

# Public Document Pack

## Annual Council

Thursday, 16th May, 2019

6.00 pm

Council Chamber, Old Town Hall, Blackburn

---

### AGENDA

1. Welcome and Apologies
2. Prayers by the Mayor's Chaplain
3. The Election of Mayor for 2019/20
4. The Election of Deputy Mayor for 2019/20
5. Tribute to the newly elected Mayor
6. Vote of thanks to the retiring Mayor Councillor Pat McFall

Please note at this point there will be a short adjournment to allow guests to leave the meeting if they wish.

- |     |  |         |
|-----|--|---------|
| 7.  | Minutes of the Council Forum Meeting held on 28th March 2019<br>March 2019 Minutes         | 2 - 6   |
| 8.  | Election Results - May 2019<br>Report_-_Election_Results                                   | 7 - 8   |
| 9.  | Council Appointments for 2019/20<br>Council_appointments_for_2019-20                       | 9 - 10  |
| 10. | Mayoralty 2019-20<br>Mayoralty_from_2019-20  | 11 - 12 |
| 11. | Appointments to Various Bodies, Groups and Panels 2019/20<br>Outside_Bodies_Report_2019-20 | 13 - 15 |

### PART 2: ITEMS FOR CONSIDERATION IN PRIVATE

Date Published: Wednesday, 08 May 2019  
Denise Park, Chief Executive

**COUNCIL FORUM**  
**Thursday, 28 March 2019**

**PRESENT** –*The Mayor Councillor Pat McFall, Councillors Afzal, Akhtar H, Akhtar P, Batan, Bateson, Brookfield, Casey, Connor, Daley, Fazal, Floyd, Gee, Groves, Gunn, Hardman, Harling, Hussain F, Hussain I, Hussain S, Jan-Virmaini, Kay, Khan M, Khan Z, Khonat, Liddle, Mahmood, Marrow, McGurk, Oates, Patel, Pearson, Rigby C, Rigby J, Riley, Salton, Shorrocks, Slater Jo, Slater Ju, Slater N, Slater Ja, Smith D, Smith J, Talbot, Taylor and Whittle.*

**RESOLUTIONS**

**70 Apologies for Absence**

Apologies were submitted on behalf of Councillors Mahfooz Hussain, Naushad Surve, Roy Davies, Salim Sidat and Kieran Richards.

*At this point of the meeting, a minutes silence was observed to remember former Councillor Henry Dickinson, who had recently passed away.*

**71 Minutes Of the Finance Council meeting held on 25<sup>th</sup> February 2019.**

**RESOLVED** – That the Minutes of the Finance Council meeting held on 25<sup>th</sup> February 2019 be agreed as a correct record.

**72 Declarations of Interest**

No Declarations of Interest were received.

**73 Mayoral Communications**

The Mayor advised that the Mayor's Ball would be held on the next day, 29<sup>th</sup> March 2019, and that it was hoped all who attended would have a great night.

The Mayor commented that this would be the last Council Forum meeting that the Chief Executive, Harry Catherall, would attend and she led the tributes to his excellent work for over 20 years at the Council. The Leaders of the Labour and Conservative groups also paid tribute and thanked the outgoing Chief Executive for his significant contribution to the Borough. The Chief Executive responded to the tributes and thanked Members and staff for their support over the years, and made reference to some of the highlights of his time as Chief Executive.

**74 Council Forum**

No questions had been submitted by members of the public.

**75 To consider Motions submitted under Procedure Rule 12**

No Motions had been submitted under Procedure Rule 12.

## 76 LGA Corporate Peer Challenge

Members received a report which outlined the Council's response to the recommendations from the Local Government Association's (LGA) Corporate Peer Challenge which was undertaken at the Council in December 2018.

The LGA undertook a Peer Review at Blackburn with Darwen Council from 3-6 December 2018 providing an external perspective on how well the Council was performing and on its future plans.

The feedback report from the LGA, following their Corporate Peer Challenge, was reported to Executive Board on 14<sup>th</sup> February and outlined 11 key recommendations. In addition to these, there were other highlights from the final report which were outlined in the report for the Council to consider as part of the wider feedback.

