

EXECUTIVE BOARD

11th August 2016

PRESENT

COUNCILLOR:

Mohammed Khan
Maureen Bateson
Damian Talbot
Mustafa Desai
Jim Smith
Phil Riley
Arshid Mahmood

PORTFOLIO:

Leader
Children's Services
Leisure, Culture & Young People
Health & Adult Social Care
Environment
Regeneration
Neighbourhoods & Prevention Services

EXECUTIVE MEMBER

John Slater

NON-PORTFOLIO

Leader of the Conservative Group

ALSO IN ATTENDANCE

Hamza Khan, Youth MP, and Joshua Logan,
Deputy Youth MP

	Item	Action
1	<u>Welcome & Apologies</u> The Leader of the Council, Councillor Mohammed Khan welcomed all present to the meeting. Apologies were received from Councillors Andy Kay and Mustafa Desai and the Deputy Youth MPs, Ummah Shah and Joshua Logan.	
2	<u>Minutes of the Meeting held on 14th July 2016</u> The minutes of the meeting of the Executive Board held on 14 th July 2016 were agreed as a correct record.	Approved
3	<u>Declarations of Interest</u> There were no Declarations of Interest submitted.	
4	<u>Equality Implications</u> The Chair asked Members to confirm that they had considered and understood any Equality Impact Assessments associated with reports on the agenda ahead of making any decisions.	Confirmed

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5	<p><u>Public Forum</u></p> <p>In accordance with Part 4 of the Executive Board Procedure Rules for questions/statements by members of the public, the following questions/statements have been received, details of which are set out below:-</p> <table border="1"> <thead> <tr> <th>Name of Person asking the Question</th> <th>Subject Area</th> <th>Response by</th> </tr> </thead> <tbody> <tr> <td>John Hall</td> <td>Griffin Lodge</td> <td>Councillor Mohammed Khan</td> </tr> </tbody> </table>	Name of Person asking the Question	Subject Area	Response by	John Hall	Griffin Lodge	Councillor Mohammed Khan	
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John Hall	Griffin Lodge	Councillor Mohammed Khan						
6	<p><u>Questions by Non-Executive Members</u></p> <p>No questions from Non-Executive Members had been received.</p>							
7	<p><u>Youth MPs Update</u></p> <p>The Youth MP and Deputy Youth MPs provided a verbal update on recent activities and events including:</p> <ul style="list-style-type: none"> • Attendance at the recent annual MYP sitting at York. • Visits to Youth Clubs and also Greenfields Junior Club – the main issue discussed there was the astroturf/MUGA (multi-use games area) • A visit to KND (Kids Next Door) a youth club specifically for young people on the autistic spectrum. • Attendance at a graffiti project presentation on ‘Risk Taking behaviour’ by Darwen Youth Club. • Darwen Youth Festival attracted 300 people, a great day had by all despite technical hitches with the power to the stage. • The Youth MPs would be attending Youthforia at Wigan in September. • There were more plans to visit youth clubs over the next few weeks. <p>The Youth MP, Hamza Khan, delivered a presentation entitled ‘Lift your Lid’ which had been referred to at the last Executive Board Meeting. The Executive Members discussed the issues raised with Hamza and were impressed by the work that had gone into the project which highlighted the dilemmas facing young people in terms of risk taking behaviours and which outlined the help available to them.</p>	Noted						
8.1	<p><u>Leader’s update</u></p> <p>Councillor Mohammed Khan verbally reported on the recent ‘Good Neighbours’ Awards event at King George’s Hall on 29th July. There had been over 70 nominations, with 9 winners ranging from the ages of 7 to 93.</p>	Noted						

