

# Public Document Pack

## Call In Committee

Wednesday, 23rd March, 2022  
6.00 pm

Meeting Room A  
Town Hall, Blackburn,

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### AGENDA

1. **Welcome and Apologies**  
To Welcome those present to the meeting and to receive any apologies for absence.
  
2. **Declarations of Interest**  
To receive any declarations of interest in items on the agenda.  
**DECLARATIONS OF INTEREST FORM** **3**
  
3. **Procedure for Hearing a Call-In**  
To adopt the procedure for the call-in hearing.  
**Procedure for Call-in** **4 - 6**
  
4. **Reasons for the Call-in**  
To receive the reasons for the Call-in  
**Call In Form 2018 (002)** **7**
  
5. **Covid Media Archive**  
**COVID Media Archive** **8 - 9**
  
6. **Exclusion of Press and Public**  
To consider and if thought appropriate to exclude the press and public from the meeting if any items to be discussed contain confidential information related to contracts.

Date Published: 15<sup>th</sup> March 2022  
Denise Park, Chief Executive



## 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:

DATE:

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)

## GUIDANCE NOTE FOR CALL INS

The following procedure shall be used by overview and scrutiny committees when meeting to hear a call in.

1. *Chair of the Committee hearing the Call In welcomes those present.*
2. *Chair asks if everyone has a copy of the reasons why the decision had been called in along with a copy of the Call In procedure.*
3. *Chair asks for apologies/substitutes.*
4. *Chair asks whether there are any Declarations of Interest.*
5. *Chair asks the Legal Adviser to explain the process to be followed.*
6. *Chair asks the representative of those Members who requested the Call In and the Executive Member to take their places at the table.*
7. *Chair asks representative of those Members who requested the Call In to speak to explain the reasons for the call in. He/she may do so alone or may do so with another person.*
8. *The Executive Member may seek clarification of any issues from the Member representing those responsible for the Call In.*
9. *Members of the Committee may ask questions of that Member.*
10. *Chair asks the Executive Member to explain the reasons for the decision made by the Board. He/she may do so alone or may do so with the relevant Chief Officer.*
11. *The Member representing those who requested the Call In may ask questions.*
12. *Members of the Committee may ask questions of the Executive Member/Chief Officer.*
13. *The Member who requested the Call In and then the Executive Member may sum up.*
14. *The Chair asks the representative of those Members who requested the Call In and the Executive Member to leave the table and sit in the public area. They may remain in the room if they wish.*
15. *Chair requests any final contributions from Members before deciding how to proceed.*
16. *Chair indicates that Members of the Committee will now consider what they have heard and decide how to proceed. He asks the legal adviser to go through the options which are:*

**To accept the decision**

*If Members do this then they need not do any more. The decision will take effect straight away. It could be that some minor issues arise during the debate which the Executive Member will agree to take on board. These might be dealt with as part of the Minute. As an example when a land sale was called in the Chief Executive gave assurances about how it would proceed and these were simply recorded in the minutes.*

**To refer the decision back to the decision making person or body**

*If Members do this they need to agree what their concerns are. These will be recorded in writing and presented to the decision making person or body who will then make a final decision. The decision will not take effect until it is reconsidered by the decision making person or body. (This decision may not be Called In)*

**To refer the decision to Council**

*Statutory Guidance from the DTLR (formerly ODPM, now DCLG) states overview and scrutiny committees should only use the power to refer matters to the full council if they consider that the decision is contrary to the budget and policy framework or contrary to or not wholly in accordance with the budget. The Committee ought to identify those parts of the policy framework which are not being followed.*

*This situation has so far not arisen. Therefore the authority would be learning as it goes along. Guidance suggests that the correct approach in these circumstances would be for the Committee to refer the issue to the Monitoring Officer and Strategic Director Resources who would have to report on whether the issue is within the framework. A report would then go to the next meeting of the relevant Scrutiny Committee as well as to the Executive Board. If the view was that the decision fell outside the policy framework then the Scrutiny Committee could refer the issue to Council Forum. That may require a special Council meeting.*

17. Move to Named Vote and recording of reasons for reaching such a decision.

18. Inform Executive Member of decision reached as soon as possible.

- (e) Having considered the decision, the Overview and Scrutiny Committee may
- (i) refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or;
  - (ii) refer the matter to full Council. Such a referral should, in accordance with the Budget and Policy Framework Rules, only be made where the Committee believes that the decision is outside the policy framework or contrary to or not wholly in accordance with the budget. The procedures set out in those rules must be followed prior to any such referral.
- (f) If a decision is referred back to the decision making person or body it shall be reconsidered in the light of the written concerns of the Overview and Scrutiny Committee before a final decision is made.
- (g) If following a call in, the Overview and Scrutiny Committee does not refer the matter back to the decision making person or body and does not refer the matter to Council, the decision shall take effect on the date of the Overview and Scrutiny

Committee meeting. If the Overview and Scrutiny Committee does not meet the decision shall take effect from the date when the Committee should have met.