The LGA had asked the Council to reflect on their findings and suggestions. Appended to the report was a table which outlined the key recommendations from the Peer Review and how the Council was responding. The Leader, Executive Members and Management Board would oversee actions and Policy Council in December 2019 would be asked to review the recommendations of the Peer Review and how they had informed our work programme.

The recommendations from the Peer Review which the Council wished to take forward would be measured through council performance reporting and business planning mechanisms. The LGA also intended to undertake a follow up 'light touch' visit in the next 12 – 24 months to help the Council assess the impact of the peer challenge and the progress it had made against the areas of improvement and development identified by the Peer Team.

**RESOLVED – That:**

- a) The contents of this report be noted; and
- b) The Council's response to the LGA's recommendations be endorsed.

## 77 Corporate Plan 2019-2023

A report was submitted seeking agreement for the Council to adopt the new Corporate Plan 2019 – 2023, from May 2019 and note that a refreshed performance framework would be developed to underpin the Corporate Plan.

Policy Council in December 2018 agreed that a new Corporate Plan 2019-2023 be developed, underpinned by a refreshed performance framework.

As reported at Policy Council in detail, the new Plan was informed by several key pieces of work and activity including independent economic analysis, refreshed Joint Strategic Needs Assessment (JSNA), a LSP summit held with our partners in October, the resident's survey undertaken in November and the LGA Peer Review at the end of the year.

Based on all of this activity and reflecting on the current corporate priorities, four strategic themes had been identified and underpinned by eight corporate priorities outlined in the report.

The Plan was a relatively brief strategic document highlighting the core priorities for the Council over the next four years and was underpinned by departmental business plans and other strategies and plans such as the workforce strategy, digital strategy, social integration strategy.

Subject to Council Forum approval, it was proposed that the new Corporate Plan be launched after Annual Council in May alongside the new performance framework. The Plan would be available digitally on the Council website.

**RESOLVED** - That:

- a) The core content of the new Corporate Plan be approved and that it be launched after Annual Council; and
- b) It be noted that a new performance framework will be developed to underpin the new Corporate Plan.

## **78 Councillor Disclosure and Barring Checks**

Council Forum received a report containing proposed revisions to the current policy on the safeguarding and probity checks applied to Councillors.

In January the Council Forum noted that the Committee had looked at the current practice regarding undertaking police checks via the appropriate regulations. Currently all prospective councillors made a personal declaration on nomination for office as regards criminal convictions, however when elected unless their terms of office include specific health, childrens or vulnerable adults related activity, the current national regulations did not permit the Council to ask Councillors to agree to enhanced police and barred list checks.

The Standards Committee however considered that given the important role played by Councillors in the Community and the general expectations of the public as regards probity and integrity, it would be reasonable for the Council to adopt a policy where every Councillor following their election be expected to agree to a police conviction check, known as a basic disclosure, which was permitted within the regulations.

The Standards Committee also expressed the view that the cost of any basic disclosures should be borne by the Councillor, funded from their members allowance. The cycle of re-checks, being the election cycle (i.e. every 4 years).

Any new arrangements would need to be set out in a written DBS Policy approved by Council. Subject to the consideration of this report by the Council Forum it was suggested therefore that the Monitoring Officer be asked to develop a Policy which would include would fully set out the process for carrying out checks, the type of DBS check, retention/storage of

the DBS certificates, renewal, portability, the use of the disclosure information, access to information and what actions would be taken and by whom on the disclosure of convictions.

The Standards Committee also considered that the role of the modern councillor by its nature meant regular `unsupervised` access to and representation of vulnerable people in a variety of settings and they felt the current rules prohibiting the higher `enhanced` level of check for all councillors should be reconsidered by government.

In this context the Standards Committee requested that the Council Forum agree that the Chief Executive be asked to write to the Secretary of State for Housing, Communities and Local Government, to express the view that in support of the Code of Conduct for Councilors and the expectations as referenced in the Section 27(2) of the Localism Act 2011, all elected members of Council's should be subject of `enhanced` disclosure and barring services checks.

