

COUNCIL FORUM
Thursday 26th January 2017

PRESENT – *The Mayor Councillor Akhtar H., (in the Chair), Councillors; Ali; Bateson; Connor; Daley; Davies; Desai; Entwistle; Fazal; Foster D; Foster K; Gee; Groves; Hardman; Humphrys; Hussain I; Hussain S; Jan-Virmani; Johnson; Kay; Khan M; Khan Z; Khonat; Lee; Liddle; Mahmood A; Marrow; McFall; McGurk; Mulla; Murray; Nuttall; Oates; Patel; Pearson; Rigby C; Riley; Shorrocks; Sidat; Slater Ja; Slater Jo; Slater Ju; Slater N; Smith D, Smith J; Surve; Talbot; Tapp; Taylor; Vali; Whittle and Wright.*

RESOLUTIONS

49 Notice Convening Meeting

The Chief Executive read the notice convening the meeting.

At this point of the meeting a minutes silence was observed in memory of Councillor Don McKinlay.

50 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Parwaiz Akhtar, Stephanie Brookfield, Jim Casey, Julie Gunn, Dave Harling, Pete Hollings, Faryad Hussain, Qesir Mahmood, Trevor Maxfield, Jean Rigby, and John Roberts.

51 Minutes of the Council Forum Meeting held on 1st December 2016

RESOLVED – That the Minutes of the Council Forum meeting held on the 1st December 2016 be agreed as a correct record.

52 Declarations of Interest

Declarations of Interest were received as follows:

For Agenda Item 9: Councillors Connor, Entwistle, Groves, Hardman, Hussain F, Hussain S, Jan-Virmani, Khonat, Mahmood A, Marrow, McGurk, Mulla, Patel, Sidat, Talbot, Taylor and Whittle.

The Chief Executive reminded Councillors who had declared an interest that they would need to leave the room ahead of consideration of Item 9 – Council Tax Support Scheme.

53 Mayoral Communications

The Mayor welcomed Cllr Amy Johnson to her first meeting of the Council. The Mayor updated the meeting on recent activities and events he had attended since the last meeting, including various Christmas events.

The Mayor had attended the Holocaust Memorial Day event earlier in the week, which had been very well attended and organised and was an important annual event remembering all victims of genocide, oppression and torture.

Other visits included Royal Blackburn Hospital and East Lancashire Hospice, which was one of the Mayor's Charities and had recently been voted outstanding by the Care Quality Commission.

Finally, the Mayor reminded Members that Mayor's Ball tickets were available from the Mayor's Office – the Ball would take place on 21st April 2017.

54 Council Forum

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

55 The Motions Submitted under Procedure Rule 12

The Chief Executive announced that two Notices of Motion had been submitted under Procedure Rule 12 as follows:

Motion 1 – Road Safety

Blackburn with Darwen Borough Council notes the concerns of local residents on the subject of road safety and in particular has received representation about the issues related to the hire of vehicles, whether as day hire or through leasing schemes.

Our main aim is not to unduly restrict the hiring of vehicles but to stop misuse and bring about more sensible behaviour. In moving this motion we wish to prevent people from harming themselves, others and property. We want to make Blackburn with Darwen a safer place for drivers, cyclists and pedestrians.

We resolve to ask the Chief Executive to write to the appropriate Government Department Ministers and our local MPs Kate Hollern and Jake Berry and to ask them to work with the relevant insurance agencies to bring forward legislation that restricts the ability of young drivers to hire high powered vehicles for limited periods of time or for other drivers to hire such vehicles and then allow young and inexperienced drivers to use them. This practice is a

cause of significant concern for our constituents and has been a contributory factor in some serious road accidents.

Mover – Cllr Shaukat Hussain

Seconder – Cllr Arshid Mahmood

Following debate, the Motion was carried.

RESOLVED – That the Motion be carried.

Motion 2 – Electoral Reform

The government has proposed that in 2018 all voters in elections in Blackburn with Darwen will need to supply a piece of photographic evidence to prove their identity if they are going to be allowed to vote at Polling Stations. This change is being introduced to deal with the potential issue of voter impersonation although there have been no proven examples of this crime within BwD.

This change will significantly inconvenience all law abiding electors and, in some cases will prevent them from voting because they will not be able to supply the relevant documentation. It will involve the Council in additional expensive bureaucracy and will also present serious operational problems for polling clerks who will be expected to check pieces of documentation while a large queue of angry voters build up.

On behalf of all law abiding electors in Blackburn with Darwen, this Council calls upon the Chief Executive to make these concerns known to the Electoral Commission and we ask the two local MPs, Kate Hollern and Jake Berry, to support this action and to use their influence within their respective political parties to stop this unnecessary attack upon the democratic rights of their constituents.

Mover – Cllr Phil Riley

Seconder – Cllr Mohammed Khan

During debate on this item Councillor John Slater requested a recorded vote, which was seconded by Councillor Denise Gee.

