

Annual Council

Thursday, 4th June, 2020

6.00 pm

Council Chamber, Old Town Hall, Blackburn - Virtual Meeting, see Agenda Front Sheet for link
(Remote meeting via MS TEAMS LIVE, see link below)

[Join Meeting Here](#)

AGENDA

1. **Welcome and Apologies**
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2. **Prayers by the Mayor's Chaplain**
3. **Constitution Update May 2020**
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Supplementary Council Procedure Rules.BwD - Remote Meetings
Protocol - BwD Remote Meetings
4. **The Election of Mayor 2020/2021**
5. **The Election of Deputy Mayor 2020/2021**
6. **Tribute to the newly elected Mayor**
7. **Vote of thanks to the Outgoing Mayor, Councillor Jim Shorrocks**
8. **Minutes of the Finance Council Meeting held on 24th February 2020**
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9. **Declarations of Interest**
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10. **Establishment of a Joint Health Overview and Scrutiny Committee - Blackburn with Darwen, Lancashire South,**

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Date Published: Wednesday, 27 May 2020
Denise Park, Chief Executive



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

**GUIDANCE NOTE
for the proceedings
of the Annual Council**

Thursday, 4th June 2020

(The Chief Executive to read out the notice convening the meeting).

1. The Chief Executive will announce that the first item of business is to receive apologies for absence.
2. The Chief Executive will ask the Mayor's Chaplain to say prayers.
3. The Chief Executive will announce that the next item of business is a Minutes Silence for Councillor John Pearson who sadly passed away recently, for Aya Hachem who was tragically killed and for all those who have lost their lives during the Covid-19 pandemic in the Borough.

As we remember all those who have died from the Covid-19 virus we especially remember Dave Cooper a member of staff in the Council who was an accomplished surveyor and polling station presiding officer known to many, who sadly died in April from the virus.

4. The Chief Executive will announce that the next item of business is a report detailing changes to the Constitution, including the new arrangements for remote meetings.
5. The Chief Executive will announce that the next item of business is the Election of Mayor for 2020/21. Councillor **Shaukat Hussain** will formally nominate **Councillor Iftakhar Hussain** as Mayor of the Borough for the Municipal Year **2020/2021** and **Councillor Mohammed Khan** will second the nomination.

The Mayor will ask the Members of Council to agree the nomination of **Councillor Iftakhar Hussain** as Mayor.

The Mayor to declare **Iftakhar Hussain** duly elected Mayor of the Borough.

6. The Chief Executive to announce that the next item of business is the appointment of the Deputy Mayor for 2020/2021 and ask for nominations.

Councillor Paul Marrow to formally nominate **Councillor Derek Hardman** as Deputy Mayor of the Borough and **Councillor Mohammed Khan** to second the nomination.

The Mayor will declare **Councillor Derek Hardman** as Deputy Mayor of the Borough for the 2020/2021 Municipal Year.

7. A tribute to the Mayor will be made by **Councillor Shaukat Hussain and Councillor Mohammed Khan**.
8. The Mayor will return thanks for his Election via a short video.
9. Vote of thanks to the Retiring Mayor, Consort and Mayoress proposed by **Councillor Andy Kay** and seconded by **Councillor Phil Riley**.
10. The Retiring Mayor will acknowledge the vote of thanks.

11. **The Newly Elected Mayor is now in the Chair.** The Chief Executive will announce that the next item of business is to agree the Minutes of the Finance Council meeting held on 24th February 2020.
12. The Chief Executive will announce that the next item of business is receive any Declarations of Interest.
13. The Chief Executive will announce that the next item of business is a report on Establishment of a Joint Health Overview and Scrutiny Committee - Blackburn with Darwen, Lancashire, South Cumbria and Blackpool.
14. The Chief Executive to announce that the next item of business is Council Appointments for 2020/21.
 - a) Report of the Chief Executive.
 - b) The Leader will table a list of Executive and Lead Members for information.
 - c) The Leader of the Conservative Group will table a list of Shadow Portfolio Members.
15. The Chief Executive to announce that the next item of business is to receive a report on the Mayoralty 2020/21.
16. The Chief Executive will announce that the next item of business is appointments to Various Bodies, Groups and Panels for 2020/21.
17. The Mayor will thank all for their attendance and close the meeting.



REPORT OF:	DIRECTOR OF HR, LEGAL & GOVERNANCE
	DIRECTOR OF FINANCE & CUSTOMER SERVICES
TO:	COUNCIL FORUM
ON:	4th June 2020

SUBJECT: CONSTITUTION UPDATE & REMOTE MEETINGS PROTOCOL AND PROCEDURE RULES

1. PURPOSE OF THE REPORT

To request the Council approve an update to the Audit & Governance Committee's terms of reference and adopt the Supplementary Remote Meetings Procedures Rules and Protocol.

2. RECOMMENDATIONS

The Council is asked to:

1. Approve the revisions to the Audit & Governance Committee's Terms of Reference as set out in this report.
2. Approve the Supplementary Remote Meetings Procedures Rules and Protocol (Appendix 1 & Appendix 2) for all council meetings held remotely whilst the Regulations that permit remote meetings remain in force, until 7 May 2021.

3. CONSTITUTION UPDATE

The Constitution was last updated in July 2019.

The Constitution is a key document setting out the governance framework of the Council. From time to time the constitution needs to be updated to reflect changes in legislation, resolutions passed by Council, portfolio changes made by the Leader, and changes made to the Council management structure and delegations.

The Monitoring Officer and Section 151 Officers also review and update generally the Constitution to ensure continued compliance with legislation.

The main changes/updates in this report relate to the re-alignment of `Terms of Reference` of the Audit & Governance Committee with those suggested and included in the latest CIPFA Guidance. The changes proposed are highlighted below from the current Section 9 content:

"Section 9 Audit and Governance Committee

Statement of Purpose:

Our Audit and Governance Committee is a key component of Blackburn with Darwen Borough Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. The purpose of the Audit and Governance Committee is to:

- provide independent assurance to the Council of the adequacy of the risk management framework and the internal control environment and the extent to which these meet the objectives of the Local Code of Corporate Governance;
- provide independent review of the Council's governance, risk management and control frameworks;
- oversee the financial reporting and annual governance processes; and
- oversee internal and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Governance, Risk and Control:

The Audit and Governance Committee will:

1. Review the Council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance;
2. Review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account Internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control;
3. Consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements;
4. Consider the framework of assurance (including the Management Accountabilities Framework) and ensure that it adequately addresses the risks and priorities of the Council;
5. Monitor the effective development and operation of risk management in the Council, including information governance arrangements;
6. Monitor progress in addressing risk-related issues reported to the Committee;
7. Consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions;
8. Review the assessment of fraud risks and potential harm to the Council from fraud and corruption;
9. Ensure that the Council maintains a robust counter fraud culture via the implementation of a counter fraud strategy backed up by effective controls and procedures, which define the respective roles of management and Internal Audit and Monitor the Counter Fraud strategy, actions and resources; and
10. To review the Governance and Assurance arrangements for significant partnership or collaborations.

Internal Audit

The Audit and Governance Committee will:

1. Approve the internal audit charter;
2. Approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources;
3. Approve significant interim changes to the risk-based internal audit plan and resource requirements;
4. Make appropriate enquiries of both management and the Head of Audit & Assurance to determine if there are any inappropriate scope or resource limitations;
5. Consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing, of the Head of Audit and Assurance, and to approve and periodically review safeguards to limit such impairments.
6. Consider reports from the Head of Audit & Assurance on internal audit's performance during the year. These will include:
 - a) Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work.
 - b) Regular reports on the results of the Quality Assurance and Improvement Programme.
 - c) Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.
7. Consider the Head of Audit & Assurance's annual report, including:
 - a) The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit.
 - b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion and the

implications of any significant matters identified – these will assist the Committee in reviewing the Annual Governance Statement.

8. Consider an annual risk management report.
9. Consider summaries of specific internal audit reports as requested.
10. Receive reports outlining the action taken where the Head of Audit & Assurance has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
11. Contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
12. Consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations; and
13. To provide free and unfettered access to the Chair of the Audit and Governance Committee for the Head of Audit and Assurance, including the opportunity for a private meeting with the Committee.

