

Hyndburn Three Tier Forum

Note of the Meeting held on Wednesday, 11th December, 2013 at 6.00 pm in Queen Elizabeth Room, Scaitcliffe House, Accrington

Present:

Chair

Councillor H Grayson, Hyndburn Borough Council

Forum Members

County Councillor P Britcliffe, Lancashire County Council
County Councillor M Dad, Lancashire County Council
County Councillor C Pritchard, Lancashire County Council
County Councillor B Dawson, Lancashire County Council
County Councillor G Molineux, Lancashire County Council
Councillor J Smith, Hyndburn Borough Council
Councillor M Haworth, Hyndburn Borough Council
Councillor P Barton, Hyndburn Borough Council
Councillor P Cox, Hyndburn Borough Council
Councillor R Pinder - representing Altham Parish Council

Also in attendance

County Councillor D Borrow, Deputy Leader, Lancashire County Council.
Mr G Graham, Deputy County Treasurer, Lancashire County Council.
Mr M Hudson, Head of Planning, Lancashire County Council, Environment Directorate.
Mr M Wardale, Locality Officer, Lancashire County Council, Environment Directorate.
Mr M Neville, Senior Committee Support Officer, Lancashire County Council, Office of the Chief Executive.

1. Appointment of Chair

Agreed: That Councillor H Grayson is appointed as the Chair of the Hyndburn 3 Tier Forum.

2. Appointment of Deputy Chair

Agreed: That Councillor R Pinder is appointed as the Deputy Chair of the Hyndburn 3 Tier Forum.

3. Membership and Terms of Reference of the Forum

Mr Wardale reported that in accordance with the views expressed at the previous meeting regarding the future development of the Forum the Terms of Reference had been amended in order to enable public participation at meetings.

With regard to the suggested Protocol in relation to public speaking it was noted that speaking at meetings would be permitted on the basis of during each agenda item, for up

to 3 minutes per person, to be managed by the Chair at their discretion. In response to a query regarding the statement in the Protocol that speeches by the public would not be expected to be the subject of debate or that questions would be answered the Chair assured members of the Forum that he would manage any discussion and the public would receive a response to any points raised either at the meeting or by correspondence at a later date.

It was also suggested that consideration be given to future meetings being held at different locations across the Borough though there was general agreement, provided the meetings were advertised, that it was preferable for the Forum to continue to meet in Accrington.

Agreed:

1. That the membership of the Forum, as set out below, is noted.

Lancashire County Council	Hyndburn Borough Council
County Councillor P Britcliffe	Councillor P Barton
County Councillor M Dad	Councillor P Cox
County Councillor B Dawson	Councillor H Grayson
County Councillor G Molineux	Councillor M Haworth
County Councillor M Parkinson	Councillor B Roberts
County Councillor C Pritchard	Councillor J Smith

Altham Parish Council representative on the Forum - Parish Councillor R Pinder.

2. That public speaking at the Hyndburn Three Tier Forum is permitted on the following basis – on each agenda item, for up to 3 minutes per person, to be managed by the Chair at their discretion and in accordance with the 'Protocol on Public Speaking' a copy of which is attached as an Annex to this Note.
3. That the decision set out at 2 above be incorporated into the Terms of Reference for the Hyndburn Three Tier Forum as set out below.
 - a) The Forum is a joint business meeting of County, District, and Town and Parish Councillors, open to the public.
 - b) The membership of the Forum will be all local County Councillors with an Electoral Division within the District and an equal number of District Councillors appointed by the District Council, and one Parish/Town Council representative nominated from the Parish Councils within the District area. District Councils and the Parish/Town Councils can nominate deputies or replacements in accordance with their own procedures. The officer(s) supporting the meeting must be notified of any changes prior to a meeting. Political balance rules do not apply to the Three Tier Forum, although districts may follow these for their nominations.

