

# EXECUTIVE BOARD

## Thursday, 12th November, 2020

### PRESENT

#### **COUNCILLOR:**

Councillor Mohammed Khan CBE  
Councillor Julie Gunn  
Councillor Jim Smith  
Councillor Musafa Desai  
Councillor Vicky Ellen McGurk  
Councillor Phil Riley  
Councillor Damian Talbot  
Councillor Quesir Mahmood

#### **PORTFOLIO:**

Leader of the Council  
Children, Young People and Education  
Environmental Services  
Adult Services and Prevention  
Finance and Governance  
Growth and Development  
Public Health and Wellbeing  
Digital and Customer Services

#### **EXECUTIVE MEMBER**

Councillor John Slater

#### **NON PORTFOLIO**

Leader of the Conservative Group

#### **ALL IN ATTENDANCE:**

Muhammed Bapu

Deputy Youth MP

	Item	Action
1	<b><u>Welcome and Apologies</u></b>  The Leader of the Council, Councillor Mohammed Khan, welcomed all to the meeting and read out the statement explaining that this was a virtual meeting.	
2	<b><u>Minutes of the Previous Meeting</u></b>  The Minutes of the Meeting held on 10 <sup>th</sup> September 2020 were agreed as a correct record.	<b>Agreed</b>
3	<b><u>Declarations of Interest</u></b>  There were no Declarations of Interest submitted.	
4	<b><u>Equality Implications</u></b>  The Chair asked Members to confirm that they had considered and understood any Equality Impact Assessments associated with reports on the agenda ahead of making any decisions.	<b>Confirmed</b>
5	<b><u>Public Forum</u></b>  In accordance with Part 4 of the Executive Board Procedure Rules for questions/statements by members of the public, the following questions/statements have been received, details of which are set out below:-	

Item			Action
Name of Person asking the Question	Subject Area	Response by	
Jon Baldwin	Newfield ASD Project	Vicky McGurk, Finance and Governance	
Imtiaz Badat	Yew Tree Drive Petition	Phil Riley, Growth and Development	
Mr Jones	5G Microwave Mast	Phil Riley, Growth and Development	
David Foster	Pedestrian crossing, Bolton Rd, Darwen	Phil Riley, Growth and Development	
Mr and Mrs Hill, Stephen Lomax, Leslie Duckett, Amanda Hodgkinson, Andrew Turner, Janet Duxbury, James Mattinson, Alison Turner, and Lewis Marginson	Arkwright Fold Petition	Phil Riley, Growth and Development	
<p>In respect of the question by Jon Baldwin, Cllr McGurk read out the answer and advised that this would be sent to Mr Baldwin as he was not in attendance.</p> <p>Councillor Riley gave detailed responses to the questions and supplementary questions arising, advising that these responses would be sent to all who had submitted questions after the meeting.</p> <p>In outlining the position relating to the Arkwright Fold Petition, Cllr Riley advised of the legal position, whilst also acknowledging the concerns of residents and local Councillors, and advised that he and officers would work with them to try and find a satisfactory solution.</p>			

	Item	Action									
6	<p><b><u>Questions by Non-Executive Members</u></b></p> <p>In accordance with Part 4 of the Executive Board Procedure Rules for questions/statements by Non-Executive Members, the following questions/statements had been received, details of which are set out below:-</p> <table border="1" data-bbox="339 465 1297 813"> <thead> <tr> <th data-bbox="339 465 715 566">Name of Non-Executive Member asking the Question</th> <th data-bbox="715 465 1010 566">Subject Area</th> <th data-bbox="1010 465 1297 566">Executive Member and Portfolio</th> </tr> </thead> <tbody> <tr> <td data-bbox="339 566 715 678">Councillor Denise Gee</td> <td data-bbox="715 566 1010 678">Arkwright Fold Petition</td> <td data-bbox="1010 566 1297 678">Councillor Phil Riley, Growth and Development</td> </tr> <tr> <td data-bbox="339 678 715 813">Councillors Maureen Bateson and Jim Casey</td> <td data-bbox="715 678 1010 813">Arkwright Fold Petition</td> <td data-bbox="1010 678 1297 813">Councillor Phil Riley, Growth and Development</td> </tr> </tbody> </table> <p>Councillor Riley's previous response under Agenda Item 5 was referred to and Councillors Gee and Casey who were present advised that they were supportive of the proposed approach suggested in terms of finding a suitable solution for residents.</p>	Name of Non-Executive Member asking the Question	Subject Area	Executive Member and Portfolio	Councillor Denise Gee	Arkwright Fold Petition	Councillor Phil Riley, Growth and Development	Councillors Maureen Bateson and Jim Casey	Arkwright Fold Petition	Councillor Phil Riley, Growth and Development	
Name of Non-Executive Member asking the Question	Subject Area	Executive Member and Portfolio									
Councillor Denise Gee	Arkwright Fold Petition	Councillor Phil Riley, Growth and Development									
Councillors Maureen Bateson and Jim Casey	Arkwright Fold Petition	Councillor Phil Riley, Growth and Development									
7	<p><b><u>Youth MPs Update</u></b></p> <p>The Deputy Youth MP verbally reported on recent events and activities including :</p> <ul style="list-style-type: none"> <li>• Involvement in the National Young Inspectors program. This program would have 24 young people from across the UK inspecting services for young people funded by the Department of Digital, Culture, Media and Sport, and plans to run a similar exercise in BwD.</li> <li>• Continuing to get ideas from young people across the Borough about the response to COVID-19. A meeting on this matter was scheduled with key officers and Executive Member, Councillor Julie Gunn.</li> <li>• Muhammed had been supported by YPS to also submit an application to be part of the Lancashire Police Youth Commissioning Board to further advance with my campaign focus of Youth Involvement in Crime and to try to gain more information and provide feedback on the best ways to tackle certain issues.</li> <li>• The forum collectively had also been working on an energy-efficient homes project for Youthfocus North West.</li> <li>• The national Make Your Mark scheme went live on the 1<sup>st</sup></li> </ul>	Noted									

