

EXECUTIVE BOARD

9th June 2016

PRESENT

COUNCILLOR:

Mohammed Khan
Maureen Bateson
Damian Talbot
Mustafa Desai
Jim Smith
Phil Riley
Dave Harling
Andy Kay
Arshid Mahmood

PORTFOLIO:

Leader
Children's Services
Leisure, Culture & Young People
Health & Adult Social Care
Environment
Regeneration
Schools & Education
Resources
Neighbourhoods & Prevention Services

EXECUTIVE MEMBER

John Slater

NON-PORTFOLIO

Leader of the Conservative Group

ALSO IN ATTENDANCE

Hamza Khan, Youth MP, Ummaih Shah and
Joshua Logan Deputy Youth MPs

	Item	Action
1	<u>Welcome & Apologies</u> The Leader of the Council, Councillor Mohammed Khan welcomed all present to the meeting, in particular the newly elected Youth MP and Deputy Youth MPs, and also the new Members of the Executive Board, Councillors Arshid Mahmood and John Slater .	Approved
2	<u>Minutes of the Meeting held on 7th April 2016</u> The minutes of the meeting of the Executive Board held on 7 th April 2016 were agreed as a correct record.	Approved
3	<u>Declarations of Interest</u> Councillors Phil Riley and Andy Kay declared an interest in Agenda Items 9.1 and 11.2 as the first Directors of The Making Rooms BwD CIC and had been given dispensations from the Standards Committee to participate in the meeting.	
4	<u>Equality Implications</u> 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.	Confirmed

5

Public Forum

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:-

Name of Person asking the Question	Subject Area	Response by
Eddie Duxbury	Pedestrian Crossing, Chapel Street, Mill Hill, Blackburn	Councillor Phil Riley – Executive Member for Regeneration
James Newton	Night Clubs, Blackburn	Councillor Phil Riley – Executive Member for Regeneration
Emily Lord	Town Centre Advertising	Councillor Phil Riley – Executive Member for Regeneration
Angela Margerison	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
John Kearney	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Caroline Fotios	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Steff Rostron	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Lynn Schofield	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Brenda Cronshaw	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
C. Whittaker	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Roy Schofield	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Ben Lee	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration
Dr Aimee Schofield	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration

	Item	Action									
6	<p><u>Questions by Non-Executive Members</u></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="336 360 1252 801"> <thead> <tr> <th data-bbox="336 360 625 499">Name of Non-Executive Member asking the question</th> <th data-bbox="625 360 887 499">Subject Area</th> <th data-bbox="887 360 1252 499">Executive Member and Portfolio</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 499 625 651">Councillor Roy Davies</td> <td data-bbox="625 499 887 651">Darwen Three Day Market</td> <td data-bbox="887 499 1252 651">Councillor Phil Riley – Executive Member for Regeneration</td> </tr> <tr> <td data-bbox="336 651 625 801">Councillor David Foster</td> <td data-bbox="625 651 887 801">Darwen Three Day Market</td> <td data-bbox="887 651 1252 801">Councillor Phil Riley – Executive Member for Regeneration</td> </tr> </tbody> </table>	Name of Non-Executive Member asking the question	Subject Area	Executive Member and Portfolio	Councillor Roy Davies	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration	Councillor David Foster	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration	
Name of Non-Executive Member asking the question	Subject Area	Executive Member and Portfolio									
Councillor Roy Davies	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration									
Councillor David Foster	Darwen Three Day Market	Councillor Phil Riley – Executive Member for Regeneration									
7	<p><u>Youth MPs Update</u></p> <p>The Youth MP and Deputy Youth MPs provided a verbal update on recent activities and events including:</p> <ul style="list-style-type: none"> • Social Action Fund – work with SLYNCS and the Youth Zone to distribute funds locally. • Attendance at Mayor-Making, Civic Sunday and the Fusion Awards. • Future attendance at the Youthforia regional meeting at Manchester University on 26th June. • The Youth MPs would be attending the Darwen Youth Festival on 16th July, and were also involved in arrangements for the event. • Young People’s Services were also involved in a project with the Wildlife Trust regarding conservation which focussed on working with people with mental health issues. • Hamza would be attending the annual Youth Parliament sitting in York, where two issues from the Make Your Mark campaign would be debated – ‘Cleaner and Greener’ and ‘Community Cohesion’. <p>Members of the Executive Board offered congratulations on the Youth MPs recent successful election, and Councillor Maureen Bateson requested assistance from the Youth MPs in raising issues that could be discussed at the Children’s Partnership Board and feed up to the Health and Wellbeing Board. Councillor Arshid Mahmood also requested assistance and contributions in relation to the Prevention agenda.</p>	Noted									
8.1	<p><u>Leader’s update</u></p> <p>The Leader of the Council, Councillor Mohammed Khan, verbally reported that the first shadow meeting of the Lancashire Combined</p>	Noted									

