

**COUNCIL FORUM
27th January 2011**

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, Hollern, Huggill, Humphrys, Hussain F., Hussain I., Jan-Virmani, Johnson, Jones, Kay, Khan M., Khan Z., Khonat, Law-Riding, Lee, Mahmood, Maxfield, McFall, McGarvey, Meleady, Melia, Mulla, O’Keeffe, Oldfield, Patel M., Pearson D., Pearson J., Rehman, Rigby J., Rigby C., Rizwan, Shorrocks, Sidat, Slater Jacqueline, Slater Julie, Slater John, Smith D., Smith James, Smith Joseph, Solkar, Surve, Talbot, Tapp, Thayne, Walsh and Wright.*

RESOLUTIONS

90 Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

91 Apologies for Absence

Apologies for absence were submitted on behalf of The Mayor, Councillor Sheila Williams, Councillors Barry, Patel A and Graham.

92 Minutes of Meetings of the Council Forum on 4th November 2010, Policy Council on 2nd December 2010 and the Extraordinary Council held on 6th January 2011.

In relation to the minutes of the meeting held on 4th November 2010, Councillor David Foster made reference to a amendment he had handed out at the meeting which was recorded in the minutes (Minute No. 64 Motions- – Comprehensive Spending Review) but the text of which have not been included.

The Chief Executive indicated that it was not possible to include all comments and statements, but that where there were written amendments circulated these would be included in the minutes.

In terms of the Extraordinary Council Meeting held on 6th January 2011, there followed a debate on the accuracy of Minute No. 88 – Preparation for Budget 2011/12 and Medium Term Financial Strategy 2011/15. Councillor Michael Lee, seconded by Councillor David Foster, moved that the minutes be amended to reflect that no decisions were made at the meeting, in particular that no decisions were made on Neighbourhood Boards, which meant that the cancelled call – in meeting on that topic would be re-instated.

Councillor David Foster also requested that the minutes be amended (Page 14 Paragraph 6) to read 'Councillor Foster' not 'Councillors Foster'

A recorded vote on the amendment moved by Councillor Michael Lee, and seconded by Councillor David Foster was requested as follows:-

For the amendment:

Councillors Browne, Cottam, Davies, Foster D., Foster K., Gee, Gordon, Hardman, Hirst, Huggill, Jones, Law-Riding, Lee, McGarvey, Melia, Patel M., Pearson D., Pearson J., Rehman, Rigby C., Rigby J., Rizwan, Slater Ja, Slater Ju, Smith Joseph, Tapp and Thayne.

Against the amendment:

Councillors Akhtar, Bateson, Desai, Doherty, Entwistle, Harling, Hollern, Humphrys, Hussain F., Hussain I., Jan-Virmani, Johnson, Kay, Khan M., Khan Z., Khonat, Mahmood, Maxfield, McFall, Mulla, O'Keeffe, Oldfield, Shorrocks, Sidat, Smith D., Smith James, Solkar, Surve, Talbot, Walsh and Wright.

Abstention:

Councillor Anthony Meleady.

The amendment was lost.

There then followed a vote on the acceptance of the minutes which was carried.

RESOLVED – That the minutes of the Council Forum meeting held on 4th November 2010 and Policy Council Meeting on 2nd December 2010 be agreed as a correct record and the minutes of the Extraordinary Council meeting on the 6th January 2011 be agreed as a correct record subject to the removal of the letter 's' on Page 14 Paragraph 6 as referred to above.

93 Declarations of Interest

No declarations of interest were received.

94 Mayoral Communications

The Deputy Mayor reported on recent events and activities she had attended, as well as offering congratulations to Councillor Colin Rigby who have been awarded an OBE in the New Year's Honours list, and Purnima Tanuku; and Yakoob Hussain, who have also been honoured. Councillors Kate Hollern, Michael Lee and David Foster offered congratulations to Councillor Colin Rigby on his award of an OBE.

Reference was made to the Mayor, Councillor Sheila Williams, who had recently had a fall and was currently recovering and the Council Forum offered best wishes for a speedy recovery.

95 Council Forum

The Chief Executive advised that there were no questions from members of the public.

Councillor Michael Lee made reference to a question that had been rejected by the Chief Executive, and the Chief Executive outlined the reasons for the question being rejected.

(Councillor John Slater joined the meeting)

96 Motions Submitted under Procedure Rule 12.

The Council Forum considered the following Notices of Motion that had been submitted under Procedure Rule 12:

Motion 1

The Council welcomes the inclusion of our Youth MPs and deputies as observers on the Executive Board with speaking but no voting rights. It resolves to extend this to the nominee (s) of any political group which has 10% or more of the seats on this Council.

Proposed by Councillor David Foster

Seconded by Councillor Roy Davies.