Councillor David Foster seconded by Councillor Roy Davies, moved an amendment to the Motion as follows:

After the last paragraph add a new paragraph; “The Council is also concerned at the anecdotal reports circulating each year concerning the misuse of the postal voting system. It asks the Chief Executive to write to the Electoral Commission requesting that they carry out an in depth review with a view to

reducing the possibilities of misuse of the postal voting system”.

Following debate, Council Forum moved to a vote on the amended Motion, which was lost.

Council Forum then debated the original motion at length before moving to a recorded vote, with Councillors voting as follows:

For:

Councillors; Akhtar H, Bateson, Davies, Desai, Entwistle, Fazal, Foster D, Foster K, Groves, Humphrys, Hussain I, Hussain S, Jan-Virmani, Johnson, Kay, Khan M, Khan Z, Khonat, Liddle, Mahmood A, McFall, McGurk, Mulla, Nuttall, Oates, Patel, Riley, Shorrocks, Sidat, Smith D, Smith J, Surve, Talbot, Taylor, Vali, Whittle, Wright.

Against:

Councillors; Ali, Connor, Daley, Gee, Hardman, Lee, Marrow, Murray, Pearson, Rigby C, Slater Ja, Slater Jo, Slater Ju, Slater N, Tapp.

The vote was carried.

RESOLVED – That the Motion be approved.

Ahead of consideration of the next item Council Tax Support Scheme, Members who had declared interests left the room.

56 Council Tax Support Scheme

The Welfare Reform Act contained provisions which abolished Council Tax Benefit and recommended localised schemes to be administered by Local Authorities throughout England with effect from 1st April 2013.

As a consequence of the legislation, it was agreed at full Council on 31st January 2013 that the localised scheme adopted by Blackburn with Darwen BC would be means tested in the same way as Council Tax Benefit, however, awards would be 20% less for working age claimants than the previous national scheme.

In preparation for setting the budget for 2017/18, the Council was obliged to formally continue the scheme already agreed or make any adjustments prior to 1st April 2017. The report sought to fulfil the necessary legal requirements and confirm Blackburn with Darwen BC's Council Tax Support scheme for 2017/18.

There were no changes proposed to the calculation of the scheme, however a

number of minor changes relating to welfare benefits terminology had been made.

RESOLVED –

- a) That the contents of the report were noted
- b) That the Council Tax Support Scheme that was approved by Council in January 2016 continue for the financial year 2017/18, and;
- c) That any subsequent technical amendments to the Council Tax Support Scheme that may be required in 2017/18 following legislative changes be delegated to the Director of Finance & IT, in consultation with the Executive Member, Resources.

Those Members who had left the Chamber for this item were advised this agenda item had concluded and were invited to resume their seats.

57 Review of Minimum Revenue Provision Policy

Members were advised that a review of the Council's MRP (Minimum Revenue Provision) Policy had been undertaken and the report submitted presented proposals to amend the current policy.

At Council Forum in January 2016, The Council changed its approach to making MRP on supported borrowing mainly in respect of assets financed from borrowing up to 31st March 2008. The change involved a switch from making MRP at 4% of the relevant carrying CFR (which had reflected the notional level of historic government grant funding support) to making MRP on this element of the CFR at a straight 2% over 50 years.

During 2016/17, the Council had undertaken a further review of its MRP calculation methodology and accounting assumptions. To assist in this complex work the Council engaged the services of its Treasury Management advisors, Arlingclose, to review the policy and advise on best practice. From the review it was concluded that the current policy was very conservative compared to many other Councils and therefore recommendations for changes in calculation methodology had been developed which would still ensure that prudent provision was made, but which would change the profile or spread of the costs over time for charges made in 2016/2017 and beyond.

There were four key areas where recommendations for change to the current policy were made, which were outlined in the report submitted and summarised in the recommendations below. It was proposed for these to take effect from 2016/17.

RESOLVED-

- a) For capital expenditure that is self-financed from debt arising in 2007/08 and thereafter – to continue to use the Asset Life Method, but to use the

annuity variant based on the average Public Works Loan Board (PWLB) annuity rates prevailing in the year of the expenditure, rather than the current method of charging MRP on a straight line basis over the estimated life of the asset.

- b) For finance leases and 'on-balance sheet' Private Finance Initiative (PFI) contracts – to again use the annuity variant of the Asset Life Method but using the annuity rates built into the financing arrangements, rather than the current method of matching the MRP to the value of the rent / charge that is charged each year to write down the balance sheet liability of respective finance lease or PFI contract.
- c) For historic debt that was entered into prior to unitary authority status and is managed by Lancashire County Council (LCC) – to spread the cost on a straight line basis over 49 years, in alignment with the profile for historic supported borrowing; and
- d) In those cases where asset lives cannot be readily determined – to use a default period of 20 or 25 years in line with government guidance.

58 Arrangements for the Appointment of External Auditors

A report was submitted which advised the Council of the new arrangements for the appointment of the Council's external auditors for the audit year 2018/19.

If the Council wished to utilise the national scheme for appointing auditors in the future, which would be operated by Public Sector Audit Appointments (PSAA), it needed to accept the PSAA's invitation to do so by early March 2017. The paper sought approval for this and in doing so, approval for the PSAA to appoint the Council's external auditor for the 2018/19 accounts and beyond; this recommendation was endorsed by the Audit & Governance Committee at their meeting on 10th February 2017.

