

COUNCIL FORUM MEETING
Thursday 27th June 2013

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

RESOLUTIONS

14. Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

15. Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Davies, Hirst, Hussain F., Khan Z., Sidat, Taylor, Walsh C., and Wright.

16. Minutes of the Annual Council Meeting held on 9th May 2013

The Chief Executive advised that there had been an omission from the list of Councillors who had undergone Planning training in order to be eligible to sit on the Planning and Highways Committee and confirmed that Councillor Chris Thayne had attended the required training and should be included.

RESOLVED -

That subject to the inclusion of Councillor Chris Thayne to the list of those Councillors eligible to sit on the Planning Committee, the minutes of the Annual Council meeting held on 9th May 2013 be approved as a correct record.

17. Declarations of interest

No Declarations of Interest were received.

18. Mayoral Communications

The Mayor thanked his family, friends and Councillors for supporting Civic Sunday and making the day memorable for him. He advised Council that it

had been his privilege to have attended a Homecoming Parade for the Duke of Lancaster's Regiment in May hosted by Burnley Borough Council, and that on Monday 22nd June he had attended the Armed Forces Flag Raising Day supported by teachers and schoolchildren from St Anne's Primary School, the Headmaster and senior pupils from QEGS, Council staff and members of the general public. The Mayor thanked those who had contributed to this event, especially the Army, Sea Cadets and the bugler.

The Mayor informed Members that he had attended the Queen's Garden Party at Buckingham Palace with his wife and had the honour of meeting the Duchess of Cornwall.

Over recent weeks, the Mayor advised that he had welcomed many guests to the Mayor's Parlour, making reference to a special couple; a disabled brother and sister, who had been invited to the Mayor's Parlour for afternoon tea.

19. Council Forum

The Chief Executive advised that one question had been received from a member of the public under Procedure Rule 10 as follows:

From Mr Brian Todd to the Executive Member for Schools and Education Councillor Dave Harling:

I understand the Blackburn with Darwen Council are "committed to implementing the TUC "Living Wage" as soon as is practicable.

However I am told that the Council will not allow individual schools who may have enough in their budget to actually increase the income of the few employees who are currently paid less than the TUC "Living Wage."

In order to clarify this apparent contradiction would the Leader or Member for Resources please state if individual schools, as employers, are prevented from raising the income of employees who currently are below the TUC "Living Wage" by a council dictat or if individual schools can, within their, budget improve the living conditions of the few employees who are currently paid such a low wage please?

A response to the question and the supplementary question arising was provided by the Executive Member for Schools and Education.

20. To consider Motions submitted under Procedure Rule 12

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

21. Planning reforms – permitted development rights.

A report was submitted containing recommendations relating to Government proposals on permitted development rights. The Chief Executive advised that there was an amendment to the report, in that the original report received by Planning and Highways at a recent meeting had an additional page inserted. He advised that this additional page had been circulated to all Members, pointing out that the insertion did not change any of the recommendations in the report.

Members were advised that the report outlined changes to permitted development for changes of use, house extensions and a proposal to change the Scheme of Delegation to allow all Prior Notification applications to be determined by the Head of Planning and Transport (under delegated powers of the Director of Regeneration) in consultation with the Chair and Vice Chair of the Planning and Highways Committee.

The Executive Member for Regeneration advised that although she felt the policy to be unfair, with the potential to impact on budgets and cause additional work for the Council and its enforcement officers, Secondary Regulations had been laid on the 9th May that needed to be addressed.

RESOLVED -

That the Council amend the Scheme of Delegation to cover determination of Prior Notification applications as detailed in the report.

22. Independent Remuneration Panel

Council received a report from the Independent Remuneration Panel detailing recommendations on the Members Allowances Scheme 2013-14.

Councillor Lee moved an additional recommendation to the report, as detailed in Bury Metropolitan Council's Members Allowances Scheme; namely:

That a basic allowance will only be paid if a Councillor attends at least 60% of meetings of the Council, Committees, Sub-Committees and Scrutiny Panels/Commissions of which they are a member, or training sessions which take place on designated elected member training days. Where the Chief Executive considers taking action to recover the basic allowance, the Elected Member concerned will be allowed to make representations about other activities they have performed on behalf of the Council which may have precluded them from attending the required number of meetings.

The additional recommendation being duly seconded, Members debated several aspects of the Scheme: namely; Special Responsibility Allowances, telephone and mobile phone contributions and Outside Body payments.

A vote was taken on the additional recommendation.

The vote was lost.

RESOLVED -

That the amendment be lost.

Speaking on the original report and recommendations, there followed a further debate by Members, specifically on reductions that had already taken place in terms of the cost of Council staff telephony. Members asked that for future reviews of the Scheme more time be allocated for representations to be made to the Independent Remuneration Panel and that a thorough review of the Scheme be undertaken for subsequent years.

RESOLVED -

That the recommendations of the Independent Remuneration Panel be accepted:

Current arrangements – no proposed changes to

1. The basic allowance of £5,392.80, other than the annual up-rating in line with any agreed NJC staff pay award as set out in the Constitution.
2. Mileage expenses arrangements.
3. Providing an IT equipment package (e.g. laptop and printer) refreshed in line with Council policy to cover equipment needs and meet the Council's data protection, information governance and security standards.
4. Providing IT consumables such as printer paper and ink cartridges via democratic services.
5. The broadband allowance of up to £17.99 per month.

