

# EXECUTIVE BOARD

## Thursday, 13th June, 2019

### PRESENT

#### **COUNCILLOR:**

Councillor Maureen Bateson MBE  
 Councillor Mustafa Desai  
 Councillor Andy Kay  
 Councillor Mohammed Khan OBE  
 Councillor Quesir Mahmood  
 Councillor Phil Riley  
 Councillor Jim Smith  
 Councillor Damian Talbot

#### **PORTFOLIO:**

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

#### **EXECUTIVE MEMBER:**

Councillor John Slater

#### **NON-PORTFOLIO:**

Leader of the Conservative Group

#### **ALSO IN ATTENDANCE**

Uday Akram  
 Corey McPartland

Youth MP  
 Deputy Youth MP

	Item	Action
1	<p><b><u>Welcome and Apologies</u></b></p> <p>The Leader of the Council, Councillor Mohammed Khan, welcomed all present to the meeting. Apologies were received from the Deputy Youth MP, A'Aishah Patel.</p>	
2	<p><b><u>Minutes of the Previous Meeting</u></b></p> <p>The Minutes of the meeting held on 11<sup>th</sup> April 2019 were agreed as a correct record.</p>	<b>Approved</b>
3	<p><b><u>Declarations of Interest</u></b></p> <p>Councillor Damian Talbot declared an interest in Agenda Item 9.4 (Voluntary, Community and Faith Sector) (wife works for CVS- not on project referred to in the report).</p>	
4	<p><b><u>Equality Implications</u></b></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>	<b>Confirmed</b>
5	<p><b><u>Public Forum</u></b></p> <p>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:-</p>	

	Item			Action
	Name of Person asking the Question	Subject Area	Response by	
	Usman Bagas	Resurfacing of Hudson Close, Blackburn	Councillor Phil Riley – Executive Member for Growth and Development	
	Jack Ellison	Open Space at Tower Road, Blackburn	Councillor Phil Riley – Executive Member for Growth and Development	
	Leigh Keen	Open Space at Tower Road, Blackburn	Councillor Phil Riley – Executive Member for Growth and Development	
	Councillor Phil Riley provided responses to the questions and supplementary questions arising.			
<b>6</b>	<b><u>Questions by Non-Executive Members</u></b>			
	No questions were received from Non-Executive Members.			
<b>7</b>	<b><u>Youth MPs Update</u></b>			
	The Youth MPS updated the Executive Board on recent activities and events including:			<b>Noted</b>
	<ul style="list-style-type: none"> <li>• An Integration event as part of the Great Together taking place on 22<sup>nd</sup> June.</li> <li>• A successful outcome from the Investors in Children process in April, which acknowledged the excellent work being undertaken by Young Peoples Services and Youth Voice.</li> <li>• Campaigning continued on better mental health services for children and young people in the Borough.</li> </ul>			
<b>8</b>	<b><u>Executive Member Reports</u></b>			
	<b><u>Leader's Update</u></b>			
	The Leader verbally reported that the Festival of Making would be held at the weekend it was hoped that the weather would be kind.			<b>Noted</b>
	<b><u>Adult Services and Prevention</u></b>			
	Councillor Mustafa Desai referred to the excellent work undertaken the Home Care Service.			<b>Noted</b>
<b>8.1</b>	<b><u>Update report re Statutory Site Transfer of Blackburn Central High School with Crosshill</u></b>			
	Ahead of discussion on this item, Councillor Maureen Bateson outlined the reasons for the late submission of the report, advising			

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	<p>that the report needed to be to this meeting of the Executive Board following discussions with the Department for Education. Cllr Bateson also advised that she had been assured that the Governing body was legally constituted and that the Order was valid. Councillor Bateson also referred to an e-mail received from a complainant outlining concerns, but as outlined at the commencement of the meeting, the matter had to be dealt with at this meeting and that she had received the necessary assurances.</p> <p>The report submitted reminded Members that at the Executive Board on 11<sup>th</sup> April, Members requested further assurances regarding representations made at that meeting and an update on the negotiations and agreements relating to this matter. Further enquiries have been made regarding the Academy Order issued by the Secretary of State in September 2018 giving permission for Blackburn Central High School with Crosshill to become an academy sponsored by Champion Education Trust (CET). The Department for Education (DfE) had confirmed that <i>“on the evidence provided [they are] satisfied that the governing body was legally constituted at the point the school applied to become an academy. Therefore, the application and academy order is valid”</i>. Given that the Academy order was still in effect and had not been revoked or withdrawn, officers from Schools and Education had been working with school colleagues and CET to ensure that the conversion to academy was completed as required.</p> <p><b>RESOLVED</b> - That the Executive Board authorises:</p> <p>2.1 The transfer of the Council’s freehold interest in the site, which includes the Buildings, associated hard play areas and playing fields to the CET on the commencement date in accordance with Schedule 6 para 2 of The School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007. This relates to the area of land shown, edged red on the attached plan in Appendix 1;</p> <p>2.2 Officers to enter into the Commercial Transfer Agreement (CTA) between the Council, the Governing Body and the CET; and</p> <p>2.3 Officers to execute all necessary documents and Private Finance Initiative (PFI) agreements in respect of the conversion to an Academy Trust to deal with the PFI status of the school.</p>	<p></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>
<p><b>8.2</b></p>	<p><b><u>School Holiday Pattern</u></b></p> <p><i>Ahead of discussion of on this item, Councillor Maureen Bateson advised that schools would be written to following the recently announced change of date for the early Bank Holiday in May 2020.</i></p> <p>The Executive Board was advised that the local authority had responsibility for setting the school holiday pattern for Community and Controlled Schools, in consultation with neighbouring local authorities, schools and teacher associations. For other maintained schools (Voluntary Aided and Foundation) the</p>	<p></p>