Members debated the Motion, following which Councillor Tony Melia seconded by Councillor Phil Jones, moved the following amendment: amend the last sentence to state ' It resolves to extend this to the nominee(s) of all political groups of the Council'.

There followed a vote on the amendment put forward by Councillor Melia, which was lost.

There followed a vote on the original motion which was lost.

RESOLVED – That the motion be lost.

Motion 2

This Council acknowledges the vital influence of educational attainment in transforming the life chances of our young people.

In the light of that knowledge, this Council, through its role as a corporate parent; its representation on school governing bodies and its oversight of Children's Services, will endeavour to maximise the access of schools in the borough to Pupil Premium Funding and its effective utilisation.

Proposed by Councillor Chris Thayne

Seconded by Councillor Simon Huggill

Councillor Maureen Bateson, seconded by Councillor Dave Harling, moved and circulated an amended motion as follows:

This Council acknowledges the vital influence of educational attainment in transforming the life chances of our young people.

In the light of that knowledge this Council calls upon schools and governing bodies, within Blackburn and Darwen, to continue, to work in an effective partnership with the Local Authority. We also call upon those schools and governing bodies, and in particular elected members who are governors and are also corporate parents to use the new pupil premium, in such a way as to ensure it meets the needs of the target group of children, for which it is intended, and to fully account for its effective utilisation and the outcomes achieved.

Councillor Chris Thayne accepted the amendment and there followed a vote on the amended motion.

RESOLVED – That the motion be carried.

Motion 3

This Council recognises the importance of Call-Ins within our constitution in holding the Executive to account. It notes that we already have provisions for urgent decisions which can be exempted from Call-Ins. It resolves that once a decision has been called-in it cannot be stopped, except with the agreement of the objectors and instructs the Chief Executive to bring forward an amendment to the constitution to the next Council Forum to embed this resolution within the constitution.

Proposed by Councillor David Foster

Seconded by Councillor Michael Lee

Following a debate, Council Forum moved to a recorded vote on the motion.

For the Motion:

4

Councillors Browne, Cottam, Davies, Foster D., Foster K., Gee, Gordon, Hardman, Hirst, Huggill, Jones, Law-Riding, Lee, McGarvey, Melia, Patel M., Pearson D., Pearson J., Rehman, Rigby C., Rigby J., Rizwan, Slater Ja, Slater Ju, Smith Joseph, Tapp and Thayne.

Against the Motion:

Councillors Akhtar, Bateson, Desai, Doherty, Entwistle, Harling, Hollern, Humphrys, Hussain F., Hussain I., Jan-Virmani, Johnson, Kay, Khan M., Khan Z., Khonat, Mahmood, Maxfield, McFall, Mulla, O'Keeffe, Oldfield, Sidat, Smith D., Smith James, Solkar, Surve, Talbot, Walsh and Wright.

Abstentions:

Councillors Meleady and Shorrocks.

RESOLVED – That the motion be lost.

97. Adoption of Blackburn with Darwen Local Development Framework Core Strategy

Members were asked to approve the Local Development Framework Core Strategy for adoption, incorporating the changes set out by the Planning Inspector following the independent public examination.

Following debate, Councillor Simon Huggill, seconded by Councillor David Foster, moved that a decision on this matter be deferred for two months, as they indicated that the Regional Spatial Strategy had been withdrawn and the Council was at risk of a potential Judicial Review.

Following further debate, Members moved to a vote on the deferring the decision for two months. This vote was not carried, but Councillor David Foster requested that the names of Members who voted in favour of the deferral be recorded in the minutes: Councillors Browne, Davies, Foster D, Foster K, Huggill, Patel M, Rehman, Rizwan and Thayne.

RESOLVED – That Council Forum:

- 1) Notes the recommendation of the Executive Board to adopt the Local Development Framework Strategy.
- 2) That the Blackburn with Darwen Local Development Core Strategy is adopted in line with the Executive Board's recommendation, incorporating the changes set out in Appendices A and B to the inspectors report.

98. Attendance of the Mayor

Further to the recent decision at the November Council Forum meeting to grant an extension to the Mayor's non attendance (due to illness) until 28th February 2011 if required, a report was submitted requesting a further extension until 19th May 2011, if required.

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 19th May if required.
- 2) The Council's best wishes be sent to the Mayor.

99. Scrutiny 2011 – Fit for Purpose, Fit for Future

Two reports were submitted to the Council Forum – one from the Chief Executive and one from the Chair and Vice Chair of the Policy and Review Committee.

The report by the Chief Executive recommended that the number of Scrutiny Committees be reduced from six to three, with 17 Members on each Committee. It was also proposed that a standing Call-in Committee of 9 Members be established.

The Council remained under substantial financial pressures as reflected in the decisions of the Extraordinary Council meeting of 6th January 2011.

At that meeting, Members agreed a saving of £200k would be sought from the Democratic Services budget from 2011/12.