	Item	Action
8.2.1	<p><u>Decision to award following procurement exercise for statutory advocacy services</u></p> <p>A report was submitted recommending that the Executive Board approved the award of the contract for Advocacy from 1st September 2016, to the successful bidder, subject to the agreement of a detailed transfer and delivery implementation plan.</p> <p>A paper was presented to Adults Senior Leadership team in November 2015 requesting permission to go out to procurement, as the existing contracts were coming to an end, and arrangements to commission jointly with LCC were being dismantled. A procurement exercise was undertaken via the CHEST. The successful bidder gained the highest scores for both Lot 1 and Lot 2. There would be benefits to Blackburn with Darwen Borough Council consolidating all advocacy services under one contract, in terms of Contract Monitoring and continuity of provision for service users who move from one category of advocacy to another. Through the appointment of a single provider for both contract lots, it would also be possible for the provider to flex its resources to ensure that demand can be managed effectively across the different strands, and also when capacity permits, to deliver a non-statutory advocacy provision.</p> <p>It is intended that the performance and capacity of the provider would be actively managed and monitored. The detail of this performance management would be agreed with the successful bidder prior to the contract commencement. As the successful bidder was not the incumbent provider, a period of planning would be put in place prior to the start date to ensure an effective and appropriate handover.</p> <p>RESOLVED – That the Executive Board:</p> <ol style="list-style-type: none"> 1. Approves the award of the contract for NHS Independent Health Complaints Advocacy to the successful bidder; 2. Approves the award of the contract for Independent Mental Capacity Advocacy, Deprivation of Liberty, Relevant Persons Representative, Independent Mental Health Advocacy and Care Act Advocacy to the successful bidder; and 3. Notes that the Services will commence following the transfer of cases from the current providers, for a period of 3 years, subject to a plan being developed and implemented by the provider, and agreed by the commissioner, for the safe TUPE of staff, and transfer of cases. The level of funding is set for the first year, but subject to renegotiation in years two and three. 	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>Approved</p> <p>Approved</p> <p>Noted</p>
8.4	<p><u>Environment</u></p> <p>Councillor Jim Smith verbally reported on recently introduced recycling sessions for children in the Sudell area of Darwen, led by</p>	<p>Noted</p>

	Item	Action
	<p>Finance and IT, in consultation with the Executive Member for Resources and the Deputy Chief Executive, on the basis of the most economically advantageous tender.</p> <p>3. Notes that the contract term would be for a period of 5 years with the Council having the option to extend for a further period of up to 5 years.</p>	<p>Noted</p> <p>Noted</p>
9.1	<p><u>Development of Extra Care Supported Housing at Albion Mill</u></p> <p>The Executive Member for Health and Adult Social Care advised that this item would be deferred as more clarity was required.</p>	<p>Deferred</p>
9.2	<p><u>Corporate Budget Monitoring Report 2016/17 –Quarter 1 June 2016</u></p> <p>Members received a report on the overall financial position of the Council, both capital and revenue, highlighting major issues and explaining variations in the first quarter of the financial year.</p> <p>The projected aggregate cost of the Council’s capital investment for 2016/17 had now increased from £23.811 million, as approved by Finance Council on 29th February 2016, to £40.902 million. The variation of £17.091 million (detailed at Appendix 2), reflected both the variations to the programme following the finalisation of the outturn position for 2015/16 (£7.090 million) and the variation to programmes made during the first quarter of the year (£10.001 million).</p> <p>As at 30th June 2016, the capital expenditure across the portfolios was £1.476 million (3.6% of the current projected spend).</p> <p>The estimate of capital receipts expected in 2016/17 was £2.1 million. To date £605,000 capital receipts had been received.</p> <p>Actual revenue expenditure at 30th June 2016 in relation to cash limited budgets across all portfolios was £22.447 million, which was 19.9% of the current budget. Details of the forecast year end position for each portfolio were outlined in Section 6.</p> <p>General Fund unallocated reserves of £4.767 million were forecasted for 31st March 2017 subject to the final outturn position and application of earmarked reserves.</p> <p>Earmarked reserves available to the Council were forecasted to be £13.543 million at 31st March 2017 compared with £18.305 million at 31st March 2016, with a further £20.123 million of other reserves largely in relation to schools.</p> <p>RESOLVED - That the Executive Board:</p> <p>1. Approves the revised capital programme as per Appendix 1,</p>	<p>Approved</p>