External Audit

The Audit and Governance Committee will:

1. Support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments.
2. Consider the external auditor's annual letter, relevant reports, and the report to those charged with governance prior to publication of the annual accounts;
3. Consider specific reports as agreed with the external auditor;
4. Comment on the scope and depth of external audit work and to ensure it is effective and gives value for money;
5. Commission work from internal and external audit, or other consultants, where applicable; and
6. Advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

Financial Reporting

The Audit and Governance Committee will:

1. Review the draft annual statement of accounts prior to approval. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council; and
2. Consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Treasury Management

The Audit and Governance Committee will:

1. Review and Monitor the Council's treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice
2. Ensure effective scrutiny of the treasury management strategy and policies;
3. Review the treasury management risk profile and adequacy of risk management processes; and
4. Consider reports on treasury management activity during the year. ; and 5. Receive and review assurance on treasury management activity;

Accountability Arrangements

The Audit and Governance Committee will:

1. Report to those charged with governance on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks; financial reporting arrangements, and internal and external audit functions.
2. Report to full Council on an annual basis outlining the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.
3. Publish an annual report on the work of the Committee

Authority

The Committee is authorised by the Council to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee, including those of partner organisations, and all employees are directed to co-operate with any request made by the Committee.

Frequency of Meetings

*The Committee will normally meet **five** times each year to fulfil its requirements.*

Programme

In order to meet its principal responsibilities during the year, the Committee will consider the reports and /activities outlined in the Annual Audit Plan:

*The programme itself will develop over time as new statutory responsibilities are introduced and the timetable may vary. **for example, as the Council is required to close its accounts earlier each year.***

Membership

The Committee will consist of 6 members appointed by Full Council. In addition, the Executive Member for Finance & Governance will also attend each Committee meeting.

The Leader of the Council and all Executive Members are precluded from being voting members of the Committee.

A quorum shall be 3 Members.

New Committee members will be required to undertake appropriate induction training to enable them to adequately perform their duties as and when necessary.

Attendance

Committee members are expected to make every effort to attend all meetings, where this is not possible a substitute should be nominated.

*To achieve these objectives, the Committee will depend principally on the attendance of the Chief Executive, Director of Finance and Customer Services, Director of HR, Legal & Governance Services and the Head of Audit & Assurance or their nominated representatives, **as appropriate**. The Council's external auditors, external advisors, **Directors or senior managers** may be required to attend as and when **requested by the Committee**.*

Reporting

*The **annual Audit and Governance Committee** Report will be formally reported to Full Council.*

Further reports will be made in those cases where the Committee considers matters must be formally brought to the attention of Full Council.

4 REMOTE MEETINGS

Due to the current COVID 19 pandemic the Government has temporarily removed the legal requirement for local authorities to hold public meetings in person. Under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, Councils are able to hold public meetings virtually by using video or telephone conferencing technology, including allowing remote access by members of the public. The Regulations apply to different types of council meetings, including full council meetings, Executive Board and committees. They also allow Councils the flexibility to make other procedure rules relating to remote attendance regarding voting, member and public access to meeting documents and the remote access of the public and press to meetings by electronic means, such as telephone conference, video conference, and live webcasts and live interactive streaming.

5. POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful. The Regulations will enable essential decision-making to continue whilst upholding democratic principles and enabling all to comply with the public health guidance.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

The Local Government Act 2000 requires local authorities to prepare, keep up-to-date and publicise their constitution.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Regulations") came into force on 4 April 2020 and apply to local authority meetings (and Police and Crime Panel meetings) which are required to be held before 7 May 2021, and confers statutory powers to hold remote meetings. The Regulations also make provision for authorities to make changes to their procedure rules to facilitate remote meetings convened under this new power and enable local authorities to deal with the practicalities of holding remote meetings. These include voting, member and public access to documents and remote access of public and press. These changes to the procedure rules would be by way of an addendum/supplementary document to the procedure rules contained in the constitution. This power also provides an opportunity for councils to establish protocols for use by members and the public. The Regulations apply to meetings of a local authority, an executive of a local authority, a joint committee of two or more local authorities, and a committee or sub-committee of any of those bodies.

Regulation 5 makes it clear that any reference in other legislation that local authority meetings must involve persons being present in the same place can now be met by councillors attending remotely, provided certain conditions are met:

These are that members in remote attendance must at all times be able:

- to hear (and where possible see) and be so heard (and where possible be seen) by the other members in attendance
- to hear (and where possible see) and so be heard (and where possible be seen), by any member of the public entitled to attend the meeting; and
- to be heard (and where possible be seen) by any other member of the public so entitled who are present or accessing the meeting remotely.

The Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings.

8. RESOURCE IMPLICATIONS

In order to facilitate remote meetings, suitable conferencing facilities (such as MS Teams Live) would need to be installed to allow members and officers to join meetings remotely, and also provide the public remote access. IT have already been working with Democratic Services in setting up and testing the facility and ensuring that Members can use the facility from their devices. Distance training and practice meetings before going live may also need to take place.

9. EQUALITY IMPLICATIONS

The constitution update reflects changes in legislation and guidance. It also reflects various resolutions passed at Council, which would have been subject to an equality assessment, if any.

10. CONSULTATIONS

Council Chief/Senior Officers and Members

Contact Officer: David Fairclough, Director of HR Legal & Governance
(01254 585642)

Louise Mattinson, Director of Finance & Customer Services
(01254 585600)

Date: 26th May 2020

Background Papers: CIPFA Guidance 2018



Blackburn with Darwen Borough Council

Supplementary Council Procedure Rules – Remote Meetings

1. Applicability

- 1.1 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the Regulations”) made under section 78 of the Coronavirus Act 2020 enable meetings of local authorities to be held virtually/remotely for the period until 7 May 2021.
- 1.2 These Supplementary Council Procedure Rules shall apply to any meetings of the following Council bodies which the Chief Executive determines shall be held virtually/remotely in the period up until 7 May 2021: Council, Executive Board, Committee, Sub-Committee, Forum or Panel
- 1.3 These Supplementary Council Procedure Rules should be read in conjunction with Council Procedure Rules and the Executive Board Procedure Rules in Part 4, Sections 1 and 4, respectively in the Constitution. Wherever there is a conflict, these Supplementary Council Procedure Rules will take precedence in relation to any remote meeting.
- 1.4 Unless otherwise stated or modified below all Council Procedure Rules and Executive Board Procedure Rules shall continue in force.

2. Notice of Meetings and Public Access

- 2.1. The proper officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting, which will be available on the Council’s website. The ‘place’ at which the meeting is held will not be limited to a physical location and the method (including remote meeting) will be specified on the summons or agenda for the meeting in question. It may include virtual locations and remote conferencing facilities.

2.2. A meeting is deemed to be open to the public if it is available online that enables public access to the meeting remotely through video conferencing facilities or through an audio link or by other electronic means.

3. Access to Documents

3.1 Agendas and other relevant documents will be published in accordance with normal statutory provisions and will be considered publicly available even if they are only available on the Council's website.

3.2 Members will be notified of meetings and details of the agenda in the usual manner via email. Agendas and accompanying papers will be available on the Council's website and through the Modern.gov system.

4 Attendance

4.1 Members, the public and the press will be encouraged to use the relevant video conferencing facilities to attend a meeting remotely.

4.2 If the meeting is in a physical location, a Member is considered in attendance if they can be heard, (and where practicable be visible) to those in attendance at the meeting in the normal manner.

4.3 For meetings in virtual locations, a Member is in attendance if they can be heard, (and where practicable be visible) to those who are in attendance via conferencing technology, and those in attendance via an online stream.

4.4 Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and where practicable be visible) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and where practicable be visible) those other Members participating.

4.5 In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.

4.6 No meeting may take place in the absence of advisory officers and a Governance Services Officer. All other notice and agenda requirements shall apply.

5. Quorum

5.1 A quorum is reached provided the total number of Members in physical and remote attendance, as defined by the Regulations, meets the relevant

threshold in the Constitution; see in particular Council Procedure Rule 9.

5.2 At the start (or at any reconvening) of the meeting, the Chair will check that all Members on the body (including any substitutes) are present by confirming that they can see and hear all participating members disregarding any apologies for absence. Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.

5.3 The attendance of those members at the meeting will be recorded by the Governance Services Officer.

5.4 In the event of any apparent failure of the video, telephone or conferencing connection, the Chair should immediately determine if the meeting is still quorate:

- if there is quorum, the Chair may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time then the business of the meeting will continue providing the public are able to hear; or
- if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, (usually 10 – 15 minutes), to allow the connection to be re-established.

5.5 If a connection to a Member is lost during a regulatory meeting (Planning & Highways Committee and Licensing Sub Committee), the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion if they would not have heard all the facts.

6. Access to Meetings – Members of the Public

6.1 Remote access for members of the public, the press and Members who are not attending to participate in the meeting will need to be provided.

6.2 Any member of the public participating in a meeting remotely in exercise of their right to speak at Council or in regulatory or other meetings must when they are speaking be able to be heard (and where practicable be visible) by all other Members in attendance. The remote participant must, in turn, be able to hear (and where practicable be visible) those other members participating and, heard and where practicable, be seen by any other members of the public attending.

