

# COUNCIL FORUM

## Thursday 25<sup>th</sup> January 2024

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

### **RESOLUTIONS**

#### **45 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 Baldwin, Brookfield, Desai M, Harling, Khan S, and Patel Ab.

#### **46 Minutes Of The Previous Meeting**

The Minutes of the Policy Council Meeting held on 30<sup>th</sup> November 2023 were submitted for approval.

Councillor Dave Smith referred to the change of date of the Council Forum to 14<sup>th</sup> March 2024 and Planning & Highways Committee to 13<sup>th</sup> March 2024 under Minute Number 39, and requested that the Planning & Highways Committee be instead held on 21<sup>st</sup> March 2024, which was the original date of Council Forum. This change was agreed by Council Forum.

**RESOLVED** – That the Minutes of the Council Forum Meeting held on 30<sup>th</sup> November 2023 were agreed as a correct record.

#### **47 Declarations of Interest**

Councillor Vicky McGurk declared an interest in Agenda Item 6. Motion on Foster Carer payments, as she is a registered Foster Carer.

Councillor Damian Talbot declared an interest in Agenda Item 11.4 – Digital & Customer Services update, which included reference to MP Complaints, as he is employed by the MP for Blackburn.

## 48 Mayoral Communications

The Mayor reported on events and activities he had attended since the last meeting, particularly the ones over the busy Christmas period.

The Mayor reminded Members and Officers about the Mayor's Ball on Saturday 2<sup>nd</sup> March 2024, and indicated that he hoped as many people could attend as possible.

## 49 Council Forum

The Chief Executive reported that two questions had been received under Procedure Rule 10 as follows:

To the Executive Member for Growth & Development:

1. *From Jackie Copley, CPRE*

***How can the Council adopt a local plan with this strategic employment allocation (E179) when there are standing objections from statutory consultees meaning site is unsuitable in NPPF terms (deliverable and developable)?***

### Background

*Representatives from Guide and Belthorn group and CPRE evidenced before, during and after (as part of the modifications stage) the examination that the data before the inspectors for traffic relied on surveys carried out during the Covid lock down (July 2021) and under-recorded traffic movements. It was flawed. This gives rise to a potential Judicial Review.*

*The land promotor is seeking approval for employment use and updated the traffic analysis (Nov 2023). This has led to the highways authorities raising a holding objection due to outstanding issues.*

*The B6232 road linking to Haslingden has a high accident and fatality record. The proposed employment land use would casus high traffic volumes. The local road cannot cope. Proposed transport management and mitigations are not understood, less costed.*

*Of note, the community commissioned an independent traffic count, by Iceni projects, which gave baseline figures of a different magnitude.*

*In addition to standing objections of the highways authorities who seek information to clarify the situation, Natural England has also raised objection*

*due to impact from the proposal on the West Pennine Moors SSSI (Site of Special Scientific Interest).*

*How can it be stated that the B6232 road can stay as it is with simply a traffic light junction or roundabout installed near entrance to Site 1? If the data of the local group applies the same level of % growth as used by developer (11%ish) by 2026, there will be 26,000 road users of the moorland B6232. It cannot remain as it is. Most vehicles are travelling away from Blackburn (nearly double), which will be unaffected by the proposed M65 improvements. Natural England would object to a dualling of the carriageway due to harm to Peat and the SSSI. Despite the local community seeking reassurance, it has not had queries satisfactorily addressed and it remains there is incomplete information.*

*CPRE is aware the allocation of this parcel of Green Belt will make defending surrounding Green Belt exceedingly difficult and there are a number of other harms identified by the Examination Panel in its report, not least landscape and biodiversity. In CPRE views although new jobs are needed the harms arising at this site are multiple and are not outweighed by the benefits, especially as the benefits are uncertain.*

*At the current time there are too many unknowns.*

## *2. From Calista Mullin:*

*How do the council intend to address the following concerns raised before the greenbelt is released?*