- c) The Forum will discuss issues that are of joint interest across the three levels of local government in the area. Agenda items will focus on strategic issues relating to all local councils in the area.
- d) Any member of the Forum can request that an item is considered at a future meeting of the Forum. The Chair is responsible for agreeing the agenda and deciding whether an issue raised by a member will appear on an agenda. Where issues are raised that do not fall within the remit of the Forum these will be dealt with via the appropriate mechanism.
- e) *Public speaking is permitted on the following basis - on each agenda item up to 3 minutes per person at discretion of the Chair*
- f) The Chair is responsible for managing the debate at the meeting. The Chair's ruling on any aspect of a member of the Forums right to speak will be final. Members who persistently ignore the ruling of the Chair may after being warned, be asked to leave the room for the duration of the meeting.
- g) Decisions of the Forum should be by consensus wherever possible. In the event that a consensus cannot be reached, decisions are by simple 'show of hands' majority with the Chair having a casting vote.
- h) The Forum is not a formal committee of County, District or Parish Councils, therefore Access to Information provisions do not apply. However, as they are public meetings, agendas and minutes will be available on the County Council's website and by request can be obtained in person at County Hall, Preston.
- i) The Chair and Deputy will be elected at the Annual Meeting from amongst the membership of the Forum. Should a vacancy arise during the year, a new Chair or Deputy will be elected. A Chair or Deputy may be removed from their position by a vote of the Forum.
- j) The Forum will meet 3 times a year, one of which will be the Annual Meeting. The Forum does not have the authority to establish sub groups or working groups. From April 2014, the Annual Meeting will be the first meeting of the Forum after the County Council's AGM.
- k) Urgent business is allowed, with the consent of the Chair. Any member wishing to raise a matter of urgent business should advise the Chair via the officer support for the Forum as soon as possible.
- l) The "Protocol on Public Speaking at Three Tier Forums" applies.

4. Apologies

Apologies for absence were presented from Councillor B Roberts and County Councillor M Parkinson.

The Chair informed the meeting that he intended to take item 8 on the agenda after item 5 so that the presenting Officer could then leave the meeting.

5. Lancashire County Council Budget

County Councillor Borrow presented a detailed report regarding the above and informed the meeting over the coming years the County Council would continue to face significant financial challenges and that in addition to the £217m of savings which the County Council had already delivered, a further £300m would need to be found.

As a result the County Council had adopted a structured approach which was intended to secure around £300m of savings over the next four years and included a review of planning assumptions/forecasts in the light of more recent information which had resulted in a reduction of £16.7m. In addition engagement with staff through the '10% Challenge' had identified further efficiencies which had generated £19.1m of savings and a review of other costs within the business which had identified savings of £17.4m. The Forum was informed that the County Council's Cabinet had approved a consultation on a number of policy options and proposals for reshaping the way in which savings are delivered. Proposals for reshaping services totalling £32.3m had been put forward for consultation as had policy options totalling £30m. However, it was noted that there was still a gap of £26.8m in 2014/15 and that officers had been asked to develop options to meet the remainder of these savings requirements.

County Councillor Borrow reported that the intention was for the County Council to agree a balanced budget for 2014/15 which would then enable attention to be directed towards a more significant restructuring of the County Council in order to achieve the budget levels that were required moving forwards to 2017/18.

In considering the report the following comments were made by members of the Forum.

- In response to a query regarding the County Councils decision to implement the Living Wage it was confirmed that any potential impact would be mitigated by the phased introduction of the Living Wage from 2014/15 onwards .
- Subsidised bus services were discussed and in response to concerns regarding the potential impact of certain services being lost it was reported that in the future the County Council would be seeking to develop contracts with operators so that profitable routes would help to maintain services on less profitable routes. It was also proposed to increase funding for community transport schemes which would assist vulnerable people by providing door to door transport.

Agreed: That the comments of the Hyndburn 3 Tier Forum, as set out above are forwarded to the County Treasurer for consideration as part of the process of finalising the County Councils budget proposals for 2014/15.

6. Draft East Lancashire Highways and Transportation Masterplan - consultation

Mr M Hudson, Head of Planning from the County Councils Environment Directorate, gave a presentation in connection with the consultation on the draft East Lancashire Highways and Transport Masterplan.

When considering the draft plan members of the Forum made the following comments.

