

## **COUNCIL FORUM**

### **Thursday 23<sup>rd</sup> March 2023**

**PRESENT** – *The Mayor, Councillor Suleman Khonat, Councillors Akhtar H, Akhtar P, Ali, Baldwin, Browne, Casey, Connor, Desai M, Desai S, Fielding, Floyd, Gee, Gunn, Harling, Hardman, Humphrys, Hussain I, Hussain M, Hussain S, Irfan, Imtiaz, Jackson, Khan S, Khan Z, Liddle, Mahmood, Marrow, McCaughran, McGurk, Patel Ab, Patel Alt, Raja, Rigby, Riley, Russell, Salton, Shorrocks, Sidat, Slater Jacq, Slater Jo, Slater Ju, Slater N, Smith D, Smith J, Talbot, Taylor, and Whittingham.*

### **RESOLUTIONS**

#### **71 Welcome and Apologies**

The Chief Executive read out the notice convening the meeting.

There then followed Prayers by the Deputy Mayor.

Apologies were received from Councillors Brookfield, Fazal and Rawat.

#### **72 Minutes Of The Previous Meeting**

**RESOLVED** – That the Minutes of the Finance Council Meeting held on 27<sup>th</sup> February 2023 were agreed as a correct record.

#### **73 Declarations of Interest**

Councillors Altaf Patel and Mohammed Irfan declared an interest in Agenda Item 7 – Revised Hackney Carriage & Private Hire Licensing Policy and left the room during discussion and voting on this item.

#### **74 Mayoral Communications**

The Mayor reported on events he had attended since the last meeting, in particular the Mayor's Ball, and thanked colleagues and organisations for their support.

#### **75 Council Forum**

The Chief Executive reported that one question had been received under Procedure Rule 12 as follows:

***From Rick Moore to Councillor Julie Gunn, Executive Member for Children, Young People & Education:***

*I am told that currently, 171 pupils from Blackburn with Darwen attend Walton Le Dale High School. The school bus service has been withdrawn as Moving People have terminated the contract early and the school has been unable to find a financially viable alternative, despite parents paying for the bus service.*

*For reasons of safeguarding and road safety the public transport alternatives are insufficient. For example, on Knittingbourne brow the Pavement is only continuous on one side of the road, which has a pinch point not wide enough for a single person to pass with their whole body over the footpath (photo's attached). Parents are also keenly aware of James Eastwood who has just been imprisoned for raping a 14-year-old schoolgirl, and sexually assaulting two others while on bail in Bamber Bridge! Walking to access public transport a distance away from the school is a genuine safety concern for parents and pupils alike.*

*Whilst I realise there is no statutory requirement on BWDBC to provide school transport to a LCC school, there are not 171 high school places within BWDBC for these pupils should they be unable to get to Walton Le Dale and need a place more locally. Will the council do the right thing and work with the school and make a financial contribution to make the service financially viable for the school to reinstate?*

*Before you reply, I would like to introduce Tillie Delaney, a resident of Mill Hill and Year 11 pupil of Walton Le Dale. She would like to make a statement on how this affects her and her education. I am sure once you hear her story you will agree with me that she is a remarkably resilient and courageous young woman, who like the other pupils that have come tonight deserves the support of this council in order to safely access their education.*

After the statement from Tillie Delaney, Councillor Julie Gunn responded to both questions/statements and a supplementary question from Rick Moore, advising that she indeed agreed that Tillie was a resilient and courageous young woman and Councillor Gunn understood that the decision taken by the school was disappointing.

Councillor Gunn confirmed that she always acted with openness and integrity and did the right thing, even if sometimes that was difficult to hear; and in this case, to do the right thing was to treat all pupils and their families with equity, and not breach our policy.

Councillor Gunn gave details of the background to the issue advising that Walton Le Dale high school had subsidised transport for pupils from BwD for a number of years and recently they were told that their current provider

was no longer able to run the service because it was not economically viable. Following a tender exercise undertaken by the school, parents were consulted and asked whether they would be willing to pay the fares that would by necessity be increased. According to correspondence there was a small percentage of parents who would be willing to do that and so the school took the decision not to take up the contract.

The school was under no obligation to inform the local authority and indeed had not done so. Councillor Gunn had sought legal advice on the Council's position and policy, which as Members were aware had recently been tested and found to be sound.

Children's Services and School Transport had been aware for many years of the bus services which Walton-le-Dale High School had run from the Livesey/Pleasington/Ewood/Mill Hill areas for children whose families chose to send them to Walton-le-Dale. The Council had never been involved with the procurement or operation of these services, since it could not be under a statutory duty to provide home to school transport to Walton-le-Dale for children from the Borough. (Save the possible exception of some children in public care). Therefore, it was considered unfair for the Council to intervene and provide financial assistance to Walton-le-Dale High School.

Councillor Gunn gave details about how the Council went through a lengthy process of ceasing to provide discretionary transport services from 2010 onwards, with a number of schools subsidising transport services for their pupils. If the Council was to provide financial assistance to Walton-le-Dale in order to enable them to run their own school bus services, all the schools within BwD who currently subsidised could argue that they should likewise receive financial support from the Council.

Councillor Gunn confirmed the Council did provide free home to school transport for any children resident in the Borough for whom it had a duty to provide it, and also detailed the amount the local authority spent on home to school transport, which currently stood at around £2M.