- 6.3 Where it is determined that the technological solution does not effectively provide for public participation or is unable to join remotely, arrangements will be made for receipt of representations in writing only. Submissions, petitions or questions received from the public will then be read out by the Governance Services officer.
- 6.4 If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

7. Meeting Procedure

- 7.1 The Governance Services Officer will control the video, telephone or conferencing technology for remote access, and attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Chair.
- 7.2 The Council will put in place a technological solution (e.g. MS Teams Live) that will enable Members participating in meetings remotely to indicate their wish to speak via this solution, replacing the physical practices or rules concerning raising one's hand, standing or expressing a desire to speak.
- 7.3 In respect of key committees, it will assist the meeting if those Members who wish to speak on a particular item could indicate their wish to speak to the Chair and to the Governance Services Officer in advance of the start of the meeting where possible. Group Leaders are also encouraged to co-ordinate this activity wherever possible in respect of full Council meetings and other meetings likely to result in a high number of requests to speak. This is particularly important if Members are unable to participate via video conference.
- 7.4 The Chair will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 7.5 The Chair, at the beginning of the meeting, will explain the protocol for member and any public participation, and the rules of debate. The Chair's ruling during the debate will be final.

8. Voting

- 8.1 For virtual meetings, and meetings in a physical location which have Members in remote attendance, votes will be determined by a consensus. If there is no consensus, voting will be carried out by a roll call. This will not be considered

a recorded vote and will not be recorded in the minutes unless individual Members require this in accordance with the Constitution, or there is a statutory requirement.

8.2 The method of voting will be by roll call as follows:

- the Chairman calling out the name of each member present;
- the Members stating 'for', 'against', or 'abstain' to indicate their vote on the matter being voted upon when their name is called
- the Chairman clearly stating the result of the vote

9. Speaking - Control by Chair

9.1 The meeting will be controlled by the Chair, with speaking only through them. Members will request to speak through use of the application being used (MS Teams Live). The Chair will invite Members to speak. This includes when they are raising a point of order, making a personal explanation or proposing an amendment.

10. Questions by the Public (Council, Executive Board, Overview & Scrutiny Committees, Health & Well-being Board)

10.1 Questioners will be asked whether they can attend virtually, if they cannot then the questions and answers will be taken as written submissions and there will be no right to ask a supplementary question.

11. Public Speaking Arrangements for Planning & Highways Committee and Licensing Sub-Committee

Planning & Highways Committee

11.1 Speakers (supporters/objectors) will contact the Governance Services team to request and register to speak remotely at a meeting and will be provided with details and instructions. As an alternative, they will be offered an opportunity to submit a statement of up to 500 words in lieu of speaking in which case they need to submit the statement by 9 am on the day prior to the date of the meeting. The statement would be provided to the committee members in advance and the Chair will confirm receipt when the application is considered at the virtual meeting, and the statement will be read out by the Governance Services Officer.

Licensing Sub-Committee

11.2 Taxi Drivers or Operators who have been invited to the Sub Committee for a

review – namely consideration as to whether their licences will be revoked or suspended in the light of information regarding their fit and proper status - will indicate their virtual attendance by contacting the Governance team in advance to obtain details and instructions and submit any relevant documents as normal, at least five days before the meeting. They will also indicate whether their solicitor, or any witnesses will be attending virtually, or whether the witness will be submitting a written statement in lieu of attending. Contact details shall be made available to the Council only with the written permission of those persons.

11.3 An interested party may also submit a written statement in lieu of attending and this will be subject to the same deadline.

12. Declarations of Interest

12.1 Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Governance Services who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

12.2 If a Member declares any other interest, then this will be recorded in the usual way and the Member can continue to participate.

13. Exclusion of Press and Public

13.1 There are times when Council meetings are not open to the public, when confidential or exempt business (as defined in Schedule 12A to the Local Government Act 1972) is under consideration. If the meeting moves into a 'Part 2' session, the Governance Services Officer will end the public broadcasting or recording of the meeting and ensure that there are no members of the public and press in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

13.2 Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

13.3 Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Members' Code of Conduct responsibilities.



Blackburn with Darwen Borough Council

Protocol – Guidance for Virtual/Remote Meetings

Preliminary Points

So why remote meetings and how do they work?

Basically the operation of Virtual Meetings provides for any council meeting to be observed by the public without the need for any Councilor or Member of the Public to attend in person. The arrangements have been brought in temporarily due to Covid-19 social distancing and the other measures designed to reduce the incidence of potential spread of the corona virus.

In practice, elected members can participate remotely in meetings observed by the Public utilising `Teams Software`. The meetings are managed (administrated) by Democratic Services who working with the Chair of a meeting produce a `public streaming` of the meeting via switching video filming between speakers at meetings.

The meeting will start with the camera observing the Chair presenting the meeting and/or showing the Agenda and procedure to follow. As the meeting progresses, when the Chair invites presenters of items or speakers, the camera is switch from the Chair to the individual speaker for the time they are speaking, that is the video the public see. As each speaker concludes their question or statement the video moves to the next speaker and so on.

This video is continuously streamed live and recordings are made so that even if a member of the public misses a meeting they can catch up via watching the recording via the council website later.

What should I consider before joining a virtual/remote meeting?

- Ensure you are wearing appropriate clothing reflecting the status of the meeting.
- Ensure nothing inappropriate can be seen in your background. (*Some versions of Microsoft Teams have a facility to blur out your background if desired*).
- Where background cannot be digitally obscured, have an appropriate background ensuring you do not have any personal items in view in order to protect your

privacy and that of your home. (A blank wall with no personal pictures for example)

- Ensure you are well lit and not in silhouette against a bright background.
- Consider your body language and how you want to present – this comes across strongly in the video format.
- Sound quality is important too. Choose a quiet room. Try to ensure you are not likely to be disturbed by noise coming from other parts of your house or outside – e.g. pets, music, washing machines, traffic etc. which can become exaggerated by your microphone and cause a distraction in a video conference.
- Try to ensure all other occupants of your house know you are in a meeting and don't make unexpected or unintended interruptions.
- Bear in mind that some meetings may contain confidential information so you must make arrangements to ensure that other members of your household do not overhear.
- Be careful to not allow exempt or confidential papers to be seen in the camera/video-feed.
- Smartphones or devices placed on your lap are not recommended. Involuntary movement of the camera is very distracting to your audience, and will detract from what you are saying.
- Place your device on a hard surface such as a desk or table top to keep the camera steady, the microphone unimpeded, and your head and shoulders in the frame at all times.

Joining a Microsoft Teams meeting

- Open Microsoft Teams, click on the “Calendar” and click to “join” the appropriate meeting. Please try to join the video conference at least 15 minutes before the start to allow yourself and the Governance Officer the opportunity to test the equipment
- Mute your microphone and turn off your video at all times unless you have been given leave to speak by the Chair of the meeting. You may find headphones help to block out distractions and focus your attention on the conference.

Running the Meeting – Etiquette and the Chair's Role

- Video conferencing depends on the observance of strict etiquette and the Chair's direction. Participants are called to speak by the Chair. Points should be made quickly and then the Chair moves on to the next 'caller'/participant.
- The Chair of a meeting should be mindful of the need to ensure fairness at all times when conducting meetings which are held remotely.
- All participants should keep their contributions short and succinct. The Chair of the meeting must maintain strict control. Where a degree of cross-party conversation

may be tolerated in a conventional meeting, such behaviour in a video conference will render the meeting inaudible to all.

- Each Member should familiarise themselves with the order of the agenda and items before the meeting.
- The chair will run through the preliminaries (webcasting announcement, apologies etc.), - see draft script in the **Appendix** to this Protocol.
- The Chair will then invite the relevant Member/Officer to present each item in turn.
- At the conclusion of the Member/Officer presentation, the Chair will invite Members in turn to speak. Members may indicate if they wish to speak using 'Chat' as described above.
- Members may only speak when invited to by the Chair.
- Only one person may speak at any one time.
- Any Member wishing to speak should indicate by inserting a `Q` in the chat section of the Teams Meeting.
- The Chat should not be used for any other purpose during the meeting – records of the chat are open for all Councillors/Officers to view/access
- The Chair will monitor with the support of Democratic Services the Chat Service
- When invited to Speak by the Chair the Member should state their name before addressing the meeting (i.e. "Councillor Example and I want to ask..."
This is because the meeting is being broadcast on the internet)
- When referring to a specific part of a report, Members should mention the page/paragraph number so that all participants and members of the public have a clear understanding of what is being discussed at all times.
- Remember to unmute your microphone and switch on your video when you speak and mute your microphone and switch off your video again when you finish.
- Remember that your remarks/views as in normal meetings are open to public scrutiny but particularly in this format are permanently digitally recorded in full and published in full on the Council's website.
- Documents can be shared on screen during presentations.