	Item	Action
	<p>November, this was a fantastic opportunity for young people in BwD to get their voice heard. This year was all digital, with the top 5 issues nationally to be debated by the UK Youth MP's, which unfortunately may not take place in the House of Commons but be by Zoom in February next year.</p> <p>Councillors Gunn and McGurk made comments on the excellent work of the Youth Forum, particularly in view of the current barriers, and despite these, fantastic progress was still being made.</p>	
8	<p><b><u>Executive Member Reports</u></b></p> <p><b><u>Leader's Update</u></b></p>	
	<p>Councillor Mohammed Khan verbally reported on the current position relating to the Covid-19 pandemic and reminded all of the importance of following the latest guidelines and restrictions.</p>	Noted
8.1	<p><b><u>Homelessness and Rough Sleeper Strategy</u></b></p> <p>Members received a report which advised that as part of the Homelessness Act 2002, the Homeless Reduction Act 2017 and the Governments more recent Rough Sleeper Strategy, each Local Authority had a duty to agree and publish a strategy document that detailed how the authority planned to tackle homelessness and rough sleeping over the following five year period.</p> <p>The attached strategy contained the Councils vision to end rough sleeping and reduce homelessness across the Borough and also details the values that everyone who was homeless had a right to expect. The strategy was split into four strategic objectives:</p> <ul style="list-style-type: none"> <li>• Prevention and relief of homelessness</li> <li>• Limiting the use of B&amp;B and the provision of suitable temporary accommodation.</li> <li>• Tackle and reduce the levels of rough sleeping.</li> <li>• Addressing the over-supply of Houses in Multiple Occupation.</li> </ul> <p><b>RESOLVED</b> - That the the Homelessness &amp; Rough Sleeper Strategy 2020-2025 be adopted as Blackburn with Darwen Borough Council's formal strategy for the next five year period.</p>	Approved
8.2	<p><b><u>Childcare Sufficiency Assessment 2020</u></b></p> <p>A report was submitted to advise the Council's Executive Board of the outcomes of the Childcare Sufficiency Assessment 2020 in respect of the Local Authority's statutory duties and functions as detailed in the Childcare Act 2006 and 2016.</p>	



	Item	Action
	<p>The Executive Board received a report outlining the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the second quarter of the financial year.</p> <p><b>RESOLVED</b> – The Executive Board is asked to approve:</p> <ul style="list-style-type: none"> <li>• the portfolio cash limit adjustments outlined in Appendix 1.</li> <li>• the Earmarked reserves position shown in Appendix 2</li> <li>• the variations to revenue expenditure, as listed in Section 6, giving rise to a balance of £8.045 million in the unallocated General Fund revenue reserve.</li> </ul>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>
8.5	<p><b><u>Corporate Capital Monitoring Report Quarter 2 2020/21</u></b></p> <p>Members received a report on the overall financial position of the Council in respect of the capital programme as at 30<sup>th</sup> September 2020, highlighting key issues and explaining variations in the first 6 months of the financial year.</p> <p><b>RESOLVED -</b></p> <p>The Executive Board is asked;</p> <ul style="list-style-type: none"> <li>• to approve the revised capital programme as per Appendix 1,</li> <li>• to approve the variations to the programme shown in Appendix 2</li> </ul>	<p><b>Approved</b></p> <p><b>Approved</b></p>
8.6	<p><b><u>Treasury Management Strategy 2020/21 Mid-Year Review</u></b></p> <p>Members were updated with regard to the Treasury Management position to date, and the proposed Strategy for the remainder of 2020/21.</p> <p>In March 2020 the Executive Board agreed a Treasury Management Strategy for 2020/21. It was necessary to review and consider updating the Strategy, if required.</p> <p>The mid-year review would be considered and noted by the Audit and Governance Committee at their meeting on 26<sup>th</sup> November 2020.</p> <p><b>RESOLVED</b> - It is recommended that the Executive Board:</p> <ol style="list-style-type: none"> <li>1. Notes the Treasury Management position for the year to date, and approves the proposed Strategy for the remainder of the year, detailed in Appendix 1, and</li> <li>2. Approves the proposed changes to the Investment Counterparty limits and that there are no changes to all other existing Treasury and Prudential Indicators for</li> </ol>	<p><b>Noted</b></p> <p><b>Approved</b></p>

