

COUNCIL FORUM MEETING
Thursday 30th August 2012

PRESENT –*The Mayor Councillor Z. Khan (in the Chair), Councillors Akhtar, Bateson, Brookfield, Browne, Connor, Cottam, Daley, Davies, Entwistle, Evans, Foster D, Foster K, Gee, Groves, Hardman, Hirst, Hollern, Hussain F., Hussain I., Hussain S, Jan-Virmani, Johnson, Kay, Khan M., Khonat H. Khonat S, Lee, Liddle, Mahmood, Maxfield, McFall, Mulla, Nuttall, O’Keeffe, Oldfield, Patel, Pearson D., Pearson J., Rehman., Riley, Shorrocks, Sidat, Slater Jacqueline, Slater John, Slater Julie, Smith D, Smith J, Solkar, Surve, Tapp, Thayne, Walsh C., Walsh D., Whalley and Wright.*

RESOLUTIONS

32. Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

33. Apologies for Absence

Apologies were received from Councillors Desai, Harling, Humphrys, Rigby C, Rigby J and Taylor.

35. Minutes of the Council Forum Meeting held on Thursday 28th June 2012

RESOLVED – That the Minutes of the meeting of 28th June 2012 be approved as a correct record.

36. Declarations of interest

No Declarations of Interest were received.

37. Mayoral Communications

The Mayor updated the Council Forum on recent activities and events since the last Council Forum Meeting. He stated that he had attended the Battle of the Somme Commemoration Services, a 100th and 105th Birthday celebrations and the Charity Duck Race at Witton Park.

The Mayor congratulated Blackburn Harriers and the Athletic Club on their success in the Olympics.

The Mayor asked Council to consider changes to the date for Civic Sunday from 19th May to Sunday 12th and that Annual Council be moved from the 16th May to the 9th May 2013.

RESOLVED -

That update from the Mayor be noted and changes to the dates for Annual Council and Civic Sunday be approved.

38. Council Forum

The Chief Executive advised that no questions from members of the public under Procedure Rule 10 had been received.

39. To Consider Motions submitted under Procedure Rule 12

The Chief Executive advised that no Notices of Motion had been submitted under Procedure Rule 12.

40. Joint Lancashire Minerals and Waste LDF – Proposed Major Modifications to Site Allocations and Development Management DPD.

A report was submitted which sought Member approval for the schedule of proposed Major Modifications to the Submission Version of the Site Allocations and Development Management Policies Development Plan Document (DPD) including the proposals Map, together with associated revised supporting documentation – Sustainability Appraisal, Habitat Regulation Screening Report and Health and Equality Impact Assessment, for submission to the Planning Inspector undertaking the examination to the soundness of the DPD.

The report also requested Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 that the Inspector recommends 'main modifications' to the DPD as was submitted in May 2011.

RESOLVED – That Members:

- 1) Approve for submission to the Planning Inspector acting on behalf of the Secretary of State for Communities and Local Government the Proposed Major Modifications to the Site Allocations and Development Management Policies Development Plan Document including the Proposals Map and associated revised supporting documents, the Sustainability Appraisal, Sites Habitat Regulations and Sites health and Equality Impact Assessment.
- 2) Formally request the Planning Inspector to recommend any necessary modifications to the Site Allocations and Development Management Policies Development Plan Document in accordance with the submitted proposed major modifications to make the Plan sound under section 20(70C) of the Planning and Compulsory Purchase Act 204; and

- 3) That the Head of Planning and Transport after consultation with the Executive member for Regeneration be given delegated authority to propose minor amendments to improve the clarity of the documentation referred to under Recommendation (i) and which do not alter the substance of the documents (such amendments will be collated in a list form.)

41. Changes to Executive Member Portfolio Responsibilities

The Council Forum received and considered a report which advised of changes to the Executive Member Portfolios in particular the Housing, Children's Services, Schools and Education, and Adults and Health portfolio holders, namely:

The responsibility of delivering Children's Services had increased dramatically in light of issues including the growth of safeguarding responsibilities, the Family Justice Review, the National promotion of adoption services and widening of the schools and learning agenda. Overall, there had been a notable rise in the demand for services and the Leader has decided to create two portfolios and spread the workload and responsibility accordingly.

In recognition of the significant widening of this Executive Portfolio, with additional specialist areas and government guidance outlined below, the Leader had reviewed and updated all Executive Portfolio areas, as a matter of good practice. As part of this review the Leader recognised there had been a significant reduction in the activity of the Housing portfolio due to major reductions in government funding. This meant the capacity of the Executive Member for Housing was becoming underutilised.

That the portfolio for Adult and Social Care has also been revised to include health as the joint agenda in these two priority service areas continues to grow.

RESOLVED –

- 1) That the Council note the Leader has revised the Executive Portfolio responsibilities with effect from 1st August 2012; and
- 2) That the Council note consequential updates to the constitution will be undertaken by the Chief Executive and Monitoring Officer, in consultation with the Leader.