Appendix - Chair's Opening Remarks

Good evening (and welcome members of the public) to this meeting of

This meeting is being held 'virtually' in accordance with Part 2 of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 – and the Council's Supplementary Council Procedure Rules.

In summary, the Regulations were brought in as a response to the Coronavirus epidemic. They remove the requirement for Members to be physically present in the room. They allow us to debate, participate and vote through remote video conferencing while observing the social distancing measures needed to restrict the spread of the virus.

Can I ask all Members and officers to observe the following principles:

- **Please mute your microphone and turn off your video** at all times unless I have called upon you to speak.
- **Remember to mute your microphone and turn off your video again** when you have finished.
- Indicate at the start of the meeting if you wish to speak and through the MS Teams Chat channel if you wish to speak again. I will call Members to speak at my discretion and according to the demands of the agenda.
- In terms of voting, for a small meeting I will ask each councillor in turn.
- In terms of voting, for a large meeting the votes will be determined by a consensus. If there is no consensus, voting will be carried out by a roll call.

While this formality may seem a little strange to members used to open debate across the floor of the chamber, I hope everyone will understand the overall benefits for the conduct of virtual meetings if we all observe the discipline of this process.

FINANCE COUNCIL Monday, 24 February 2020

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

RESOLUTIONS

49 Apologies for Absence

Apologies for absence were received from Councillors Hussain S and Fazal.

50 Minutes of the Council Forum Meeting held on 23rd January 2020

RESOLVED - The Minutes of the meeting held on 23rd January 2020 were agreed as a correct record.

51 Declarations of Interest

Declarations of Interest in Agenda Item 11 (Council Tax Scheme 2020/21) were received from Councillors Akhtar H, Akhtar P, Batan, Groves, Khan M, Khonat, Mahmood, McGurk, Patel, Sidat, Talbot, Taylor, Connor, Gee, Hardman and Marrow.

52 Mayoral Communications

The Mayor reported on recent events he had attended, and advised that he had now attended around 300 engagements. The Mayor reminded Councillors that tickets for the Mayor's Ball were still available.

The Mayor advised that this would be Councillor Jamie Groves last meeting before moving to Spain, and he thanked him for his contribution to the Council and the Borough and passed on the best wishes of the Council.

53 Capital Strategy 2020/21

Members received a report seeking approval for the 2020/21 Capital Strategy, set out in Appendix 1. The Capital Strategy gave a high-level overview of how the Council's capital expenditure, capital financing and treasury management activity contributed to the provision of local public services, along with an overview of how associated risks were managed and the implications for future financial sustainability.

Decisions made on capital and treasury management would have financial consequences for the Authority for many years into the future. Therefore decisions were subject to both a national regulatory framework and to a local policy framework, summarised in the report.

RESOLVED-

That the Capital Strategy for 2020/21 (in Appendix 1), be approved including:
the proposed Flexible Use of Capital Receipts Strategy, outlined in **Appendix 3**

the Minimum Revenue Provision (MRP) Statement, which determines the Council's policy for repayment of debt (**Appendix 4**)

the proposed prudential indicators for the forthcoming year (**Appendix 5**);

the proposed Investment Strategy for 2020/21, as outlined in **Appendix 6**.

54 The Robustness of the 2020/21 Budget and the Recommended Level of Reserves

Members were reminded that Section 25 of the Local Government Act 2003 placed a statutory requirement on the Council's Chief Financial Officer to report on:

- 1 the robustness of the estimates within the overall budget, and
- 2 the adequacy of the proposed level of financial reserves

In setting the Budget for 2020/21, Council was required to have regard to the report when making its budget decisions.

The information provided was to assist Members in their review of the overall Revenue Budget and Capital Programme and to provide assurance to them that financial advice had been provided throughout the budget setting process.

RESOLVED –

That Finance Council note that:

An overall assessment of the proposed 2020/21 budget, and the assumptions on which this is based, including savings plans and activity forecasts, has identified that whilst there are risks, the overall budget provisions for the year are considered sufficient to meet the Council's legal responsibilities and obligations.

A review of risks, mitigations and contingencies has also been undertaken alongside the review of reserves and provisions.

Note the assessment by the Director of Finance and Customer Services of;

the robustness of the Revenue Budget and Capital Programme for 2020/21 (as outlined in the report of the Executive Member for Finance and Governance) and

the adequacy and recommended level of proposed financial reserves (detailed in **Section 5.2**).

55 **Revenue Budget 2020/21, Medium Term Financial Strategy and Capital Programme 2020-23**

The Executive Member for Finance and Governance, Councillor Vicky McGurk, on behalf of the Labour Group, presented proposals for the Revenue Budget 2020/21, together with the Medium Term Financial Strategy (MTFS) and Capital Programme for 2020-2023.

The paper noted that in 2010 the Conservative and Liberal Democratic coalition Government began the programme of austerity which had prevailed until the present day. The programme signalled the start of an unprecedented level of financial challenges across the public sector which has led to significant cuts across many areas.

Over the period 2010/11 to 2019/20;

- the Council has had the largest reduction in Core Spending Power of all Unitary authorities at 30.5% (£51.7million), which was the 32nd largest reduction out of all 350 local authorities in the country
- the Centre for Cities report published in January 2019 outlined that between 2009/10 and 2017/18, Blackburn with Darwen had the 5th largest real-term fall in total local government spending across the country
- latest IMD statistics showed that the Borough was ranked 9th in a list of the most deprived local authorities in the country.

The extreme financial challenges, coupled with rising demand for services due to high levels of deprivation, had meant that reserves had been utilised in order to deliver services. As at 31st March 2019, when compared to all other Unitary Authorities, Blackburn with Darwen had the 5th lowest level of reserves as a percentage net of revenue expenditure.

Whilst Finance Council approved a balanced budget for 2019/20 and a Medium Term Financial Strategy (MTFS) for the period through to 2021/22 back in February 2019, this was predicated on some very challenging assumptions.

The MTFS approved by Finance Council in February 2019 identified a budget gap of £5.7 million for 2020/21 based on the financial data and demand information available at that time. However as 2019/20 has progressed, the pressures identified had increased, in line with the national picture for upper tier authorities, including further rises in demand in Children's Services, particularly in relation to placement demand and costs due to the number of looked after children in the Borough, along with further pressures on highways and the escalating costs in relation to waste disposal.

To address these pressures during 2019/20 the Authority had used both earmarked and unallocated reserves but, as some of these additional costs

are of a recurring nature and will require further support in 2020/21 and beyond, they will need to be addressed through further savings, re-prioritisation of resources and from additional income. Details of the movement in the Budget Gap for 2020/21 were set out in Appendix B.

The assumptions for 2020/21 contained within the MTFs back in February 2019 were heavily caveated given the uncertainty of the future Local Government funding regime. The Government has for several years continued to state its intention to fundamentally change the way in which Councils are funded, however, the demands of Brexit, a change in Prime Minister in July 2019 and a 'snap' general election in December 2019 had brought a halt to the development of any of these changes.

Given that the Government had still not shared proposals for their intended approach, nor the mechanisms for calculating any local government finance settlement, the future funding arrangements beyond 2020/21 were impossible to plan for with any certainty. Therefore in preparing the MTFs, the year 2020/21 had been focussed on until more clarity was provided over the next 12 months. Whilst figures for 2021/22 and 2022/23 were included within the report, these were based on scenario modelling for the impact of possible changes to funding streams, together with estimates of the future cost of existing services and the financial impact of emerging cost pressures, all of which are detailed in Appendix D. Council would be updated on any changes to these assumptions as further information was provided during the course of 2020/21.

The paper set out the Labour Group's proposed Revenue Budget, Capital Programme and associated Council Tax level for 2020/21 together with the MTFs for the period 2020-2023 based on a review of the existing assumptions and data to reflect the most current information available.

In delivering the budget for 2020/21 and in trying to develop the MTFs, despite the significant uncertainties regarding future funding mechanisms and the impact of this on the Council's level of resource, there had been a review of the budget pressures faced across all of the portfolios and the impact of actual and potential reductions in funding.

In the period since December 2019 work had been ongoing to re-align budgets, by reviewing each income and expenditure line within each cost centre of each portfolio, identifying cost pressures and shortfalls against income targets, and conversely identifying any areas where budget could be reallocated, i.e. due to reductions in expenditure or where actual income was exceeding target, to offset in part the overspends faced.

This exercise was being led by the Director of Finance and Customer Services who would provide financial challenge and recommendations to each portfolio based on her findings. This would take some time to complete and would extend into 2020/21; any further baselining of budgets required would be actioned as soon as possible.

