

**COUNCIL MEETING
30th September 2010**

PRESENT – *The Deputy Mayor Councillor Foster K.O.M. in the Chair; Councillors Akhtar, Bateson, Browne, Cottam, Davies, Desai, Doherty, Entwistle, Foster D., Gee, Gordon, Hardman, Harling, Hirst, Hollem, Huggill, Humphrys, Hussain F., Hussain I., Jan-Virmani, Johnson, Kay, Khan M., Khan Z., Khonat, Law-Riding, Lee, Mahmood, Maxfield, McFall, McGarvey, Meleady, Melia, Mulla, O’Keeffe, Oldfield, Patel, A., Patel M., Pearson D., Pearson J., Rehman, Rigby J., Rizwan, Shorrocks, Sidat, Slater Jacqueline, Slater Julie, Smith D., Smith James, Smith Joseph, Solkar, Surve, Talbot, Tapp, Thayne, Walsh and Wright.*

RESOLUTIONS

36 Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

37 Apologies for Absence

Apologies for absence were submitted on behalf of The Mayor, Councillor Sheila Williams, Councillors Alan Barry, Andrew Graham, Phil Jones, Colin Rigby and John Slater.

The Deputy Mayor advised that, on behalf of the Council, she would convey best wishes to the Mayor for a speedy recovery from her current illness.

38 Minutes

Following a debate on proportionality and the timing of appointments to Outside Bodies, Council received and confirmed the minutes of the Council Forum meeting on 24th June and Extraordinary meetings of Council on 20th July and 14th September 2010.

RESOLVED – That the minutes of the Council Forum meetings on 24th June and Extraordinary meetings of Council on 20th July and 14th September 2010 be approved and signed as a correct record.

39 Declarations of Interest

Salim sidat declared a Personal and Prejudicial Interest relating to Blackburn Market traders.

40 Mayoral communications

The Deputy Mayor reported that the Mayor was recovering well from her current illness and hoped that she would be able to resume her

duties in the foreseeable future and that best wishes had been passed onto her after the last Council meeting.

In the Mayors absence, the Deputy Mayor reported she had carried out a wide range of engagements including speaking to a group of German students on an exchange visit with St Wilfred's school, her first Citizenship ceremony earlier that week where some 54 new citizens were made citizens of the United Kingdom and that she had a pleasant day walking the new heritage trail in Corporation Park and even helped launch a new £150,000 bus at Whalley Abbey.

She concluded by informing Members that the Duke of Lancaster's Regiment would be holding a Cathedral Service and Homecoming Parade on the 1st December, with Members being invited to attend the service in the Cathedral at 12 noon and then support the parade through the Town Centre after. She hoped to see as many Councillors there as is possible to show their appreciation and respect for the job the soldiers had done whilst serving in Afghanistan and to remember those of the Regiment who have sadly lost their lives during the conflict.

41 Council Forum

No questions had been received under Procedure Rule 10 for the Council Forum.

42 Elections report

A Notice detailing the Election results of 2010 was received and duly noted.

RESOLVED – That the Notice of Elections 2010 be noted.

43 Motions Submitted under Procedure Rule 12.

Council received and considered the following Notices of Motion submitted under Procedure Rule 12 which had been moved by Councillor David Foster and seconded by Councillor Simon Huggill.

Motion 1

Resolution 1.

This Council reaffirms its commitment to Neighbourhood working. In particular it recognises the good work done by Neighbourhood Boards and remains committed to their continued existence and development.

Resolution 2.

This Council acknowledges the success of the installation of Alley gates within the Borough in reducing crime, antisocial behaviour and litter, whilst improving the communities' sense of safety. This Council

therefore resolves that, as a minimum, the Alley gate scheme will continue at its present budgeted level.

Resolution 3.

This Council resolves that after 5 years of uncertainty, the residents of Harwood Street in Darwen will have the promised facelifts to their properties, and that there will be no threats of demolition to their homes.

Resolution 4.

This Council resolves to maintain weekly Household waste collections.

Resolution 5.