Other allowances – recommended changes:

1. Agree that only one SRA will be paid to elected members (where applicable) – during 2012/13 this would have achieved a saving of £9,150.
2. Audit Committee:
 - Agree to the removal of the SRA paid to the Chair and Vice Chair, saving £1,558

- Agree that, from the 2013/14 municipal year onwards, one of the Lead Members for Resources takes the role of Chair of Audit Committee.
3. Children and Young People Overview and Scrutiny Committee (renamed)
 - Note the renaming of the Committee and
 - The Chair payment of £2,599.20 and Vice Chair payment of £520.20 in line with SRA payments to other Scrutiny Committees.
 4. Health and Adults Overview and Scrutiny Committee (renamed)
 - Note the renaming of the Committee and
 - The Chair payment of £2,599.20 and Vice Chair payment of £520.20 in line with SRA payments to other Scrutiny Committees.
 5. Agree SRA's for political Group Leaders and deputies in accordance with the following principles:

Controlling Group	Leader and 2 x deputy leader
Main Opposition Group	Leader and if hold $\geq 20\%$ seats (i.e. 13 or more), 1 x deputy leader
Minor Opposition Group	Leader
Any other group	None

6. Agree to a maximum of 8 opposition spokespersons, reduced to 7 where there is an opposition deputy leader (who would also be the opposition spokesperson for one of the portfolios), to form the shadow board of 9 including the main opposition leader, saving £2,598.
7. Agree that the relevant opposition spokespersons (Shadow Executive members) also fulfil the opposition spokesperson role for Planning and Highways and Licensing Committees, saving £1,352.

Car parking

1. Continue to provide a Mall parking permit.
2. No other reimbursement to members for any other parking charges within the Borough.
3. Parking charges will be reimbursed where incurred in respect of approved duties outside the Borough.

Mobile phones

1. Continue to provide a smart phone with secure e-mail to Executive and Shadow Board members and the option of a mobile phone handset for all other members.
2. Agree to a monthly cap on mobile phone bills, any costs in excess of the set limit will be claimed back from the following month's basic allowance payment. The monthly cap to be set at £25 for executive members* and £15 for Non-executive members.
3. Continue the payment of £14/month for those members choosing to use their own mobile phones.

**exceptional circumstances (approved in advance) may result in this monthly limit for calls and data usage costs being exceeded such as occasions when executive members are abroad and have requirements related to their roles for international calls and higher than usual data usage costs.*

Subsistence

1. Amend the Scheme to state that subsistence expenses can only be claimed for approved duties outside of the authority's boundaries.

Administration and process

1. Officers in Democratic Services are reminded of the principles governing reimbursement of Members expenses and claims which appear to be ineligible should be returned to the Member for clarification or amendment and/or refused if necessary.
2. Any queries and/or disputes regarding reimbursement of expenses should be escalated to a senior officer to review.

23. Police and Crime Panel for Lancashire – Constitution, Terms of Reference, Panel Arrangements and Operational Procedure.

Council received a report relating to potential amendments to the Constitution, Panel Arrangements and Operation Procedure for the Police and Crime Panel for Lancashire.

Discussion took place as to whether there was an opportunity for members of the public to ask questions of the Panel. Council were advised that there was a plan of public engagement currently being drafted and that the Panel would welcome public questions.

RESOLVED –

1. That Council confirmed the constitution of the Police and Crime Panel for Lancashire on the basis as set out in the report;
2. That Councillor Kate Hollern be appointed a member to the Police and Crime Panel for 2013/14, on the basis as set out in the report;
3. That Council noted the Terms of Reference of the Panel and the arrangements / operational procedure as set out in the report; and
4. That Council reaffirmed the appointment of Ian Fisher, County Secretary and Solicitor, as the Secretary to the Panel.

24. Policy and Corporate Resources Committee

The Chair of the Policy and Corporate Resources Committee presented an update report on the work of the Committee.

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

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

Members debated 20mph speed restriction zones, youth unemployment and the initiatives by the Council and the College to address this, the new "Advice for All" service, the Chancellor's Spending Review and School Improvement services. Thanks were given to the Executive Member for Health and Adult Social Care and the Director of Public Health for their support to the Public Health promotional events, organised by the community that had recently taken place. The Executive Member for Health and Adult Social Care advised that a response had been received from the Public Health Minister that arose from a Motion raised at Annual Council relating to Shisha Bars; explaining to Council that there was to be close working between the Chartered Institute of Environmental Health and the Fire and Rescue Services to address enforcement and tackle illegal activity.

The Executive Member for Children's Services outlined the recent achievement awards for Children in Care, and thanked the Mayor for his support at the event. The Executive Member for Leisure Culture and Young People congratulated the organisers of Darwen Music Live and the new Blackburn Festival, both of which had been successful ventures run by the community, supported by the Council.

Finally, the Executive Member for Leisure Culture and Young People wished to place on record his thanks to Mark Hilton who retired on the 28th June following 27 years of service.

RESOLVED –

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

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

The Chief Executive announced that a question had been received from a Member under Procedure Rule 11 as follows:

From Councillor David Foster to the Executive Member for Neighbourhoods Housing and Customer services:

Can the Executive Member inform the Council who made the decision not to proceed with the Alleygate Scheme in the Portland St/ Maria St area in Darwen after planning permission had been granted?

A response to the question and the supplementary question arising was provided by the Executive Member for Neighbourhoods Housing and Customer Services.

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

MAYOR