

# EXECUTIVE BOARD

13<sup>th</sup> April 2017

## PRESENT

### COUNCILLOR:

Mohammed Khan  
Maureen Bateson  
Damian Talbot  
Jim Smith  
Arshid Mahmood  
Andy Kay  
Dave Harling

### PORTFOLIO:

Leader  
Children's Services  
Leisure, Culture & Young People  
Environment  
Neighbourhoods & Prevention Services  
Resources  
Schools & Education

### EXECUTIVE MEMBER

John Slater

### NON-PORTFOLIO

Leader of the Conservative Group

### ALSO IN ATTENDANCE

Elle Walsh and Aliyah Shah, Deputy Youth MPs

	Item	Action
1	<b><u>Welcome &amp; Apologies</u></b>  The Leader of the Council, Councillor Mohammed Khan welcomed all present to the meeting, in particular the new Deputy Youth MPs. Apologies were received from Councillors Phil Riley and Mustafa Desai, and Ummah Shah, Youth MP.	
2	<b><u>Minutes of the Meeting held on 9<sup>th</sup> March 2017</u></b>  The minutes of the meeting of the Executive Board held on 9 <sup>th</sup> March were agreed as a correct record.	<b>Approved</b>
3	<b><u>Declarations of Interest</u></b>  There were no Declarations of Interest.	
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>  No questions had been submitted from members of the public.	
6	<b><u>Questions by Non-Executive Members</u></b>  No questions had been submitted from Non-Executive Members.	

	Item	Action
7	<p data-bbox="331 107 619 143"><b><u>Youth MPs Update</u></b></p> <p data-bbox="331 181 1318 253">The Deputy Youth MP's verbally updated the Executive Board as follows:</p> <ul data-bbox="352 293 1318 2033" style="list-style-type: none"> <li data-bbox="352 293 1318 365">• Another successful Youth Elections with nearly 9000 votes in total.</li> <li data-bbox="352 405 1318 477">• Unfortunately Ummaih couldn't attend the meeting as she was currently in Germany with the SLYNCS forum.</li> <li data-bbox="352 517 1318 813">• Both Aliyah and Elle attended the Youthforia Regional North West Residential the previous weekend at Brathay, Ambleside. Along with 120 young people from across the North West. They took part in various different workshops such as curriculum for life, banner making on domestic violence, high ropes courses, and a big debate on identity and representation. They debated on how Lancashire was the best County to live in in the North West.</li> <li data-bbox="352 853 1318 1171">• At the residential, Youth workers from across the North West said that they would like to use YPS's curriculum packs that had developed on Relationships, Risk Taking Behaviour, Democracy, Racism, Finance and Domestic Abuse within their youth clubs. The Youth MP's would be working with YPS to develop some further ones on life skills and sexual health which would help with early intervention work within youth clubs. Feedback received had been that this work was acknowledged as best practice.</li> <li data-bbox="352 1211 1318 1350">• The Youth Forum would be campaigning on a curriculum for life, cohesion / racism / bullying and domestic violence. There would also be discussions on which topics BwD Youth Forum would like to deliver locally.</li> <li data-bbox="352 1391 1318 1507">• A meeting with Cllr Damian Talbot and Imran Akuji would be arranged in the next few weeks, for an introduction meeting regarding their issues going forward.</li> <li data-bbox="352 1547 1318 1619">• Design of a YPS / Youth Forum website to engage with young people across the Borough.</li> <li data-bbox="352 1659 1318 1731">• An opportunity to shadow an Executive Member in any appropriate meetings would be appreciated.</li> <li data-bbox="352 1771 1318 1843">• 10-15 young people each day with staff support from YPS would be volunteering to help support the Festival of Making.</li> <li data-bbox="352 1883 1318 2033">• Leading the regional Youthforia event at Kaleidoscope in July for 21 local authority youth councils. The Youth MP's had completed the British Youth Council's Youth Voice Wheel log to show development and progress from now until next March.</li> </ul> <p data-bbox="331 2074 1318 2145">Members of the Executive Board welcomed the new Youth MP's and offered their support going forward.</p>	

