

EXECUTIVE BOARD

Thursday, 11th October, 2018

PRESENT

COUNCILLOR:

Councillor Mohammed Khan
 Councillor Maureen Bateson MBE
 Councillor Shaukat Hussain
 Councillor Andy Kay
 Councillor Phil Riley
 Councillor Jim Smith
 Councillor Damian Talbot
 Councillor Brian Taylor

PORTFOLIO:

Leader
 Children, Young People & Education
 Neighbourhood & Prevention Services
 Resources
 Regeneration
 Environment
 Leisure & Culture
 Health & Adult Social Care

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALSO IN ATTENDANCE

Elle Walsh, Youth MP, Sameer Ali and Aliyah Khan, Deputy Youth MPs

	Item	Action
1	<p><u>Welcome and Apologies</u></p> <p>The Leader of the Council, Councillor Mohammed Khan, welcomed all present to the meeting. No apologies were received.</p>	
2	<p><u>Minutes of the Previous Meeting</u></p> <p>The Minutes of the Meeting held on 9th August 2018 were agreed as a correct record.</p>	Approved
3	<p><u>Declarations of Interest</u></p> <p>No declarations of interest were received.</p>	
4	<p><u>Equality Implications</u></p> <p>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.</p>	Confirmed
5	<p><u>Public Forum</u></p> <p>No questions were received from Members of the public.</p>	
6	<p><u>Questions by Non-Executive Members</u></p> <p>One question had been received from Councillor Paul Marrow to Councillor Phil Riley, Executive Member for Regeneration on road safety issues in the Livesey with Pleasington Ward. Cllr Riley provided a response to the question and supplementary question arising.</p>	
7	<p><u>Youth MPs Update</u></p>	

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	<p>The Youth MP and Deputy Youth MPs provided an update to the Executive Board on recent activities and events including:</p> <ul style="list-style-type: none"> • The Make Your Mark Campaign, the biggest annual referendum of teenagers in Europe, with the teenagers of Blackburn with Darwen choosing Mental Health, Equal pay for Equal Work and Put an end to knife crime as their top 3 issues. Elle would be attending the Annual Sitting of Youth MPs at the House of Commons in November. • Aliyah had attended a two week cultural exchange programme in the USA, which had been a very insightful experience and useful in comparing issues. • The Youthforia event on 9th September – 23 local authority youth councils were represented, with Aliyah elected as Lancashire area representative. • The Takeover challenge would take place on 29th November, with ‘End Poverty’ the theme. 	Noted
8	<u>Executive Member Reports</u>	
LEADER		
HEALTH AND ADULT SOCIAL CARE		
CHILDREN, YOUNG PEOPLE AND EDUCATION		
8.1	<p><u>Fostering Quarterly Report - Quarter 1</u></p> <p>A report was submitted which provided information on the management and performance of the Local Authority’s Fostering Service for the first quarter – 1st April to 30th June 2018.</p> <p>RESOLVED – That the Executive Board notes the Quarterly Report which is available on the Council’s website.</p>	Noted
8.2	<p><u>Adoption Six Monthly Report</u></p> <p>A report was submitted providing information on the management and performance of the Local Authority’s Adoption service for the period 1st October to 31st March 2018.</p> <p>RESOLVED – That the Executive Board notes this six monthly report.</p>	Noted
ENVIRONMENT		
LEISURE AND CULTURE		
NEIGHBOURHOOD AND PREVENTION SERVICES		
REGENERATION		

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RESOURCES		
8.3	<p><u>Corporate Enforcement and Prosecution Policy</u></p> <p>A corporate prosecution policy applicable to all regulatory functions of the Council was presented for approval by Members.</p> <p>The Council had a variety of enforcement functions, the purpose of which were to promote public safety and to protect public amenities, the environment and consumers. The Council's intention was to promote a balanced, thriving and safe local community by carrying out enforcement in a practical and proportionate manner, whilst having regard to the impact the enforcement was likely to have upon local businesses and people.</p> <p>The public nature of enforcement especially when it came to bringing prosecutions to court meant that it was necessary to act in a way that complied with the principles of proportionality, consistency, transparency, targeted/prioritised enforcement action and accountability.</p> <p>Therefore it was considered best practice to develop a public-facing policy which as well as providing information to members of the public, could also be used as guidance for officers undertaking the enforcement. A copy of the draft Enforcement and Prosecution Policy was attached at Appendix 1.</p>	Approved
<p>RESOLVED – That the Enforcement and Prosecution Policy be approved.</p>		
9	<p><u>Corporate Issues</u></p>	
9.1	<p><u>Air Quality Update 2018</u></p> <p>Members received a report which provided an update on health related air quality both nationally and locally, information on recent work in Blackburn with Darwen and sub-regionally to improve air quality and which outlined next steps for action on air quality in both Blackburn with Darwen and sub-regionally.</p>	Noted
<p>RESOLVED – That the report be noted.</p>		
9.2	<p><u>Capita Partnership Update</u></p> <p>Members received an update on discussions between the Council and Capita to reset and simplify the current place-based partnership which commenced in 2016, with core highways and property services returning in-house to be delivered by the Council. This would leave a residual contract for call-off services in place with Capita for the remainder of the initial five year term</p> <p>The new place-based Partnership commenced in July 2016 for an initial five year period with the option to extend for a further three</p>	

