

REPORT TO:		Cabinet	
DATE:		07 December 2022	
PORTFOLIO:		Cllr Miles Parkinson, Leader	
REPORT AUTHOR:		Kirsten Burnett, Head of Policy and OD	
TITLE OF REPORT:		Hyndburn Culture & Heritage Investment Board (CHIB)	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

- 1.1 To present draft terms of reference for the Hyndburn Culture & Heritage Investment Board (CHIB).

2. **Recommendations**

- 2.1 That Cabinet approves the draft terms of reference for a Hyndburn Culture & Heritage Investment Board (CHIB) (Appendix 1).
- 2.2 That Cabinet delegates authority to the Chief Executive Officer to approve membership of the CHIB.

3. **Reasons for Recommendations and Background**

- 3.1 Interested bodies have recently come together to discuss how it could support heritage and culture within Hyndburn and produced proposals to formally establish a CHIB. The attached Terms of Reference detail the intended aims, structure and operation (Appendix 1).
- 3.2 The CHIB would link to the Council's aspirations and funding bids around Levelling Up and Town Centre improvement and is intended to enrich the whole borough of Hyndburn. It will develop a draft Cultural Investment Plan based on a consideration of the needs and aspirations of all groups, especially those who are currently excluded, for a variety of reasons, from cultural activities and this Plan will be presented to the Council for consideration and approval.
- 3.3 The CHIB will make recommendations to the Council, who will remain the decision-making body for any strategies and plans the CHIB brings forward. The CHIB will support the Council's work to develop and promote cultural / heritage activity in the Borough by helping to develop policy and suggested programmes and activities.
- 3.4 A "shadow" version of the CHIB has been set up already and this is currently chaired by the CEO of Hyndburn Leisure and includes, besides relevant Council officers, representatives with expertise in the cultural and heritage landscape. Board membership will be refreshed, or

additional co-optees sought, based on specific or changing needs, having regard to the CHIB's work programme.

3.5 The CHIB will consider the best way to engage other stakeholders in its work, recognising that there are individuals and groups not represented on the Board who have much to offer and who are already engaged in cultural and heritage-based activity.

4. Alternative Options considered and Reasons for Rejection

4.1 N/a

5. Consultations

5.1 The draft terms of reference have been developed in consultation with members of the group, with input from the Council's Legal Services team.

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>None</p> <p>The Board's role will be advisory and, as such, it will not engage in procurement or expenditure and no budgetary provision is needed.</p> <p>Further reports will be brought to Council if this position were to change.</p>
<p>Legal and human rights implications</p>	<p>The CHIB:</p> <ul style="list-style-type: none"> (i) has no power to make decisions on behalf of the Council (ii) is an advisory / consultative body only (iii) is not meant to be the Council's agent or a partnership or joint venture body; and (iv) no legal relationship is created between those serving on the CHIB (v) it will not enter into contracts and will not have capacity to commit the Council to any expenditure or course of action (vi) the CHIB will not be committee or working group of the Council, nor will it be a legal partnership or corporate body (vii) the CHIB will exist as an unincorporated association <p>The Council has legal power to participate in the CHIB pursuant to the Localism Act 2011.</p>
<p>Assessment of risk</p>	<p>There is a risk that the CHIB will act outside the scope of its terms of reference. This will be mitigated by the presence of Council representatives on the CHIB and regular reports on its activity and proposals.</p>

<p>Equality and diversity implications A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</p>	<p>Equality and diversity is built into the ToR as this is critical to the success of its work. Proposals will be designed with different backgrounds and needs in mind.</p> <p>One of the proposed aims is to: Promote equality, diversity and inclusion, maintaining an awareness of the Equality and Diversity Strategy and working to create and maintain a safe supportive and welcoming environment where all people are treated with dignity and their identity and culture is valued and respected.</p> <p>A CFA is attached to the report as Appendix 2.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

7. **Local Government (Access to Information) Act 1985:**
List of Background Papers

7.1 None