

COUNCIL FORUM

Thursday 20th July 2023

PRESENT – *The Mayor Councillor Parwaiz Akhtar, Ali, Baldwin, Brookfield, Casey, Connor, Desai M, Desai S, Fazal, Fielding, Floyd, Gee, Gibson, Harling, Hardman, Humphrys, Hussain I, Hussain M, Hussain S, Irfan, Jackson, Khan S, Khan Z, Khonat, Liddle, Mahmood, Marrow, McCaughran, McGurk, Patel Ab, Patel Alt, Patel S, Raja, Rigby, Riley, Russell, Shaw, Shorrock, Sidat, Slater Jacq, Slater Jo, Slater Ju, Slater N, Smith D, Smith J, Talbot, Taylor, and Whittingham.*

RESOLUTIONS

13 Welcome and Apologies

The Chief Executive read out the notice convening the meeting.

There then followed Prayers by the Mayor's Chaplain.

Apologies were received from Councillors Akhtar H, Imtiaz and Gunn.

14 Minutes Of The Previous Meeting

RESOLVED – That the Minutes of the Annual Council Meeting held on 18th May 2023 were agreed as a correct record.

15 Declarations of Interest

No Declarations of Interest were received.

16 Mayoral Communications

The Mayor reported on events he had attended since the last meeting, including the Darwen Brass Band competition, Armed Forces Day Events, the Installation of the Bishop of Blackburn, NHS 75, and a retirement service for Lord Shuttleworth, Lord Lieutenant of Lancashire.

17 Council Forum

The Chief Executive reported that two questions had been received under Procedure Rule 12 as follows:

1. Victoria Alletson

What does the Council deem as an overdevelopment of Blackburn with Darwen in light that the Borough has met government targets and will the proposed new homes be built directly up to existing homes or is there to be a consideration to give a sense of space and openness to both the new and existing homes? Following on, will a safety and impact report be written for the proposed Bank Hey Development to outline the road requirements to meet the need of the planned development and when and how will those findings be shared. Also, what is the proposal for the construction traffic access to service the proposed planned development of Bank Hey? Is it this Council's intention to take it past the primary school and onto the existing residential estates?

2. Laura Hindle

The Oakdale and Fernhurst area already floods down from the fields of the proposed Bank Hey development. What is the Council's plan to manage this for the present and future residents as this is has been sent to the Council and the water authorities and to date nothing has been addressed, has a recent survey taken place for the A666 and what is the capacity expected that it can manage to enable flow at present and in the future?

Can the Council explain their plan which shows there will be enough school places for the additional children that new development will bring into this area? Due to the green agenda, what is the energy efficiency plan for new homes in Blackburn with Darwen and what is the policy for working times on construction sites across the Borough and who enforces this?

The Executive Member for Growth & Development gave a detailed response to both questions. In terms of the first question, Cllr Mahmood advised of the importance of addressing infrastructure requirements, gave details of housing targets and requirements, with the emerging up to date Local Plan containing local evidence of housing needs. A transport assessment was being assessed, and should the development proceed, construction traffic would be established in the most appropriate location to minimise disruption. Cllr Mahmood also highlighted design principles relating to open spaces and the protection of amenity for existing residents.

In response to a supplementary question from Victoria Alletson on affordable housing and homes for the elderly and people with mobility issues, Councillor Mahmood advised that 25% of housing development over the last six years had been affordable housing, and all were adaptable for disability needs etc.

In response to the question from Laura Hindle, Cllr Mahmood gave details of the Flood Risk Assessment and drainage proposals, and information relating to the additional school places, and the developer would be required to contribute a significant commuted sum towards the provision of additional primary school places in West Blackburn, and additional secondary school places were needed, which the Council was addressing with local schools. Cllr Mahmood gave details of energy efficiency and also working times that would be controlled by planning conditions and enforced by Planning Enforcement Officers.

In response to a supplementary question from Laura Hindle, which highlighted concerns about traffic jams, particularly relating to emergency vehicle access, risks to children from emissions, concerns relating to teacher shortages and flooding caused by new developments, Councillor Mahmood explained that a detailed traffic assessment would be part of the planning application, and he encouraged Laura to share her experiences and objections as part of this process. Councillor Mahmood advised that emissions levels were monitored and were reducing, and in terms of school places, developers would be required to contribute Section 106 monies to build new schools or extend existing schools.

18 **Motions**

The Chief Executive announced that one Notice of Motion had been submitted under Procedure Rule 10 as follows:

A key priority of Blackburn with Darwen Borough Council is in tackling digital exclusion and social isolation. This Council therefore notes with dismay, the recent announcement of proposals for hundreds of train station ticket offices to close. These include nearby stations such as Preston (a main-line station with over 4 million passenger movements in 2021-22), Accrington and Burnley – all of which will be used by Blackburn with Darwen residents.