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	governing body set the holiday pattern. Trustees of Free Schools and Academies (schools independent of the authority) had responsibility for setting their term and holiday dates.  <b>RESOLVED</b> - That the Executive Board agrees the school term and holiday pattern for Community schools for 2020/2021 (as set out in Appendix A "Recommended Dates 2020/2021").	<b>Approved</b>
8.3	<b><u>Quarter 4 Fostering Report</u></b>  A report was submitted which provided information on the management and performance of the Local Authority's Fostering Service. Quarter 4 provided analysis of the year and reflected upon data and any patterns within the Service to determine development and progress.  <b>RESOLVED</b> - That the Executive Board:  Notes the Quarter 4 Fostering Service Report which is available on the Council's website.	<b>Noted</b>
8.4	<b><u>Write Off of Business Rates</u></b>  The report submitted detailed a Business Rate account that was deemed irrecoverable which, due to the amount, and in line with the Financial Procedure Rules within the Council's Constitution required Executive Board review and approval to write it off.  A full history of the case and the action taken has been included in Appendix A.  <b>RESOLVED</b> - That the Executive Board:  Approves the request to write-off the Business Rates debt.	<b>Approved</b>
9.1	<b><u>Revenue Budget Monitoring</u></b>  Members received a report detailing the overall revenue position of the Council for the year ended 31st March 2019, highlighting the key issues for review. It also determined the year end position with regard to portfolio under/overspends and the impact on earmarked and unallocated reserves.  <b>RESOLVED</b> - The Executive Board is asked to approve:  <ul style="list-style-type: none"> <li>• the portfolio budget adjustments outlined in Appendix 1.</li> <li>• carry forward of the specific amounts shown in Appendix 1 from 2018/19 to 2019/20.</li> <li>• the earmarked reserves position shown in Appendix 2</li> <li>• the variations to revenue expenditure, as listed in Section 6, thereby giving rise to a revised balance of £5.902 million on the unallocated General Fund revenue reserve at 31st March 2019.</li> </ul>	<b>Approved</b> <b>Approved</b> <b>Approved</b> <b>Approved</b>

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9.2	<p><b><u>Capital Budget Monitoring</u></b></p> <p>A report was submitted on the overall financial position of the Council in respect of the capital programme as at 31<sup>st</sup> March 2019, highlighting key issues and explaining variations at the year end with regard to portfolio under/overspends and slippage since the last report to the Executive Board in February 2019.</p> <p><b>RESOLVED</b> - 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>
9.3	<p><b><u>Corporate Plan 2018/19 - October 2018 to March 2019</u></b></p> <p>A report was submitted which gave the Executive Board the opportunity to review progress against the Council's strategic priorities documented within the Corporate Plan (2016-19) and to provide assurance that appropriate actions are being taken to address key areas of concern.</p> <p>The purpose of the report was to provide a picture of overall performance and highlight any key issues of concern which were in need of closer monitoring and follow up action. Information on all Corporate Plan (2016-19) measures and key issues raised through the performance challenge process were documented for Executive Board, in two separate appendices, as follows:</p> <ol style="list-style-type: none"> <li>1. Appendix One showed a summary of all Corporate Plan (2016-19) priorities, highlighting those areas that are forecast as being on track; those where delivery is not going as planned and those where performance is forecast as off track or likely to be off track.</li> <li>2. Appendix Two provided exception reports for priorities which were considered to be off track.</li> </ol> <p><b>RESOLVED</b> - That the Executive Board:</p> <ol style="list-style-type: none"> <li>1. Note the overall performance against the delivery of the Council's strategic objectives as illustrated in Appendix One; and</li> <li>2. Note the remedial action to improve delivery against the 2016-19 Corporate priorities which are giving cause for concern, as outlined in Appendix Two.</li> </ol>	<p><b>Noted</b></p> <p><b>Noted</b></p>
9.4	<p><b><u>Voluntary, Community and Faith Sector Commission</u></b></p> <p>The Executive Board received a report which updated on the</p>	

