

## **Burnley Three Tier Forum**

**Note of the Meeting held on Monday, 25th November, 2013 at 6.30pm in Committee Rooms 2 and 3, Town Hall, Burnley**

### **Present:**

#### **Chair**

Councillor W Khan, Burnley Borough Council

#### **Forum Members**

County Councillor M Brindle, Lancashire County Council  
County Councillor Dr M Hassan, Lancashire County Council  
County Councillor M Johnstone, Lancashire County Council  
County Councillor T Martin, Lancashire County Council  
County Councillor J Sumner, Lancashire County Council  
Councillor J Cunningham, Burnley Borough Council  
Councillor G Frayling, Burnley Borough Council  
Councillor L Pate, Burnley Borough Council  
Councillor T Porter, Burnley Borough Council  
Councillor C Towneley, Burnley Borough Council  
Parish Councillor Ms G Smith - representing Parish and Town Councils.

Also in attendance.

County Councillor D Borrow, Deputy Leader, Lancashire County Council.  
Mr G Graham, Deputy County Treasurer, Lancashire County Council.  
Mr M Cartledge, Director of Community Services, Burnley Borough Council.  
Ms H Straw, Transport Planning Manager, LCC Environment Directorate.  
Mr H Ballantyne, Locality Officer LCC Environment Directorate.  
Mr M Neville, Senior Committee Support Officer, LCC Office of the Chief Executive.

### **1. Appointment of Chair**

**Agreed:** That Councillor W Khan is appointed as Chair of the Burnley 3 Tier Forum.

### **2. Appointment of Deputy Chair**

**Agreed:** That Councillor J Cunningham is appointed as the Deputy Chair of the Burnley 3 Tier Forum.

### **3. Membership and Terms of Reference of the Forum**

Mr Neville informed the meeting that the Terms of Reference had been amended in order to enable public participation at meetings in accordance with the views expressed at the previous meeting in connection with the future development of the Forum. It was also noted that the Forum had no delegated decision making powers and would continue to make recommendations to the appropriate Cabinet Member at the County Council or Burnley Borough Council.

The proposed Protocol in relation to public speaking was presented and the Forum agreed 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.

**Agreed:**

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

Lancashire County Council	Burnley Borough Council
County Councillor M Brindle	Councillor J Cunningham
County Councillor T Burns	Councillor G Frayling
County Councillor Dr M Hassan	Councillor W Khan
County Councillor M Johnstone	Councillor L Pate
County Councillor T Martin	Councillor T Porter
County Councillor J Sumner	Councillor C Towneley

The Parish and Town Councils representative - Councillor Gill Smith from Cliviger Parish Council.

2. That public speaking at the Burnley 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 Burnley 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**

No apologies were presented at the meeting.

#### **5. Lancashire County Council Budget**

County Councillor Borrow presented a detailed report regarding the above and informed the meeting that in response to the financial challenges which the County Council faced over the next few years consideration was being given to a range of measures aimed at securing savings of around £300m. These measures included a review of planning assumptions/forecasts which had led to a reduction of £17.4m in the level of savings required over the next four years, together with an additional £19.1m of efficiency savings

identified over the next two years and a review of the County Councils accommodation which would generate £5m of savings by 2017/18.

It was also reported that a significant element of the budget proposals related to the reshaping of services in Adult Social Care which were intended to help support people to remain living at home rather than having to move into costly residential care.

In considering the report the following issues were discussed by members of the Forum.