	Item	Action
8.2.1	<p><b><u>Local Authority Declaration on Healthy Weight</u></b></p> <p>It was reported in February 2017, Blackburn with Darwen's Executive Board approved the Eat Well Move More Shape Up strategy and action plan. As described in the strategy, addressing unhealthy weight was a priority for Blackburn with Darwen. The impact of high levels of obesity on the Borough and its residents was outlined in the strategy.</p> <p>The economic cost of obesity and physical inactivity was significant and with the increasing pressure on the health and social care system, prevention had to be a priority. Within this strategic action plan there was a priority to sign up to the Local Authority Declaration on Healthy Weight.</p> <p>The Local Authority Declaration on Healthy Weight would see the Council taking the lead in promoting healthy weight across the Borough. Signing up to the Local Authority Declaration on Healthy Weight would ensure health was a focus in all policies across the portfolios and showed a commitment from senior leaders to address the obesity issues in the Borough and to enable staff, residents and visitors to have an environment that provided healthy options.</p> <p>The full Local Authority Declaration on Healthy Weight that was being proposed could be viewed in full at Appendix 1.</p> <p><b>RESOLVED</b> - That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Approves adoption of the national and local communities in the Local Authority's Declaration on Healthy Weight.</li> </ul>	Approved
8.2.2	<p><b><u>Blackburn with Darwen New Psychoactive Substances Framework and Action Plan</u></b></p> <p>Members were advised that in recent years the United Kingdom has seen the emergence of a range of newly manufactured drugs appear nationally and internationally and are collectively called New Psychoactive Substances (NPS). Prior to recent United Kingdom (UK) legislation NPS were also known as legal highs and the term NPS was used to describe substances that have brain or mood altering effects. The effects of NPS had been found to be similar to those of other illicit drugs that were controlled via the Misuse of Drugs Act 1971.</p> <p>During 2014-15 the Council's Public Health Team commissioned a local needs assessment which involved in-depth consultation with key partners, stakeholders and local residents from across the life course. A number of qualitative interviews and focus groups enabled researchers to gain substantial insight into local supply, usage and impact on local residents and key partner agencies.</p> <p>The government passed the Psychoactive Substances Act on 6<sup>th</sup> April 2016. The local Framework reflected on evidence and key</p>	

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	<p>findings from the commissioned needs assessment and aimed to implement a number of recommendations and actions aligned to this latest legislation. Public Health had provided strategic leadership and a key role in the development of the Blackburn with Darwen's 'New Psychoactive Substances' (NPS) Framework to ensure senior level multiagency ownership and co-ordinated local action. The two year Framework (2017-19) adopted a life course approach, aligned to the three Health and Wellbeing life stages of Start Well, Live Well and Age Well.</p> <p>The Framework would remain a focus for Blackburn with Darwen for the next two years or until such time as an overarching Drug Strategy could be considered on a wider, partnership basis across PAN Lancashire.</p> <p>The local authority was in a prime position to lead on the agenda by both influencing and engaging with the many partners and stakeholders who were integral to the success of the implementation. Through this leadership the local authority would advocate a coordinated approach with all partners to have a wide reaching, positive effect on the health of Blackburn with Darwen's population. The local Drug and Alcohol Expert Reference group would lead and monitor progress on the implementation of the Action Plan, and report to the Health and Wellbeing Board sub groups (Start Well, Age Well, Live Well as appropriate), with accountability to the Health and Wellbeing Board.</p> <p><b>RESOLVED</b> – That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Notes and approves the recommendations and actions included in the New Psychoactive Substances Framework to ensure implementation of the actions relating to the four priority themed areas;</li> <li>• Notes that New Psychoactive Substances present a significant public health risk requiring cross portfolio and senior level leadership support with commitment to addressing any ongoing and emerging threats, whilst continuing to improve access to prevention, drug education and support services across the life course; and</li> <li>• Notes that encouraging self-care among citizens is important along with informed workforce development for the Council, partners and key stakeholders.</li> </ul>	<p><b>Noted and Approved</b></p> <p><b>Noted</b></p> <p><b>Noted</b></p>
<p><b>8.2.3</b></p>	<p><b><u>Blackburn with Darwen Integrated Sexual Health Strategy 2017-20</u></b></p> <p>It was reported that the Blackburn with Darwen (BwD) Integrated Sexual Health Strategy was an ambitious and inclusive approach to sexual health with high expectations of all of key partners to consider prevention and positive sexual health promotion. The priorities of the strategy would also ensure high quality education, treatment and care for those who needed it. It aimed to provide a coherent, integrated strategic approach to the promotion of good</p>	