	Item	Action
	<p>together with the variations shown in Appendix 2;</p> <p>2. Approves the variations to revenue expenditure listed in Section 6 giving rise to a forecast balance of £4.767 million in the unallocated General Fund revenue reserve at 31st March 2017, subject to the final outturn position for 2016/17 and the application of earmarked reserves; and</p> <p>3. Approves the cash limit adjustments outlined in Appendix 3.</p>	<p>Approved</p> <p>Approved</p>
10.1	<p><u>Petition – Review of Cockerels/Livestock on 104-106 Council owned garden sites/allotments</u></p> <p>The Executive Board was advised that further to the receipt of the petition to retain unauthorised cockerels on Tockholes Road Garden site reported to the Executive Board on 10th September 2015. Capita were instructed to undertake a review of the current livestock policy relating to allotments and leisure garden sites within the borough.</p> <p>The petition reviewed by the Council had been signed by 71 local residents residing in 37 properties in close proximity to the Tockholes Road Garden site. The petition highlighted that some of the residents had no objections to the keeping of the cockerels on the site, but there were no details as to how many of the other 200 plus properties in the immediate vicinity of this one site supported or opposed the proposal.</p> <p>In 2012, a similar petition was received from 11 of the tenants of the garden plots objecting to the enforcement of the ban on keeping cockerels. The Executive Board decision dated 13th September 2012 approved the recommendations contained within the report of not allowing cockerels on the garden plots in accordance with the Council's policy on the keeping of livestock on garden areas and allotments.</p> <p>In total there were over 1000 Blackburn with Darwen owned statutory allotments and leisure garden plots across 63 sites within the Borough. All sites are located in or adjacent to populated residential areas and were not considered suitable for the keeping of cockerels due to noise nuisance. There had been an increasing number of noise pollution and nuisance complaints within the Borough. These have risen from 8 in 2009/2010 to 32 in 2014/2015.</p> <p>The statistics had been provided by the Council's Public Protection Service indicated that the number of complaints concerning animals and birds over the last six years had increased significantly. The Council's Senior Environmental Health Officer had confirmed that the majority of the complaints were regarding cockerels.</p> <p>The Council had served statutory nuisance notices on cockerel keepers over this period and that a number of them have had to dispose of their animals due to the nuisance that they caused.</p> <p>The advice from the Poultry Club of Great Britain was that poultry keepers do not need a cockerel unless they are required for breeding</p>	

	Item	Action
	<p>purposes.</p> <p>Furthermore the Public Protection Service had indicated that each nuisance investigation took time to investigate and resolve and that limited resources means that services would be stretched should a relaxation of policy lead to an even greater increase in the number of complaints requiring investigation.</p> <p>Having regard to the proximity of allotments and garden sites to residential areas and the comments of the Public Protection Service it was recommended that the Council retained the existing policy that cockerels should continue not to be permitted on allotments or garden plots.</p> <p>A large number of other authorities across the UK had recently re-affirmed their own no cockerel policies as a result of growing complaints.</p> <p>RESOLVED – That the Executive Board:</p> <p>Retain the existing policy of not permitting cockerels on any of the statutory allotment sites or leisure garden sites within the Borough.</p> <p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND THE PUBLIC WERE EXCLUDED FROM THE MEETING</p>	
11.1	<p><u>Development of Extra Care Supported Housing at Albion Mill</u></p> <p>The Executive Member for Health and Adult Social Care advised that this item would be deferred as more clarity was required.</p>	Deferred
11.2	<p><u>Delegation of Authority to award the contract for replacement of the Council's Finance System</u></p> <p>Further to the report submitted at agenda item 8.8.1, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Notes the progress of the procurement process to date; 2. Delegates the authority to award the contract to the Director of Finance and IT, in consultation with the Executive Member for Resources and the Deputy Chief Executive, on the basis of the most economically advantageous tender; and 3. Notes that the contract term would be for a period of 5 years with the Council having the option to extend for a further period of up to 5 years. 	Noted Approved Noted
11.3	<p><u>Decision to award following procurement exercise for Statutory advocacy services</u></p>	

	Item	Action
	<p>Further to the report submitted at agenda item 8.2, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Approves the award of the contract for NHS Independent Health Complaints Advocacy to N-Compass; 2. Approves the award of the contract for Independent Mental Capacity Advocacy, Deprivation of Liberty, Relevant Persons Representative, Independent Mental Health Advocacy and Care Act Advocacy to N-Compass; and 3. Notes that the Services would commence following the transfer of cases from the current providers, for a period of 3 years, subject to a plan being developed and implemented by the provider, and agreed by the commissioner, for the safe TUPE of staff, and transfer of cases. The level of funding is set for the first year, but subject to renegotiation in years two and three. <p style="text-align: center;">Signed at a meeting of the Board on the day of (being the next ensuing meeting of the Board) Chair of the meeting at which the minutes were confirmed</p>	<p></p> <p>Approved</p> <p>Approved</p> <p>Noted</p>