

EXECUTIVE BOARD

Thursday, 14 December 2017

Time: 18:00

Venue: Meeting Room A

Address: Blackburn Town Hall

AGENDA

Information may be provided by each Executive Member relating to their area of responsibility

Part 1- Items for consideration in public

- 1 **Welcome and Apologies**
- 2 **Minutes of the Previous Meeting**
Minutes 5 - 10
- 3 **Declarations of Interest in Items on this Agenda**
If a Board Member requires advice on any items involving a possible Declaration of Interest which could affect his/her ability to speak and/or vote he/she is advised to contact Phil Llewellyn at least 24 hours before the meeting
Declarations of Interest 11 - 12
- 4 **Equality Implications**
The Chair will ask Members to confirm that they have considered and understood any Equality Impact Assessments associated with reports on this agenda ahead of making any decisions
- 5 **Public Forum**
To receive written questions or statements submitted by members of the public no later than 4.00 p.m. on the day prior to the meeting.
- 6 **Questions by Non-Executive Members**
To receive written questions on any issue submitted by Non-Executive Members no later than 4.00 p.m. on the day prior to the meeting.
- 7 **Youth MP's Update**
To receive an update from the Youth MP's along with any issues they would like to raise.
- 8 **EXECUTIVE MEMBER REPORTS**
Verbal updates may be given by each Executive

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PART 2 – THE PRESS AND THE PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS

- 11.1 Procurement of a Construction and Development Framework
- Procurement of a Construction and Development Framework P2

Date Published: Tuesday, 12 December 2017
Harry Catherall, Chief Executive

EXECUTIVE BOARD

9th November 2017

PRESENT

COUNCILLOR:

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

PORTFOLIO:

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

EXECUTIVE MEMBER

John Slater

NON-PORTFOLIO

Leader of the Conservative Group

	Item	Action						
1	<p><u>Welcome & Apologies</u></p> <p>The Leader of the Council, Councillor Mohammed Khan welcomed all present to the meeting. Apologies were received from Councillor Phil Riley, Ummaih Shah (Youth MP), Elle Walsh and Aliyah Shah, (Deputy Youth MPs).</p>							
2	<p><u>Minutes of the Meeting held on 12th October 2017</u></p> <p>The minutes of the meeting of the Executive Board held on 12th October 2017 were agreed as a correct record.</p>	Approved						
3	<p><u>Declarations of Interest</u></p> <p>There were no Declarations of Interest submitted.</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>There were no questions submitted by Members of the Public.</p>							
6	<p><u>Questions by Non-Executive Members</u></p> <table border="1"> <thead> <tr> <th>Name of Member</th> <th>Subject Area</th> <th>Executive Member and Portfolio</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Name of Member	Subject Area	Executive Member and Portfolio				
Name of Member	Subject Area	Executive Member and Portfolio						

Item			Action
Councillor Neil Slater	Funding for East Darwen Corridor Road	Councillor Phil Riley, Regeneration	
	<p>Councillor Mohammed Khan provided a response to the question and supplementary question arising and advised that the question was based on the assumption that the funding was dependent on a house builder being in place, which was not the case.</p>		
8.3	<u>Children's Services Update</u>		
	<p>Councillor Maureen Bateson verbally reported that a report on the outcome of the recent Ofsted Review would be published on the 8th December 2017.</p>		Noted
8.4.1	<u>Equipped Play Assets Strategy 201-22</u>		
	<p>It was reported that the number of equipped play assets across the Borough had grown significantly over the years and since 2010 the Council's resources had reduced, meaning decreased budgets to invest in maintaining and renewing facilities. Coupled with this the Council had to deal with increasing demands to respond to damage from vandalism and anti-social behaviour.</p>		
	<p>The Equipped Play Area Strategy 2017-2022 provided a comprehensive review of play assets their classification, location and accessibility. Review of the condition, risk rating and usage of the facilities identified the strategic priority sites for Blackburn with Darwen in the form of Destination Equipped Area for Play (DEAPs) and Neighbourhood Equipped Area for Play (NEAPs) to channel resources for improving the quality of play assets for the Borough. The review also identified areas in the Borough that would benefit with a strategic NEAP/DEAP equipped play facility. The strategy defined the Borough's minimum standard of equipment for DEAPs in order for them to be classed as 'Destinations' for families and young people to travel to.</p>		
	<p>The next stage would lead to the implementation and development of the subsequent action plan in line with the Strategy. As part of the implementation of the strategy and future action plan, consultation on the future development of the sites would be required to ensure health and safety was prioritised and the quality of equipped play assets were managed effectively across the Borough according to the strategy.</p>		
	<p>RESOLVED – That the Executive Board:</p> <ul style="list-style-type: none"> • Note the Equipped Play Area Strategy 2017-2022; • Delegate authority to the Director of Environment & Leisure and Executive Member for Environment to implement the Equipped Play Area Strategy 2017-2022; and • Approve the use of capital receipts from decommissioning of play assets to be recycled and used to fund the 		<p>Noted</p> <p>Approved</p> <p>Approved</p>