- It was noted that the Central Lancashire Masterplan had been a key element in securing funding via the Preston, South Ribble and Lancashire City Deal which would enable significant contributions to be secured from public and private sources.
- In response to a query regarding competition for available capital funding from other parts of the County Mr Hudson noted that the success of other areas such as Central Lancashire to secure funding from private developer sources offered the prospect for significant funding for the right infrastructure projects to be available to areas where developer funding would be more difficult to come by.
- A request was made for implementation of the Whinney Hill Link Road to be progressed as it was felt that in addition to waste/mineral extraction developments the Link Road would also assist with future housing and employment developments in the Borough. Mr Hudson acknowledged that the Borough Councils Chief Planning and Transportation Officer had made a similar comment and the County Council would continue to work with the Borough Council and developers with a view to securing funding for the Link Road which would be the real determining factor for progressing the scheme.
- Concern was expressed regarding the quality of rolling stock for some rail services in the Borough and the number/quality of existing diesel units which would become available for use on the Todmorden Curve following the electrification of lines in the North West. In response Mr Hudson stated that Officers would be in discussions with Department for Transport and operators as part of the proposed connectivity study regarding the quality of current and future rolling stock/units.
- Reference was made to the need to review connection times between rail services as arrival/departure times for some services coincided and did not allow passengers sufficient time to transfer for an onward journey. It was suggested that minor amendments to timetables could make a significant difference for passengers in the future

Agreed: That the comments of the Hyndburn 3 Tier Forum set out above are referred to the Cabinet Member for Highways and Transportation and taken into account when consideration is given to finalising the East Lancashire Highways and Transport Masterplan.

7. Note of Last Meeting.

Agreed: That the Note of the meeting held on the 4th September 2013 is confirmed as an accurate record and signed by the Chair.

8. Action Sheet update from last meeting.

The following comments were made in relation to items on the Action Sheet.

- It was noted that the 20mph speed limit in the vicinity of St Oswalds RC Primary School and St Peters CE Primary School in Accrington was now in place and would be monitored for a period of 3 months before its effectiveness was evaluated. Concern was expressed that the issue at the schools was related to the volume of traffic rather than speed and it was suggested that if the evaluation did not indicate an improvement then the Area Committee may consider funding some physical traffic calming measures.
- The repair of potholes was discussed and it was suggested that Officers investigate the condition of the carriageway along the Cranbrook Avenue in Oswaldtwistle together with potholes in Paddock Lane/New Lane where it was suggested that poor quality materials/workmanship had resulted in additional repairs being required.
- It was noted that in future the Forum would receive information regarding pothole repairs in such a way as to show both those identified by Highway Safety Inspections and by the public via PEMS which was hoped would provide a more realistic picture.
- Concern was expressed in relation to the condition of the carriageway on Burnley Road where initial resurfacing work had been undertaken but subsequent poor weather had meant it had not been completed. It was reported that the temporary surface was now deteriorating and members of the Forum asked for the carriageway to be resurfaced and the white lining reintroduced as soon as possible.

County Councillor P Britcliffe and M Haworth left the meeting at this point due to another commitment.

- It was noted that officers had been unable to identify the blocked drain in the Church Kirk area and Councillor Smith undertook to investigate the matter and advise the Superintendent.
- It was noted that a proposed one way system at Fern Gore would need to be considered as a possible future scheme.
- Several members of the Forum expressed their concern regarding the location of a pedestrian crossing on Milnshaw Lane in Accrington which was felt was causing traffic to back up on the roundabout towards King Street.
- A request was made for the Martholme Viaduct to be reopened as a public footpath and it was suggested that this should be considered as an item for discussion at the next meeting.
- Reference was made to the discussion at the last meeting in relation to the Walton Arms junction and concern was expressed that the statement in the Action Sheet regarding the lack of Police support for traffic signals contradicted information which

the Parish Council had received from a Police Officer. It was noted that the Parish Council had also raised concerns with the Borough Council regarding traffic on the A678 and the need to upgrade the junction with the business park access road.

- There was also disappointment in connection with the lack of progress by the County Councils Legal Services with regard to encroachment onto County Council land at Whinney Hill by local residents.

Agreed:

1. That the above comments in relation to the updates set out in the Action Sheet are noted and where appropriate further responses are provided to members of the Forum.
2. That with regard to the Walton Arms junction the Locality Officer is requested to arrange a meeting between Councillor R Pinder, an Officer from the Environment Directorate Highways Section and representatives from the local Police in order to discuss the current traffic conditions and potential improvements, including the introduction of traffic signals.
3. That in view of the lack of progress to date the County Councils Legal Services is requested to provide the Forum with a timescale regarding action to be taken to resolve the current encroachment onto County Council land at Whinney Hill by local residents.

9. 2013/14 Quarter 2 Environment Directorate Performance Dashboard

Mr Wardale informed the meeting that with regard to the performance figures for pothole repairs in future the information would be presented in terms of absolute numbers of potholes that were reported/fixed within a given period, including both those identified as the result of Highways Safety inspections and reported by the public via PEMS.