42. The Localism Act 2011 – Code of Conduct for Members and Arrangements to Deal with Complaints

A report was submitted, which set out the new arrangements for promoting and maintaining standards of the Council including the introduction of the

new Code of Conduct for Members which detailed new arrangements for dealing with Member complaints.

Members were informed that the changes were required to ensure that compliant arrangements were in place for the statutory deadline 1st July 2012 and included the adoption of the new Code of Conduct for Members, however that this had been delayed due to the late publication of the regulations.

RESOLVED –

That Council:

- 1) Adopts the recommended code of conduct for Members as set out at Appendix 1.
- 2) Adopts the recommended local arrangements to handle complaints about alleged breach of the Code of Conduct for Members of Blackburn with Darwen, Darwen Town Council and the parish councils as set out in Appendix 2.
- 3) Approves the delegations to the new standards Committee and the Monitoring Officer as detailed in section 3.5 of the report.
- 4) Approves the appointment of the “Independent Person” named in section 3.3. of the report and delegates to the monitoring officer for the appointment of an additional one Independent Person;
- 5) Approves the new Standards Committee from 1st July 2012 comprising 9 members from Blackburn with Darwen Borough Council, co-option of 2 members from Darwen Town Council/parish councils and co-option of 2 Independent Members.
- 6) Adopts the new Register of Members Interests as set out in Appendix 3;
- 7) Approves relevant amendments be made to the constitution to reflect the changes to the standards arrangements, and
- 8) Notes that the standards arrangements will be reviewed after 12 months in operation and a further report be made to Council with any appropriate recommendations for approval.

43. Chief Executive / Head of Paid Service

A report was submitted which advised the Council Forum of the resignation of the Chief Executive and of the requirement to appoint a Chief Executive and which recommended that Harry Catherall be appointed as Chief Executive/Head of Paid Service with effect from 3rd September 2012.

The existing Council and Care Trust Plus Chief Executive/Head of Paid Service, Graham Burgess had given notice of his intention to leave his post following 3 months due notice.

As a consequence of this resignation the Council needed to consider the appointment of a new Chief Executive/Head of Paid Service.

The report presented an option for making an appointment to the Council Chief Executive/Head of Paid Service post, subject to which a revised senior management structure could be implemented later in the year which will deliver financial savings to the Council:

The Chief Executive Employment Committee considered the options for recruitment and given the uncertain financial position from 2013/14 and they took the view that, as an alternative to external recruitment, an internal management restructure for the Council should be considered by the Chief Officer Employment Committee. This restructure to incorporate proposed changes to the operational responsibilities of the new Chief Executive, if the full Council agreed the appointment of a Chief Executive should come from the existing Chief Officer team.

The Chief Officer Employment committee subsequently considered changes to the Chief Officer structure utilising the opportunity presented by the current Chief Executive's resignation, to restructure and reduce the senior management posts in the Council.

Initially the Chief Executive Employment Committee considered an interim appointment to the Chief Executive/Head of Paid Service role from this team, but following further deliberation and consideration at a further meeting the Chief Executive Employment Committee they resolved to recommend to the Council the appointment of the existing Deputy Chief Executive permanently to the role of chief Executive/Head of Paid Service for the Council.

Linking to the appointment of a new Chief Executive, the Chief Officer Employment Committee also considered a report detailing options for making further related savings in the very senior management structure of the Council.

The internal appointment resulted in an overall reduction of 2 Chief Officer posts from the current 16 to 14 posts. The Combined financial savings from these changes would be approximately £250,000 per annum. The current structure was shown as Appendix 1 and the new structure was shown as Appendix 2.

The Council also needs to be aware that under the new arrangements for Police and Crime Commissioner elections in England and Wales the Council has had to confirm the continued appointment of Graham Burgess as Police Authority Returning Officer (Lancashire) and Blackburn with Darwen Local Returning Officer for the November 2012 election subject to reporting to Council.

The Chief Executive made reference to the report, advising Members that a change was necessary to the last paragraph of page 3 of the revised report submitted, so that it should read, "Accordingly, the Council's new Chief Executive/Head of Paid Service, subject to the agreement of the Council,

will be appointed as Returning Officer for future elections and Electoral Registration Officer”.

Cllr Paul Brown requested that his opposition to the recruitment process be formally minuted.

RESOLVED –

- 1) To acknowledge the resignation of Graham Burgess as Chief Executive/Head of Paid Service to the Council.
- 2) To express thanks to Graham for his work for the Borough and to wish him well for the future.
- 3) To note the amendment of the Grade of the Chief Executive/Head of Paid Service post from £145,740 - £158,412 to £136,740 - £149,412.
- 4) To appoint the current Deputy Chief Executive, Harry Catherall as Chief Executive/Head of Paid Service with effect from 3rd September 2012 on recommendation from the Chief Executive Employment Committee; and
- 5) Subject to 4 above, to:
 - a) Agree that Graham Burgess be released from his notice period and employment with the Council with effect from 2nd September 2012.
 - b) Acknowledge that Graham Burgess be confirmed as Local Returning officer (LRO) for Blackburn with Darwen and Police Authority Returning Officer for Lancashire for the 15 November 2012 Police and Crime Commissioner (PCC) elections only.
 - c) Agree that the new Chief Executive/Head of paid Service be appointed as Electoral Registration Officer and Returning Officer for Blackburn with Darwen Borough Council post 15th November 2012 PCC elections.
 - d) Note the revised senior management structure of the Council with effect from 1st December 2012 following decisions of the Chief Officer Employment Committee.