	Item	Action
	Authority would be held on 11th July 2016, and that he would keep Members informed of developments.	
8.3	<p><u>Children's Services update</u></p> <p>Councillor Maureen Bateson, the Executive Member for Children's Services, verbally reported on the recent launch of a book written by adopted children and their families entitled 'Once Upon a Family', which formed part of the Let's Adopt campaign.</p>	Noted
8.3.1	<p><u>Fostering Service Quarterly Report – 1st January – 31st March 2016</u></p> <p>A report was submitted which provided information to the Council's Executive Board on the management and performance of the Local Authority's Fostering Service.</p> <p>The report covered the fourth quarter of 2015-2016 from 1st January to 31st March 2016 and provided an overview of the service.</p> <p>RESOLVED - That the Executive Board:</p> <p>Notes the quarterly report which is available on the Council Website.</p>	Noted
8.3.2	<p><u>Adoption Service Six Monthly Report – 1st October 2015 – 31st March 2016</u></p> <p>Members received a report which provided information on the management and performance of the Local Authority's Adoption Service.</p> <p>The report summarised the performance of the Adoption Service for the six month period from 1st October 2015 to 31st March 2016 and provided an overview of the work of the Service for this period.</p> <p>RESOLVED - That the Executive Board:</p> <p>Notes this six monthly report which is available on the Council website.</p>	
8.7.1	<p><u>Proposals for the Darwen Three Day Market</u></p> <p>The Executive Board received a report containing proposals relating to the Darwen Three Day Market.</p> <p>The report provided an update on the trader and public consultations that had taken place to date, considered some of the initial proposed options for future use of the 3 day site resulting from the public/stakeholder consultation, and provided an outline programme of Next Steps and adoption of a strategy to relocate the traders in the Three Day Market, and obtain vacant possession for future</p>	

	Item	Action
	<p>redevelopment and regeneration of the Three Day Market site.</p> <p>Members were reminded that the Executive Board had approved a number of recommendations at its meeting on 11th February 2016.</p> <p>The February Executive Board report stated that the Three Day Market showed itself to be physically and functionally obsolete, the initial findings of the survey reports indicating that maintenance and refurbishment would not be viable due to the estimated costs of remedial work.</p> <p>A petition had were been submitted by local residents, traders and visitors to keep the Darwen Three Day Market open and this was noted in the report.</p> <p>The previous Executive Board report summarised the occupancy details for the main Six Day Market, the Annexe and the Three Day Market, as well as costs of repair and/or refurbishment.</p> <p>The current occupancy levels, costs of repair and/or refurbishment and underlying obsolescence all indicated that closure of the Three Day Market and demolition would be the preferred option rather than further investment in the existing structure.</p> <p>The Condition surveys also identified a requirement for additional structural surveys and remedial works. These surveys had now been carried out and any urgent essential works had been commissioned. Any non-urgent works to the main Six Day Market and Annexe were to be undertaken as part of a wider planned maintenance programme.</p> <p>Following the February report consultation had now been undertaken with market traders in connection with relocation options and with members of the public and stakeholders in connection with possible future plans for the site.</p> <p>The trader consultation commenced with individual 1:1 consultations with 16 traders (2 were unavailable). Of those, 14 indicated they would be willing to relocate although some of these had reservations, and 2 of the 16 traders had now given notice to leave the market. The concerns expressed were summarised in the report submitted.</p> <p>Most of their concerns were dealt with in a set of FAQs issued to traders following the 1:1s although some were still to be resolved, for example the future of the Three-Day site. The concerns about rent and outgoings were anticipated to be addressed by a commitment to peg rent levels at the same rent (or less) than currently paid in the Three Day Market.</p> <p>A wider 9 week public consultation focussed on the future of the 3 day Darwen market site. This was launched at Darwen Aldridge Academy (DACA) on the 21st March with an open invite to the public including market traders and concluded at the end of May. The consultation focussed on how the market site could support the development of a town centre which met the needs of all residents and visitors of Darwen with potential new uses and activities.</p>	