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	<p>sexual health and positive sexual relationships across communities.</p> <p>The strategy would inform multi-agency planning and commissioning decisions to ensure resources were effectively targeted to reduce sexual health inequalities within the Borough. The economic costs associated with poor sexual health and risk taking behaviours were significant and with the increasing pressure on the health and social care system, prevention had to be a priority.</p> <p>Public Health has provided strategic leadership and co-ordination and had a key role in leading the development of the BwD 'Integrated Sexual Health' strategy to ensure senior level multiagency ownership and co-ordinated local action. The three year strategy (2017-20) adopted a life course approach, aligned to the three Health and Wellbeing life stages of Start Well, Live Well and Age Well. Local priorities had been informed by a wide range of stakeholders and the public through a range of consultations, including face-to-face consultation, national guidance and evidence of what works.</p> <p>The Strategy would remain a focus for Blackburn and Darwen for the next three years or until such time as an overarching Sexual Health Strategy could be considered on a wider, partnership basis across Pan Lancashire.</p> <p><b>RESOLVED</b> – That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Notes that sexual health is a significant public health issue requiring cross portfolio and senior level leadership and commitment to improving levels of sexual health across the Borough;</li> <li>• Notes that the Council has a responsibility to improve access to a range of education and prevention offers, quality interventions, and to encourage self-care via council, partners and stakeholders; and</li> <li>• Approves the three year Integrated Sexual Health strategy and action plan.</li> </ul>	<p><b>Noted</b></p> <p><b>Noted</b></p> <p><b>Approved</b></p>
8.4	<p><b><u>Environment Update</u></b></p> <p>Councillor Jim Smith verbally reported that nearly 12,000 residents had now signed up for a green waste collection.</p>	<b>Noted</b>
8.5	<p><b><u>Leisure Culture and Young People Update</u></b></p> <p>Councillor Damian Talbot verbally reported of a successful weekend at King George's Hall where 4,000 people had attended concerts across that period.</p>	<b>Noted</b>
8.7.1	<p><b><u>Local Transport Plan 2017/18 Programme</u></b></p> <p>Executive Board's approval was sought for the detailed Local</p>	

