

COUNCIL FORUM
1st November 2012

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

RESOLUTIONS

48 Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

49 Apologies for Absence

Apologies for absence were submitted on behalf of the Mayor, Councillor Zamir Khan, Councillors Browne, Davies, Hardman, Hirst, Hussain F., Khonat H., Maxfield, Rigby C. and Sidat.

50 Minutes of the Council Forum and Policy Council Meetings held on 30th August 2012

RESOLVED – That the minutes of the Council Forum and Policy Council meetings held on 30th August 2012 be approved as a correct record, subject to the inclusion of Councillors Dave Harling and Damian Talbot being listed as present.

51 Declarations of Interest

No Declarations of Interest were received.

52 Mayoral Communications

The Deputy Mayor updated the Council Forum on recent activities and events since the last Council Forum Meeting.

Reference was made to the recent Civic Reception for Blackburn Harriers and Athletics Club, events to promote awareness of private fostering, and to the forthcoming departure of Gladys Rhodes-White, to whom the Deputy Mayor passed on best wishes for her future career.

The recent graduation ceremonies at Blackburn College had been attended by the Mayor, who was particularly proud to attend ceremonies involving two of his daughters.

Members were reminded of the forthcoming Remembrance Weekend events, and of a Charity Dinner to be held at Maida Restaurant on 8th November.

As this was the last meeting of the calendar year, the Deputy Mayor passed on the best wishes of the Mayor for Christmas and the New Year.

53 Council Forum

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

54 Motions Submitted under Procedure Rule 12

The Chief Executive reported that one Notice of Motion had been submitted under Procedure Rule 12:

“This Council wishes the Secretary of State for Communities and Local Government to note the following:

Blackburn with Darwen believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers need to make;

Blackburn with Darwen Council opposes:

- The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.*
- The Secretary of State's proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others*
- The Secretary of State's intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme they maybe concerned with.*
- The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be*

slow or of making poor quality planning decisions in determining applications.

This Council notes that the current Coalition government did listen earlier in the year over concerns regarding the National Planning Policy Framework and revised its plans accordingly, so urges the Government to listen to the concerns being expressed by the cross-party LGA;

This Council however welcomes other parts of the stimulus package including:

- £300 million to provide 15,000 affordable homes across the country*
- An extension of the refurbishment programme to bring an extra 5,000 empty homes back into use*
- £280m for FirstBuy, the shared equity scheme to give a further 16,500 first time buyers the chance to own their own homes*
- Up to £10bn of guarantees to housing associations, property management companies and developers which will be able to use the guarantees to secure lower borrowing costs. This will lead to hundreds of thousands of extra rental homes being built.*

This Council also notes:

- the record of the previous Labour government on providing affordable social housing – and that during their 13 years in power, the social housing stock fell by another 420,000 houses, as Labour continually failed to build more homes than they were selling off. In the meantime, social housing waiting list soared to almost 1.8million, a rise of 741,000 families.*
- the record of previous Conservative Governments where 1.1 million social homes were lost from the stock during the 18 years of Tory rule up to 1997, through a combination of Right to Buy sales and a failure to invest in replacements. When the Major government left office more than 1 million families were on social housing waiting lists.*

This Council resolves to formally write to the Secretary of State for Communities and Local Government, outlining this Council's opposition to the plans.

Proposed by: Councillor David Foster

Seconded by: Councillor Chris Thayne

Councillor Phil Riley, moved an amendment to the Motion, which was seconded by Councillor Tom Evans and this was circulated to Members:

The amendment proposed deletion of all text from “This Council notes that the current”.....up to and including the penultimate paragraph, therefore the proposed amended motion would read as follows:

This Council wishes the Secretary of State for Communities and Local Government to note the following:

Blackburn with Darwen believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers need to make;

Blackburn with Darwen opposes:

- The Secretary of State’s proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.*
- The Secretary of State’s proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others.*
- The Secretary of State’s intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme they may be concerned with.*
- The Secretary of State’s proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be slow or of making poor quality planning decisions in determining applications.*

This Council resolves to formally write to the Secretary of State for Communities and Local Government, outlining this Council’s opposition to the plans.

Following debate and a vote on the amendment, the amended motion was accepted.

There then followed a vote on the amended motion.

RESOLVED – That the Motion as amended be carried.

55 Confirmation on Article 4 Direction to control the change of use from a family dwelling to a House in Multiple Occupation (HMO)

A report was submitted which sought approval to the confirmation of an Article 4 Direction to control the change of use from a family dwelling to a house in multiple occupation (HMO).

Members were reminded that at its meeting on 26th January 2012, Council Forum approved the recommendation of the Chair of the Planning and Highways Committee that a non-immediate Direction ie requiring a 12 month lead in time, should be put in place subject to local consultation. The consultation was carried out in accordance with national guidance for 6 weeks between 23rd February and 10th April 2012. No comments were received. This meant that the Direction could proceed to be confirmed as originally proposed without amendment.

Once confirmed that Article 4 Direction would enable the Council to take local action to control the unregulated spread of HMO conversions within the identified area.

RESOLVED –

That the Council Forum approve:

- 1) Confirmation of an Article 4 Direction to control the change of use of a small family dwelling to a house in multiple occupation (HMO) within the area defined on the attached plan in appendix 1. This includes 5 wards within Blackburn (Shear Brow, Corporation Park, Wensley Fold, Mill Hill and Ewood) and 2 in Darwen (Sunnyhurst and Sudell); and
- 2) The Article 4 Direction will become effective on 23rd February 2013.

56 Treasury Management Annual Report 2011-12 and Mid-Year Review for 2012-13

Members received a report which advised of Treasury Management Performance for 2011-12 and provided an update with regard to the position to date in 2012-13.