Whilst the Council was recommended to approve a balanced budget for 2020/21, this was predicated on the delivery of a further savings programme that had been developed, and in the most part implemented, over the

course of 2019/20. It was also based on the containment of all emerging cost pressures within each portfolio.

An overview of some of the most significant cost pressures within the portfolios was outlined in the report. In particular, it was highlighted that in support of the Government's waste and resource strategy, and given the savings to be made from separating paper and cardboard from current mixed recycling, Members were recommended (as per the Recommendation at Section 2.13 of the report) to approve the introduction of a separate bin for paper and card. A capital investment of up to £1.5million would enable the Council to deliver annual revenue savings of £0.8 million.

As noted in the report 'The Robustness of the 2020/21 Budget and the Recommended Level of Reserves', the Director of Finance and Customer Services was recommending to Finance Council that the minimum level of Unallocated Reserves for 2020/21 remains at £4.0m.

The assumptions made within the budget proposals, which were in line with those made by the Government, were that the Council would increase Council Tax in 2020/21 by 3.99% reflecting;

- 1.99% - general increase in Council Tax to cover increases in the cost of Council services
- 2.00% - to assist it in meeting expenditure on adult social care functions.

The MTFS 2020 to 2023 at Appendix D had been reviewed and updated, incorporating;

- the one year funding settlement for 2020/21,
- estimates for income and resources for 2021/22 and 2022/23, acknowledging that these were made in the absence of any information or detail regarding the allocation of local government funding for 2021/22 and beyond (i.e. the redistribution of local government funding as determined by the Fair Funding Review, the mechanics of the future Business Rates Retention Scheme, and the future provision and allocation of any other Government grant funding streams)
- other projections, forecasts and assumptions in relation to expenditure, inflation, interest rates, pensions, as outlined in Appendix D.

The proposed revenue Budget Strategy would continue to focus on delivering the Council's priorities and would try to minimise the impact of spending cuts through the delivery of quality efficient and effective services to, and for, the citizens of the Borough, whilst ensuring the Council operated within the financial constraints imposed by central Government.

Following debate there then followed a recorded vote, with Councillors

voting as follows:

FOR

Councillors: Afzal, Akhtar H, Akhtar P, Batan, Bateson, Brookfield, Casey, Desai, Floyd, Groves, Gunn, Harling, Hussain I, Hussain M, Jan-Virmani, Kay, Khan M, Khan Z, Khonat, Liddle, Mahmood, McFall, McGurk, Oates, Patel, Rawat, Riley, Sidat, Smith D, Smith J, Talbot, Taylor, Whittle, and the Mayor.

AGAINST

Councillors: Connor, Daley, Gee, Hardman, Marrow, Pearson, Rigby C, Rigby J, Salton, Slater Ja, Slater Jo, Slater Ju, and Slater N.

ABSTAIN

Councillors: Browne and Davies.

RESOLVED – That Finance Council:

Approve the proposals for the Revenue Budget for the financial year 2020/21 as outlined in this report and specifically;

- 2.1 Approve an increase in Council Tax rates of 1.99% (i.e. a weekly increase of £0.58 for Band D Council Tax payers and of £0.39 for Band A Council Tax payers)
- 2.2 Approve an additional increase in Council Tax rates of 2.0% to meet the costs of Adult Social Care, as provided for in central government guidance and the associated calculation of Local Authority Core Spending Power, (i.e. a weekly increase of £0.58 for Band D Council Tax payers and of £0.39 for Band A Council Tax payers)
- 2.3 Note the individual portfolio controllable budgets for 2020/21 as set out in **Appendix A**
- 2.4 Note the work that has been undertaken to implement the £4.7m savings programme (as outlined at **Section 6**) to ensure a balanced budget in 2020/21 and to offset any other emerging cost pressures in-year and/or replenish reserves ahead of any more significant savings that may be required from 2021/22, once the outcome of the Fair Funding Review and Business Rates Retention Reviews are known.
- 2.5 Note the significant risks and uncertainty that underpin the assumptions contained within the MTFs for the financial year 2021/22, due to the lack of information that is yet to be provided by central Government including;
 - the mechanisms for Business Rates Retention,
 - the outcome of the Fair Funding Review and the resulting redistribution of resource,
 - the Government's plan to address the future of social care

which the Prime Minister has said he will issue later this year and which is intrinsically linked to the future plans for the integration of health and adult social care and the potential changes in associated funding streams

- the impact of Brexit
- 2.6 Approve the utilisation of the Earmarked Reserves, as detailed in the *Robustness of the 2020/21 Budget and the Recommended Level of Reserves Report*
- 2.7 Delegate authority for the agreement of hourly rates and contract changes for social care providers for 2020/21, arising from the impact of the increase in the National Living Wage, to the Executive Member for Adult Services and Prevention, in consultation with the Executive Member for Finance and Governance and the Directors of Finance and Customer Services and Adults and Prevention.
- 2.8 Approve the proposals for the Capital Programme for the period 2020-2023 as outlined in **Appendix C** and **Section 8** of this report
- 2.9 Approve the draft Medium Term Financial Strategy 2020-2023, as per **Appendix D** of this report
- 2.10 Approve, subject to recommendation **2.1** and **2.2** outlined above, the consequent Council Tax levels detailed in the formal resolution within the report from the Director of Finance & Customer Services
- 2.11 Exercise the flexibility given by central government to increase the premium charge on empty properties, to note the decision taken at Finance Council in February 2019 to increase the premium charge on empty properties as follows;
- for those properties that have been vacant for five years or more to 200% with effect from 1st April 2020
 - for those which have been vacant for ten years or more to 300% with effect from 1st April 2021
- 2.12 Approve the Pay Policy Statement prepared in accordance with the requirements of Section 38 of the Localism Act 2011, to have effect for the year 2020/21 unless replaced or varied by the Council, as set out in **Appendix E**.
- 2.13 Approve the introduction of a blue recycling bin for paper and card, thereby preventing approximately 1,800 tonnes of recyclable waste going to landfill each year. As outlined in **Section 6.1.3** of this report, following the recent tender exercise for the processing of recyclates, a capital investment of up to £1.5million will enable the council to deliver annual revenue savings of £0.8 million.
- 2.14 Approve the upfront payment of the Council's Pension Deficit Contribution and the estimated Future Service Contributions for current employees who are members of the pension scheme for the period 1st April 2020 to 31st March 2023, as outlined in **Section 6.2.3** and **6.2.6** of the report.

56 Council Tax 2020/21

A report was submitted on the Council's requirement to set amounts of Council Tax before 11th March in the financial year preceding that for which it was set.

In setting its Council Tax requirement, the Council had to take into account any funding from reserves, income it expected to raise and general funding it would receive from Government as part of the Local Government Finance Settlement. In setting its Council Tax requirement, the Council took into account any funding from reserves, income it expected to raise and general funding it would receive from Government as part of the Local Government Finance Settlement.

The Council was also required to set a basic amount of Council Tax for the financial year 2020/21. The Council Tax was set on the basis of:

- a) The precept on the Collection Fund issued by the Police and Crime Commissioner for Lancashire.
- b) The precept on the Collection Fund issued by the Lancashire Combined Fire Authority.
- c) The Borough Council's precept on the Collection Fund, which is dependent on two factors: (i) Its Council Tax requirement, and (ii) The precepts issued by the seven Parish / Town Councils.

The Council was recommended to approve the draft resolution setting the Council Tax for 2020/21, as set out in Appendix 1 of the report submitted and in also in the Appendix to these Minutes. Following discussion, Finance Council moved to a recorded vote, with Councillors voting as follows:

FOR

Councillors: Afzal, Akhtar H, Akhtar P, Batan, Bateson, Brookfield, Casey, Daley, Desai, Floyd, Gee, Groves, Gunn, Hardman, Harling, Hussain I, Hussain M, Jan-Virmani, Kay, Khan M, Khan Z, Khonat, Liddle, Mahmood, Marrow, McFall, McGurk, Oates, Patel, Pearson, Rawat, Rigby C, Rigby J, Riley, Salton, Sidat, Slater Ja, Slater Jo, Slater Ju, Slater N, Smith D, Smith J, Talbot, Taylor, Whittle and the Mayor.

AGAINST

Councillor Connor.

ABSTAIN

Councillors Browne and Davies.

(Ahead of consideration of the next item, those Councillors who had

declared an interest left the room).

57 Council Tax Support Scheme 2020/21

Members were requested to approve the adoption of the Council Tax Support Scheme for 2020/21.

In accordance with the legislation, the Council was obliged to formally continue the scheme already agreed, or to make any adjustments prior to the 31st March 2020. The report sought to fulfil the necessary legal requirements and to confirm Blackburn with Darwen's Council Tax Support scheme for 2020/21.