	Item	Action
8.7.1	<p>implementations of the strategy. A joint action plan to be developed with the Council's Planning functions to ensure improved alignment of Section 106 funding.</p> <p><u>Darwen East Development Corridor: Application for Full Approval</u></p> <p>The Executive Board receive an update on progress made with the Darwen East Development Corridor major transport scheme and were requested to agree to the application for Full Approval being made to the Lancashire Enterprise Partnership.</p> <p>The quality of the Borough's housing offer was an important factor in determining the future prosperity of Blackburn with Darwen and was a key priority for the Council to widen the choice of housing within the Borough, in particular the delivery of larger family homes. The Darwen East Development Corridor (DEDC) major scheme offered the opportunity to deliver this wider housing offer on a viable site situated on the fringe of the Darwen urban area, with good accessibility to Town and wider transport networks.</p> <p>In order to accelerate the delivery of new housing in Darwen and mitigate the impacts of the traffic associated with the delivery of new housing on allocated sites on the highway network, a package of measures was presented and had been packaged as the DEDC major scheme.</p> <p>The "Ellison Fold / Baileys Field" site in East Darwen had been long identified for development. It was a safeguarded site in the previous local plan and was identified as a housing land allocation in the Council's adopted (December 2015) Local Plan Part 2 within Policy 16/14. Landowners had confirmed they were willing for the site to be brought forward for development.</p> <p>The DEDC major scheme would deliver a new link road on the eastern side of Darwen. This would unlock land to enable the future development of new housing and improve access to local employment opportunities identified within the Council's adopted Local Plan. The scheme also provided a local traffic alternative for residents in South East Darwen to get to M65 Junctions 4 and 5.</p> <p>RESOLVED – That the Executive Board;</p> <ol style="list-style-type: none"> 1) Approves the Full Approval application to the Lancashire Enterprise Partnership (LEP); 2) Approves the purchase of land and properties related to the project; 3) Gives approval to accept the main contract tender subject to confirmation of Full Approval acceptance from the LEP; 4) Approves the appropriation of land between Council departments to deliver the scheme subject to compliance with relevant statutory Council and public notice where relevant; 	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

	Item	Action
	<p>5) Notes that further reporting will be made at appropriate stages within the project's progression; and</p> <p>6) Gives approval to the Director of Growth and Development in consultation with the Executive Member for Regeneration to make amendments to the Full Approval application, as part of the final LEP approval process and to deal with any further matters relating to the land appropriation.</p>	<p>Noted</p> <p>Approved</p>
<p>9.1</p>	<p><u>Corporate Capital Budget and Balance Sheet Monitoring Report 2017/18</u></p> <p>A report was submitted on the overall financial position of the Council in respect of the capital programme as at 30th September 2017, highlighting issues and explaining variations in the first 6 months of the financial year.</p> <p>The projected aggregate cost of the Council's capital investment programme for 2017/18 had been adjusted from £38.946 million, as approved by Executive Board on 10th August 2017, to £28.136 million. The net variation of £10.81 million (detailed in Appendix 2) reflected;</p> <ul style="list-style-type: none"> • variations made to reflect the approval of programmes during the second quarter of the year (£269,000) • re-profiling of budgets during the second quarter of the year (£11.079 million) <p>As at 30th September 2017, the capital expenditure across the portfolios was £5.722 million (20.34% of the current, revised projected spend).</p> <p>The estimate of capital receipts expected in 2017/18 was £2.557 million; to date £290,000 had been received.</p> <p>RESOLVED – That the Executive Board;</p> <ul style="list-style-type: none"> • Approve the revised capital programme as per Appendix 1; and • Approve the variations to the programme shown in Appendix 2 	<p>Approved</p> <p>Approved</p>
<p>9.2</p>	<p><u>Corporate Revenue Budget Monitoring Report Quarter 2 – 2017/18</u></p> <p>Members received a report on the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the first quarter of the financial year.</p> <p>Actual revenue expenditure at 30th September 2017 in relation to controllable budgets across all portfolios was £50.598 million, which was 46.34% of the current budget. Further details relating to the financial position of each portfolio were outlined in Section 6.</p> <p style="text-align: center;">Page 8 of 64</p> <p>General Fund unallocated reserves were forecast to be £6.224</p>	