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	<p>and then a further two years.</p> <p>Two years in to this new partnership, it became clear to both the Council and Capita that the additional services in particular were not progressing as envisaged and, whilst the flexible call-off in respect of infrastructure, growth and development was working well, there was a significant contract and management overhead in respect of the small core service which was not effective or value for money for either party.</p> <p>Therefore the Council and Capita agreed to explore a reset and simplification of the Partnership which would consider retention of the call-off provisions with a reversion of core services for highways and property back to the Council.</p> <p>Whilst Capita had been working on growth and infrastructure schemes to support the Council's priorities, the business case approach for additional services had not generated the opportunities envisaged and no business cases had been developed by Capita and approved by the Council to take forward to implementation. The only additional service was the agreed shared management arrangements which were in place from February 2017 and which ended completely in July 2018.</p> <p>As a result the Council had a contract and management overhead that was not proportionate to the small core service provision and there had been considerable officer time spent in contract management activities. Likewise it was understood that the Council's performance and reporting requirements under the contract had resulted in a significant management overhead for Capita and they had had some difficulties in fulfilling all their obligations under the core contract.</p> <p>In addition, earlier this year, following the appointment of a new Capita Chief Executive and the publication of the company's 2017 end of year results, Capita set out a new strategic direction for the organisation. Whilst both parties envisaged the need to adapt to changing circumstances, the rapidly changing external environment had accentuated the need for the Council to increase the level of direct control it exercised.</p> <p>Therefore it was agreed that a simplification and reset of the contract would be explored and the commercial implications were outlined in the Part 2 report later in the meeting.</p> <p>In summary, the remaining core service delivery in respect of highways and property services would transfer back to the Council along with those staff entitled to transfer under TUPE legislation, with the management of Highways services being transferred to the Director of Environment & Operations as part of his new responsibilities and Property services consolidated under the management of the new Director of Growth & Development.</p> <p>The Council understood that Capita would retain their presence in the Borough (in both Blackburn and Darwen) and the Council</p>	

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	<p>would retain the ability to directly commission call-off work to support growth and infrastructure developments under the amended contract.</p> <p>RESOLVED -</p> <p>That the Executive Board:</p> <p>2.1 Notes that:</p> <ul style="list-style-type: none"> i) the Council had a 15 year strategic partnership with Capita from 2001 to 2016, the scope of which changed by agreement a number of times over the years to ensure it remained relevant and was delivering against the Council's objectives; ii) the Council re-procured a smaller more flexible place-based partnership which commenced in July 2016 focussed on supporting growth and delivering some core highways and property services; iii) some aspects of the current Partnership are not operating as originally envisaged, particularly in respect of additional services, and that there is a significant contract management overhead for both parties in respect of the relatively small contract for core service delivery of property and highways; iv) Capita have worked with the Council in recent months to review the current arrangements and agree in principle a further reset and simplification of the Partnership; <p>2.2 Approves the reset of the Partnership outlined in this report and the associated Part 2 report to reflect the Council's current requirements for flexible support to the growth programme and other infrastructure investment where necessary, whilst bringing core service delivery for property and highways back in-house to be directly delivered by the Council; and</p> <p>2.3 Delegates authority to the Deputy Chief Executive in consultation with the Executive Members for Regeneration and Resources to:</p> <ul style="list-style-type: none"> i) finalise the contractual and/or legal agreements required to enable the changes to the contract. 	<p></p> <p>Noted</p> <p></p> <p>Approved</p> <p>Approved</p>
<p>10</p>	<p><u>Matters referred to the Executive Board</u></p>	
<p>10.1</p>	<p><u>Petition - The ARC Project</u></p> <p>The Executive Board was advised of a petition received from the ARC Project which worked with asylum seekers and refugees in the Borough. The petition requested that the Council continued to provide a service to the families in the ARC Project, and it was reported that the issues referred to in the petition had been resolved and that continued support for the families referred to was available.</p> <p>RESOLVED – That the Executive Board notes the petition and the resolution of the issue identified.</p>	<p></p> <p>Noted</p>

	Item	Action
<p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING</p>		
<p>11</p>	<p><u>Capita Partnership Update</u></p> <p>Further to the report submitted at agenda item 9.2, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <p>2.1 Notes that:</p> <ul style="list-style-type: none"> i) the Council had a 15 year strategic partnership with Capita from 2001 to 2016, the scope of which changed by agreement a number of times over the years to ensure it remained relevant and was delivering against the Council’s objectives; ii) the Council re-procured a smaller more flexible place-based partnership which commenced in July 2016 focussed on supporting growth and delivering some core highways and property services; iii) some aspects of the current Partnership are not operating as originally envisaged, particularly in respect of additional services, and that there is a significant contract management overhead for both parties in respect of the relatively small contract for core service delivery of property and highways; iv) Capita have worked with the Council in recent months to review the current arrangements and agree in principle a further reset and simplification of the Partnership; <p>2.2 Approves the reset of the Partnership outlined in this report and the associated Part 2 report to reflect the Council’s current requirements for flexible support to the growth programme and other infrastructure investment where necessary, whilst bringing core service delivery for property and highways back in-house to be directly delivered by the Council; and</p> <p>2.3 Delegates authority to the Deputy Chief Executive in consultation with the Executive Members for Regeneration and Resources to:</p> <ul style="list-style-type: none"> i) finalise the contractual and/or legal agreements required to enable the changes to the contract. <p style="text-align: center;">Signed at a meeting of the Board</p> <p style="text-align: center;">on Thursday, 8 November 2018</p> <p style="text-align: center;">(being the ensuing meeting on the Board)</p> <p style="text-align: center;">Chair of the meeting at which the Minutes were confirmed</p>	<p>Noted</p> <p>Approved</p> <p>Approved</p>

	Item	Action
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