Whilst the majority of the Council Tax Support scheme would remain identical to the scheme adopted in 2019/20, a national report was issued by the Local Government and Social Care Ombudsman in August (Council Tax Reduction Guidance for Practitioners) which did highlight some concerns over the rules concerning retrospective reversal of awards. As a consequence of this guidance, from the 1st April 2020, retrospective reversals that were as a result of an error by a Council Officer would be reviewed by a Senior Manager. The review would seek to ascertain if the individual claimant could have reasonably been expected to know that the award was incorrect. If this was the case, the Council would not pursue the affected Council Tax charge.

The scheme would also continue to operate a Discretionary Hardship scheme under section 13A (1) c of the Local Government Finance Act 1992.

RESOLVED –

That Finance Council:

- i. Notes the contents of the report, and;
- ii. Approves the Council Tax Support Scheme for the financial year 2020/21.

(Those Councillors who left the room now re-joined the meeting.)

58 Year Planner 2020/21

Further to the discussions at the last meeting, the amended final version of the Year Planner for 2020/21 was submitted for approval.

RESOLVED – That the Year Planner for 2020/21 be approved.

Signed at the meeting of the Council Forum
on 26th March 2020

(being the ensuing meeting of the Council) by MAYOR

Appendix 1

Blackburn with Darwen Borough Council

Draft Council Tax Resolution 2020/21 – Finance Council 24th February 2020

1. That it be noted that on 19th December 2020, the Council calculated the Council Tax Base for the year 2020/21 in accordance with regulations made under Section 31B(3) of the Local Government Finance Act 1992, as amended (the Act):
 - a) 35,577.54 being the Council Tax Base for the whole of the Council area (Item T in the formula in Section 31B of the Act); and
 - b) for dwellings in those parts of its area to which a Parish precept relates, as detailed in Appendix 2.

2. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:
 - a) £376,266,657 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act taking into account all precepts issued to it by Parish Councils.
 - b) £320,244,788 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
 - c) £56,021,869 being the amount by which the aggregate at 2 (a) above exceeds the aggregate at 2 (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - d) £1,574.64 being the amount at 2 (c) above (Item R) divided by the amount at 1(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - e) £162,595.72 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (see Appendix 2).
 - f) £1,570.07 Being the amount at 2 (d) above less the result given by dividing the amount at 2 (e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34

(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no

Parish precept relates.

3. That it be noted that for the year 2020/21 the Police and Crime Commissioner for Lancashire has issued a precept to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, as indicated in the tables below.
4. That it be noted that for the year 2020/21 the Lancashire Combined Fire Authority has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as indicated in the tables below, however at the time of writing this report, the precept had yet to be presented to the Lancashire Fire Authority meeting (held on Monday 24th).
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for the year 2020/21 for each part of its area and for each of the categories of dwellings.

Blackburn with Darwen Borough Council

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
Eccleshill Parish	£1,063.65	£1,240.93	£1,418.20	£1,595.48	£1,950.03	£2,304.58	£2,659.13	£3,190.96
Livesey Parish	£1,052.22	£1,227.59	£1,402.96	£1,578.33	£1,929.07	£2,279.81	£2,630.55	£3,156.66
North Turton Parish	£1,058.83	£1,235.30	£1,411.77	£1,588.24	£1,941.18	£2,294.12	£2,647.07	£3,176.48
Pleasington Parish	£1,051.47	£1,226.71	£1,401.96	£1,577.20	£1,927.69	£2,278.18	£2,628.67	£3,154.40
Tockholes Parish	£1,071.92	£1,250.57	£1,429.23	£1,607.88	£1,965.19	£2,322.49	£2,679.80	£3,215.76
Yate and Pickup Bank Parish	£1,061.47	£1,238.38	£1,415.29	£1,592.20	£1,946.02	£2,299.84	£2,653.67	£3,184.40
Darwen Town Council	£1,055.39	£1,231.28	£1,407.18	£1,583.08	£1,934.88	£2,286.67	£2,638.47	£3,166.16
All other parts of the Council's area	£1,046.71	£1,221.17	£1,395.62	£1,570.07	£1,918.97	£2,267.88	£2,616.78	£3,140.14

b) Major Precepting Authorities

<u>Precepting Authority</u>	<u>Valuation Bands</u>							
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
Lancashire Police Authority	£140.97	£164.46	£187.96	£211.45	£258.44	£305.43	£352.42	£422.90
Lancashire Combined Fire Authority	£47.24	£55.11	£62.99	£70.86	£86.61	£102.35	£118.10	£141.72

c) Aggregate Council Tax

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
Eccleshill Parish	£1,251.86	£1,460.50	£1,669.15	£1,877.79	£2,295.08	£2,712.36	£3,129.65	£3,755.58
Livesey Parish	£1,240.43	£1,447.16	£1,653.91	£1,860.64	£2,274.12	£2,687.59	£3,101.07	£3,721.28
North Turton Parish	£1,247.04	£1,454.87	£1,662.72	£1,870.55	£2,286.23	£2,701.90	£3,117.59	£3,741.10
Pleasington Parish	£1,239.68	£1,446.28	£1,652.91	£1,859.51	£2,272.74	£2,685.96	£3,099.19	£3,719.02
Tockholes Parish	£1,260.13	£1,470.14	£1,680.18	£1,890.19	£2,310.24	£2,730.27	£3,150.32	£3,780.38
Yate and Pickup Bank Parish	£1,249.68	£1,457.95	£1,666.24	£1,874.51	£2,291.07	£2,707.62	£3,124.19	£3,749.02
Darwen Town Council	£1,243.60	£1,450.85	£1,658.13	£1,865.39	£2,279.93	£2,694.45	£3,108.99	£3,730.78
All other parts of the Council's area	£1,234.92	£1,440.74	£1,646.57	£1,852.38	£2,264.02	£2,675.66	£3,087.30	£3,704.76

Town and Parish Council Precepts

Parish / Town Council	<u>2019/20</u>				<u>2020/21</u>				<u>Council Tax Increase / (Reduction)</u> <i>Council Tax Band D 20/21 less 19/20</i> £
	<u>Tax Base</u>	<u>Precepts</u>	<u>Grant</u>	<u>Council Tax</u>	<u>Tax Base</u>	<u>Precepts</u>	<u>Grant</u>	<u>Council Tax</u>	
		£	£	Band D £		£	£	Band D £	
Eccleshill Parish	96.60	2,429.00	413.50	25.14	95.59	2,429.00	413.50	25.41	0.27
Livesey Parish	1,977.24	16,332.00	1,371.00	8.26	2,060.12	17,017.00	1371.00	8.26	0.00
North Turton Parish	1,764.22	27,069.00	1,241.00	15.34	1,770.04	32,159.00	1,241.00	18.17	2.83
Pleasington Parish	257.86	1,450.00	0.00	5.62	259.34	1,850.00	0.00	7.13	1.51
Tockholes Parish	208.50	7,682.86	146.00	36.85	209.41	7,917.72	146.00	37.81	0.96
Yate and Pickup Bank Parish	138.95	3,070.00	260.00	22.09	141.35	3,128.00	260.00	22.13	0.04
Darwen Town Council	7,461.76	98,905.00	23,905.00	13.15	7,541.34	98,095.00	23,905.00	13.01	(0.04)
TOTAL / AVERAGE	11,905.13	156,127.86	27,336.50	4.48	12,077.19	162,595.72	27,336.50	4.57	0.09

DECLARATIONS OF INTEREST IN ITEMS ON THIS AGENDA

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: **ANNUAL COUNCIL**

DATE: **4TH JUNE 2020**

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

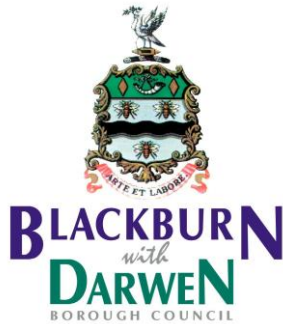
NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)



REPORT OF:	THE LEADER
TO:	ANNUAL COUNCIL
ON:	4TH JUNE 2020

SUBJECT: ESTABLISHMENT OF A JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE - BLACKBURN WITH DARWEN, LANCASHIRE SOUTH CUMBRIA AND BLACKPOOL .

1. PURPOSE OF THE REPORT.

1. To ask the Annual Council to-

- Note the report and the requirement to appoint a mandatory joint committee for responding to consultations relating to “substantial reconfiguration” proposals for health services affecting more than one local authority area.
- Agree :
 - to the establishment of the joint committee and nominate 3 voting members to it from the Council’s People Overview and Scrutiny Committee , as referred to in the report;
 - not to delegate to the joint committee and retain the power to allow the Council to make its own referrals to the Secretary of State, and request that the Terms of Reference be amended accordingly.