- In response to a query regarding potential legal challenges arising from some of the proposals Mr Graham reported that any costs associated with a legal challenge to a decision made by the County Council would be funded from reserves. He added that potential risks, including challenges, would be taken into account by the Cabinet when formulating the budget early in the New Year and the County Council operated a robust risk assessment and equality impact analysis of proposals which was intended to take account of potential risks.
- It was reported that a number of local authorities had expressed concerns regarding their ability to set future budgets and the necessity of making some hard choices regarding services. County Councillor Borrow reported that for Lancashire when considering budget proposals particular attention had been paid to services provided by the Adult Services, Health and Wellbeing Directorate and the Children and Young People's Directorate, both of which represented significant elements of the County Council's overall expenditure.
- The proposal to reduce costs by closing waste transfer stations and landfill sites on Bank Holidays was discussed and it was noted that the Borough Council was also looking at reducing some of its costs by streamlining its waste collection services.
- Concern was expressed about the impact of the budget proposals on mental health services and it was reported that the County Council was looking at ways of making better use of available resources to support people in their own homes. It was also noted that the transfer of public health responsibilities/funding to the County Council via the Health and Wellbeing Board presented an opportunity for closer working with partners in order to provide a more effective/efficient service.
- In response to a query from a member of the public County Councillor Borrow informed the meeting that the intention was for the County Council to agree a budget for 2014/15 and then focus attention on reshaping services in order to achieve more significant savings over the period up to 2017/18. Whilst it was acknowledged that there would be difficult decisions to be made over the next few years it was recognised that the County Council had established a clear direction in relation to securing significant savings, reorganising existing services and seeking to maintain a high standard of service.

It was noted that the comments of the Forum would be taken into consideration when developing further proposals to meet the remainder of the savings requirement in 2014/15 which would be presented to the County Councils Cabinet in December and January and would be the subject of further consultation.

**Agreed:** That the comments of the Forum are forwarded to the County Treasurer and presented to the County Council's Cabinet for consideration as part of the process of finalising the 2014/15 budget proposals.

## **6. Note of the last meeting**

**Agreed:** That the Note of the meeting held on the 2<sup>nd</sup> September 2013 is confirmed as an accurate record and signed by the Chair.

## **7. Action Sheet update from the Last Meeting**

The following points were raised during consideration of the updates set out in the Action Sheet.

- a) Mr Ballantyne informed the meeting that to date KFC had not responded to concerns regarding customer's headlights dazzling on coming vehicles on Trafalgar Street.
- b) The issue of unadopted roads was discussed and several members of the Forum reiterated their concerns from the previous meeting in relation to Kingsland Road in Burnley wood and the unnamed access to Hapton C of E Methodist Primary School off Manchester Road, Burnley.

Mr Ballantyne reported that unadopted roads were not the responsibility of the County Council and referred to the response from the Cabinet Member for Highways and Transportation which stated that consideration would only be given to adopting such roads if works were undertaken to bring the roads up to standard, the cost of which would be borne by the frontagers.

- c) In response to a request for the provision of a grit bin on Manchester Road in Burnley Mr Ballantyne reported that whilst the County Council would not provide such a facility on an unadopted road it was possible for the adjacent school to be put in contact with suppliers of grit via the Public Realm Manager.
- d) The results of traffic counts on Brunshaw Avenue and Morse Street were reported and it was suggested that as Brunshaw Avenue in particular saw speeds higher than the 20mph limit further action should be taken with regard to enforcement.
- e) With regard to the existing traffic calming in the Daneshouse area it was suggested that the chicane in the vicinity of the Community Centre be altered in order to provide better access, especially for buses. It was also suggested that traffic conditions around the new knowledge quarter needed to be reassessed as conditions had changed since the existing measures were put in place.
- f) The update regarding plans for Northern Rail to acquire an additional 2 car diesel unit for use on the Todmorden Curve route was noted, though there was concern regarding the quality of any existing diesel units which would become available following the electrification of lines in the North West.

### **Agreed:**

- 1. That the comments of the Forum as set out above be noted and where appropriate further information/updates provided via the Action Sheet.

2. That the Forum register its disappointment at the lack of progress and unsatisfactory situation regarding a number of unadopted roads within the Borough as discussed at the previous meeting.
3. That the Public Realm Manager be requested to investigate the need to alter the chicane in the vicinity of the Community Centre in Daneshouse in order to provide better access for buses.

## **8. Draft East Lancashire Highways and Transport Master Plan - consultation.**

Ms H Straw, Transport Planning Manager, from the County Councils Environment Directorate gave a detailed presentation in connection with the consultation on the draft East Lancashire Highways and Transport Masterplan.

In considering the draft members of the Forum made the following comments.