	Item	Action
	2020/21, as set at Executive Board (12 <sup>th</sup> March 2020).	
9.1	<p><b><u>Sale of Minority Shareholding in BSF Project Companies</u></b></p> <p>A report was submitted advising that further to the Executive Board report in March 2020, where it was approved that the Council should progress the sale of its shares of the minority shareholdings in the BSF Project Companies to the majority shareholder Amber Infrastructure, the report provided an update on the completion of the sale of the Council's shares, which were originally acquired as part of the Building Schools for the Future (BSF) programme in 2010.</p> <p><b>RESOLVED –</b></p> <p>That the Executive Board:</p> <p>Notes the outcome of the recent share sale exercise of the Council's minority shareholding in the BSF Project.</p>	Noted
10.1	<p><b><u>Petition: Yew Tree Drive</u></b></p> <p>A petition signed by residents of seven of the eight properties on the side road servicing numbers 105 to 119, inclusive, off Yew Tree Drive, has been submitted to the Council requesting that their road be resurfaced.</p> <p>The previous long term plan for highway work, approved by the Executive Member for Regeneration and published on 3<sup>th</sup> February 2017 described the authority's approach and commitment to highway maintenance.</p> <p>Present funding levels, both revenue and capital, effectively restricted consideration of only the Borough's major classified roads for the foreseeable future. It would be unrealistic to expect or anticipate routine, planned resurfacing of side streets or cul-de-sacs in the foreseeable future. Unfortunately the structural condition and visual appearance of these roads would continue to</p>	

	Item	Action
	<p>deteriorate, however the authority would continue to inspect them to ensure that safety defects were identified and repaired.</p> <p><b>RESOLVED</b> - That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Notes the petition.</li> <li>• Supports the officers' recommendation that the request for resurfacing be refused.</li> <li>• Request that officers inform the lead petitioner of the decision.</li> </ul>	<p><b>Noted</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>
<p><b>10.2</b></p>	<p><b><u>Petition: Arkwright Fold</u></b></p> <p>Members received a report advising that the Council had a duty to maintain all Public Rights of Way (PROW). Residents were notified of the intention to undertake maintenance on Public Footpath 106, which was at the rear of Arkwright Fold, Blackburn. Since this notification the residents had submitted an objection petition to halt the works.</p> <p>The report advised that a national walking group had raised the obstructions on this path, and that the path should be returned to use. If the Council took no action, any member of public or walking group could serve notice on the authority at which point the authority would have one month to serve official notice on persons causing obstruction. Any application received by landowners to divert, change or extinguish the right would likely be met with objection from the statutory bodies and thus fail.</p> <p>Residents had been written to and officers were removing vegetation to reveal obstructions. Dealing with these obstructions allowed the authority to progress the work in a measured and planned way. If the authority refused to deal with the issue, the authority would be open to a legal notice and would have a much shorter time scale in which to serve notice and remove obstructions.</p> <p><b>RESOLVED –</b></p> <p><i>Following discussions under Public Questions on this item, in addition to the original recommendation below, Cllr Riley moved an additional recommendation that the Council would work with residents and local Councillors to try and reach a solution</i></p>	<p><b>Noted</b></p>

	Item	Action
	<p><i>acceptable to residents.</i></p> <p>That the Executive Board recognises the legal duty of the Council to maintain these routes and approves the planned maintenance on this public footpath.</p> <p><b>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING.</b></p>	<b>Noted and Approved</b>
11.1	<p><b><u>Land at Holden Fold Darwen, Masterplan</u></b></p> <p>Further to the report submitted at Agenda Item 8.3, an additional report was submitted, containing commercially sensitive information.</p> <p>Councillor John Slater voted against the recommendations in the report.</p> <p><b>RESOLVED-</b> That the Executive Board:</p> <ol style="list-style-type: none"> <li>1. Approve the adoption of the Land at Holden Fold Masterplan and accompanying Infrastructure Delivery Plan subject to all landowners signing the Collaboration Delivery Agreement;</li> <li>2. Agree delegation to the Growth Programme Director and Executive Member for Growth &amp; Development to make minor amendments to the masterplan following Executive Board approval; and</li> <li>3. Approve the Collaboration Delivery Agreement between the Council and all other landowners and agree delegation to the Growth Programme Director and Executive Member for Growth &amp; Development to finalise and sign the agreement on behalf of the Council.</li> </ol>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>
11.2	<p><b><u>Sale of Minority Shareholding in BSF Project Companies</u></b></p> <p>Further to the report submitted at Agenda Item 9.1, an additional report was submitted, containing commercially sensitive information.</p> <p><b>RESOLVED –</b></p> <p>That the Executive Board:</p> <p>Notes the outcome of the recent share sale exercise of the Council’s minority shareholding in the BSF Project.</p>	<b>Noted</b>

	<b>Item</b>	<b>Action</b>
	<p>Signed at a meeting of the Board on 12<sup>th</sup> November 2020</p> <p>(being the ensuing meeting on the Board)</p> <p>Chair of the meeting at which the Minutes were confirmed</p>	