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	<p>Transport Plan 3 (LTP3) programme for the financial year 2017/18 and in outline from 2018/19 to 2020/21. The LTP3 Strategy covering the period 2011-2021 was originally approved by the Council Forum on 28<sup>th</sup> April 2011.</p> <p><b>RESOLVED –</b> That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Approves the Local Transport Plan 3 detailed programme for 2017/18;</li> <li>• Approves the Local Transport Plan 3 outline programme from 2018/19 to 2020/21; and</li> <li>• Delegates authority to the Director of Growth and Development, in consultation with the Executive Member for Regeneration, to amend, seek and accept tenders subject to adequate budget provision.</li> </ul>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>
<b>8.8</b>	<p><b><u>Resources Update</u></b></p> <p>Councillor Andy Kay made reference to the significant changes to Benefits which would impact badly on poorer families and which would be reported at the next Council Forum meeting.</p>	<b>Noted</b>
<b>8.9.1</b>	<p><b><u>School Term and Holiday Pattern 2018/2019</u></b></p> <p>The Executive Board was advised that the LA was required to set the school holiday pattern for its Community and Controlled schools. The dates were agreed 12 months in advance of schools beginning the new academic year. In February 2017 the dates were circulated for consultation with primary and secondary schools. In addition the dates were sent to Teacher Associations and discussed at the Governor’ Forum meeting in February.</p> <p>Schools preferred the LA to set a pattern that was aligned with Lancashire County Council. In this way there was less disruption for families and employees. Feedback given to Lancashire this year resulted in the half term in Autumn moving back to the end of October and this was welcomed by schools in Blackburn with Darwen.</p> <p>Agreeing a uniform set of dates for the Borough was not possible as all of the secondary schools and over half of primary schools could set their own holiday patterns. This was likely to increase in the years ahead as more of the school stock changes form maintained schools to academies.</p> <p><b>RESOLVED –</b> That the Executive Board:</p> <p>Agree the school term and holiday pattern for Community and Controlled schools for 2018/2019 (as set out in Appendix A “Recommended Dates 2018-19”)</p>	<b>Approved</b>
<b>8.9.2</b>	<p><b><u>Schools and Education Capital Investment Programme 2017-</u></b></p>	

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	<p><b><u>2018</u></b></p> <p>A report was submitted which presented for consideration and approval the Capital Programme for Schools and Education for 2017-2018.</p> <p><b>RESOLVED</b> - That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Endorse the attached list of projects (Appendices 1 and 2) for inclusion in the Capital Programme 2017-2018;</li> <li>• Authorise Officers to progress the development and subsequently procure works in accordance with the Contracts Procedure Rules as written in the Council’s Constitution.</li> <li>• Authorise expenditure to be incurred on individual projects, under Financial Regulation D2; and</li> <li>• Notes that regular reports to the Executive Member for Schools and Education will be provided detailing any variations and amendments to the programmes and seeking necessary approval that may be required in compliance with the Constitution.</li> </ul>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Noted</b></p>
<p>9.1</p>	<p><b><u>11-17 Blakey Moor, Blackburn (“The Property”): Promotion of a Compulsory Purchase Order for Planning Purposes</u></b></p> <p>The Executive Board was requested to give approval for the Council to make a Compulsory Purchase Order (CPO) (referred to as the “Order”) to deliver the Heritage Lottery Fund (HLF) Blakey Moor Townscape Heritage Project. The Council had powers to compulsorily acquire land under the provisions of sections 226(1)(a) of the Town and Country Planning Act 1990, and section 121 of the Local Government Act 1972.</p> <p>The Council needed to acquire 11 -17 Blakey Moor Terrace, Blackburn in order to deliver the Townscape Heritage Project and the regeneration of the Blakey Moor/Northgate area of the town centre. The Council had attempted to acquire the property over an extended period of time with agreement still to be reached. Negotiations were currently ongoing. Other than this land and property, the CPO would include any other interests, any third party and reversionary interests to be acquired (that may be revealed after carrying out full land registry checks). A plan was attached at Appendix 1 showing the property.</p> <p>Whilst all attempts would be made to acquire the land and property by agreement, the Council considered that if agreement could not be reached, it would be necessary to make a CPO as a last resort.</p> <p><b>RESOLVED</b> – That the Executive Board upon being satisfied that:</p> <ul style="list-style-type: none"> <li>• It would contribute to the economic, social and environmental well-being of the Borough;</li> </ul>	

