

Hyndburn Three Tier Forum

Note of the Meeting held on Wednesday, 3rd September, 2014 at 6.00 pm in in the Queen Elizabeth Room, Scaitcliffe House, Ormerod Street, Accrington.

Present:

Chair

Councillor H Grayson, Hyndburn Borough Council

Forum Members

County Councillor M Dad, Lancashire County Council
County Councillor M Parkinson, Lancashire County Council
County Councillor B Dawson, Lancashire County Council
County Councillor G Molineux, Lancashire County Council
Councillor C Cleary, Hyndburn Borough Council
Councillor P Cox, Hyndburn Borough Council
Councillor M Haworth, Hyndburn Borough Council
Councillor J Plummer, Hyndburn Borough Council
Councillor R Pinder, representing Altham Parish Council

Also in attendance

Mr M Wardale, Locality Officer, Public Health, Adult Services, Health and Wellbeing Directorate, Lancashire County Council.

Mr M Neville, Senior Committee Support Officer, Democratic Services, Office of the Chief Executive, Lancashire County Council.

1. Appointment of Chair

Agreed: That Councillor H Grayson is appointed as the Chair for the following 12 months.

2. Appointment of Deputy Chair.

Agreed: That Councillor R Pinder is appointed as the Deputy Chair for the following 12 months.

3. Membership and Terms of Reference

A report was presented in connection with the current membership and Terms of Reference of the Forum.

Agreed:

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

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

Councillor R Pinder represents Altham Parish Council on the Forum.

2. That the Terms of Reference of the Forum, including the protocol on public speaking at meetings, as set out below, is noted.

- 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.

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.

4. Apologies

Apologies for absence were received from Councillor B Roberts and presented on behalf of County Councillor C Pritchard.

5. Note of Last Meeting.

Agreed: That the Note of the meeting held on the 9th April 2014 is confirmed as an accurate record and signed by the Chair.

6. 2014/15 Quarter 1 Environment Directorate Performance Dashboard.

With regard to the development of Accrington Town Centre it was reported that the Borough Council was keen to receive costed options from the County Council for the proposed improvement scheme in front of the Market and Town Hall as this would inform

the planning of other improvements in the area and ensure that any materials to be used were complementary.

The future development of a market in Accrington was discussed and it was suggested that a significant proportion of the local population would use a traditional market. It was also noted that the town centre improvements would provide a useful public space that could be used for a variety of events aimed at bringing visitors into the town.

With regard to the implementation of Pennine Reach was noted that the decision of the Secretary of State in relation to the Public Inquiry on the CPO of Accrington Bus Station was expected during Quarter 2

Agreed: That the updates set out in the Dashboard are noted.

7. Action Sheet update from last meeting.

Mr Wardale presented the updates set out in the Action Sheet in relation to matters discussed at the last meeting and the following points were raised.

- Activities in connection with the 20mph speed limit around St Oswalds RC Primary School and St Peters Primary School in Accrington were welcomed and it was reported that the Police would target the area in the future in order to reinforce the lower limit. In response to a query Mr Wardale undertook to provide members of the Forum with details of when the Police intended to have a presence at the school.
- It was also noted that both schools intended to purchase A Boards which would be placed outside the premises at drop off/collection times to highlight the lower limit and the presence of children. However, there was some concern that use of A Boards at these locations could be viewed as being contrary to the County Councils position in relation to A Boards which belonged to businesses, which were often considered to be an eyesore/obstruction. It was suggested that careful consideration needed to be given to the treatment of A Boards to ensure that it was both effective and consistent.
- The County Councils support in principle for the creation of a public footpath along the Martholme Viaduct was noted though it was recognised that it was unlikely any action would be taken to pursue this due to the unknown amount of compensation which the authority may be liable for as a result.
- It was acknowledged that the replacement of damaged flags on the Milnshaw Estate would be pursued with Hyndburn Homes. However, with regard to the response from a Utility company in relation to another area which had suffered similar damage it was suggested that the damage concerned may have been the result of vehicles gaining access to an area rather than the actual site of excavations.
- The potential disposal by the County Council of an area of land off Walton Street in Altham was discussed and it was noted that whilst the Parish Council had intended to improve the area for the benefit of local residents it was unlikely that it would be able to purchase the land at its current valuation.

- It was noted that work at the Hare and Hounds junction was due to start shortly and would be undertaken in the evening so as to minimise disruption.

Agreed:

1. That the comments of members of the Forum are noted.
2. That in future when Utility companies are to undertake work Officers assess the condition of the highway in the surrounding area to ensure that any and all damage which may result from the works, both at the site of any excavation and in the adjacent area, is fully restored.
3. That Officers explore further the possibility of the Parish Council taking on board the improvement and management of an area of land off Walton Street in Altham which the County Council considers surplus to requirements.

8. Developing the Three Tier Forums - feedback on the review.

A report was presented regarding the responses received during the consultation on the future of 3 Tier Forums and the decision of the County Councils Cabinet in May to develop two pilots in Lancaster and Chorley for different models of governance. It was also noted that the Rossendale Forum had adopted a slightly different format in order to accommodate the Borough Councils Neighbourhood Forums.

It was noted that the County Councils preferred position was for Forums to be open to the public and where that was not the case officer attendance would remain at the current level. In addition no consideration would be given to devolving decision making or budgets in relation to those Forums which did not meet in public.