### **RESOLVED –**

1. That following election each councillor be asked to undertake a basic disclosure check which would detail any unspent convictions in line with the Rehabilitation of Offenders Act;
2. Subject to 1) above, to agree that following election any councillor who by nature of occupation/role has a DBS certificate of not more than 4 years old be allowed to utilise this certificate (known as portability) to meet requirement 1, but will be asked to undertake a basic disclosure check on the anniversary of the 4<sup>th</sup> year of the issuing of this certificate or submit a revised (portability based) certificate at that time;
3. Subject to 1) above, to agree, that the cost of the basic disclosure, currently £25, be borne by the councillor from their allowances payments;
4. Subject to 1) – 3) above, and in order to implement the new arrangements ask the Monitoring Officer to develop a DBS Policy incorporating these new arrangements as set out in this report in consultation with the Standards Committee, bringing the Policy for approval of full council in the summer; and
5. To agree that the Chief Executive write to the Secretary of State for Housing, Communities and Local Government, to express the view that in support of the Code of Conduct for Councilors and the expectations as referenced in the Section 27(2) of the Localism Act 201, all elected members of Council's should be subject of `enhanced` disclosure and barring services checks.

**79 Updates from other Committees**

Update reports from the Standards Committee, Policy and Corporate Resources, PEOPLE and PLACE Overview and Scrutiny Committees were presented by the respective Chairs.

**RESOLVED** – That the update reports be noted.

**80 Reports of the Executive Members with Portfolios:**

The Leader and Executive Members presented their update reports to the Council Forum, providing verbal updates as appropriate.

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

**81 Year Planner 2019/20**

The revised Year Planner 2019/20 was submitted for approval, following submission of the draft version to Council Forum in January.

It was noted that the date for Civic Sunday 2020 had now been changed to Sunday 24<sup>th</sup> May 2020.

**RESOLVED** – That the Year Planner 2019/20 as amended be agreed.

**82 To consider any questions received from Members under Procedure Rule 11**

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

Signed at a meeting of the Annual Council  
on Thursday, 16<sup>th</sup> May 2019  
(being the ensuing meeting on the Council Forum) by

MAYOR



|                   |   |
|-------------------|---|
| <b>REPORT OF:</b> | <b>DIRECTOR OF HR, LEGAL &amp; GOVERNANCE</b> |
| <b>TO:</b>        | <b>ANNUAL COUNCIL</b>                         |
| <b>ON:</b>        | <b>16<sup>th</sup> MAY 2019</b>               |

---

**SUBJECT: LOCAL GOVERNMENT ELECTIONS – BLACKBURN WITH DARWEN BOROUGH COUNCIL - MAY 2019**

---

## **1. PURPOSE OF THE REPORT**

To report the local election results from the local government elections held on 2nd May 2019.

## **2. RECOMMENDATIONS**

To note the results of the elections to the Council held on 2<sup>nd</sup> May 2019.

## **3. LOCAL ELECTIONS 2019**

On 2<sup>nd</sup> May 2019 the local elections for a third of the seats on the Council were held and the results are set out in the link below:

<https://democracy.blackburn.gov.uk/mgElectionResults.aspx?ID=1&RPID=335024>

## **4. POLICY IMPLICATIONS**

None

## **6. FINANCIAL IMPLICATIONS**

None

## **7. LEGAL IMPLICATIONS**

The election of Councillors in May 2019 to represent the Borough of Blackburn with Darwen was in accordance with the Blackburn with Darwen (Electoral Changes) Order 2017.

## **8. RESOURCE IMPLICATIONS**

None

## **9. EQUALITY IMPLICATIONS**

None

## **10. CONSULTATIONS**

None

Contact Officer: David Fairclough, Director for HR Legal & Corporate Services  
(01254 585642)

Date: 2 May 2019

Background Papers: Local Government Election results 2019



|                   |                                 |
|-------------------|---------------------------------|
| <b>REPORT OF:</b> | <b>CHIEF EXECUTIVE</b>          |
| <b>TO:</b>        | <b>ANNUAL COUNCIL</b>           |
| <b>ON:</b>        | <b>16<sup>th</sup> May 2019</b> |

---

## **COUNCIL APPOINTMENTS FOR 2019/20**

---

### **1. PURPOSE OF THE REPORT**

To make Council appointments for 2019/20.