In response to a query regarding illegal tobacco sales it was noted that any concerns should be reported to the Citizens Advice Consumer Service on 0845 4040506.

Concern was expressed in relation to young people working in certain retail businesses who were not paid minimum wage and it was suggested that any information should be passed to HM Revenue and Customs Service

Agreed: That the updates set out on the Quarter 2 Dashboard are noted.

10. 2014/15 Environment Directorate Commissioning Plan for Hyndburn

A list of potential schemes which could be funded from the Hyndburn allocation of £110,314 within the 2014/15 capital programme Local Priorities Response Fund was presented, together with an estimated cost and technical ranking for each scheme.

In considering the list some members of the Forum queried the requirement to resurface one of the roads mentioned as it was felt that similar works had been undertaken previously. Reference was also made to the comment that the proposed scheme for improvements to footpaths on Blackburn Road in Accrington would need 'to tie in with Pennine Reach' and clarification was sought as to whether that project should fund the scheme or could delay its implementation if the Forum were to recommend it for approval.

There was little support for the scheme to refurbish highways and footways in the Woodnook area in Accrington as the estimated cost of the scheme would require more than double the entire allocation for Hyndburn.

The scheme to resurface Livingston Road in Accrington was discussed and it was suggested that the funding for the single scheme could be used to do similar work on a number of alternative streets in the area. However, it was recognised that the condition of the road in the vicinity of the football ground had previously been identified by the Forum as a priority and so it was felt that the proposed scheme should be recommended for approval.

Concern was expressed about the potential for overspend on any of the schemes which may be recommended for approval and it was noted that the estimated costs would take account of some overspend. It was also suggested that in the event of any funds for Hyndburn being unallocated that they should be attached to a particular scheme held in reserve which could then be fully or partially funded using the remaining allocation together with any additional funding which may become available due to underspends on the approved schemes.

Agreed: That after considering all of the potential schemes set out in the report the Hyndburn 3 Tier Forum makes the following recommendations to the Cabinet Member for Highways and Transportation for approval in relation to the 2014/15 capital programme.

1. That the following schemes are considered as top priorities for funding from the Local Priorities Response Fund allocation of £110,314.
 - Resurfacing of Livingston Road, Accrington in the vicinity of the football ground. (£41,825)
 - Improvements to footpaths along Fairclough Road in Accrington. (£29,875)
2. That the scheme to improve footpaths along Blackburn Road, Accrington, from Portland Street to Hartman Street (£35,850) is considered a priority for funding, subject to confirmation that the scheme could not be funded as part of the Pennine Reach project or have its implementation delayed by that project.
3. That, in the event of the schemes listed at 1 and 2 above being approved the remaining allocation of £2,764, together with any funding which may become available as a result of underspends on the above schemes, be used to partially or fully fund safety improvements in the vicinity of the Post Office on the corner of High Street and George Street in Rishton (£11,950).

4. That the suggested schemes listed below be developed further with a view to them being included as priorities in a list of potential schemes for consideration in relation to funding from the 2015/16 Local Priorities Response Fund.

- Carriageway resurfacing of various roads on the Laneside Estate in Accrington, including Ribblesdale Avenue (full length), Hawthorn Avenue, Heywood Road and Malborough Road.
- Footpath improvements on Chestnut Grove and Beech Grove.

Councillor P Barton left the meeting at this point.

11. Items raised by members of the Forum

a) The condition of footways in the Milnshaw area.

Councillor Cox informed the meeting that the footpaths identified on the plan were not the ones which he had raised concerns about at the previous meeting. He added that the footpaths which required attention were in an area bounded by Lancaster Avenue, Queens Road West, Gloucester Avenue and Pansy Street where some footpaths had deteriorated over time whilst others had not been properly reinstated following work by a utility company.

Agreed:

1. That the Locality Officer arrange a meeting between the Public Realm Manager and Councillor Cox to investigate the condition of carriageways and footways within the area specified above and consider what improvements are required.
2. That where appropriate the utility company be pursued with a view to securing the necessary resources to reinstate the footways to the standard required by the County Council.

b) Update on Pennine Reach.

Mr Wardale informed the meeting that the Pennine Reach scheme had received full approval from the Government at the end of September 2013. The £40 million joint scheme would be jointly funded by the Government (£31.9 million) the County Council (£2.9 million) with the balance being met by Blackburn with Darwen Council together with some developer contributions via Section 106 Agreements. It was noted that some small scale works had commenced with the widening of Park Road in Great Harwood due to be completed later in the week and clarification was sought in relation to the timescale for the more significant works planned for the area in the future in order to minimise disruption to a major event in the area.

