

**COUNCIL FORUM
4TH NOVEMBER 2010**

The Deputy Mayor Councillor Foster K.O.M. in the Chair; Councillors Akhtar, Barry, Bateson, Browne, Cottam, Davies, Desai, Doherty, Entwistle, Foster D., Gee, Gordon, Graham, Hardman, Harling, Hirst, Hollern, Humphrys, Hussain F., Hussain I., Jan-Virmani, Johnson, Jones, Kay, Khan M., Khonat, Lee, Mahmood, Maxfield, McFall, McGarvey, Melia,, O'Keeffe, Oldfield, Patel, A., Patel M., Pearson D., Pearson J., Rehman, Rigby J., Rizwan, Shorrocks, Sidat, Slater Jacqueline, Slater John, Smith D., Smith James, Smith Joseph, Solkar, Surve, Talbot, Tapp, Thayne, Walsh and Wright.

58. Notice convening the meeting.

The Chief Executive read the notice convening the meeting.

59. Apologies for Absence

The Chief Executive announced that the next item of business was to receive apologies for absence. At which point a challenge was made as to the legitimacy of the meeting. Following an explanation and subsequent debate, a vote was requested. 5 Members voted against the meeting continuing.

RESOLVED –

1. That the meeting continue and
2. That apologies for absence be received from Councillors Huggill, Z Khan, Law Riding, Meleady, Mulla, C Rigby Ju Slater and The Mayor, Councillor Sheila Williams.

60. Minutes

RESOLVED –

That the minutes of the last Council Forum meeting held on 30th September 2010 be approved and signed as a correct record.

61. Declarations of Interest

The Chief Executive requested any Declarations of Interest.

The following Declarations of Interest were received:

Prejudicial

Cllr M Patel (Agenda item 16.7 - wife has a stall on Blackburn Market). Cllr Patel left the room during discussion on this item.

Personal

Cllr J Rigby (Agenda item 14 - member of 'The Friends of Turton Tower')

Cllr David Pearson (Agenda item 10 - member of 'Object').

62. Mayoral Communications

The Deputy Mayor gave an update on Mayoral Communications since the last meeting of Council Forum including an update on the health of the Mayor and the success of the Homecoming parade for the 1st Battalion Duke of Lancaster's Regiment.

63. Public Questions

The Chief Executive reported that no public questions had been received under Procedure Rule 10.

64. Motions Submitted under Procedure Rule 12:

Council considered the following Notice of Motion that has been submitted under Procedure Rule 12:

This Council deplores the methods and actions employed by the ConDem Government in its Comprehensive Spending Review.

We do not believe that "We are all in this together" is an acceptable "strapline", excuse, nor description of policies which promote a wholesale victimisation of the most vulnerable residents of our borough and their families. Nor is it a fair description of the implementation of doctrines being used under the guise of "efficiency" and "necessity" to decimate education, care and other essential services provided by both the public sector and the voluntary sector.

We call on the Conservative and Liberal Democrat members of this Council to join with the Labour Group and Independents in condemning the resulting problems being forced on our residents in areas of welfare benefits of all descriptions and of the decimation of employment opportunities for our present employees and our future generations through the mechanism of vindictive grant cuts.

Proposed by Councillor Andy Kay

Seconded by Councillor Dave Harling

Members debated the motion, following which Councillor David Foster seconded by Councillor Davies moved an amendment to the motion. Further debate ensued. A vote was taken on the amended motion. That vote was lost.

RESOLVED – That the motion be carried.

65. Joint Lancashire Minerals and Waste Local Development Framework: Regulation 27 consultation for site Allowance and development management plan documents.

Council received a report on the Joint Lancashire Minerals and Waste Local Development Framework: Regulation 27 Consultation for Site Allocations and Development Management Development Plan Documents.

Members were advised that under the provision of the Local Development Scheme (LDS) for the Minerals and Waste LDF, the Joint Authorities (Blackburn with Darwen Borough Council, Blackpool Borough Council and Lancashire County Council) were required to prepare a Submission Version Minerals and

Waste Site Allowances and Development Management Policies Development Plan Document and Proposals Map. The LDS timetabled publication of the document, including consultation, in January 2011, with submission to the Secretary of State in May 2011, and an anticipated adoption date of March 2012.