This Council believes that Community control is preferable to Council control of our community Centres.

Resolution 6.

This Council resolves that Darwen Library Theatre should be subject to continuing investment not cutback.

Resolution 7.

Robin Bank in Darwen has been the subject of some unusual visionary schemes. Although the bid for PFI funding was unsuccessful, this Council reaffirms its commitment to the delivery of a "Care village" scheme on this site, and that the work to deliver this, that has been undertaken by the previous administration, should be taken forward with all due speed.

Following a debate, Councillor Andy Kay moved an amendment to the Motion, Seconded by Councillor Jan-Virmani:

This council reaffirms its commitment to give the same, or better, level of grant funding, this council will: -

- *Provide an alley gate programme*
- *Give a fair decision, very soon, for the residents of Harwood Street Darwen, a decision ducked by the ex-Executive Member for Housing.*
- *Provide weekly household waste collections*
- *Support community organisations to explore the possibilities for them to manage community centres*
- *Maintain the Darwen Library Theatre*
- *Explore all possibilities for the care of our residents, both young and old.*

Following a further debate, there followed a vote on the original motion

RESOLVED – That the original motion be lost.

The Council moved to a vote on the amended motion.

RESOLVED – That the amendment be carried.

Motion 2

This Council resolves to move back to the committee system of governance.

Proposed by Councillor Colin Rigby
Seconded by Councillor Michael Lee

On the Motion 2 Councillor Kay asked for legal opinion on the legality of the motion as it stood, as it did not appear practical or implementable under the Councils Constitution.

Councillor Lee requested that the motion be altered. At which point it was explained that a revision required consent of the meeting which was not received.

RESOLVED – That the motion be lost.

44. Appointments to various combined authorities and outside bodies and partnership bodies 2010/11

Further to the resolution of the Extraordinary Meeting of the Council on 14 September 2010 the Council considered the appointment of representatives to serve on various Combined Authorities, Outside Bodies, Community Associations and Partnership Bodies. The Chief Executive apologised for lateness of report, following which some debate took place.

RESOLVED –

1. That subject to the governance arrangements of various combined authorities, outside bodies and partnership bodies, appointments and representation on these bodies be delegated to the Group Leaders in line with legislation, previous practice, and policy to reflect the political composition of the Council (as referred to in Minute 13 Annual Council Meeting, 21 June 2001) .

2. That Blackburn with Darwen Teaching Primary Care Trust Board (“the Board”) - Subject to formal appointment by the Appointments Commission, nominates the following to the Board:

- Leader of the Council,
- Executive Member for Adult Social Care, and
- One Opposition member (Councillor Michael Lee)

45. Treasury Management Annual Report 2009 – 10 and Mid Year review for 2010 – 2011.

Council received a report from the Director of Finance advising Members of Treasury Management performance for 2009-10 and updating them on the current position for 2010-2011.

RESOLVED – That the Director of Finance report be noted.

46. Report of the Chair and Vice Chair of the Policy and Review Committee

The Chair of the Policy and Review Committee, Councillor Jim Shorrocks 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.

47. Reports of Executive Members

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

- Leader of the Council
- Leisure and Culture
- Housing
- Environmental Improvement and Sustainability
- Neighbourhoods and Customer Services
- Adult Social Care
- Children's Services
- Regeneration
- Resources

RESOLVED – That the reports from the Leader, Executive Members for, Leisure and Culture, Housing, Environmental Improvement and Sustainability, Neighbourhoods and Customer Services, Adult Social Care, Children's Services, Regeneration and Resources be received.

55. Report of the Chair of the Standards Committee

Members received a report on the work undertaken by the Standards Committee since the last meeting of the Council Forum.

RESOLVED – That the Report of the Policy and Review Committee be noted.

56. Questions Received from Members under Procedure Rule 11

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

57 Questions submitted regarding the Functions of the Police Authority

The Chief Executive reported that no questions had been received regarding the functions of the Police Authority, but that for future meetings an update report will be submitted to each meeting.

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

MAYOR