### **2. ANNUAL COUNCIL APPOINTMENTS**

At the Annual Meeting of the Council each year, Council notes the appointment of various Members as well as appointing Chairs and Vice Chairs to Committees.

The Council is requested to:

1. Note the Leader's appointment of the Executive Board Members;
2. Note the Shadow Portfolio Members; and
3. Appoint Chairs, Vice Chairs and Members to the following Committees:
  - Policy and Corporate Resources Overview and Scrutiny Committee
  - Place Overview & Scrutiny Committee
  - Peoples Overview & Scrutiny Committee
  - Planning & Highways Committee
  - Licensing Committee
  - Audit and Governance Committee
  - Standards Committee
  - Call-in Committee
  - Charitable Funds Committee

The Licensing Committee has established Sub-Committees consisting of three members of the Committee to deal with licensing applications. A rota of Members is drawn up with the Chair or Vice Chair leading each Sub-Committee meeting.

The Call-in Committee is chaired by the Vice Chair of Policy and Corporate Resources and is made up of eight other Members,

appointed by Political Group Leaders according to the proportionality of the Council at the time. For 2019/20, the full membership is Labour x Conservative x.

**3 MEMBERSHIP OF COMMITTEES**

Members of the Executive Board cannot serve on any Overview and Scrutiny Committee.

Political parties make nominations to the Committees listed in 2 above. Places are allocated in line with the Local Government and Housing Act 1989 (ss.15-17) as regards proportionality. Political Group nominations will be circulated prior to the meeting of Annual Council.

**4 RECOMMENDATIONS**

- 1) That Council notes the appointment of the Executive Board Members;
- 2) That Council notes the Shadow Portfolio Members;
- 3) That appointments be made to the positions detailed in Paragraph 2, subsection 3; and
- 4) That Council note the provisions relating to political balance, referred to in Paragraph 3.

(Note: That in the event the Group nominations are not available before the Annual Meeting the decisions on appointment of Members to Committees can be delegated to the Group Leaders to agree the appointments).

**Denise Park  
Chief Executive  
8<sup>th</sup> May 2019**

Background Papers: Council Constitution  
Contact Officers: David Fairclough (tel: 585642)  
Phil Llewellyn (tel:585369)



**REPORT TO: ANNUAL COUNCIL**  
**FROM: CHIEF EXECUTIVE**  
**DATE: 16<sup>th</sup> May 2019**

**PORTFOLIOS AFFECTED: All**

**WARDS AFFECTED: All**

---

|                        |                              |
|------------------------|------------------------------|
| <b>TITLE OF REPORT</b> | <b>THE MAYORALTY 2019/20</b> |
|------------------------|------------------------------|

---

## **1. PURPOSE**

To consider arrangements for the nominations to office of Mayor and Deputy Mayor following the Elections in May 2019.

## **2. RECOMMENDATIONS**

The Annual Council:

1. Confirms the appointment of Councillor Jim Shorrocks as Mayor of the Borough for 2019/20; and
2. Confirms that in accordance with the rotation arrangements agreed at Annual Council in May 2018 that it is the Labour Group's turn to nominate the Deputy Mayor for 2019/20 and notes the appointment made earlier in the meeting.

## **3. BACKGROUND**

Annual Council formally appoints Members of the Council to the office of Mayor and Deputy Mayor for the forthcoming Municipal year. The Member appointed to the position of Deputy Mayor is normally appointed to the office of Mayor in the following year.

At previous meetings of the Council Forum it has been agreed that the rotation of the nomination to the Office of Mayor between the political groups be based on proportionality of the Council, and an agreed rotation would be set for the next five years.

Annual Council in May 2018 determined the rotation arrangements for 2018/19 onwards. The rotation for the next 5 years was determined as follows:

2018/19 Labour  
2019/20 Labour  
2020/21 Labour  
2021/22 Conservative  
2022/23 Labour

A report on the appointment of the Mayor is submitted to the Annual Council each year, and in the event that the proportionality of the Council changes going forward in a way that would affect the nomination of Mayor for a particular year, a report on this matter would be submitted for Council's consideration.

In accordance with the above, it would be for the Labour Group to nominate the Mayor for 2019, who in line with usual practice would be the serving Deputy Mayor, which in this case is Councillor Jim Shorrocks.