Not only do our railways provide a vital service in ensuring that our residents and communities stay connected, but they also form a key element of the climate change strategy.

Government's role should therefore be to encourage rail use and this announcement contradicts statements in support of increasing rail travel.

The provision of ticket offices is vital in ensuring that those not in a position to purchase tickets online or via machines – a fifth of all passengers, most certainly to include some of the most vulnerable members of society, including the elderly and those with learning difficulties – are able to do so and it is inevitable that many passengers will stop using trains if they are not

able to continue booking tickets at ticket offices. This will be yet another lifeline cut off for potentially millions of individuals around the country.

This Council therefore condemns the recent announcement of ticket office closures and requests that our Chief Executive and Leader raise these concerns with the Secretary of State for transport and our local Members of Parliament.

Moved by Cllr Damian Talbot

Seconded by Cllr Brian Taylor

Following discussion, Council Forum moved to the vote.

RESOLVED – That the Motion be carried.

19 Proposed Introduction of Article 4 Direction

Members received a report updating Council Forum with the results of the consultation on the proposed Article 4 Direction, undertaken in August/September 2022.

Approval was sought to confirm the Article 4 Direction which would remove the permitted development rights for the change of use from Use Class C3 (dwelling-houses) to Use Class C4 (Houses of Multiple Occupation (HMO)) in all urban areas of the Borough, as illustrated on the plans accompanying the Direction.

Members were advised that subject to Council Forum approval to confirm the Article 4 Direction, the Direction would then become effective on 9 August 2023. The existing Article 4 Direction (2013) would be cancelled on the date that the new Direction took legal effect.

RESOLVED –

That Council Forum:

Approve the confirmation of a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order (GPDO) 2015 (as amended), having had a 12-month lead-in period, to remove the permitted development right granted by Schedule 2 Part 3 Class L(b) of that Order, which allows a change of use from a dwelling-house (C3) to a HMO with between 3 and 6 occupants (C4) and which will apply to all urban areas of the Borough as shown on the accompanying plan.

20 Audit & Governance Committee Annual Report and Minutes of Meetings 2022/23

Council Forum received the Annual Report from the Audit & Governance Committee, along with the minutes of the meetings held in 2022/23.

RESOLVED –

That the Audit & Governance Committee Annual Report be endorsed and the Minutes of Meetings 2022/23 be noted.

21 Governance Update

A report was submitted which requested that Council approve the updated Council Constitution, to include the amendments outlined in the report.

Council was also asked to approve the appointment of the statutory Section 151 Chief Finance Officer and note the other senior management changes recommended by the Chief Officer Employment Committee.

The report outlined the changes to the Constitution, and changes relating to Chief Officers. The Chief Officer Employment Committee (COEC) had met to consider changes to the Council's chief officer senior management posts. Following the former Strategic Director, Resources leaving the Council in early January 2023, the role has been disestablished with the responsibilities allocated to other Chief Officer posts.

The revised Strategic Director, Finance & Resources role incorporated the former Director of Finance role, including the statutory section 151 Chief Finance Officer function, and had now been allocated the statutory Senior Information Risk Officer (SIRO) function. The Chief Officer Employment Committee met on 14 June 2023 and recommended the appointment of Dean Langton to the Strategic Director, Finance & Resources role and therefore the statutory s151 chief finance officer role for the Council.

The COEC agreed that responsibility for IT and Digital Transformation functions were added to the Assistant Director role in the Chief Executive's Department, along with the statutory scrutiny officer function and that the post is re-designated Director, Chief Executive's Department.

The COEC also approved the establishment of a new post in the Adults & Health Directorate of Assistant Director - Commissioning & Support Services with responsibility for commissioning across 'People' services, including Adult social care, Children's services and Public Health.

The COEC agreed that, to provide capacity and support to the Chief Executive and the Leadership, one of the Strategic Directors would also carry additional responsibilities to act as Deputy Chief Executive, this was confirmed as Martin Kelly, Strategic Director of Growth & Development.

RESOLVED –

That Council:

- 2.1 Approve the updated Council Constitution as contained in the **Appendix**.
- 2.2 Note that a pdf version of the updated constitution will be published on the Council website.
- 2.3 Agree the recommendations of the Chief Officer Employment Committee as outlined in this report and:
 - (i) approve the appointment of Dean Langton as the Strategic Director, Finance & Resources and the statutory Section 151 Chief Finance Officer
 - (ii) note the other changes to Chief Officer roles and the senior management structure for the Council.

Updates from Other Committees

22

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.

23 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.

24 Questions from Members

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

At the close of the meeting, the Mayor asked Members to note that his Mayor's Ball would be held on 2nd March 2024 at King George's Hall and asked that they try to attend.

Councillor Phil Riley thanked the Mayor for his Chairing of the Meeting.

Signed at a meeting of the Council Forum

On 5th October 2023

(being the ensuing meeting of the Council) by

MAYOR