44. Policy and Corporate Resources Committee

The Chair of the Policy and Corporate Resources Committee presented an update report on the work of the Committee. The Council Forum were informed that each of the Overview and Scrutiny Committees had chosen their work programme for the year which included the impacts of Welfare Reform, budget forecasting issues, Highways Maintenance and Waste Procurement, Children’s and Adults Safeguarding, together with a special review of the floods in the Borough.

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

45. Reports of Executive Members with Portfolios

Council Forum received and considered reports of the Leader and Executive Members with portfolios. These were considered as follows: The Leader, Health and Adult Social Care, Children's Services, Environment, Leisure, Culture, Sport and Young People, Neighbourhoods Housing and Customer Services, Regeneration, Resources and Schools and Education.

In moving her report, Councillor Maureen Bateson made reference to an amended figure for the Looked After Children and Care Leavers in first paragraph of her report, "the number of children remains steady at 343 – 30", should have read "the number of children remains steady at 340 – 350"

Reference was made to the retirement of several head teachers and teachers and the excellent service they had given to their respective schools

Several Councillors asked for those individuals who volunteered their time with recent local floods to be thanked.

RESOLVED –

- 1) That the reports from the Leader and the Executive Members for Health and Adults Social Care, Children's Services, Environment, Leisure, Culture, Sport and Young People, Neighbourhoods Housing and Customer Services, Regeneration, Resources and Schools and Education be noted; and
- 2) That a letter be sent to retiring head teachers and teachers expressing the thanks of the Council for their years of dedicated service.

46. To consider any questions received from Members under Procedure Rule 11

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

1) From Councillor David Foster to the Leader of the Council, Councillor Kate Hollern:

Why has the Leader agreed to submit a nomination to the Darwen Town Centre Partnership Board which does not comply with the Board's Constitution?

2) From Councillor Paul Browne to the Leader of the Council, Councillor Kate Hollern:

Why has the Council failed to submit the Liberal Democrat nomination to the Darwen Old People's Welfare Management Committee?

Responses to the questions and supplementary questions arising were provided by the Leader.

47. **To receive any 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.

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

Mayor.

POLICY COUNCIL MEETING
Thursday 30th August 2012

PRESENT –*The Mayor Councillor Z. Khan (in the Chair), Councillors Akhtar, Bateson, Brookfield, Browne, Connor, Cottam, Daley, Davies, Entwistle, Evans, Foster D, Foster K, Gee, Groves, Hardman, Hirst, Hollern, Hollings, Hussain F., Hussain I., Hussain S, Jan-Virmani, Johnson, Kay, Khan M., Khonat H. Khonat S, Lee, Liddle, Mahmood, Maxfield, McFall, Mulla, Nuttall, O’Keeffe, Oldfield, Patel, Pearson D., Pearson J., Rehman., Riley, Shorrock, Sidat, Slater Jacqueline, Slater John, Slater Julie, Smith D, Smith J, Solkar, Surve, Tapp, Thayne, Walsh C., Walsh D., Whalley and Wright.*

48. Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

49. Apologies for absence

Apologies were received from Councillors Desai, Harling, Humphrys, Rigby C, Rigby J and Taylor.

50. Declarations of interest

No declarations of interest were received.

51. Council Vision and Priorities – The Corporate Plan 2012-2013

A report was submitted which presented the Council's vision and corporate priorities for Members' consideration and decision.

Policy Council was asked to affirm the Council's vision and priorities for 2012/15 and to endorse the Corporate Plan for 2012-2015 which would form the mandate for the Councils budget strategy and transformation programme for the same period.

Opening remarks from the Leader of the Council thanked staff, recognising they had come through some difficult challenges, yet still delivered services. Her address highlighted the need for more jobs, business growth and a clear message that Blackburn with Darwen Borough Council was open to business. She advised that the Authority had lead by example and introduced apprenticeships and was in the process of introducing small to medium sized enterprises to small business suppliers. It was explained to Members that the Council remained committed to continuing to deliver high quality services in a well managed authority fit for the future, and that in order to do this it was even more important to continue to work with partners and communities.

RESOLVED -

That Policy Council: -

- Debate and note the local response and interim updates to key national and local policy challenges that were outlined to Policy Council in December 2011;
- Adopt the Council's Corporate Plan for 2012-2015;
- Delegate final sign off of the Corporate Plan to the Leader of the Council and Chief Executive following the development of performance measures and targets for portfolio priorities through consultation with Executive Members;
- Note that the Council will work towards the principle of adopting and promoting Fair Trade status; and
- Note that the Council will work towards the principle of a 'Living Wage' for all residents in the Borough.

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

Mayor.