There followed a supplementary question/statement from Rick Moore, who made a number of comments on the use of Council finances in recent years, suggesting that if money could be found for the examples he gave, then funding could be found to subsidise the bus service. Mr Moore indicated that he felt the Council had got its priorities wrong and had a moral and ethical obligation to support the pupils. Councillor Gunn responded to Mr Moore's comments, reminding Mr Moore of the £2M expenditure on school transport and that other support was also available for eligible pupils, and finished by stating that she could not and would not act unfairly.

*At this point of the meeting there was a recess to enable Members and Officers observing Ramadan to break their fast and pray.*

*Once Members had returned the meeting reconvened.*

## **76 Motions**

The Chief Executive announced that no Notices of Motion had been submitted under Procedure Rule 10.

## **78 Revised Hackney Carriage & Private Hire Licensing Policy**

Members received a report which presented a revised Hackney Carriage & Private Hire Licensing Policy for adoption.

The Council had a policy which provided guidance to the trade and other interested parties on the way that Blackburn with Darwen Council regulated the Private Hire and Hackney Carriage industry within the Borough. The current policy was last comprehensively reviewed in 2016/17.

The Department for Transport published the Government's Statutory Standards for Private Hire and Hackney Carriage Vehicles in the summer of 2020, which included recommendations on the assessment of previous convictions

The Council's existing policies were completely redrafted to reflect the minimum standards contained in the Statutory Guidance and the Institute of Licensing's Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades.<sup>1</sup>

The Licensing Committee considered a proposed draft policy on convictions and other relevant matters on 26 April 2022 and resolved to undertake a comprehensive 8 week long public consultation exercise. The Committee then considered the very limited response to that consultation exercise at their meeting on 3 August 2022.

On 18 October 2022 the Licensing Committee considered the redrafted Hackney Carriage and Private Hire Vehicle Licensing policy, which incorporated the draft convictions policy, vehicle standards and licence conditions, as appendices, and resolved to carry out a further 8 week full consultation exercise. The Licensing Committee considered the responses to this consultation on 24 January 2023 and agreed several amendments to the draft policy and its appendices and recommended the amended version as submitted be formally adopted.

**RESOLVED –**

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1. The Council adopts the revised policy as presented, effective from 1 May 2023.
2. The Council delegates the power to agree and adopt future revisions of taxi licensing policies that inform non-Executive functions, to the Licensing Committee.

## **79 Corporate Peer Challenge**

The Council Forum was informed of plans to invite the Local Government Association (LGA) to undertake a corporate peer challenge.

Blackburn with Darwen Council last held a corporate peer challenge (CPC) in 2018 and it was recommended by the LGA, and expected by government, that a CPC be undertaken every five years.

CPC was a tried and trusted method of improvement; it provides councils with a robust and effective improvement tool which was owned and delivered by the sector, for the sector. Peers remained at the heart of the peer challenge process and provide a 'practitioner perspective' and 'critical friend' challenge. The final report would be published together with the Council's response in an action plan.

The CPC would take place between July 11th to July 14th 2023.

### **RESOLVED –**

#### **That Council Forum:**

- Note the date of the corporate peer challenge (July 11-14)
- Note the scope of the corporate peer challenge.

## **80 Mayoralty 2023-24**

A report was submitted which outlined arrangements for the nominations to office of Mayor and Deputy Mayor for 2023/24.

Members were reminded that Annual Council formally appointed Members of the Council to the office of Mayor and Deputy Mayor for the forthcoming Municipal year. The Member appointed to the position of Deputy Mayor was normally appointed to the office of Mayor in the following year.

The report also outlined the rotation arrangements agreed by Council Forum in July 2022 and in accordance with these arrangements it would be for the Labour Group to nominate the Mayor for 2023/2024, who in line with usual practice would be the serving Deputy Mayor, which in this case was Councillor Parwaiz Akhtar.

It was also the turn of the Labour Group to nominate the Deputy Mayor for 2023/24, and at the meeting the Leader, Councillor Phil Riley, nominated Councillor Sylvia Liddle.

**RESOLVED -**

That Council Forum:

1. Notes that Councillor Parwaiz Akhtar will be formally nominated as Mayor for 2023/24 at Annual Council.
2. Confirms that in accordance with the rotation arrangements agreed at Council Forum on 22<sup>nd</sup> July 2022 that the Labour Group nominates the Deputy Mayor for 2023/24, Councillor Sylvia Liddle, who will be formally nominated at Annual Council.

**81 Updates from Other Committees**

Council Forum received an update from the Chairs of the Overview and Scrutiny Committees on the progress of their work.

**RESOLVED –**

1. That the updates from the Overview and Scrutiny Committees be noted.

**82 Reports of the Executive Members with portfolios**

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

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

**83 Questions from Members**

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

*At the close of the meeting, reference was made to the fact that this was the last Council Forum meeting that Councillors Rawat and Browne would be attending before they stood down as Councillors, and the thanks of Council for their service were passed to them.*

*The Mayor was also thanked for his chairing of this meeting and all the other Full Council meetings in 2022/23.*

Signed at a meeting of the Annual Council

On 18<sup>th</sup> May 2023

(being the ensuing meeting of the Council) by

MAYOR