There was general agreement amongst the members of the Forum that in order to truly represent localism and be more effective the Forum needed to be given delegated responsibilities and devolved budgets so that Councillors were able to take decisions locally.

Agreed: That decision of the County Councils Cabinet on the 8th May in relation to the development of 3 Tier Forums is noted.

9. Events on the highway - policy and procedures for highway management.

It was reported that due to the increasing demand on resources Lancashire Constabulary had adopted the Association of Police Officers 'National Guidance' in relation to the policing events and in future would not undertake any traffic management for an event on the highway other than those which were deemed by the Police to be of national importance, such as Remembrance Day parades.

A number of members of the Forum expressed their concern regarding the decision and the possible impact it may have on many events and parades which traditionally were held in towns across the Borough. There was also concern about a lack of clarity around what

constituted 'an event of national importance' as the Police and Crime Commissioner had intervened in relation to the policing of an event in Great Harwood following concerns that it would not be able to proceed.

It was noted that events often required the closure of roads for short periods and the power to do so rested with local authorities rather than the Police. Under the Town Police Clauses Act 1847 District Councils were able to prevent obstruction in streets in times of public procession, rejoicing or illuminations and in any case when the streets are thronged or liable to be obstructed. This legislation was normally used for carnivals and processions where any road closure would be for a short period and there was no substantial traffic management required. In addition the County Council, under the Road Traffic Regulation Act, 1984, was able to close roads for a maximum of three days in any calendar year in order to regulate traffic on a temporary basis to facilitate sporting events, social events or entertainment on the highway.

The Forum was informed that it was the responsibility of the event organiser to liaise with the relevant local authority about events and determine what form of traffic management and marshalling were required. In response to concerns regarding the cost of providing marshals for events the Chair drew attention to the proposal in the policy that the County Council would consider establishing an accredited training course which would enable County/District Council staff to be trained at a potentially reduced cost.

Agreed: That the proposed policy and procedure for highway management associated with events on the highway is noted.

10. Transport and Asset Management Plan (TAMP)

Mr Wardale informed the meeting that the TAMP was the County Councils approved investment strategy which identified key strategic priorities for the highway authority during the period 2015-2030. The Plan represented a fundamental change in approach for the County Council away from tackling what was perceived as the worst areas first, towards one aligned to the Department for Transport's philosophy that, 'prevention is better than cure' with resources being used to reduce key maintenance backlogs through preventative methods.

Analysis had indicated the County Council required approximately £35m per annum to maintain all of its transport assets at their 2013 levels. However, the direct allocation likely to be received from central government, via the Department for Transport would only be £25m per annum and so the resulting shortfall presented a challenge to do more, or even the same, with less.

It was noted that preventative intervention works, involving treatments that were generally carried out at an earlier critical stage in an asset's life-cycle and are usually less expensive and less intrusive, were proposed to reduce maintenance backlogs. Key maintenance backlogs would be reduced over a ten to fifteen year period which would mean that the level of available funding broadly matched the amount needed to maintain all assets.

Agreed: That the principles and approach as set out in the Transport Asset Management Plan are noted and that the Forum receive updates in the future regarding implementation of the Plan.

11. Items raised by members of the Forum

a) The Walton Arms junction

Mr Wardale reported that there had been no further developments in relation to improvements at the junction.

b) Proposed changes to the structure of the County Council as a result of the agreed budget.

Mr Wardale informed the meeting that the County Council was in the process of considering all responses received in relation to its consultation on the future structure of the authority. It was noted that a new structure would be in place by April 2015 with regard to senior management with the remaining structure being operational in 2016, by which time the intent was for the workforce to have been reduced by 2,500 employees.

Agreed: That the above updates are noted.

12. Themes for future meetings.

The following items were proposed as potential themes for discussion at future meetings of the Forum.

- a) An update in relation to improvements at the Walton Arms Junction.
- b) A report on the use of 'combined authorities' in areas such as Liverpool and Manchester, where two or more local authorities form a single body with membership from each local authority in its area, to work in partnership in relation to transport and economic development functions and submit joint bids for funding in relation to large scale strategic schemes.
- c) A report on how the County Council intended to respond to the requirement for free school meals to be available for all primary school children. The report to also address any impact which the move may have had in relation to budgets connected with pupils with Special Educational Needs or Disabilities.
- d) A report on whether the use of selective licensing had led to an improvement in housing.
- e) An overview of developments across Lancashire with regard to the extraction of shale gas using the 'fracking' method and any specific proposals for such activities within the Borough.

- f) A report regarding on activities to support people who are Not in Education, Employment or Training (NEET) and also in relation to the 'Troubled Families' initiative.
- g) An overview of child sexual exploitation within Lancashire, including any published statistics and details of the procedures for reporting concerns/incidents.

Agreed:

1. That the Chair consider the above requests for reports to future meetings
2. That any additional suggestions for topics to be discussed in the future be forwarded to the Chair and Localities Officer.

13. Urgent Business.

There were items of urgent business for discussion at the meeting.

14. Date of Next Meeting.

It was noted that the next scheduled meeting would be held at 6pm on the 26th November 2014 in the Queen Elizabeth Room, Scaitcliffe House, Ormrod Street, Accrington.

I Young
County Secretary and Solicitor

County Hall
Preston