- i) By the Highways Agency, with regards to the cumulative impact of all three parcels on the surrounding highway infrastructure?*
- ii) By the community, in terms of the elevated count data that has been collected in an independent survey facilitated by Icen projects. This shows that incorrect baseline figures have been used when determining mitigation and planning, particularly in terms of traffic heading East on the B6232 (which has little to no mitigation planned)?*
- iii) By Natural England, with regards to their concerns about the amount of traffic using the B6232 and the impact that it will have on West Pennine Moor peatlands and also the SSSI (Site of Special Scientific Interest)? (note that they were objecting to developer's figures in outline planning, our count is significantly higher)*
- iv) If the greenbelt is to be released without addressing the above, on what legal basis are the council proceeding when so much remains in issue with the feasibility of the site itself?*

The Executive Member for Growth and Development, Councillor Quesir Mahmood, provided detailed responses to both the questions submitted, and advised that these would be shared with both people asking questions after the meeting. Both Jackie Copley and Calista Mullin had the opportunity to ask a Supplementary Question, and Jackie Copley used the opportunity to make some additional comments, with Calista Mullin choosing not to ask a Supplementary Question.

As part of his detailed response, Councillor Mahmood indicated that the Council was fully justified in adopting the Local Plan at this meeting, adding that a significant amount of time and money had been invested in preparing and examining the Plan and failure to adopt it upon recommendation of Planning Inspectors would generate local and national reputational damage to the Council and jeopardise investor confidence and growth in the Borough.

## **50 Motions**

*(Having disclosed a Pecuniary Interest in the following item, Councillor McGurk left the meeting and took no part in the debate or vote.)*

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

### ***Foster Carers and Council Tax***

*Council acknowledges the importance of Foster Carers in providing a safe, loving home to children who are unable to live with their birth parents. In recent years, we have become concerned that the recruitment of Foster Carers by the Council has stagnated. We are of the view that the Council must do more to both reward existing Foster Carers for their brilliant work and to attract new Foster Carers into the sector. By doing so, children in need will continue to receive the same or better care at a fraction of the cost of other placements.*

*Accordingly, in addition to paying Foster Care fees, Council resolves to consider providing existing and new Foster Carers with an exemption from the payment of Council Tax with effect from the next financial year. It is our view that the cost of this will, in time, be met from reduced costs for Children who, otherwise, would be put in expensive placements often out of the Borough.*

***Moved by Councillor John Slater***

***Seconded by Councillor Denise Gee***

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

**RESOLVED** – Upon being put to the vote, the Motion was LOST.

*(Councillor Vicky McGurk returned to the Meeting).*

## **51 Council Appointments Update**

Members received a report which provided an update on the composition, the political balance of the Council and the allocation of Committee seats following a change in membership to one of the Council's Political Groups.

Since the last report on this matter to Policy Council in November 2023, Cllr Mohammed Irfan had resigned from the 4BWD Independent Group and would sit as an Independent Councillor.

The updated proportionality and allocation of seats on Council Committees to Political Groups as a result was attached at Appendix 1 and 2.

**RESOLVED** – That Council notes the current composition, political balance and the updated allocation of seats on the Council as referred to in Appendix 1 and 2.

## **52 Council Tax Support Scheme 2024/25**

Council Forum received a report which outlined changes to the Council Tax Support scheme and sought approval for its adoption for 2024/25.

In accordance with the legislation, the Council was obliged to formally adopt a new scheme and make any adjustments prior to the 31st March 2024. The report submitted sought to fulfil the necessary legal requirements and to confirm Blackburn with Darwen's Council Tax Support scheme for 2024/25.

Incorporated into the new scheme was the increase in non-dependent deductions for working age claims from £7 per week to £8 per week from April 2024, the reduction in the maximum award, and the uprating of Applicable amounts, Premiums, and Disregards in line with Department of Work and Pensions A1/2024 circular.

The full Council Tax Support scheme was detailed in Appendix A.