	Item	Action
	<p>Appendix A provided further detail of the public/stakeholder consultation exercise and the responses received.</p> <p>A petition had recently been submitted, signed by 1441 individuals, objecting to the closure of the market. The petition stated...."We petition to keep the Darwen Three Day Market open at the heart of the local community and as a living part of the Darwen heritage". The front of the petition was attached as Appendix B.</p> <p>In summary, the Three Day Market presented an opportunity to improve retailing in Darwen town centre and deliver a landmark town centre development which would continue the regeneration of the town centre and be a real focal point for the town. Possible future plans for the site could include retail/market trading, leisure, residential and/or enhanced public realm with facilities for events etc. There would continue to be concerns expressed by traders, shoppers and other stakeholders which would have to be addressed through continuing engagement and consultation at key stages, eg. on submission of any planning application/s for redevelopment of the site.</p> <p>Subject to approval of this report next steps included:</p> <ul style="list-style-type: none"> • Works to create additional stalls in the Six-Day Market and Annexe • Commencement of the stall application process • Termination of tenancies where traders are unwilling to relocate • Assisting the relocation of traders from the Three Day market • Commencement of the demolition procurement process, to appoint a demolition contractor • Formulation of plans for the future of the Three Day site, building on the public/stakeholder consultation. <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Considers the feedback from the trader and public consultation received to date and accepts the summary of those findings; 2. Approves the relocation strategy for traders intending to move to the Annexe or the Six Day Market prior to the closure of the Three Day Market, and that no new lettings of any of the Three Day Market stalls should be permitted, including existing vacant stalls; 3. Approves the procurement and delivery of accommodation works in the Annexe and the Six Day Market to create space for traders relocating from the Three Day Market; 4. Approves the closure and demolition of the Three Day Market; 5. Approves the commence of procurement exercise to appoint a demolition contractor and delegates authority for contract award to the Director of Planning and Prosperity in consultation with the Executive Member for Regeneration; 6. Approves the Next Steps set out in the Key Issues section of the report; 	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

	Item	Action
	<p>7. Notes the petition received to keep the Darwen Three Day Market open and recommends that the Lead Petitioner be informed of the Executive Board decision; and</p> <p>8. To report back to a future meeting of the Executive Board with an indicative summary and further details of the redevelopment site.</p>	<p>Noted & Approved</p> <p>Approved</p>
<p>8.9.1</p>	<p><u>School Term and Holiday Pattern 2017/2018</u></p> <p>A report was submitted which contained the proposed school term and holiday pattern for Community and Controlled schools for 2017/2018.</p> <p>The Local Authority (LA) had responsibility for setting the school holiday pattern for Community and Controlled schools. It did this in consultation with neighbouring LAs, schools and teacher associations. For other maintained schools (Voluntary Aided and Foundation) the governing body set the holiday pattern.</p> <p>The dates were agreed 12 months in advance of schools beginning the new academic year. In February 2016 a short consultation was carried out with primary and secondary schools asking for their comments about a set of principles which could be adopted to influence the way in which future years dates are set.</p> <p>Analysis of the results from the consultation suggested that schools were less inclined to agree a set of principles that influenced the way that pattern were set, preferring to have a pattern that aligned directly with schools in Lancashire. 68% of schools that responded to the consultation referred to the need to fall in line with Lancashire dates given the close proximity between Blackburn with Darwen and Lancashire.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Agrees the school term and holiday pattern for Community and Controlled schools for 2017/2018 (as set out in Appendix A ‘Recommended Dates for 2017-18’). <p><i>At this point of the meeting, the Executive Board were reminded that Councillors Andy Kay and Phil Riley had declared interests in the following item (also Agenda Item 11.2) and had been granted dispensations by the Standards Committee.</i></p>	
<p>9.1</p>	<p><u>Establishment of The Making Rooms</u></p> <p>The Executive Board received a report contained recommendations related to the establishment of The Making Rooms.</p>	