	Item	Action
	<p>million at 31st March 2018 based on information available at that time.</p> <p>Based on the information currently available, earmarked reserves available for discretionary use within the Council were forecast to be £11.972 million at 31st March 2018 compared with a balance of £13.874 million at 31st March 2017, with a further £17.282 million of other reserves held mainly in relation to schools.</p> <p>RESOLVED – That the Executive Board;</p> <ul style="list-style-type: none"> • Approve the portfolio budget adjustments outlined in Appendix 1 • Approve the earmarked reserves position shown in Appendix 2; and • Approve the variations to revenue expenditure, as listed in Section 6, giving rise to a forecast balance of £6.224 million in the unallocated General Fund revenue reserve at 31st March 2018. 	<p>Approved</p> <p>Approved</p> <p>Approved</p>
<p>9.3</p>	<p><u>Blackburn with Darwen Designation as a Breastfeeding Friendly Borough</u></p> <p>The Executive Board was advised that a local priority within the Local Authority Declaration on Healthy Weight was the ambition for Blackburn with Darwen to be a Breastfeeding Friendly Borough. This designation signified the commitment of to give the best start to babies and to support breastfeeding mums to continue to breastfeed for as long as possible. It was well known that breastfeeding impacted on babies’ physical and mental health and well-being from birth and lasted a whole lifetime. In Blackburn with Darwen, not all babies and children benefitted, as breastfeeding rates fell from 74% at birth to around 40% at 6 weeks. This commitment to become a Breastfeeding Friendly Borough would help to improve rates it was known that many mothers stopped breastfeeding as they did not always see how they could breastfeed out of home life, nor did they feel welcomed or confident to breastfeed anywhere, at any time.</p> <p>The report did give further details of the approach, and Blackburn with Darwen’s Community Commitment ‘Feeding Future Generations’ (Appendix A) outlined how all parts of the community could encourage and support mums to continue breastfeeding their baby for as long as possible.</p> <p>RESOLVED – That the Executive Board;</p> <ul style="list-style-type: none"> • Notes that creating a supportive environment that enables women to breastfeed is a collective responsibility and that breastfeeding has health and wellbeing benefits for both mother and baby, which can last a lifetime; and • Agrees to support Blackburn with Darwen as a Breastfeeding Friendly Borough as part of the recently adopted Local Authority Declaration on Healthy Weight. 	<p>Noted</p> <p>Approved</p>

