

COUNCIL FORUM

Thursday 22nd July 2021

PRESENT – *The Mayor Councillor Derek Hardman, Councillors, Akhtar H, Akhtar P, Baldwin, Bateson, Browne, Casey, Desai S, Fielding, Floyd, Gunn, Harling, Hussain I, Hussain M, Hussain S, Irfan, Jan-Virmani, Khan M, Khan Z, Khonat, Liddle, Mahmood, Marrow, McFall, McGurk, Patel Ab, Patel Alt, Rawat, Riley, Salton, Sidat, Shorrock, Slater Jacq, Slater Jo, Slater Ju, Slater N, Smith D, Smith J, Talbot, and Whittle.*

RESOLUTIONS

12 Welcome and Apologies

The Chief Executive read out the notice convening the meeting.

After Prayers by the Mayor's Chaplain, a Minute's Silence was observed in memory of former Councillor Roy Davies, who had sadly died earlier in the week.

Apologies were received from Councillors Rigby, Gee, Oates, Russell, Humphrys, Taylor, Brookfield, Desai M, Walker, Fazal and Connor.

13 Minutes Of The Previous Meeting

The Minutes of the Annual Council meeting held on 20th May 2021 were agreed as a correct record.

Under Matters Arising, the Leader, Councillor Mohammed Khan, expressed his disappointment with the Conservative Group, who had not nominated Members on several Committees, and who had not sent representatives to several meetings since May, and expressed the view that this meant constituents were not being represented fully, as decisions were not being scrutinised.

Councillor John Slater advised that this was a Group Decision as they were not happy with the positions offered under the proportionality calculations and if two more Chairs were allocated to his Group this situation would be resolved.

RESOLVED – That the Minutes of the Annual Council meeting held on 20th May 2021 be agreed as a correct record

14 Declarations of Interest

Councillor Damian Talbot declared an interest in Agenda Item 8 (Motions-employed by Member of Parliament).

15 Presentation of Past Mayor's Badges

Past Mayor's badges were presented to Councillor Jim Shorrock and

Councillor Iftakhar Hussain, and their Consorts and Mayoresses were presented with Consort and Mayoresses badges.

Councillors Shorrock and Hussain acknowledged the award of the badges, highlighting some key moments from their Mayoral years and thanking those who supported them.

The Mayor also gave a short speech, highlighting his Mayoral Charities and his anticipation of a successful Mayoral Year.

All three speeches noted the sad loss of former Councillor Roy Davies.

16 Mayoral Communications

The Mayor highlighted some recent events and engagements, including Mayoral Awards, Armed Forces Week, the Fun Fair at Witton and the opening of the Derain House Hospice Shop.

At this point there was a short recess to allow the Mayor and guests to leave the meeting.

After the recess, the Deputy Mayor, Councillor Suleman Khonat, took the Chair.

17 Council Forum

The Chief Executive reported that no questions had been received under Procedure Rule 12.

18 Motions

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

MOTION 1

This Council wishes to record its support for the Boundary Commission for England proposal for new boundaries for the Blackburn Parliamentary constituency contained in the recent report setting out plans to improve the equalisation of the size of parliamentary constituencies. This proposal, which is identical to that presented in 2018 and supported by this Council at that time, will bring into the Blackburn constituency the significant remaining proportion of the Blackburn South and Lower Darwen ward as well as small parts of Ewood Ward, currently situated in the Rossendale and Darwen constituency, including areas in close proximity to Ewood Park which are a core part of the public perception of what constitutes Blackburn. This Council supports the view of the Commission that the M65 motorway logically forms the boundary between Blackburn constituency and Darwen and also rectifies the fact that two wards are currently split across two constituencies which goes against the general principles of the Boundary Commission.

The Council agrees for the Chief Executive to respond to the Boundary Commission for England consultation, confirming the Council's support to

the proposals for new boundaries for the Blackburn Parliamentary constituency.

Proposer: Cllr Phil Riley
Seconder: Cllr Damian Talbot.

Following discussion and debate, Council Forum moved to the vote.

RESOLVED – That the Motion be carried.

MOTION 2

The Government published a White Paper - “*Planning For the Future*” in August 2020 setting out wide-ranging and radical proposals to reform the planning system. Whilst the Council welcomes the aim to simplify the planning system it is particularly concerned about the proposal to remove local residents’ right to object to individual planning applications in their own neighbourhood if the area is zoned for growth or renewal. This is a threat to their long-established democratic right and the Council wishes to safeguard the principle of protecting residents’ right to have a say over individual planning applications in their own area.

The Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore calls on the Government to protect the right of communities to object to individual planning applications.

Proposer: Cllr Phil Riley
Seconder: Cllr Dave Smith

Following discussion and debate, Council Forum moved to the vote.

RESOLVED – That the Motion be carried.

19 Mayoralty from 2022/23

A report was submitted which asked Members to consider arrangements for the Mayoralty in the next 5 years to facilitate nominations to the office of Deputy Mayor by the Annual Council in May 2022.

At previous meetings of the Council Forum it has been agreed that the rotation of the nomination to the Office of Mayor between the political groups be based on proportionality of the Council, and an agreed rotation would be set for the next five years.

The existing rotation agreement which commenced in May 2018 and ended in 2022/23 was as follows.