RESOLVED – That the Council Forum notes the Outturn position for 2011-12 and confirms that the current Treasury Management Strategy for 2012-13 remain unchanged.

57 Budget Strategy 2013/15 – Proposed Timetable Update

The Council Forum received a report which provided updated proposals, as agreed for recommendation to Council by the Executive

Board on 11th October 2012, for the timetable for the budget strategy 2013/15 previously agreed at Council Forum on 28th June 2012.

Members were reminded that given the potential severity of further cuts, and the need to set clear priorities for the years ahead, Council Forum agreed to bring forward Policy Council from December to August 2012 to agree a new Corporate Plan, and also agreed to an additional Budget Council meeting in December 2012 to agree early budget decisions for 2013/14 where possible and appropriate.

At that time, there was no clarity over the timing of any national budget or funding announcements. It had now been stated that the Chancellor's Autumn Statement was only expected to be delivered on 5th December 2012, somewhat later than in previous years, and consequently the Council had been advised that the Local Government Finance Settlement was expected to be announced in late December.

Therefore, it no longer seemed appropriate to have a Budget Council meeting as currently planned on 6th December. Given that Council needed to approve the new Local Council Tax Support Scheme for April 2013 by 31st January 2013, and there was a scheduled Council Forum meeting on that date, it now seemed more appropriate to include any budget reports within that Council Forum meeting rather than schedule a further Council meeting.

RESOLVED –

That Council Forum is recommended to:

- 1) Note that the Medium Term Financial Strategy (MTFS) approved by Finance Council in March 2012 for the period 2013/14 to 2014/15 included a worst case scenario forecast of a £27M funding gap for the Council by 2014/15;
- 2) Note that the Chancellor is only expected to make his Autumn Statement on 5th December 2012;
- 3) Note that there is no clear date announced yet for the publication of the Local Government Finance Settlement for 2013/14 and no clarity yet as to whether this will be a single or multi-year settlement;
- 4) Note that the baseline funding allocation for 2013/14 for the transfer of public health responsibilities is anticipated before the end of the calendar year;
- 5) Note that this Council must approve a Local Council Tax Support scheme for 2013/14 by 31st January 2013;

- 6) Agree to:
 - a) the removal of the special Budget Council meeting currently planned for 6th December 2012;
 - b) including a budget report within the Council Forum meeting on 31st January 2013; and
- 7) Note, subject to 6 above, the proposed 2013/14 budget, MTFS and associated level of Council Tax will be reported for agreement to Finance Council on 4th March 2013.

58 Gambling Policy Statement 2013

Members received a report of the outcome of the consultation undertaken for the revision of the Gambling Act 2005 Statement of Policy.

The Licensing Authority on behalf of the Council had consulted on a revised Policy Statement for the Gambling Act 2005. The changes to the document were minimal, a summary of the proposed changes were detailed in the report submitted. The document was based on a template issued by Local Government Association. The aim of this is to promote a consistent approach on a nationwide basis.

The Public Protection Service had consulted on a national and local level to businesses and organisations affected by the document. The residents of the Borough had been consulted via the Council's website and through Resident Associations. The Consultation ran from 10th July to 30th September 2012.

The revised policy was placed before the Licensing Committee on 24th July 2012, for their consideration. Only 1 response had been received one from the Association of British Bookmakers who objected to the inclusion of a paragraph in relation to primary use. This paragraph however had not been included in Blackburn with Darwen's policy.

RESOLVED – That the proposed changes and the revised Statement of Policy be approved.

59 Draft Year Planner 2013/14

The Draft Year Planner 2013/14 was submitted to Members, together with a request that any amendments be advised to Democratic Services ahead of submission of the final version at the meeting of the Council Forum Meeting on 31st January 2013.

Councillor David Foster suggested that the Year Planner be looked at to space out Council Forum meetings more evenly, also avoiding half term holidays. Councillor Foster also suggested that Scrutiny Meetings start earlier in the Municipal Year in 2013 due to there being no elections in May.

RESOLVED – That the Draft Year Planner 2013/14 be noted and that any changes be advised to Democratic Services.

60 Report of the Chair and Vice Chair of the Policy and Corporate Resources Overview and Scrutiny Committee

The Chair of the Policy and Corporate Resources Overview and Scrutiny 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 Chair and Vice Chair of the Policy and Corporate Resources Overview and Scrutiny Committee be noted.

61 Report of the 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, Children's Services, Environment, Leisure, Culture and Young People, Neighbourhoods, Housing and Customer Services, Regeneration, Resources, Schools and Education and Health and Adult Social Care.

In moving her report Councillor Hollern expressed her thanks to the hundreds of volunteers across the Borough who had participated in Your Call activities and asked that this be formally recorded.

When moving her report, the Executive Member for Children's Services endorsed comments made about Gladys Rhodes-White and also wished Linda Clegg well in her position as Director of Children's Services. Reference was made to Blackburn Rovers Captain David Dunn, who was promoting the Council's current Adoption and Fostering Campaign – "Their Wants, Your Call".

Finally, Councillor Dave Harling updated the Council on a number of items in his report that had seen developments since his report was submitted.

RESOLVED –

- 1) That the reports from the Leader and Executive Members for Children's Services, Environment, Leisure, Culture and Young People, Neighbourhoods, Housing and Customer Services, Regeneration, Resources, Schools and Education and Health and Adult Social Care be noted; and

- 2) That the thanks of the Council be placed on record for the valuable contribution made by local people to Your Call activities and initiatives.

62 Questions Received from Members under Procedure Rule 11

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

63 Questions submitted regarding the functions of the Police Authority

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

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

MAYOR

**DECLARATIONS OF INTEREST IN
ITEMS ON THIS AGENDA**

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: **COUNCIL FORUM**

DATE: **31ST JANUARY 2013**

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)