	Item	Action
11.1	<p data-bbox="336 107 1315 174"><u>PART 2 - THE PRESS AND THE PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS</u></p> <p data-bbox="336 219 1315 286"><u>Darwen East Development Corridor: Application for Full Approval</u></p> <p data-bbox="336 331 1315 398">Further to the report submitted at Agenda Item 8.7.1, an additional report was submitted containing commercially sensitive information.</p> <p data-bbox="336 443 922 477"><u>RESOLVED</u> – That the Executive Board;</p> <ol data-bbox="384 510 1315 1261" style="list-style-type: none"> 1) Approves the Full Approval application to the Lancashire Enterprise Partnership (LEP); 2) Approves the purchase of land and properties related to the project; 3) Gives approval to accept the main contract tender subject to confirmation of Full Approval acceptance from the LEP; 4) Approves the appropriation of land between Council departments to deliver the scheme subject to compliance with relevant statutory considerations and public notice where relevant; 5) Notes that further reporting will be made at appropriate stages within the project's progression; and 6) Gives approval to the Director of Growth and Development in consultation with the Executive Member for Regeneration to make amendments to the Full Approval application, as part of the final LEP approval process and to deal with any further matters relating to the land appropriation. <p data-bbox="539 1440 1010 1473" style="text-align: center;">Signed at a meeting of the Board</p> <p data-bbox="683 1507 866 1541" style="text-align: center;">on the day of</p> <p data-bbox="512 1641 1098 1675" style="text-align: center;">(being the ensuing meeting of the Board)</p> <p data-bbox="419 1709 1241 1742" style="text-align: center;">Chair of the meeting at which the Minutes were confirmed</p>	<p data-bbox="1369 510 1520 544">Approved</p> <p data-bbox="1369 622 1520 656">Approved</p> <p data-bbox="1369 734 1520 768">Approved</p> <p data-bbox="1369 801 1520 835">Approved</p> <p data-bbox="1401 992 1489 1025">Noted</p> <p data-bbox="1369 1104 1520 1137">Approved</p>

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Health and Adult Social Care

LEAD OFFICERS: Director of Public Health

DATE: 14 December 2017

PORTFOLIO/S AFFECTED: Health and Adult Social Care

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Blackburn with Darwen Council performance on the new Local Authority Public Health Dashboard

1. EXECUTIVE SUMMARY

On 16th October Public Health England (PHE) launched a new local authority public health dashboard, which will support councillors and senior council officers in making decisions on how they prioritise resources across a range of public health service areas.

The dashboard currently covers the following range of service areas/ themes; best possible start in life, child obesity, drug treatment, alcohol treatment, NHS Health Checks, sexual health services and tobacco control.

For each service area/theme, one combined (summary rank) indicator has been produced, made up of several different component indicators. Both the summary rank and the component indicators are presented so that councils with a similar level of deprivation can be compared.

Compared with 16 other similarly deprived local authorities, Blackburn with Darwen has

- Three summary ranks substantially above average (better) – child obesity, drug treatment, sexual health services
- Three above average (better) - best possible start in life, alcohol treatment and tobacco control
- One below average (worse) - NHS Health Checks

2. RECOMMENDATIONS

The Executive Board is recommended to;

- Note the current performance of Blackburn with Darwen on the new Local Authority Public Health Dashboard

3. BACKGROUND

Public Health England (PHE) is seeking feedback on this initial Local Authority Public Health Dashboard version so that a full and improved version can be launched in the summer of 2018.

The dashboard uses existing published data and therefore complements the range of tools PHE provides to support local government in their role as the local leaders for the public's health.

The Blackburn with Darwen summary can be found here :

<https://healthierlives.phe.org.uk/topic/public-health-dashboard/area-details#are/E06000008/par/cat-39-1/ati/102/gid/1938133162>

4. KEY ISSUES & RISKS

The digital dashboard currently covers the following range of service areas and themes;

- Best possible start in life,
- Child obesity,
- Drug treatment,
- Alcohol treatment,
- NHS Health Checks,
- Sexual health services
- Tobacco control.

In each service area / theme, the local authority has been given a ranking and description based on how it compares with 16 other local authorities with a similar deprivation index.

Compared with 16 other similarly deprived local authorities, Blackburn with Darwen has

- Three summary ranks substantially above average (better) – child obesity, drug treatment, sexual health services
- Three above average (better) - best possible start in life, alcohol treatment and tobacco control
- One below average (worse) - NHS Health Checks

Some additional commentary is provided in the background paper.

5. POLICY IMPLICATIONS

By comparing councils with their peers, performance against the indicators reflects both the effectiveness of the investment of the Public Health Grant and the wider public health activity of the Council and partners.

The rationale for choosing these service areas is that:

- They are nationally prescribed but their local delivery is the responsibility of upper tier local authorities
- There is compelling evidence that action is important to health outcomes in every area of the country
- Delivery of these services will impact on future demand for other local authority services and the NHS

6. FINANCIAL IMPLICATIONS

There are no financial implications.