2018/19 Labour
2019/20 Labour
2020/21 Labour
2021/22 Conservative
2022/23 Labour

The Annual Council in May 2022 would be asked to confirm the Labour nomination for Mayor and would also need to seek nomination for the Deputy Mayor, who in line with tradition would normally be appointed to the office of Mayor in the following year. Accordingly, the Council was asked to agree its next 5 year rotation, to facilitate next year's nominations

It was suggested based on the current proportionality that the rotation of Mayoral nomination for the next five years would be as follows:

2023/24 Labour
2024/25 Labour
2025/26 Conservative
2026/27 Labour
2027/28 Labour

It was also suggested that the Leader present a report on the appointment of the Mayor as in previous years to the Annual Council each year, and in the event that the proportionality of the Council changed going forward in a way that would affect the nomination of Mayor for a particular year, a report on this matter would be submitted for Council's consideration.

In accordance with the above and as previously agreed at Council Forum in May 2021, it would be for the Labour Group to nominate the Mayor for 2022/23, who in line with usual practice would be the serving Deputy Mayor, which in this case was Councillor Suleman Khonat.

RESOLVED – That the rotation arrangements for the nomination of future Mayors and Deputy Mayors as set out in the report be approved.

20 Appointment of Monitoring Officer/Appointment of Section 151 Officer and Updating of the Constitution

Members received a report advising that the current Monitoring Officer would leave his post on 12th September 2021 and asking Council to agree the arrangements for the Monitoring Officer function following this date.

The report also updated the Council on the recruitment of the Director of Finance (Section 151 Officer) and requested Council formally agree the appointment as the Council's s151 Chief Financial Officer from 23rd August 2021. The report also requested the Council approve updates of the Constitution as set out in the report.

Given the wider impact of Covid and the current range of associated interim management and service delivery activities, arrangements were yet to be concluded for the permanent recruitment for the post of Director HR, Governance & Engagement.

In the meantime, the Chief Executive, having consulted with members of the Chief Officer Employment Committee, had made arrangements to cover the duties and responsibilities of this role via a temporary realignment of responsibilities primarily through two existing senior members of the

extended leadership team, with associated support.

Firstly via a role of Strategic Head of Service, HR & Engagement (Covid Coordination) & secondly via a role of Strategic Head of Service, Legal & Governance. The latter post contained the duties and responsibilities associated with the Monitoring Officer role, given Section 5 of the Local Government & Housing Act 1989 required Councils to appoint a Monitoring Officer to undertake the statutory responsibilities and the duties contained in the Constitution.

It was proposed therefore that Asad Laher who had been appointed on an interim basis as Strategic Head of Service, Legal & Governance, and who currently acted as the Council Solicitor and Deputy Monitoring Officer, now be appointed by Council to be the Monitoring Officer pending a future report regarding the longer term position. These changes outlined would require some interim changes to the Scheme of Delegation and other related role responsibilities set out in the Constitution. Details of these proposed changes were set out in the report.

Additionally, as reported to Finance Council on 1st March 2021 the previous Director of Finance had given notice of resignation from their post and subsequently left the Council in April 2021. The Finance Council approved that Denise Park, be appointed interim Section 151 Officer pending an appointment to the post of Director of Finance by the Chief Officer Employment Committee.

Following an external open recruitment process the Chief Officer Employment Committee in May unanimously agreed that Dean Langton be appointed to the post of Director of Finance and that he be recommended to the Council for appointment to the s151 Chief Financial Officer role

RESOLVED – That Council:

1. Notes the current Monitoring Officer, David Fairclough will leave his post on 12th September 2021;
2. Approves that Asad Laher, Head of Legal & Governance / Council Solicitor be appointed Monitoring Officer with effect from 13th September 2021;
3. Notes the appointment of Dean Langton as Director of Finance and to approve that he be appointed the Council's Section 151 Chief Financial Officer with effect from 23rd August 2021;
4. Approves the updates to the Scheme of Delegation in the Council Constitution as set out in the report.

21 Independent Remuneration Panel and Members Allowances

Councillors were reminded that it was a requirement that the Members Allowances Scheme be reviewed at least every 4 years. The Council last reviewed the Scheme in 2017/18 for introduction in May 2018, so it was now an appropriate time to commence recruitment of three independent

members to form a Panel who would make recommendations for the Members Allowances Scheme from 2022 onwards.

RESOLVED – That the Council agrees to commence the process to recruit and appoint members to a refreshed Independent Remuneration Panel to develop and make recommendations for the Members Allowances Scheme from 2022 onwards in accordance with the Regulations. That the Council also notes that payments are currently continuing in accordance with the Scheme as approved from 2018 including increases reflecting the NJC Pay Awards since.

22 Audit and Governance Committee Annual Report 2020/21

The draft Audit & Governance Annual Report 2020/21 was attached for consideration and approval.

The report summarised the work undertaken and reports considered by the Committee during the year to demonstrate that it had fulfilled its agreed terms of reference.

RESOLVED – That the Annual Report be noted and endorsed.

23 Reports of the Executive Members with Portfolios

The Leader and Executive Members presented their reports, providing updates as appropriate.

A number of Members made comments relating to the recent sad passing of former Councillor Roy Davies.

Several Members also passed thanks to various teams throughout the Council for their excellent contributions and successes over the past months.

Reference was also made several times to the recent award of £25million to the Darwen Town Deal Board following a very successful bid, and of the benefits this would bring to the people of Darwen.

RESOLVED -. That the reports of the Leader and Executive Members be noted.

24 Questions from Members

No questions from Members had been received under Procedure Rule 11.

At the end of the formal business, the Deputy Mayor asked David Fairclough to respond to the tributes he had received throughout the meeting, and David acknowledged the thanks and reflected on his time at the Council, thanking Members and Officers for their support.

Signed at a meeting of the Council Forum

On Thursday 7th October 2021

(being the ensuing meeting on the Council) by

MAYOR