 2009 and the end of 2010.

(Having declared a prejudicial interest to the following item Councillor Derek Hardman left the room)

74 Elections recharges for Parish and Town Councils

A report was submitted that informed Members and sought approval of the proposed basis of recharging Parish and town councils for the costs incurred by the Borough Council in running contested elections on their behalf.

It was requested that Members approve the recharging of all parish and town councils in the Borough for the costs incurred by the Council in running all future contested elections on their behalf

The Council did not currently recharge parish councils for the cost of running contested elections. Many councils did recharge both in Lancashire and elsewhere.

Section 36(5) of the Representation of People Act 1983 allowed a Council if it is so required to recharge parish / town councils for the expenditure properly incurred in running elections on their behalf.

There was no standard parish council election cost as there are many variables ranging from the size of the electorate to the cost of hiring a polling station. The estimated costs for two parish councils with differing electorate are attached at Appendix 1 of the report submitted as an example of the proposed basis for recharging.

If the Council decided to levy a charge, then where there was a combined Borough or European and parish / town council election, the charges for poll card delivery, polling station staff and polling station hire charges would be a shared 50/50.

RESOLVED – That the Members approve the recharging of all parish and town councils in the Borough for the costs incurred by the Council in running all future contested elections on their behalf.

(Councillor Derek Hardman rejoined the meeting)

75 Members Allowances - Report of the Independent Remuneration Panel January 2010

A report was submitted which contained the recommendations of the Independent Remuneration Panel (IRP) in relation to payment of expenses to Independent School Admissions and Exclusions Appeal panel members, and the Annual increase in Members' Allowances.

The report also outlined the comments received from Group Leaders in relation to Members' Allowances.

Councillor Michael Lee moved deferral of the report to April, to allow Party Leaders to meet with the IRP and further discuss issues. This was seconded by David Foster.

Councillor Kate Hollern, seconded by Councillor Mohammed Khan, moved the approval of the recommendations in the report, with the exception of recommendation 4 - (That for 2009/10 the level of allowances be increased by 1% in line with the pay awarded to Council employees) which they moved not to be approved.

Following a debate and vote it was:

RESOLVED – That the Council Forum:

1. Notes the requests from Councillor Hollern and the views of the panel;
2. Approves the introduction of the payment of financial loss set at £27.00 for up to four hours and £54.00 for over four hours in respect of School Admissions and Exclusion Appeals;
3. Ensures that claims for actual financial loss are accountable and audit trails are sufficiently established, a certificate supplied by the employer or supporting evidence from a self-employed Panel Member's accountant, or such other evidence as deemed appropriate, should support any claims for loss of earnings. Claims for any other type of eligible actual financial loss, such as childminding expenses, should also be supported by receipts or other evidence; and
4. That for 2009/10 the level of allowances not be increased by 1 % in line with the pay award to Council employees and that the level of increase be kept at 0%.

76 Report of Executive Member for Regeneration & Environment

Under the Council procedure Rule 13c the Council agreed to vary the Agenda for the meeting by dealing with the Report of the Executive Member Regeneration and Environment at this point to enable a detailed discussion be undertaken in relation to Gritting during the recent period of prolonged severe winter weather.

RESOLVED - That the report from the Executive Member for Regeneration and Environment be received.

77 Report of the Chair and Vice Chair of the Policy and Review Committee

The Chair of the Policy and Review Committee, Councillor Derek Hardman presented his report on scrutiny work undertaken since the last meeting of the Council Forum.

RESOLVED - That the report of the Policy and Review committee be noted.

78 Reports of Executive Members

The Executive Members submitted reports on work under their portfolios of the Council Forum. These were considered as follows:

- Leader of the Council
- Leisure and Culture
- Housing
- Neighbourhoods and Customer Services
- Corporate Projects
- Adult Social Care
- Children Services
- Resources

RESOLVED - That the reports from the Leader, Executive Members for Leisure and Culture, Housing, Neighbourhoods and Customer Services, Adult Social care, Children's Services and Resources be received.

79 Questions received from Members under Procedure Rule 11

The Chief Executive reported that no questions had been received under Procedure Rule 11.

80 Questions submitted regarding the functions of the Police Authority

The Chief Executive reported that the following question for Councillor Malcolm Doherty had been received from Councillor Michael Law-Riding:

Given the potential serious impact on Darwen Live of the imposition of charges by Lancashire Constabulary for this key event. Can Councillor Doherty please clarify the position of the Police Authority and the Constabulary in relation to this matter?

Councillor Doherty outlined the position of the Police Authority, which was that the charge for operational policing was within the remit of the

Chief Constable. The view of the Authority was that the Constabulary should involve partners to identify potential cost issues and that it should consider whether to impose charges based on the circumstances of the case, the statutory powers and obligations on the Constabulary and the obligation to ensure that they were delivering effective and efficient policing services to the people of Lancashire.

In terms of the position of the Constabulary, the Police had a statutory Power to charge for special policing services for policing events such as football matches and music concerts. Darwen Live was a music concert held over 2 days on the weekend of May 25th, and it fell into the category of a chargeable event.

The Council ran the event on a not profit basis but made a charge for catering etc. The Council were potentially liable to pay for staff employed in a policing capacity at this event.

The special policing charge did not cover the costs associated with policing disorder around this event. Historically the event itself had generated a lot of drinking and the levels of criminality associated with this.

The Police had not indicated that they would be seeking full costs recovery but they had spoken to the Council with regard to ways of managing the event to mitigate the costs.

The estimated costs of the events in Policing terms were outlined. No charge had been made to the Council or to the Organisers in the past. There had yet been no detailed discussion around the cost and any charging mechanism for 2010.

Councillor Doherty reported that the Constabulary wanted to sit down with the organisers of the event and plan it properly to identify if there were ways of working with all partners to make sure that the event was a success and that problems associated with Anti-Social behaviour were kept to a minimum.

Signed at a meeting of the Council

On the day of

(Being the next ensuing meeting of the Council)

By

MAYOR