7. LEGAL IMPLICATIONS

There are no legal implications.

8. RESOURCE IMPLICATIONS

There are no resource implications. The dashboard is collated and published nationally using data that is already in the public domain.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council’s Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION: 1

CONTACT OFFICER: Gifford Kerr [Page 15 of 64](#)

DATE:	25/10/2017
BACKGROUND PAPER:	Public Health Dashboard Summary

Blackburn with Darwen Public Health Dashboard Summary

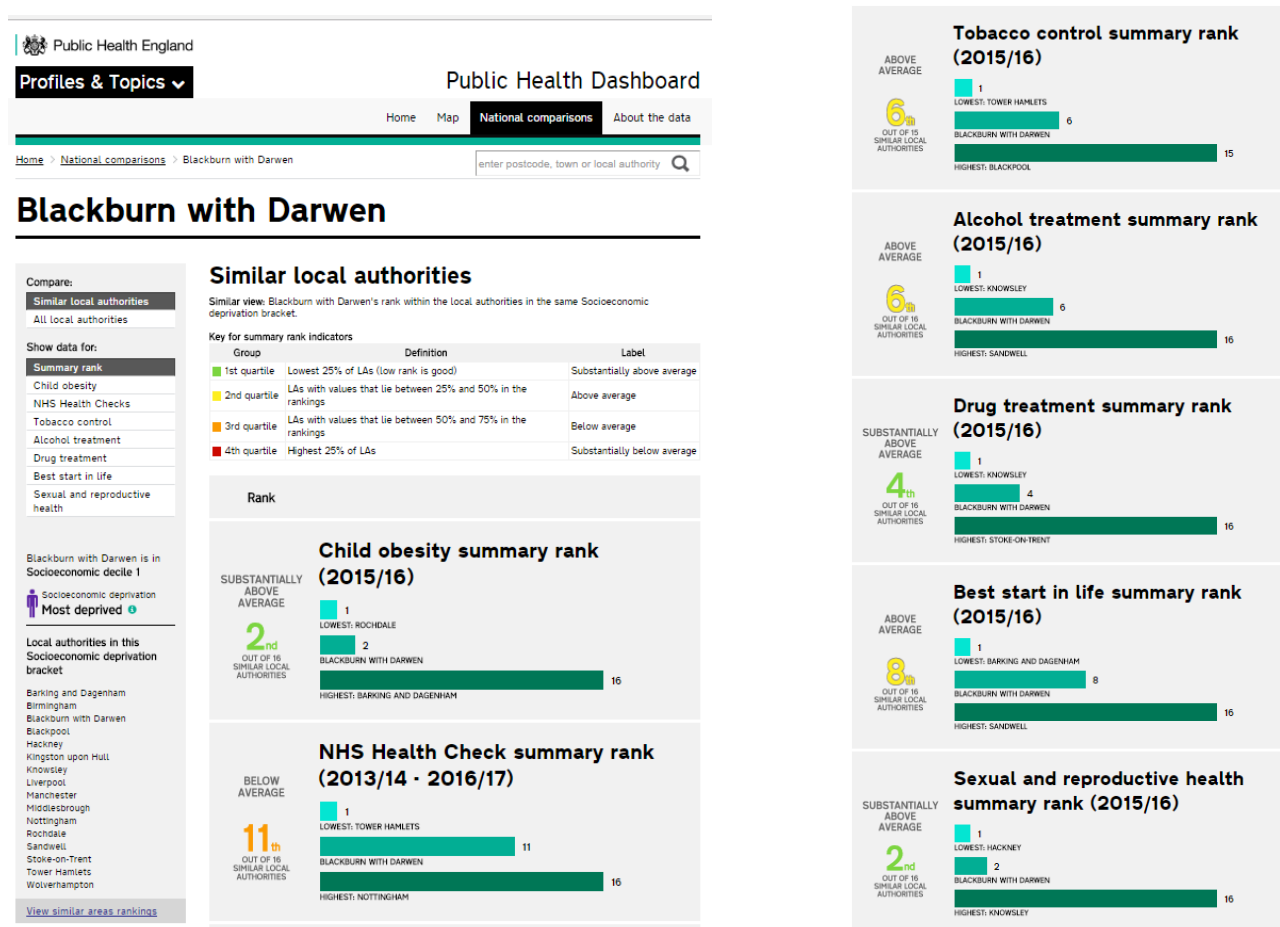
Introduction

The Public Health Dashboard is a new tool designed to provide summary data on a variety of public health themes in a format that will be meaningful to a wide audience. These themes are: Child obesity, NHS Health Checks, Tobacco control, Alcohol treatment, Drug treatment, Best possible start in life, and Sexual and reproductive health.