Under the Local Audit & Accountability Act 2014 there are three options regarding the arrangements to appoint our own external auditors. These were:

- a) Opting into a sector led body arrangement that may be established as the appointing person Under the ACT;
- b) Establishing the Council's own independent auditor panel to make a stand-alone appointment; or
- c) Join with other authorities to establish a joint auditor panel to make the appointment.

These options were discussed in the report submitted with option a) recommended.

The Council's external auditors were currently working under a contract originally let by the Audit Commission. The contract was novated to PSAA

following the closure of the Audit Commission.

PSAA was inviting the Council to opt in, along with all other authorities, so that it could enter into a number of contracts with appropriately qualified audit firms and appoint a suitable firm to be the Council auditor.

At present, apart from two district Councils, all the other Councils in Lancashire were planning to use the sector led approach.

RESOLVED - That the Council accepts the invitation from PSAA to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.

59 Electoral Review 2016-17 Warding Proposals

A report was submitted that asked the Council to agree a submission to the Local Government Boundary Commission for England (LGBCE) on Warding Arrangements for Blackburn with Darwen Borough Council.

Blackburn with Darwen Borough Council currently had 64 elected Members in 23 wards. Following the agreement at Council on 6th October 2016 the Boundary Commission formally confirmed the size of Blackburn with Darwen Borough Council to be 51 Councillors for 17 Wards by 2018 to ensure appropriate levels of Governance, Scrutiny and Community Leadership which also allowed for the Authority to continue to elect its Members by thirds.

Using the Boundary Commissions guidance to develop a new Warding proposal for the Borough, several factors were taken into consideration, primarily the statutory criteria of;

- Delivering electoral equality for local voters
- Interests and identities of local communities
- Effective and convenient local government

In the spirit of openness, transparency and inclusivity there had been several joint meetings with all of the political Group Leaders and an ongoing invitation outside of these meetings for each political Group to submit any minor revisions to a working draft, the end product being the draft Council proposal attached to the report submitted.

The draft proposal did not automatically become the new arrangements, even if agreed by the Council: The final decision was that of the Commission and not of the Council – hence it was important for as wide a range of stakeholders as possible to engage with the Commission throughout the consultation.

Subject to Council agreement of Appendix A, the Commission would be

advised of the decision reached and asked to place what then became the Councils proposal on their website for public consideration, comment and alternative proposal(s).

RESOLVED –

- a) That the Council agree the Warding proposals detailed in Appendix A of the report, as the Council submission to the Local Government Boundary Commission; and
- b) Authorise the Chief Executive to formally submit the proposal on Council Warding arrangements from May 2018 to the Local Government Boundary Commission for England for their inclusion as early as possible in the next round of consultation.

60 Policy and Corporate Resources Committee

Ahead of consideration of the report, Members from all parties paid tribute to the work of the late Chair of the Committee, Councillor Don McKinlay.

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

61 Reports of the Executive Members with Portfolios

Council Forum received and considered reports of the Leader and Executive Member with portfolios. They were considered as follows: Leader, Health and Adult Social Care, Children's Services, Environment, Leisure, Culture and Young People, Neighbourhoods and Prevention, Resources, Schools and Educations and Regeneration.

In moving her report, the Executive Member for Children's Services made reference to a 25% increase in demand for Early Help right through to the numbers of children in care. A specialist company had been appointed to help staff deal with the pressure of children going into care.

The Executive Member for Environment updated the Council Forum on the sign up by customers for brown bins, 6,140 had signed up with 15% being new customers.

The Executive Member for Leisure, Culture and Young People in submitting his report congratulated staff and volunteers for their contribution to ensuring Leisure provision continued to be provided, further details of which were contained in the report submitted.

In moving his report the Executive Member for Regeneration referred to a

recent successful bid by LCC and BwD for £12.96M for a Government Scheme relating to cycle and walking to work, and the efforts of the Officers concerned were noted.

RESOLVED – That the reports of the Leader and Executive Members for the following portfolios: Health and Adult Social Care, Children’s Services, Environment, Leisure, Culture and Young People, Neighbourhoods and Prevention, Resources, Schools and Educations and Regeneration be noted.

62 Questions Received from Members under Procedure Rule 11

The Chief Executive reported that one question had been received from Councillor David Foster under Procedure Rule 11 as follows:

How many of the repairs highlighted in the Capita Condition Surveys of October and November 2015 of the Darwen Market complex have been completed and what is their monetary value?

Councillor Phil Riley referred to a response to this question which he had emailed to Cllr Foster earlier in the day and confirmed that the costs of the Market works had been £18,040, and structural works to Railway Road under stores cost approximately £7,500.

In response to a supplementary question from Cllr Foster on urgent works identified 12 months ago, Councillor Riley confirmed that the most urgent work had been carried out and he would investigate where the works were up to in the schedule and let Councillor Foster have the relevant information.

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

MAYOR