Item	Action
<p>As part of the Council's plan to regenerate the town centre, the Council made proposals to develop a technical and creative innovation centre, housing Lancashire's 1st Fabrication Laboratory (Fab Lab), in the heart of the Blackburn town centre in the former 'Bentleys' building adjacent to the Town Hall.</p> <p>'The Making Rooms' was the name for the new centre of creativity and innovation and would be a catalyst for makers and craftsmen and new manufacturing. The urban project would house a Fabrication Laboratory with a comprehensive range of 3D printing equipment alongside a number of other advanced manufacturing technologies including precision laser cutters, milling equipment, CNC machining, electronics, sculpture and pottery. The equipment would be available for individual and commercial use.</p> <p>The Making Rooms would also have offices for technical and creative start-up businesses alongside studios, workshops and open plan flexible spaces to provide: artist residencies, workshops, seminars, talks, events, company away-days and training sessions and space to accommodate an exhibition.</p> <p>Dr Eddie Kirkby had recently been appointed as Director for the Making Rooms. Dr Kirkby came to Blackburn after 11 years at The Manufacturing Institute (TMI) during which time he led the project that brought the first Fab Lab to the UK in Manchester in 2010, and set up a 2nd Fab Lab for TMI in Ellesmere Port in 2013. He had also been involved in setting up 12 other Fab Labs across the UK.</p> <p>It was proposed that The Making Rooms was operated by a Community Interest Company at arm's length from the Council. The Council would provide the CIC with an initial 3 year lease to operate The Making Rooms and the Council would nominate two board members onto the Board of the CIC.</p> <p>These arrangements would enable both parties to maximise external funding opportunities for the benefit of The Making Rooms. Many external funders did not accept bids from local authorities, if the facility was operated at arm's length, the Council and the CIC could each submit bids to various external funders as appropriate to support and enhance the operation of The Making Rooms.</p> <p>The design and build contract for the refurbishment of the building had been awarded to the company who submitted the most economically advantageous tender. The company were working on the internal design of the building and would complete all building work by the end of September 2016 to enable the facility to open in October 2016.</p> <p>In the meantime, the Council had obtained a short-term lease on 59-61A King William Street opposite the Town Hall in which The Making Rooms would run a temporary 'Pop-up' Fab Lab for initial engagement of target users and to raise awareness of The Making Rooms across Blackburn and Darwen.</p>	

	Item	Action
	<p>RESOLVED – That the Executive Board:</p> <ol style="list-style-type: none"> 1. Notes the establishment of The Making Rooms BwD Community Interest Company to manage and operate the Making Rooms; 2. Approves Council Representation as first directors of the CIC, consisting of the Executive Member for Resources and the Executive Member for Regeneration; 3. Approves three year tapering revenue support as outlined in this report to assist the operation of The Making Rooms whilst it grows its customers base and becomes financially sustainable and independent from the Council; 4. Notes the approval of grant funding from the LEP (Lancashire Enterprise Partnership) and the Arts Council England as previously advised and the contract award to the successful bidder for the refurbishment works of the ‘Bentley’s building’; and 5. Delegates authority to the Director of Planning & Prosperity in consultation with the Leader to negotiate and agree the terms of the lease to the ‘Bentleys’ building with The Making Rooms BwD CIC. 	<p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Noted</p> <p>Approved</p>
<p>9.2</p>	<p><u>Expansion of Whitebirk Industrial Estate, Blackburn</u></p> <p>A report was submitted which sought approval for the sale of Council owned land, situated off Lower Philips Road.</p> <p>The land comprised 21.55 acres or thereabouts and included the former Whitebirk Tip together with the former GB Oils and Akzo Nobel sites fronting Lower Philips Road.</p> <p>On 8th October 2015 the Executive Board considered an earlier report relating to the disposal this land and, in so far as the land sale was concerned, approved a marketing exercise for the disposal of the Council’s combined interests in the former Whitebirk Tip site and the adjoining former GB Oils and Akzo Nobel sites.</p> <p>Two expressions of interest were received by the closing date, one of which was a joint expression from those parties who had previously expressed interest and the other was a separate expression of interest but this was subsequently withdrawn.</p> <p>The result of the Expressions of Interest exercise was the proposed disposal to Pets Choice as a single purchaser and for Pets Choice to then deal with Hippo.</p> <p>A formal letter had since been issued to the parties providing full details and plans of the site constraints which the prospective purchasers would be responsible for. The letter asked the prospective purchasers to confirm certain issues as detailed in the Part 2 Report.</p>	