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	<ul style="list-style-type: none"> <li>• There is a compelling case in the public interest as the interference with Human Rights involved is both necessary and proportionate in the interests of bringing about the improvements that would follow from the carrying out of the works;</li> <li>• Sufficient funds exist for carrying the resolution into effect;</li> <li>• The legal estate in the land and property required could not be acquired by agreement;</li> <li>• That no impediments exist to the implementation of the project (subject to the making of the order) and there is a reasonable prospect of its implementation should the order be made;</li> <li>• The land and property sought to be acquired is reasonably required for the purposes of the scheme underpinning the order and to carry out the works; and</li> <li>• Full planning permission is obtained if required for the refurbishment works.</li> </ul> <p>It is recommended that</p>	
	<ul style="list-style-type: none"> <li>• The support of the Council for the refurbishment/improvement of the Blakey Moor terrace as indicated in the HLF approval of the Townscape Heritage project for the area is reaffirmed as set out in the Executive Board report of February 2016;</li> </ul>	<p><b>Approved</b></p>
	<ul style="list-style-type: none"> <li>• The Director of HR, Legal and Corporate Services be authorised to prepare a Compulsory Purchase Order for the area of land indicated on the plan for the purposes of refurbishing/improving the Blakey Moor terrace as a key project in the Blakey Moor Townscape Heritage Project;</li> </ul>	<p><b>Approved</b></p>
	<ul style="list-style-type: none"> <li>• Take all steps necessary for its confirmation, including the publication and service of all statutory notices and the presentation of the Council's case at any public inquiry or other hearing, and any other means to the resolution of any disputes arising;</li> </ul>	<p><b>Approved</b></p>
	<ul style="list-style-type: none"> <li>• Authorise the Director of HR, Legal &amp; Corporate Services (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the Order, if he is satisfied that it is appropriate to do so;</li> </ul>	<p><b>Approved</b></p>
	<ul style="list-style-type: none"> <li>• Authorise the Deputy Chief Executive in consultation with the Executive Member Resources, to negotiate terms for the acquisition by agreement of any outstanding interests in the land within the CPO prior to its confirmation;</li> </ul>	<p><b>Approved</b></p>
	<ul style="list-style-type: none"> <li>• Authorise the Deputy Chief Executive to approve agreements with landowners setting out the terms of withdrawals of objections to the Order including where appropriate the exclusion of land from the CPO;</li> </ul>	<p><b>Approved</b></p>



	Item	Action
	<ul style="list-style-type: none"> <li>• Authorise the Director of HR, Legal &amp; Corporate Services in consultation with the Deputy Chief Executive to make deletions from, and/or minor amendments, and modifications to the proposed Order and the Order Plan, and accordingly to make applications to amend any planning applications/permissions; and</li> <li>• Authorise the Director of HR, Legal &amp; Corporate Services in consultation with the Deputy Chief Executive to make and seal a General Vesting Declaration in the event that the CPO is confirmed and to serve the relevant notices.</li> </ul>	<p>Approved</p> <p>Approved</p>
<p>9.2</p>	<p><b><u>Proposed Cinema and Leisure Development at the site of the former Waves Centre</u></b></p> <p>A report was submitted which set out proposals for the Council to carry out a direct development of the former Waves Leisure Centre site for a new cinema and leisure development. The development activities undertaken by the Council would include design of the scheme, procure the construction partner for the scheme, obtain all necessary approvals including planning permission and grant a lease of the completed development to a cinema operator. The proposed scheme would fill a gap in the town centre leisure offer, help to stimulate the evening economy, complement the Council's existing Northgate and Blakey Moor investment programme and in turn deliver significant economic benefits for the town centre.</p> <p>Following consideration of a number of options detailed proposals were considered by the Council for a new cinema and leisure scheme. The final proposals recommended direct development by the Council subject to securing a contractual commitment with a cinema/ leisure operator to take a lease of the building on completion. It was agreed that Officers should carry out the necessary due diligence to assess any potential risks to the Council of proceeding with the development scheme.</p> <p>The preferred scheme was for a single storey eight screen cinema incorporating three food and beverage units, also at ground floor level. If approved, the Council would complete the scheme to a 'warm shell' standard which would include internal construction of partitions, doors, toilets, signage, lighting, CCTV, fire alarm system and finishes. The operator would be responsible for completing the fit-out, subject to receipt of a capital contribution from the Landlord (the Council). The detailed design would be developed jointly with the preferred operator. An early artist's impression of the proposed cinema building was attached as Plan B.</p> <p>To ensure compliance with relevant legislation and following the legal advice in relation to it a competitive process was undertaken to select the cinema operator. The tendering process had now been concluded, and informal bids had been received from two prospective operators and these have been analysed with the details presented in the report, with Bidder A being the preferred operator.</p>	