- With regard to the introduction of a 'Community Infrastructure Levy' (CIL) on new developments in order to provide funding for infrastructure works it was reported that the Borough Council, as planning authority, would first need to agree a local plan before considering introducing a CIL.
- The relationship between the Highways Agency and the County Council in respect of responsibility for sections of the M65 and M66 was discussed and it was suggested that improved partnership working in the future would assist in relieving some of the current traffic congestion issues.

It was further reported that the Highways Agency had commissioned a route based strategy for Lancashire which would help identify any issues on the highway network for which they were responsible and would in turn help inform decisions taken by the County Council regarding its network.

- Several members of the Forum were concerned regarding the current policy that street lighting on certain sections of highway/junctions be either dimmed or turned off completely at particular times in order to reduce costs. It was suggested that as the replacement of sodium street lights with the new LED lights had reduced running costs, the need for regular maintenance and extended the life of street lighting and that the Cabinet Member for Highways and Transportation should be asked to reconsider the current policy.
- With regard to cycling it was noted that one of the budget proposals which had been presented earlier in the meeting related to the withdrawal of adult cycle training. It was noted that whilst cycling had grown in popularity over recent years in future attention would focus of the provision and maintenance of cycle routes rather than on the provision of training.
- Proposals regarding the future development of the M65/66 and the A59 corridors were discussed and it was noted that a number of small improvements on arterial roads to proposed growth areas were planned which would assist traffic flow and reduce congestion.

**Agreed:** That the comments of the Burnley 3 Tier Forum as 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.

## **9. 2013/14 Quarter 2 Environment Directorate Performance Dashboard**

In considering the Dashboard the following matters were discussed by the members of the Forum.

- With regard to the performance figures for pothole repairs it was reported that in future the information would be presented in terms of absolute numbers of potholes that were reported/fixes within a given period and not just those which had been identified as the result of Highways Safety Inspections.
- It was noted that work had commenced on the Brun Valley Greenway.
- Concern was expressed regarding the cost of creating a new community garden at Rome Avenue and it was suggested that careful consideration be given to designing the scheme to ensure it was sustainable. It was also suggested that once completed the scheme be monitored in order to ensure it was not subject to vandalism.

**Agreed:** That the comments set out above are noted and, where appropriate, responses provided to the members of the Forum outside of the meeting.

## **10. 2014/15 Environment Directorate Commissioning Plan for Burnley**

The following points were raised by members of the Forum in relation to the list of suggested schemes for the 2014/15 capital programme which would be funded from the Local Priorities Response Fund.

- The speed limit on Princess Way was discussed and several members of the Forum expressed their concern that motorists were unclear as to the 30mph speed limit. Whilst it was recognised that given the system of street lighting and the absence of signing to the contrary motorists should assume a 30mph speed limit it was suggested that the dual carriageway caused many motorists to believe that a higher speed limit was in operation.
- It was noted that a scheme to clarify the 30mph limit had been put forward for consideration though this would cost in the region of £42,000. In view of the cost and the limited funding available it was suggested that Officers be asked to consider any minor improvements which could be introduced at a reduced cost, including use of the informal signing which was sometimes used to remind motorists of the speed limit in the vicinity of schools.
- The proposal to provide a layby on Glen View Road in Burnley was discussed and it was suggested that the scheme was not needed merely on an amenity basis but also as a result of social need and should therefore be reconsidered on that basis.

- Clarification was requested regarding the location of proposed repairs to the carriageway of the A646 Burnley Road as any road works would be likely to have an impact on the development of a wind farm in the area. In response Mr Ballantyne undertook to investigate the issue and report back via the Action Sheet.

**Agreed:** That the following recommendations from the Burnley 3 Tier Forum are forwarded to the Cabinet Member for Highways and Transportation for consideration in relation to the 2014/15 capital programme.

1. That the carriageway repairs on Richmond Avenue in the Worstorne and Cliviger area and the following footway repair schemes are considered as top priorities for funding from the Local Priorities Response Fund.

Worsthorn/Cliviger – Lindsay Park.  
Whittlefield area, Hunters Drive.  
Whittlefield area – Hargrove Avenue.