	Item	Action
	<p>Based on the information submitted by the parties the heads of terms as detailed in the Part 2 Report had been provisionally agreed.</p> <p>RESOLVED – That the Executive Board:</p> <ol style="list-style-type: none"> 1. Approves the sale subject to the provisionally agreed heads of terms as detailed in the Part 2 Report; 2. Delegates authority to the Director of Planning and Prosperity in consultation with the Executive Member, Resources to approve the final purchase price and the remaining heads of terms; 3. Authorises the Council Solicitor to complete the necessary legal formalities relating to the sale of land. 	<p>Approved</p> <p>Approved</p> <p>Approved</p>
<p>10.1</p>	<p><u>Petition on Night Time Economy, Blackburn Town Centre</u></p> <p>The Council had received a coordinated petition calling for improvements to the Night time economy in Blackburn from patrons of Bar Ibiza, Zybar, The Sun, Sam’s Bar and The Adelphi.</p> <p>The report submitted set out the background to this issue, the gaps in the leisure, food and drink and night time offer and the Council’s strategic role, partnership working and regeneration initiatives to address these gaps and help encourage private sector investment.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Notes the Petition; 2. Notes the update from the Director of Planning & Prosperity on the Council’s wider work to create the conditions to encourage more investment in the day and night time economy for food and drink operators, restaurants, leisure and night time offer to attract a range of customers wanting to spend leisure time in the town centre; 3. Notes the Council’s support for physical regeneration projects including the Cathedral Quarter Development, Northgate Townscape Heritage project, Waves site; 4. Notes the Council’s direct support for activities and events working in partnership with the BID and other partners and operators to support the development of an early evening and night time economy in Blackburn town centre; and 5. Notes the Council’s investment in research to evidence demand to encourage new operators to the town centre. 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

	Item	Action
	<p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND THE PUBLIC WERE EXCLUDED FROM THE MEETING.</p>	
<p>11.1</p>	<p><u>Expansion of Whitebirk Industrial Estate, Blackburn</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 - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Approves the sale subject to the provisionally agreed heads of terms outlined in this report; 2. Delegates authority to the Director of Planning and Prosperity in consultation with the Executive Member, Resources to approve the disposal process through to completion of sale including the final purchase price (at a figure not less than the District Valuer's valuation) and the remaining heads of terms; and 3. Authorises the Council Solicitor to complete the necessary legal formalities relating to the sale of the land. 	<p>Approved</p> <p>Approved</p> <p>Approved</p>
<p>11.2</p>	<p><u>Establishment of The Making Rooms</u></p> <p>Further to the report submitted at Agenda Item 9.1, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Notes the establishment of The Making Rooms BwD Community Interest Company (CIC) to manage and operate the Making Rooms; 2. Approves the Council representations as first directors of the CIC, consisting of the Executive Member for Resources and the Executive Member for Regeneration; 3. Approves three year tapering revenue support as outlined in this report to assist the operation of The Making Rooms whilst it grows its customer base and becomes financially sustainable and independent from the Council; 4. Notes the approval of grant funding from the LEP (Lancashire Enterprise Partnership) and the Arts Council England as previously advised and the contract award to the successful bidder for the refurbishment works of the 'Bentley's building'; and 	<p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Noted</p>

	Item	Action
	<p>5. Delegates authority to the Director of Planning and Prosperity in consultation with the Leader to negotiate and agree the terms of the lease to the 'Bentleys' building with The Making Rooms BwD CIC.</p>	
<p>11.3</p>	<p><u>Proposals for the Darwen Three Day Market</u></p> <p>Further to the report submitted at Agenda Item 8.7.1, an additional report was submitted which contained commercially sensitive information.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Considers the feedback from the trader and public consultation received to date and accepts the summary of those findings; 2. Approves the relocation strategy for traders intending to move to the Annexe or the Six Day Market, prior to the closure of the Three Day Market, and that no new lettings of any of the Three Day Market stalls should be permitted, including existing vacant stalls; 3. Approves the procurement and delivery of accommodation works in the Annexe and the Six Day Market to create space for traders relocating from the Three Day Market; 4. Approves the closure and demolition of the Three Day Market; 5. Approves the commencement of procurement exercise to appoint a demolition contractor and delegates authority for contract award to the Director of Planning and Prosperity in consultation with the Executive Member for Regeneration; 6. Approves the Next Steps set out in the key issues section of this report; 7. Notes the petition received to keep the Darwen Three Day Market open and recommends that the Lead Petitioner is informed of the Executive Board decision; and 8. Approves that a report be submitted to a future meeting of the Executive Board with an indicative summary and further details of the redevelopment of the site. 	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Noted</p> <p>Approved</p>

Signed at a meeting of the Board
on the day of
(being the next ensuing meeting
of the Board)
Chair of the meeting
at which the minutes were confirmed

	Item	Action