	Item	Action
	<p><b>RESOLVED – That the Executive Board:</b></p> <ul style="list-style-type: none"> <li>• Approves the selection of Bidder A as the Preferred Operator of the proposed cinema and leisure development, subject to agreement of final Heads of Terms for a 20 year lease;</li> <li>• Approves Officers to proceed with the appointment of a multi-disciplinary project team to progress detailed designs, secure planning permission and manage the procurement of a contractor to build the new cinema and leisure scheme;</li> <li>• Approves the selection of the Contractor using a suitable and compliant construction framework;</li> <li>• Approves a Capital Programme allocation of £6.5 million to deliver the scheme, with an accounting treatment and administrative arrangements to comply with necessary requirements;</li> <li>• Delegates authority to the Deputy Chief Executive and the Director for Growth &amp; Development, in consultation with the Executive Members for Resources and Regeneration to agree the terms for the appointment of the project team, agree the detailed lease terms with the Preferred Operator and agree the construction contract with the selected contractor; and</li> <li>• Notes that future updates will be provided to the Executive Board reporting on the key stages including the appointment of a construction contractor and the completion of the development.</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>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Noted</b></p>
11.1	<p><b><u>Local Transport Plan 2017/18 Programme</u></b></p> <p>Further to the report at Agenda Item 8.7.1, an additional report was submitted containing additional Commercially sensitive information.</p> <p><b>RESOLVED – That the Executive Board:</b></p> <ul style="list-style-type: none"> <li>• Approves the Local Transport Plan 3 detailed programme for 2017/18;</li> <li>• Approves the Local Transport Plan 3 outline programme from 2018/19 to 2020/21; and</li> <li>• Delegates authority to the Director of Growth and Development, in consultation with the Executive Member for Regeneration, to amend, seek and accept tenders subject to adequate budget</li> </ul>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Agreed</b></p>

	Item	Action
11.2	<p>provision.</p> <p><b><u>Proposed Cinema and Leisure Development at the site of the former Waves Centre</u></b></p> <p>Further to the report at Agenda Item 9.2, an additional report was submitted containing additional Commercially sensitive information.</p> <p><b>RESOLVED</b> - That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Approves the selection of Bidder A as the Preferred Operator of the proposed cinema and leisure development, subject to agreement of final Heads of Terms for a 20 year lease;</li> <li>• Approves Officers to proceed with the appointment of a multi-disciplinary project team to progress detailed designs, secure planning permission and manage the procurement of a contractor to build the new cinema and leisure scheme;</li> <li>• Approves the selection of the Contractor using a suitable and compliant construction framework;</li> <li>• Approves a Capital Programme allocation of £6.5 million to deliver the scheme, with an accounting treatment and administrative arrangements to comply with necessary requirements ;</li> <li>• Delegates authority to the Deputy Chief Executive and the Director for Growth &amp; Development, in consultation with the Executive Members for Resources and Regeneration to agree the terms for the appointment of the project team, agree the detailed lease terms with the Preferred Operator and agree the construction contract with the selected contractor; and</li> <li>• Notes that future updates will be provided to the Executive Board reporting on the key stages including the appointment of a construction contractor and the completion of the development.</li> </ul>	<p></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Noted</b></p>