If we enter 'Blackburn with Darwen' as the name of our local authority, we are first shown bar-charts of seven new 'summary rank' indicators created especially for this dashboard, one for each of the seven themes. If we then pick an individual theme, we are shown the relevant 'summary rank' indicator again, along with the individual indicators that were combined to produce it. For instance, the 'summary rank' indicator for Tobacco control is a combination of 'Adult smoking prevalence' and 'Smoking status at time of delivery'. We can also choose to display the results as a table or as a map rather than as bar-charts.

Options exist to show how Blackburn with Darwen compares with *all* local authorities, or with a peer group consisting of the 16 most deprived local authorities in England. Understandably, these comparisons will often be very different, so it is important to be aware of which option has been selected.

On accessing the Dashboard, the Blackburn with Darwen summary comparison with similar Local Authorities is shown below :-



Commentary on Blackburn with Darwen Performance

Theme	BwD Rank against 16 similar LAs	Comment
Child Obesity	2 out of 16	<p>This is a fair summary of the Blackburn with Darwen position in the period covered by the dashboard indicators (2015/16).</p> <p>We have a long-term trend of good performance in both Reception and Year 6 children, with the 2015/16 data showing an isolated spike in Year 6 obesity levels which will need close monitoring.</p>
NHS Health Checks	11 out of 16	<p>This ranking is based on 4 years of cumulative data (2013/14-2016/17).</p> <p>In 2016/17 we introduced changes which increased the number of people invited and receiving a health check by 65% and 38% respectively; 2017/18 data will further improve our ranking.</p>
Tobacco Control	6 out of 16	<p>This is a fair summary of the Blackburn with Darwen position in the period covered (2015/16).</p> <p>Between 2014 & 2016, smoking prevalence in adults fell from 6% points above the national average to 4% points above.</p>
Alcohol Treatment	6 out of 16	<p>This is a fair summary of the Blackburn with Darwen position in the period covered (2015/16). We have access to more recent data which suggests improvement on this position with our new providers.</p> <p>We acknowledge we have more work to do in relation to treatment penetration of dependent drinkers.</p>
Drug Treatment	4 out of 16	<p>This is a fair summary of the Blackburn with Darwen position in the period covered (2015/16). We have access to more recent data which suggests improvement on this position with our new providers, particularly in relation to treatment success.</p>
Best Possible Start in Life	8 out of 16	<p>This is a fair summary of the Blackburn with Darwen position in the period covered (2015/16).</p> <p>The best possible start in life summary rank is composed of 2 indicators:</p> <ul style="list-style-type: none"> Completed new birth visits, for which we achieve 98.8% Children ready for school at age 5, for which Blackburn with Darwen achieves 63% and ranks 12 out of 16 similar authorities.
Sexual & Reproductive Health	2 out of 16	<p>Blackburn with Darwen is doing better than the majority of similar areas for teenage pregnancy and long acting reversible contraception.</p> <p>The excellent ranking for Chlamydia screening may include a data recording error that we are aware of and are actively seeking to rectify, which may be reflected in a marginally worse position in 2016/17.</p> <p>Blackburn with Darwen ranks poorly in HIV testing coverage; historically the Genito-Urinary Medicine service has performed better than the national average on this measure, but this now needs to be extended across the whole of the recently integrated Specialist Sexual Health service, which we are approaching through an SLI approach.</p>



EXECUTIVE BOARD DECISION

REPORT OF: Executive Member for Children's Services
LEAD OFFICER: Director of Children's Services
DATE: 14th December 2017

PORTFOLIO/S AFFECTED: Children's Services

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Adoption Service Six Monthly Report – 1 April 2017 – 30 September 2017

1. EXECUTIVE SUMMARY

To provide information on the management and performance of the Local Authority's Adoption Service.