2. That the proposed scheme for a layby on Glen View Road in Burnley be reassessed on the basis of social need with a view to it being considered for inclusion in a future programme.
3. That further consideration be given to low cost improvements on Princess Way in Burnley in order to make motorists more aware of the existing 30mph speed limit in the short term.
4. That the highway improvement scheme at the Braugham Street junction be extended to include measures aimed at clarifying the existing 30mph speed limit on Princess Way in the longer term. The final scheme to be put forward for consideration in relation to the main capital programme for 2014/15.

## **11. Items raised by members of the Forum.**

### **a) Primary/Secondary School places in Burnley.**

The Forum was presented with figures regarding the current numbers of children on roll in primary/secondary schools across the Borough together with the predicted figures for 2018. In considering the information presented it was noted that the secondary school population was expected to reach its lowest level in 2016 before rising again towards 2018.

Mr Ballantyne also confirmed that whilst the impact of the UTC on the figures was not currently known it was anticipated that they would see an increase over the period.

**Agreed:** That the information presented is noted.

### **b) Details of the number of local children who attend faith schools outside the Borough.**

Mr Ballantyne informed the meeting that the figures set out in the report represented the intake in Year 7 in September 2012 only and not the total number of pupils in each school.



In considering the figures members of the Forum asked for further information to be provided which would reflect the total number of pupils attending each school between years 7 and 11. With regard to those pupils who were registered to attend Sir John Thursby School but did not start in September 2013 it was reported that the County Councils School Attendance Officer and the Children Missing Education Team would investigate whether the pupils were attending another (possibly private) school or were not in education at all.

A request was also made for the projected pupil figures for a special school in Burnley which was currently consulting on proposals to expand though it was unclear as to the expected level of demand in the future.

**Agreed:**

1. That a further report be presented to the next meeting with a more detailed analysis of the school population between years 7 and 11 across all schools in the Borough including, where possible, privately run schools.
2. That a member of the Children Missing Education Team be invited to attend the next meeting to advise the Forum on the action taken to identify what happens to pupils who do not attend school as expected.
3. That information regarding projected pupil figures is made available to members of the Forum in order to clarify whether proposals to expand a special school in Burnley would accommodate the expected level of demand in the future.

**c) Services provided by the Children and Young People/Adult and Community Services Directorates**

Members of the Forum were asked to indicate any specific issues which they wanted to be investigated in relation to the above. The movement of children from other parts of the country into care facilities within Lancashire was discussed and there were a number of concerns of the impact this would have on resources.

Clarification was also sought in relation to the apparent closure of Moorland View Residential Care facility in Dunnockshaw.

**Agreed:** That members of the Forum are provided with the following information.

1. The number of children from outside of Lancashire who are currently in care within Burnley together with the number of Burnley children who are placed in care outside of the County.
2. The educational attainment of children who are in care in Lancashire.
3. The arrangements in place in order to help young people who leave care in Lancashire with housing and employment.
4. An update regarding the status of Moorland View Residential Care facility in Dunnockshaw.

## **12. Themes for future meetings**

The following themes were suggested for discussion at future meetings.

- School places in Burnley/Padiham and Hapton – as discussed earlier in the meeting.
- The transfer of funding for public health from the NHS into the County Council via the Lancashire Health and Wellbeing Board and it was suggested that the Director of Public Health be invited to attend the meeting and address the Forum.
- Adult social care and the care of young people.
- Road safety.
- Modernising of services.

With regard to the final three suggestions the Chair asked that members of the Forum contact the Locality Officer outside of the meeting in order to identify any specific issues/concerns which may then form the basis of debate.

**Agreed:** That the above suggestions for items of business at future meetings be considered by the Chair and Locality Officer.

## **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 would be held at 6.30pm on the 14<sup>th</sup> April 2014 in Committee Rooms 2 and 3 at the Town Hall, Manchester Road, Burnley.

Ian Fisher  
County Secretary and Solicitor

County Hall  
Preston

**ANNEX**

### **Protocol for Public Speaking at the Burnley 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 25<sup>th</sup> November 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 25<sup>th</sup> November 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.