Agreed: That the Forum continues to be kept informed of developments regarding the implementation of the Pennine reach Scheme.

c) Use of 0845 telephone numbers to access County Council services.

It was reported that in the future the County Council would be switching its contact numbers from 0845 to 0300 which would effectively reduce the cost for the public when contacting the Council by effectively making all landline calls local calls. However, there was still some concern that calls from mobile phones would not be charged at the lower rate.

Agreed: That the report is noted

d) Unauthorised school absences.

Members of the Forum discussed the ability of schools to fine parents who took their children out of school during term time. It was noted that parents could be exempt from such a fine in 'special circumstances' though there was concern that there was a lack of clarity as to what constituted such circumstances and that as a result the policy may not be applied equally across the Borough.

Agreed: That the members of the Forum provide the Chair with any examples they may have of circumstances where parents have been fined for taking their children out of school in order that he can compose a letter to Michael Gove MP highlighting concerns and seeking clarification about what would constitute 'special circumstances'.

12. Themes for future meetings.

With reference to the request earlier in the meeting for consideration to be given to reopening the Martholme Viaduct it was reported that the creation of a footpath, bridleway and cycleway (Greenway) along the length of the former Great Harwood to Burnley project, including Martholme Viaduct, had been considered in 2009 by the Ribble Valley Lancashire Local as part of the Padiham by-pass to Gooseleach Wood section of the Greenway.

At that time the scheme had not progressed due to objections from private landowners who owned sections of the former railway leading up to the Viaduct. However, it was suggested that circumstances may have changed which would enable the Viaduct to be reopened and so officers were asked to explore the possibility and report back.

Agreed: That a report be presented to the next meeting of the Forum regarding the current position on the creation of a footpath, bridleway and cycleway (Greenway) along the length of the former Great Harwood to Burnley and in particular the Padiham by-pass to Gooseleach Wood section which would involve the reopening of the Martholme Viaduct.

13. Urgent Business.

There were no items of urgent business for discussion at the meeting.

14. Date of Next Meeting.

It was noted that the next scheduled meeting of the Forum would be held at 6pm on the 9th April 2014 in the Queen Elizabeth Room at Scaitcliffe House, Ormerod Street, Accrington.

Ian Fisher
County Secretary and Solicitor

County Hall
Preston

ANNEX - Protocol for Public Speaking at the Hyndburn Three Tier Forum

For the purpose of this protocol, "members of the public" includes members of the press and parish and district councillors who are not members of the Forum. It does not include officers of county or district authorities who are in attendance to support and advise the meeting.

Each Forum will agree at what points of the meeting members of the public will be entitled to speak. **On the 11th December 2013 the Forum agreed that members of the public would be allowed to speak during the discussion of each item on the agenda.**

Each Forum may also set a maximum length of time for any individual speech from a member of the public. **On the 11th December 2013 the Forum agreed that each speaker would have up to 3 minutes per person, to be managed by the Chair at their discretion.**

Public speaking must be on topics included on the agenda for the meeting.

Whilst a member of the public is speaking, no interruption shall be allowed from either a member of the Forum or another member of the public.

However, the Chair of the meeting may intervene in the speech of a member of the public. This includes the right of the Chair to terminate a speech if it is felt appropriate to do so. The Chair's judgement will be informed by the following provision:

Members of the public must not

- Speak at a point in the meeting other than those specified
- Interrupt another speaker

- Speak for longer than the allotted time
- Reveal personal information about another individual
- Make a personal complaint about a service provided by County, District or Town / Parish Councils in the area
- Make individual or personal complaints against any member of the authority
- Reveal information which they know or believe to be confidential
- Use offensive, abusive or threatening language
- Ignore the ruling of the Chair of the meeting

Members of the public who breach these guidelines may, following a warning, be asked to leave the meeting. If a person refuses to leave the room, the Chair shall adjourn the meeting for a short period of time and if necessary to a later date

Speeches by members of the public are not expected to be the subject of a debate, nor are any questions raised expected to be answered. The Chair may, at his or her discretion, invite a response or comment from an appropriate officer or Forum member, but it is anticipated that this will be the exception rather than the rule.

The contents of any speech by a member of the public will be noted by officers supporting the Forum and will be dealt with via the appropriate mechanism.

15.