**RESOLVED – That Council Forum:**

- i. Notes the contents of the report, and;
- ii. Approves the Council Tax Support Scheme for the financial year 2024/25.

**53 Adoption of the Blackburn with Darwen Local Plan 2021-2037**

Council Forum received a report which presented the Local Plan 2021-2037 for adoption, incorporating the changes set out by the Planning Inspectors following independent public examination.

The Council currently had a two-part Local Plan made up of the Core Strategy (adopted 2011) and Local Plan Part 2: Site Allocations and Development Management Policies (adopted 2015). Together these documents set out the land use planning strategy for the Borough up to 2026.

Local Plans were now required to be reviewed every five years from the date of their adoption. The Council first approved a new Local Development Scheme in 2018, subsequently updated, setting out the intention to develop a single new Local Plan to replace the Core Strategy and Local Plan Part 2.

Since then, extensive work had been undertaken in preparing the new Local Plan for the Borough, which covered the period 2021 to 2037. A portfolio of evidence base documents to support the policies set out in the new Local Plan had been publicly available on the Council's website. A number of widely promoted statutory consultations have also taken place.

At all stages of preparation and consultation, the Council had engaged with members of the community in line with, or over and above, its commitments set out in the published Statement of Community Involvement. The Regulation 22 Consultation Statement summarised for each stage of statutory consultation who had been consulted, how, and a summary of the key/common issues raised. At the Regulation 18 Consultation Draft Local Plan stage, every single residential and commercial property in the Borough was directly informed of the consultation via a letter and leaflet drop (around 70,000 address points). In addition to the statutory consultation periods, more informal consultation had also taken place on a regular basis with key stakeholders.

At the Council Forum meeting of the 28<sup>th</sup> July 2022, approval was granted for submission of the Local Plan and its accompanying documents to the Secretary of State for independent examination. The Planning Inspectorate appointed two Planning Inspectors who conducted public hearings which took place between 31<sup>st</sup> January and 2<sup>nd</sup> March 2023. This was followed by a further consultation period on a series of draft Main Modifications to the submission version Local Plan, held between August and October 2023. The

Examination process had now concluded with the issuing of the Inspectors' report on 11<sup>th</sup> December 2023.

The recommended modifications (included as an appendix to the Inspectors' Final Report – Background Paper 2) predominantly related to matters discussed at the examination hearings and did not alter the overall strategy or the scale of development proposed to secure delivery of the Council's corporate ambitions for economic growth and transformation.

The Inspectors had also concluded that the Council had engaged constructively, actively and on an ongoing basis in the preparation of the Plan and that the Duty to Cooperate had therefore been met, and that the Plan was legally compliant. The Inspectors considered that with the recommended main modifications set out in the appendix to their report, the Local Plan 2021-2037 was sound, legally compliant and capable of adoption.

The Blackburn with Darwen Local Plan 2021-2037 was therefore presented to Council Forum for adoption under Section 23(3) of the Planning and Compulsory Purchase Act 2004 (as amended).

The Local Plan documents (the Written Statement and the Policies Maps) incorporating all the main modifications had made available to view on a separate weblink circulated to Members in advance of the meeting.

**RESOLVED** – That the Blackburn with Darwen Local Plan 2021-2037, incorporating the recommended main modifications set out in the appendix to the Inspectors' report dated 11<sup>th</sup> December 2023 (attached as Background Papers 1 and 2) be adopted.

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#### **54 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.

#### **55 Reports of the Executive Members with Portfolios**

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

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

**56** **Questions from Members**

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

**57** **Year Planner 2024/25**

The final version of the Year Planner for 2024/25 was submitted for approval, following submission of the draft version to Policy Council in November.

**RESOLVED** – That the Year Planner 2024/25 be approved.

*At the close of the Meeting, Councillor Phil Riley thanked the Mayor for his Chairing of the Meeting.*

Signed at a meeting of the Finance Council

On 26<sup>th</sup> February 2024

(being the ensuing meeting of the Council) by

MAYOR