The overall reduction in the number of Scrutiny Committees would play an important role in delivering part of this saving, due to the reduced number of meetings and associated officer time and costs.

At the same time, Members were reminded that new government requirements to establish statutory Health and Well-Being Boards, to be serviced by Democratic Services, represented an additional unfunded pressure in the Democratic Services budget.

It was for these reasons that Council was recommended to agree the new structure for Overview and Scrutiny and consequent reduction in the number of Committees proposed in the report.

The Policy and Review Committee had recently concluded it's work on the review of Scrutiny, and the Committees views were reflected in the summary report at Appendix A of the report submitted, which set out

different recommendations for the future of Scrutiny and consequent number of committees. The report recommended that the number of Committees be reduced from six to four, the key difference being that the scrutiny of Children and Health would be dealt with by separate committees, rather than by a combined committee as proposed in the Chief Executive's report.

Following a debate, Members voted on the recommendations in the Chair and Vice Chairs report which were not carried.

Following a request for a recorded vote, Members voted on the report submitted by the Chief Executive as follows:

(Councillors Davies, Hussain I, and Slater John had left the meeting)

For:

Councillors Akhtar, Bateson, Desai, Doherty, Entwistle, Harling, Hollern, Humphrys, Hussain F, Jan-Virmani, Johnson, Kay, Khan M, Khan Z, Khonat, Mahmood, Maxfield, McFall, Mulla, Oldfield, Shorrocks, Sidat, Smith D, Smith James, Solkar, Surve, Talbot, Walsh and Wright.

Against:

Councillors Browne, Cottam, Foster D, Foster K, Gee, Gordon, Hardman, Hirst, Huggill, Jones, Law-Riding, Lee, McGarvey, Melia, Patel M, Pearson D, Pearson J, Rehman, Rigby C, Rigby J, Rizwan M, Slater Ja, Slater Ju, Smith Joseph, Tapp and Thayne.

Abstentions:

Councillors Meleady and O'Keeffe.

The Vote was carried.

RESOLVED –

- 1) That Council note the report containing the views of the Policy and Review Committee (Appendix A) and;

That Council approve the following recommendations:

- 2) Reduce the number of Committees from six to three

The 6 existing Committees would be replaced with 3, as follows:

- Policy and Corporate Resources (the overarching Committee, replacing Policy and Review)
- Regeneration and Neighbourhoods
- Children and Health

The number of Members on each Committee would be increased to 17 to ensure that as many Members of the Council as possible could participate in Overview and Scrutiny.

3) Establish a standing 'Call In Committee' of 9 Members

A standing Call In Committee would be convened from a virtual pool of the most experienced non Executive Members. One meeting date each month would be scheduled in the Council diary to accommodate Call In hearings. The meetings would be cancelled if no Call Ins were received.

4) Exclusions from Call In

Going forward no reports marked 'to note' or 'for information' will be eligible for Call In. These reports can be debated at scheduled meetings of the main Committees.

No other changes to the Call In process (e.g. timescales for submission of Call In or number of signatures required) are proposed.

100 Reports of Executive Members with Portfolios

Council received and considered reports of the Leader and Executive Members with portfolios. These were considered as follows: The Leader, Environmental Improvement and Sustainability, Neighbourhoods and Customer Services, Adult Social Care, Children's Services, Regeneration, Leisure & Culture, Housing and Resources.

Under the Leaders Report, the Leader of the Council moved that anyone attending the Royal Garden Party do so at their own expense, which was seconded by Councillor David Foster.

Under the Environmental Improvement and Sustainability portfolio, Councillor Paul Browne made reference for the fundraising work of Mrs Eileen Guy, who had raised over £600 for the fund to Darwen Tower and he passed on the thanks of the Council.

Under the Children's Services portfolio, Councillor Maureen Bateson moved one correction to her report – Children In Our Care – page 48 – the figures referred to in the report were for December 2009, rather than December 2010.

Under the Regeneration portfolio, Councillor Dave Harling made reference to Terry Longden, who had over 35 years of service at the Council and was leaving to join Ribble Valley Borough Council and he passed on thanks of the Council.

Under the Leisure and Culture portfolio, Councillor Damian Talbot made reference to the fact that this would be the last Council Forum meeting Steve Rigby would attend as Director of Leisure Culture and Sport and he passed on the thanks of the Council and his best wishes for his retirement.

RESOLVED –

- 1) That the reports from the Leader, Environmental Improvement and Sustainability, Neighbourhoods and Customer Services, Adult Social Care, Children’s Services, Regeneration, Leisure & Culture, Housing and Resources be accepted and;
- 2) That anyone attending the Royal Garden Party do so at their own expense.

101 Questions Received from Members under Procedure Rule 11

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

102 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.

103 Report for the Chair of the Police Authority

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

RESOLVED – That the report of the Chair of 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

9