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	<p>current position regarding the procurement of a new Voluntary, Community and Faith Sector Core Offer and which made recommendations for the new commission commencing 1 October 2019.</p> <p>A key recommendation from the review had been the need for greater transparency, coordination and a new overarching outcomes based performance management framework to ensure that delivery was targeted, made a sustainable difference to individuals and families, reduced the demand on statutory services and provided value for money.</p> <p>The overall aim of the new offer was to develop co-ordinated pathways to preventative services and self-care opportunities to enable people to stay happier and healthier in their own homes for longer. Importantly, the emerging support themes from the review which formed the basis of the contract, were all based around need and not structured by existing or historical service provision.</p> <p>Efficiency savings had been identified and were required as part of the Council's agreed savings plans, however, the review had demonstrated that there was considerable scope to enhance rather than reduce the offer to vulnerable people in the Borough. Current and historic arrangements have led to inefficiencies through duplication of services outside of this contract, a lack of effective coordination and transparency, and an underdeveloped opportunity to support grass roots organisations working in neighbourhoods.</p> <p><b>RESOLVED –</b></p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> <li>1. Note the contents of the report of 7 May 2019 to the Blackburn with Darwen Clinical Commissioning Group's (CCG) Joint Commissioning Recommendations Group (JCRG) to go out to tender for new service provision from 1<sup>st</sup> October 2019;</li> <li>2. Agree a 10% efficiency saving for Adult Social Care, Children and Young People, and CCG to be applied to the contributions to the current cost of the contract in line with the Council's budget recovery plans. Efficiencies will be shared proportionately across the funding providers for reinvestment or to take as savings;</li> <li>3. Agree a £129,415 infrastructure support cost to be delivered in-house;</li> <li>4. Note that the service offer would sit under the Director of Adults and Prevention, and be managed by the Head of Service Prevention, Learning and Neighbourhood Services as part of the wider prevention offer. Joint management and</li> </ol>	<p></p> <p></p> <p></p> <p></p> <p></p> <p><b>Noted</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Noted</b></p>

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	<p>oversight of the contributions, delivery and outcomes by the Children's, Young People and Education Directorate, Public Health and Wellbeing Directorate and the CCG will ensure that statutory accountability and responsibilities are maintained;</p> <p>5. Approve the procurement approach set out in the report and in the attached timetable;</p> <p>6. Agree to delegate authority to the Director for Adults and Prevention to enter into contract with the successful tenderers. This to be done in consultation with the relevant Executive Members within the council; and</p> <p>7. Notes the Director for Adults and Prevention shall consult the Blackburn with Darwen Clinical Commissioning Group in relation to the tender process and contract awards.</p>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Noted</b></p>
<p><b>10.1</b></p>	<p><b><u>Petition: Hudson Close, Blackburn</u></b></p> <p><i>Ahead of discussion on this item, Councillor Phil Riley reiterated his statement under Public Questions that he would request that Officers review their decision on this item.</i></p> <p>A petition signed by 18 residents of 17 properties from a total of 21 properties on Hudson Close, Blackburn, had been submitted to the Council requesting that their road be resurfaced.</p> <p>Present funding levels, both revenue and capital, effectively restricted consideration of only the Borough's major classified roads for the foreseeable future, but the report advised that a visual inspection shows that the major area of concern on Hudson Close was an approximately 75 metre length of carriageway just over a metre wide along the southern side of the cul-de-sac. It was this area that had been the subject of safety defect repairs over the years. The condition of this area was such that it would continue to deteriorate more rapidly than the rest of the carriageway resulting in an increasing maintenance liability going forward.</p> <p>Therefore, whilst it may not be realistic to resurface the entire carriageway of Hudson Close, officers recommended that a 'large patch' repair be carried out to this area at an estimated cost of £7,500.</p> <p><b>RESOLVED -</b></p> <p>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 but that a large patch repair be</li> </ul>	<p><b>Noted</b></p> <p><b>Approved</b></p>

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	<p>carried out to the area of worst condition.</p> <ul style="list-style-type: none"> <li>Request that Officers inform the Lead Petitioner of the decision.</li> </ul> <p style="text-align: center;"><b>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND THE PUBLIC WERE EXCLUDED FROM THE MEETING</b></p>	<b>Approved</b>
<b>11.1</b>	<p><b><u>Write Off of Business Rates</u></b></p> <p>Further to the report submitted at Agenda Item 8.4, an additional report was submitted containing commercially sensitive information.</p> <p><b>RESOLVED</b> - That the Executive Board:</p> <p>Approves the request to write-off the Business Rates debt.</p> <p style="text-align: center;">Signed at a meeting of the Board on Thursday, 4 July 2019</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>	<b>Approved</b>