- (h) If the matter is referred to full Council and the Council does not object to a decision which has been made, then the decision will become effective on the date of the Council meeting.
- (i) If the Council does object the Council may take a decision, which is outside the policy and budgetary framework. Otherwise the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive Board as a whole or a committee of it, a meeting will be convened to reconsider within ten working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ten working days of the Council request.

(Extract from the revised constitution issues to all Members on 27<sup>th</sup> July 2010.)

# Agenda Item 4

**TO: THE CHIEF EXECUTIVE**

For the immediate attention of  
Democraticservices@blackburn.gov.uk

**From COUNCILLOR PAUL MARROW**

**Date:** 08/03/2022

**EXECUTIVE BOARD/MEMBER DECISION TO BE CALLED IN: Ref**

**EXECUTIVE BOARD/EMD covid media  
archive**

**DATE OF PUBLICATION: 4/3/2022**

**Subject: Covid media archive.**

**I would like to call in this officer decision as I feel this is an inappropriate useage of covid recovery money that could be better spent in ways that would be more beneficial to businesses and residents of the borough.**

**EXECUTIVE BOARD/MEMBER DECISION CALLED IN BY:**

(6 Members)

<b>Councillor</b>	<b>Signature</b>
1. Paul Marrow	
2.	
3.	
4.	
5.	
6.	
<b>Date Received by Democratic Services:</b>	

## **REASONS FOR THE CALL IN**

*Please state reasons for the Call In, which will be addressed by the appropriate Executive Member.*

*As agreed at Council Forum on 26<sup>th</sup> June 2009, the lead signatory must provide detailed reasons for the Call in.*

*Council Forum resolved that it was no longer sufficient to provide limited reasons such as Lack of consultation or inaccurate information.*

## RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	<b>Martin Kelly - Strategic Director of Place</b>
<b>PORTFOLIO AREA:</b>	Growth and Development

**SUBJECT: COVID MEDIA ARCHIVE**

### 1. DECISION

To approve the Council's acquisition of an unique media archive documenting the COVID experiences of the Borough - on its residents, care and health services, local businesses and others - during the global pandemic. Subject to approval, the cost of this acquisition will be funded from the Council's COVID recovery programme.

### 2. REASON FOR DECISION

Given the unprecedented nature, scale, duration and impact of COVID on the Borough, the report recommends this unique media archive be secured as a comprehensive resource that documents a range of local experiences and initiatives. The archive would provide a rich source of contemporary information as well as a historical record for future generations to research and review.

### 3. BACKGROUND

This report seeks Council approval to acquire, at a cost of £72,000, an unique media archive documenting the COVID experiences of the Borough - on its residents, care and health services, local businesses and others - during the global pandemic.

The archive acquisition from Pixeleyed Pictures, an independent filmmaker, would benefit from matched and in-kind services valued at £126,000, including 27 days of filming and post-production editing and data services. The archive has over 127 hours of high quality video that captures key themes, service initiatives, personal stories and key phases of the pandemic. For example, the development and operation of the Council's Food Hub is comprehensively documented. The (media) data provided will be collated, indexed, and transferred to the Council for storage and safekeeping. The wider public use of this archive will be curated and developed by our cultural and library services.

Given the unprecedented nature, scale, duration and impact of COVID on the Borough, it is recommended this unique media archive be secured as a comprehensive document that records a range of local experiences and initiatives, and from various community perspectives. The archive would provide a rich source of contemporary information (a storybook of the Borough's experiences) as well as a historical record for future generations to research and review.

The cost of this acquisition would be covered by the Council's COVID recovery programme.

Subject to approval, a licence agreement will be agreed with Pixeleyed Pictures to enable them to complete their filming work, and include this material within the media archive. The agreement would also grant archive access to Pixeleyed Pictures to enable them to work with partners like UCLAN on educational materials / programming and documentary opportunities.



If approved, the licence agreement will be framed by our legal services to protect the reputation of the Council and Borough in any third party use or broadcast of archive material.

#### 4. KEY ISSUES AND RISKS

There are no key issues or risks in acquiring the COVID media archive.

#### 5. FINANCIAL IMPLICATIONS

The Council's funding contribution would be drawn from its COVID recovery programme. There is funding provision to cover this one off / non-recurring cost.

#### 6. LEGAL IMPLICATIONS

Subject to approval, legal officers will frame a licence agreement to protect the reputation of the Council, and agree a pragmatic approach to allowing access to material for specified uses such as educational programming purposes.

#### 7. OPTIONS CONSIDERED AND REJECTED

The Council could choose not to secure the archive but we would risk losing the opportunity to acquire an unique contemporary (and over time historical) record of the Borough's COVID experience. Documentary evidence made more important given Blackburn with Darwen is one of the places in England most impacted by the global pandemic.

#### 6. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
<b>CONTACT OFFICER:</b>	Clare Turner
<b>DATE:</b>	7 February 2022
<b>BACKGROUND DOCUMENTS:</b>	N/A
Signed:	
<b>Director – Martin Kelly</b>	<b>Date:</b>