2. BACKGROUND

2. Members will be aware of the work of the Lancashire and South Cumbria Integrated Care System which is working on the reconfigurations of health provision in the region. These reconfigurations aim to improve health outcomes for residents in the area and will lead to changes in the way that services are delivered both in hospitals and in the community.
3. The establishment of the Joint Committee is a requirement of the National Health Service Act 2006 (amended by the Health and Social Care Act 2012) where a relevant Health Authority consults more than one local authority’s health scrutiny function about substantial reconfiguration proposals. Regulation 30 sets out the following requirements:-
 - Only the Joint Committee may respond to the consultation (rather than each individual local authority responding separately)

- Only the Joint Committee may exercise the power to require the provision of information by the relevant NHS body or Health Service Provider about the proposals.
 - Only joint committee's may exercise the power to require members or employees of the relevant NHS body or Health Service Provider to attend before the committee to answer questions in connection with the consultation.
3. The draft terms of reference for the proposed Joint Health Scrutiny Committee was considered by the Executive Board on 12 March 2020 and noted the following key points: :
- There will be three members from each of the 4 upper tier local authorities' relevant overview and scrutiny committee will be appointed to form the joint committee. For Blackburn with Darwen Borough Council (BwD), three members of the People Overview and Scrutiny Committee would be appointed to the joint committee – two from the administration and one from the opposition group. Substitutes may be nominated to attend when their primary representatives are unable to and will have the same voting rights.
 - The Chair and Vice Chair will be elected by the joint committee from among its voting membership each year and rotate annually. The elected Chair and Vice Chair are to be from different local authorities.
 - The Chair and Vice Chair will agree to arrange meetings of the Joint Committee as and when necessary or for the purposes of responding to consultations relating to “substantial reconfiguration” proposals for health services. The Joint committee meetings will be held in public but there will be no public speaking rights. No meetings will be held during election periods for any elections.
 - Quorum – 5 voting members from at least three of the affected upper tier local authorities being present.
 - Although the current draft ToRs (as drafted) provide for delegated authority to refer contested NHS proposals to the Secretary of State, BwD will seek amendment to this provision and retain the power to make such referrals independently.
 - Task and finish groups may be established by the Joint Committee.

1. POLICY IMPLICATIONS.

The Council would need to respond to consultations on “substantial reconfiguration” proposals in relation to health services, after considering the impact on the wider council services and the residents of Blackburn with Darwen. For any contested proposals, the Council must be able to directly make referrals to the Secretary of State.

LEGAL IMPLICATIONS.

The National Health Service Act 2006 (amended by the Health and Social Care Act 2012) confers health scrutiny functions on the local authority. The full Council of the Local Authority determines the arrangement for health scrutiny to be adopted. The Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny)

Regulations 2013 enable health scrutiny functions to be delegated to a joint health overview and scrutiny committee. Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 requires local authorities to appoint “mandatory” joint committees where a relevant NHS body or health service provider consults more than one local authority’s health scrutiny function about “substantial reconfiguration” proposals. In such circumstances, Regulation 30 sets out the following requirements:

- Only the joint committee may respond to the consultation (i.e. rather than each individual local authority responding separately)
- only the joint committee may exercise the power to require the provision of information by the relevant NHS body or health service provider about the proposal;
- Only the joint committee may exercise the power to require members or employees of the relevant NHS body or health service.

There is also a provision for a Local Authority to refer proposals for substantial development or variations to health services to the Secretary of State in certain specified circumstances. Where a Local Authority is participating in a joint committee the power to refer to the Secretary of State can be delegated to the joint committee or retained by the Council. This report does not seek approval to delegate the power of referral to the Secretary of State to the joint committee and would therefore be retained by the Council for all matters. Note, the Regulations state that if a local authority has delegated this power, then it may not subsequently exercise the power of referral. Consultations are taking place with each of the relevant constituent authorities within the area covered by the Integrated Care System footprint

RESOURCE IMPLICATIONS

There will be support required from the Governance team

CONSULTATIONS

The four constituent Councils, are being consulted on the establishment of the Joint Committee.

EQUALITY IMPLICATIONS

There are no direct Equality implications from this decision.

CONTACT OFFICER

Asad Laher, Head of Legal & Governance

Background Documents

Draft Joint Terms of Reference of the Joint Health Overview and Scrutiny Committee.

Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System (ICS)

Terms of reference

1. Title

The Committee to be named the Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System (ICS).

2. Scope and function

To consider proposed health service changes that will directly affect all four upper tier local authorities within the Lancashire and South Cumbria areas.

To exercise the statutory functions of a health scrutiny committee under the provisions of the National Health Service Act 2006; the Local Government and Public Involvement in Health Act 2007; and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and to make reports and recommendations to NHS bodies as appropriate in relation to matters which directly affect all four upper tier local authorities within the Lancashire and South Cumbria areas.

The joint committee will establish an annual work plan to determine the specific issues to be addressed for the forthcoming municipal year.

3. Membership

The membership of the joint committee comprises:

- 3 elected voting Members and up to 3 non-voting district council co-opted members from the Lancashire County Council Health Scrutiny Committee
- 3 elected voting Members from the Cumbria County Council Health Scrutiny Committee
- 3 elected voting Members from the Blackburn with Darwen Borough Council People Overview and Scrutiny Committee
- 3 elected voting Members from the Blackpool Council Adult Social Care and Health Scrutiny Committee

Each local authority to appoint on the basis of two members from the administration and one opposition member.

The Joint Committee shall be appointed annually prior to its first meeting in each municipal year.

When selecting individual members to serve on the Joint Committee, each local authority should consider a member's experience, expertise, and interest in health scrutiny; as well as the ability to act impartially, work as part of a group, and the capacity to serve.

4. Substitutes or replacements

Any member of the Joint Committee may be represented at a meeting of the Joint Committee by a substitute or replacement appointed by the appropriate local authority. Local authorities in these circumstances are encouraged to ensure the substitute or replacement member's experience, expertise, and interest in health scrutiny is taken into consideration when appointing either on a temporary or permanent basis; notwithstanding the ability to act impartially, work as part of a group and the capacity to serve. Substitutes will have the same voting rights as the member they replace and count towards the establishment of a quorum.

If any Member ceases to be a Councillor of their local authority or if the local authority notifies of any changes to the membership they shall no longer be a member of the Joint Committee.

5. Chair and Vice Chair

The Chair and the Vice Chair shall be elected by the Joint Committee from among the Committee's voting membership at the first meeting in each municipal year. It is intended that the Chair shall rotate between each local authority for each municipal year. The elected Chair must be a Member of a different local authority to the Vice Chair.

The Chair shall preside at the meetings. In the absence of the Chair, the Vice Chair shall Chair the meeting. In the absence of both the Chair and the Vice Chair, the Joint Committee Members present shall elect a Chair for that meeting from among their number of voting members.

6. Secretary of State Referrals

In the case of contested NHS proposals for substantial service changes or any NHS proposal which the Joint Committee feels has been the subject of inadequate consultation, by majority agreement, the Joint Committee to have delegated authority to directly refer the matter to the relevant Secretary of State.

That in relation to the function described above, any Joint Committee decision on whether or not a referral should be made to the relevant Secretary of State is not required to be approved by the individual Overview and Scrutiny Committees at those local authorities that may be directly affected by the decision.

7. Scrutiny Arrangements

Decisions and recommendations may only be made by the Joint Committee. However task and finish groups may be established if the Joint Committee deem this to be the most appropriate method of scrutiny.

The Joint Committee has the following powers:

- To require the following person/s to attend the Joint Committee to answer questions or supply evidence:
 - a) The Chief Officer (or their representatives) of the Lancashire and South Cumbria Integrated Care System, Partnerships and Neighbourhoods;
 - b) Any relevant Chief Executives (or their representatives) of local NHS bodies;
 - c) The relevant Directors of Public Health, Adult and Children's Social Care from the four Local Authorities within the Integrated Care System area;
 - d) Any relevant Chief Officer of third sector organisations;
- To invite to any meeting of the Joint Committee and permit to participate in discussion and debate, but not to vote, any person not an elected Member appointed to the Joint Committee, whom the Joint Committee considers would assist it in carrying out its functions.
- To co-opt or appoint independent technical advisers as and when necessary and under such terms as the Joint Committee thinks appropriate, persons with appropriate expertise in relevant health matters, without voting rights.
- To invite the Chief Officers (or their representatives) from the four Healthwatch bodies within the Integrated Care System area.
- To request findings and recommendations from any Clinical Senate review relating to a proposal.
- Make reports or recommendations to the relevant health bodies as appropriate.

8. Review of functions, administration arrangements and terms of reference

To review at least annually the functions of, and administration arrangements for meetings of the Joint Committee.