RESOLVED –

1. That the Submission Version of the Site Allocations and Development Management Policies development Plan Document (Appendices 'A' and 'B'), Proposals Map (Appendix 'C'), Habitat Regulations Screening Report (Appendix 'D') and Sustainability Appraisal (Appendix E) are approved for public consultation in accordance with Regulation 27.
2. That Members approve the documents above for submission to the Secretary of State for Communities and Local Government for their formal Examination and Approval; and
3. That the Head of Planning in consultation with the Chief Planning Officers of Lancashire County and Blackpool Council is given delegated authority to propose minor amendments to improve the clarity of the document, or Proposals Map, and which do not alter the substance of the documents when submitting the documents to the Secretary of State. Those amendments will be collated in a list form.

66. Licensing of Sexual Entertainment Venues

A report was submitted containing recommendations on adopting the amendment to the Local Government (Miscellaneous Provision) Act 1982 Schedule 3 by Section 27 of the Policing and Crime Act 2009.

The adoption of the new law would introduce a Licensing regime for 'sexual entertainment venues' such as lap dancing. Licensing Committee Members had considered the feedback from the consultation and the draft policy for sexual entertainment, which were outlined in the report submitted.

RESOLVED – That the Council considers the outcome of consultation, the draft policy, the recommendations of the Licensing Committee, and if considered appropriate, adopt the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 by Section 27 of the Policing and Crime Act 2009, to allow the licensing of sexual entertainment venues.

67. Youth MP – Engagement with Executive Board

A report was submitted which recommended that the Youth MP and a Deputy be appointed as recognised observers at Executive Board.

The proposal was aimed at further promoting the engagement of the democratically elected Youth representatives into the Executive Board Process.

Councillor David Foster moved an amendment to the recommendation in the report to include additional observers on the Executive Board. Following a vote, the amendment was defeated.

RESOLVED –

1. That The Youth MP and Deputy be allowed to sit at Executive Board (alongside Members) as recognised observers, and ask questions on matters being considered in Part 1; and
2. That the Councils Monitoring Officer make the necessary amendments to the Constitution.

68. Draft Year Planner 2011- 2012

Council received a report on the Draft Year Planner 2011-2012. The Council Forum was asked to approve the first draft of the Draft Year Planner 2011-2012, the final version of which will be submitted for approval to the Policy Council meeting in December.

RESOLVED – That the first draft of the Year Planner 2011-2012 be approved with a final version being submitted to Policy Council in December 2010

69. Attendance of the Mayor

Members received a report requesting that the Council approve the continued non attendance of the Mayor at Council meetings as she continued to recover from her recent illness.

RESOLVED –

1. That in accordance with the provisions of Section 85 of the Local Government Act 1972, the Council approve the reason for the Mayors' non attendance, and that the Mayor be granted an extension to her non attendance (due to illness) until 28th February 2011 if required.
2. That Councils best wishes be sent to the Mayor

70. Charitable Funds Committee

Members were advised of the need to establish a Charitable Funds Committee, which would support the Council in its capacity as sole corporate trustee.

In order to facilitate the transfer of Turton Tower to the Council, the Charity Commission had advised that in order to preserve its Charitable status, Turton Tower Charity could not be dissolved and recommended a transfer of trusteeship to the Council as sole Corporate Trustee.

The Charitable Funds Committee would consist of 6 elected Members and would have power to make decisions on behalf of the Council in respect of all charities where it was appointed as sole corporate trustee.

RESOLVED –

1. That Council establish and make appointments to a Charitable Funds committee which shall support the Council where it is acting in the capacity as sole corporate trustee of a registered charity; and
2. That Council approves the draft terms of reference governing the Charitable Funds Committee.

71. Policy and Review Committee

Council received and considered a report of the Chair and Vice Chair of the Policy and Review Committee.

RESOLVED – That the report of the Chair and Vice Chair of Policy and Review committee be agreed.

72. Reports of Executive Members with Portfolios

Council received and considered reports of the Leader and Executive Members with portfolios. The Executive Members submitted their reports on work within their portfolios since the last meeting of the Council Forum. These were considered as follows: The Leader, Housing Environmental Improvement and Sustainability, Neighbourhoods and Customer Services, Adult Social Care, Children’s Services, Regeneration, Leisure and Culture, and Resources.

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

73. Standards Committee

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

RESOLVED - That the report of the Chair of the Standards Committee be noted.

74. Questions received from Members under Procedure Rule 11

RESOLVED - The Chief Executive announced that no questions have been received under Procedure Rule 11.

75. Report from the Chair of the Police Authority

Council received a report from the Chair of the Police Authority.

RESOLVED - That the report of the Chair of the Police Authority be noted.

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

Mayor.