As referred to above, it is also the turn of the Labour Group to nominate the Deputy Mayor for 2019/20.

**4. FINANCIAL IMPLICATIONS**

The Office of Mayor is funded from the Council's annual budget..

**5. LEGAL IMPLICATIONS**

The Office of Mayor is provided for in the Council's Constitution.

**6. RESOURCE IMPLICATIONS**

None

**7. EQUALITY IMPLICATIONS**

None

**8. CONSULTATIONS**

None

Contact Officers: David Fairclough, Director for HR Legal & Corporate Services (01254 585642)

Phil Llewellyn, Governance and Democratic Manager (01254 585369).

Date: 8th May 2019

Background Papers: None



**REPORT OF:** CHIEF EXECUTIVE

**TO:** ANNUAL COUNCIL

**ON:** 16<sup>th</sup> May 2019

## APPOINTMENTS TO VARIOUS BODIES, GROUPS AND PANELS 2019/20

### 1. PURPOSE OF THE REPORT

To request the Council to consider the appointment of representatives to serve on various Bodies, Groups and Panels.

### 2. BACKGROUND

The Council Constitution provides the Council with authority to appoint representatives to Outside Bodies. The Council is asked to consider nominations to the Outside Bodies, and Blackburn with Darwen Borough Council Partnership Bodies.

### 3. APPOINTMENTS

#### Outside Bodies

At the Annual Council Meeting on 21<sup>st</sup> June 2001 the following was approved in relation to Outside Body appointments (Minute 13 refers):-

*This Council believes that when considering appointments to Outside Bodies it should seek to reflect the political composition of the Council as closely as possible.*

*It therefore resolves that, with the exclusion of those nominations made by reference to political office (that is Leader of the Council, Leaders of the Political Groups, Executive Board Members, Chairs of Committees or their nominees) or to the Mayor and Deputy, appointments be made on the following basis:-*

1. *When there is only one representative it is from the controlling Group.*
2. *Where there is more than one representative the places are allocated in the same proportion as the political composition of the Council.*
3. *That discussions take place between representatives of all political Groups at the start of the Council Year to agree the allocation of seats in accordance with (1) and (2).*

*4. When seats become vacant during the Council Year, the political party allocated the seat in (3) has the right to nominate a replacement.*

As referenced below in the recommendations when the Outside Bodies list has been agreed it will be submitted to the next available Council meeting.

### **Blackburn with Darwen Borough Council Partnership Bodies**

Members of the Council serve on various partnership bodies. Appointments to these may be determined by the constitution of the body concerned, or have been made previously by the Executive or an appropriate Committee of the Council.

If the political Group nominations are available they will be circulated before the Annual Meeting.

### **Appeals and other bodies**

The Council is asked to establish a panel of fifteen members to form an Appeals Panel to consider, in accordance with the Constitution and any statutory provisions:

- Discretionary Grant, School and Post School Transport Appeals
- Social Services Review Panel
- Any other Appeals as appropriate

If the Political Group nominations are available they will be circulated before the Annual Meeting.

## **4. RECOMMENDATIONS**

4.1 That in the first instance, (as is usual practice) each of the organisations listed on the outside bodies, and partnership bodies list is contacted to establish;

That their Terms Of Reference / Articles Of Association have not changed and still require Council Representation in the same capacity, for the same tenure, and what added value will be mutually brought by such engagement. Subject to which;

4.2 That following the process outlined in Section 3 above, nominations will be confirmed as the Council's representatives to serve until the end of the current Municipal Year; or if a longer period of office is shown, until that date; unless during the Municipal Year the Leader amends the appointments to take account of changed requirements.

4.3 That fifteen Members be appointed to serve on the panel of Members to deal with appeals.

(Note: As is usual practice, the decisions on representation can be delegated to the Group Leaders to agree the appointments. The nominations to the Lancashire Combined Fire Authority will need to be agreed so that appointments can be affected by the Clerk to the Authority as soon as possible).

**Denise Park  
Chief Executive  
9<sup>th</sup> May 2019**

Background Papers:  
Contact :

Outside Bodies File  
Phil Llewellyn ( Tel 585369)  
Asad Laher (Tel 585495)