To annually review the Joint Committee's terms of reference.

9. Conduct of Business Meetings

The Clerk to the Joint Committee shall, with the agreement of the Chair and the Vice Chair, arrange meetings of the Joint Committee as and when necessary

(discretionary) or for the purposes of responding to consultation by a Responsible Person (mandatory) in accordance with Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. An Annual General Meeting will be scheduled each year.

The public are welcome to attend and observe meetings, however, there are no public speaking rights

No meetings of the Joint Committee shall be held during the notice of election period for any elections.

Any scheduled Joint meeting may be cancelled where the Chair and the Vice Chair of the Joint Committee both agree.

Where possible the venue for meetings of the Joint Committee shall be rotated between the local authorities. Secretarial support for the Committee shall be from the local authority from which the Chair of the Joint Committee is a member of.

a) Quorum

The quorum for the Joint Committee shall be five voting members from at least three of the affected upper tier local authorities being present. During any meeting if the chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If a date is not fixed, the remaining business will be considered at the next meeting.

b) Agendas and Items of business

Agendas for meetings of the Joint Committee shall be circulated at least five working days in advance of the meetings and in accordance with the provisions of legislation relating to Access to Information.

Other than in exceptional circumstances, where agreed by the Chair, the only business to be considered at any meeting will be that which has been notified.

c) Declarations of Interest

Any Member having a non-pecuniary interest must disclose that fact and act accordingly. Those Members declaring a pecuniary interest must leave the room and take no part in the discussion or influence that particular item. Members must give reference to the individual code of conduct of their local authority when declaring an interest.

d) Decisions

The Joint Committee will seek to make decisions and recommendations by consensus whenever possible. In the event of any disagreement, the Chair will seek to resolve any differences.

Where it is not possible to achieve a consensus, voting is by show of hands.

The Chair shall have a second or casting vote.

e) Minutes

The minutes of each Joint meeting shall be submitted for information to the individual Overview and Scrutiny Committees at the respective local authorities.



REPORT OF:	CHIEF EXECUTIVE
TO:	ANNUAL COUNCIL
ON:	4 th June 2020

COUNCIL APPOINTMENTS FOR 2020/21

1. PURPOSE OF THE REPORT

To make Council appointments for 2020/21.

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
 - People 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.

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
22nd May 2020**

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

COUNCIL APPOINTMENTS FOR 2020/2021

This is the pro-forma for appointments in 2020/2021

The Executive Members and Assistant Executive Members

EXECUTIVE BOARD		
Leader of the Council and Chair of Executive Board	Mohammed Khan	
The following appointments have been made by the Leader of the Council:		
Deputy Leaders of the Council	1: Phil Riley (senior) 2: leaving it vacant for time being	
Vice Chair of Executive Board	Phil Riley	
PORTFOLIOS	Executive Member	Assistant Executive Member
Adult Services & Prevention	Mustafa Desai	Maryam Batan Shaukat Hussain Jackie Floyd
Public Health & Wellbeing	Damian Talbot	Brian Taylor Zamir Khan
Children's, Young People & Education	Julie Gunn	Maureen Bateson Abdul Patel Patricia McFall
Environmental Services	Jim Smith	Jim Casey Yusuf Jan Virmani
Growth & Development	Phil Riley	Zainab Rawat Jane Oates
Digital & Customer Services	Qesir Mahmood	Salim Sidat
Finance & Governance	Vicky McGurk	Ron Whittle Mahfooz Hussain
The remainder of appointments are for completion by the Group Leaders.		
Opposition Member on Executive Board		

4. Appoint Members of Committees

Committee	Labour	Conservative	Lib Dem	IND
Policy & Corporate Resources Overview and Scrutiny Membership Chair Dave Harling Vice-Chair: Kevin Connor	Dave Harling Sylvia Liddle Zainab Rawat Yusuf Jan Virmani Jackie Floyd Saima Afzal Shaukat Hussain Maureen Bateson	Kevin Connor Neil Slater Colin Rigby		
Place - Overview and Scrutiny Committee Membership Chair Suleman Khonat Vice-Chair James Shorrock	Suleman Khonat Jame Shorrock Zamir Khan Maryam Batan Patricia McFall Salim Sidat Brian Taylor	Paul Marrow Julie Slater Derek Hardman		Andy Kay
People Overview and Scrutiny Committee Membership Chair Sylvia Liddle Vice-Chair Ron Whittle	Sylvia Liddle Ron Whittle Parwaiz Akhtar Jane Oates Dave Smith Saima Afzal Mahfooz Hussain	Jacquie Slater Lilian Salton Denise Gee	Roy Davies	
Call In Committee Membership Chair				
Planning & Highways Committee Membership Chair Dave Smith	Dave Smith Hussain Akhtar Yusuf Jan Virmani Jane Oates Suleman Khonat Zamir Khan Jim Casey	Paul Marrow Jacquie Slater Derek Hardman	Paul Browne	

Committee	Labour	Conservative	Lib Dem	IND
Vice-Chair Hussain Akhtar	Dave Harling Phil Riley			
Licensing Committee Membership Chair Parwaiz Akhtar Vice-Chair Stephanie Brookfield	Parwaiz Akhtar Stephanie Brookfield Maryam Batan Brian Taylor Mahfooz Hussain Jim Casey Zamir Khan	Denise Gee Lilian Salton John Slater		Tasleem Fazal
Audit and Governance Committee Membership Chair: Ron Whittle Vice Chair: Mahfooz Hussain	Ron Whittle Mahfooz Hussain Maureen Bateson Abdul Patel	Neil Slater		Andy Kay
Standards Committee Membership Chair Saima Afzal Vice-Chair Kevin Connor	Saima Afzal Sylvia Liddle Jim Casey Ron Whittle Zainab Rawat Suleman Khonat	Kevin Connor Neil Slater	Roy Davies	
Health & Wellbeing Board Membership Chair: Mohammed Khan	Mohammed Khan Julie Gunn Mustafa Desai	Julie Slater		

APPOINTMENT TO GROUPS AND PANELS

Committee	Labour	Opposition
Appeals Panel Membership 15		
Chief Executive's Employment Committee Membership 4	Mohammed Khan Phil Riley 2 nd Deputy Leader position vacant	John Slater
Chief Officer's Employment Committee Membership 4	Mohammed Khan Phil Riley 2 nd Deputy Leader vacant for time being.	John Slater

The Membership of the Chief Executive and Chief Officer Employment Committees is the Leader of the Council, the two Deputy Leaders and the Leader of the Opposition.

The appointments within Political Groups

LABOUR GROUP	Councillors
Leader	Mohammed Khan
Deputy Leaders	Phil Riley(Senior) 2 nd Position vacant for time being
CONSERVATIVE GROUP	Councillors
Leader	John Slater
Deputy Leaders	Denise Gee and Derek Hardman

Shadow Cabinet	Shadow Executive Member	Shadow Assistant Executive Member
Adult Services & Prevention	Jacque Slater	John Slater
Public Health & Wellbeing	Julie Slater	Kevin Connor
Children's, Young People & Education	Lilian Salton	Denise Gee
Environmental Services	Jean Rigby	Colin Rigby
Growth & Development	Paul Marrow	Derek Hardman
Digital & Customer Services	Neil Slater	Jacque Slater
Finance & Governance	Colin Rigby	Jean Rigby

Opposition Committee Spokespersons	
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Planning & Highways	Paul Marrow
Licensing	Denise Gee



REPORT TO: ANNUAL COUNCIL
FROM: CHIEF EXECUTIVE
DATE: 4th June 2020

PORTFOLIOS AFFECTED: All

WARDS AFFECTED: All

TITLE OF REPORT	THE MAYORALTY 2020/21
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1. PURPOSE

To consider arrangements for the nominations to office of Mayor and Deputy Mayor.

2. RECOMMENDATIONS

The Annual Council:

1. Confirms the appointment of Councillor Iftakhar Hussain as Mayor of the Borough for 2020/21; and
2. Confirms that in accordance with the rotation arrangements agreed at Annual Council in May 2018 that it is the Conservative Group's turn to nominate the Deputy Mayor for 2020/21 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

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 2020, who in line with usual practice would be the serving Deputy Mayor, which in this case is Councillor Iftakhar Hussain.

As referred to above, it is also the turn of the Conservative Group to nominate the Deputy Mayor for 2020/21.

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: 22nd May 2020

Background Papers: None



REPORT OF:	CHIEF EXECUTIVE
TO:	ANNUAL COUNCIL
ON:	4th June 2020

APPOINTMENTS TO VARIOUS BODIES, GROUPS AND PANELS 2020/21

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 21st 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
22nd May 2020**

Background Papers:
Contact :

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