2. RECOMMENDATIONS

That the Executive Board:
Notes the half yearly report which is available on the Council website.

3. BACKGROUND

Standard 25.6 of the National Minimum Standards for Adoption requires the Local Authority Adoption Agency to produce a six monthly report to be received by the Council's Executive.

The standard states that the Council's Executive:

- a. Receive written reports on the management, outcomes and financial state of the agency every 6 months;
- b. Monitor the management and outcomes of the services in order to satisfy themselves that the agency is effective and is achieving good outcomes for children and/or service users;
- c. Satisfy themselves that the agency is complying with the conditions of registration.

The report has been written to address the issues identified above, and it will be taken into account by OFSTED when inspecting the Service.

The report summarises the performance of the Adoption Service for the six month period from 1st April 2017 to 30th September 2017 and provides an overview of the work of the Service for this period.

4. KEY ISSUES

1. Over the past six months planning for the Regional Adoption Agency has taken up a significant amount of time for managers, the Service Leader and Head of Service. The Regional Adoption Agency was launched on 20th November.
2. There has been a slight increase in the number of children with plans for adoption, more in line with the increase seen in Children Looked After and Care Proceedings. Blackburn with Darwen Borough Council continues to be child focussed in the planning decision made resulting in a higher than average number of children, who are considered harder to place with plans for adoption.
3. There has been a significant improvement in the timescales for matching and placing children over the past six months although this will not impact the Scorecard until next year.
4. Two adoptive placements disrupted in the very early stages of placement, affecting four older children.
3. The number of adopters approved has increased in the last six months but not in line with the number of children with plans for adoption. Those approved however offer a range of matching criteria and very few of those waiting have now been waiting for any significant length of time.
4. The demand on Post Adoption Support has reduced over the past six months although the Team continues to work with a number of very complex cases requiring high levels of support. The Mailbox contact received an overhaul in the last financial year and the positive results of this have been seen in the last six months resulting in a reduction in the number of referrals due to the smoother running of the service.

5. POLICY IMPLICATIONS

No policy implications identified.

6. FINANCIAL IMPLICATIONS

No financial implications identified.

7. LEGAL IMPLICATIONS

This report is required to meet statutory requirements as set out in the 'National Minimum Standards for Adoption.'

8. RESOURCE IMPLICATIONS

No resource implications identified.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	V2.0
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CONTACT OFFICER:	Alyson Hanson – Service Leader, Placement Services
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DATE:	3 November 2017
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BACKGROUND PAPER:	Adoption Service Six Monthly Report – 1 April 2017 – 30 September 2017
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Adoption Six Monthly Report

1st April to 30th September 2017



Executive Report

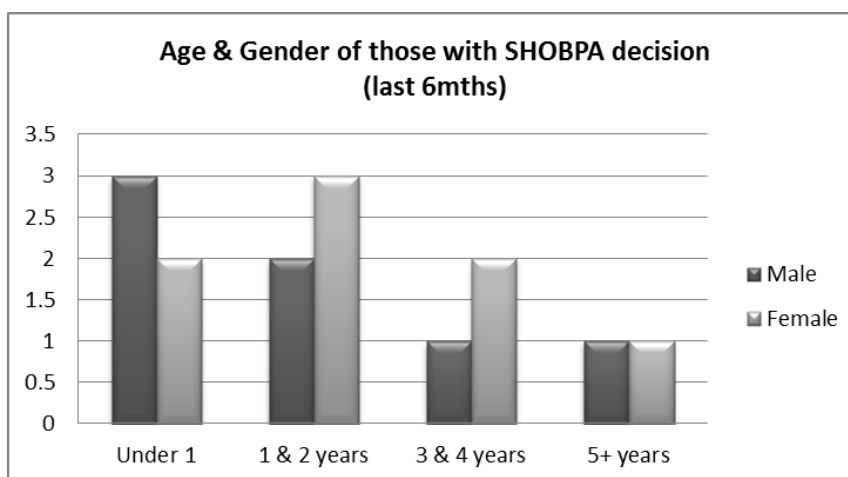
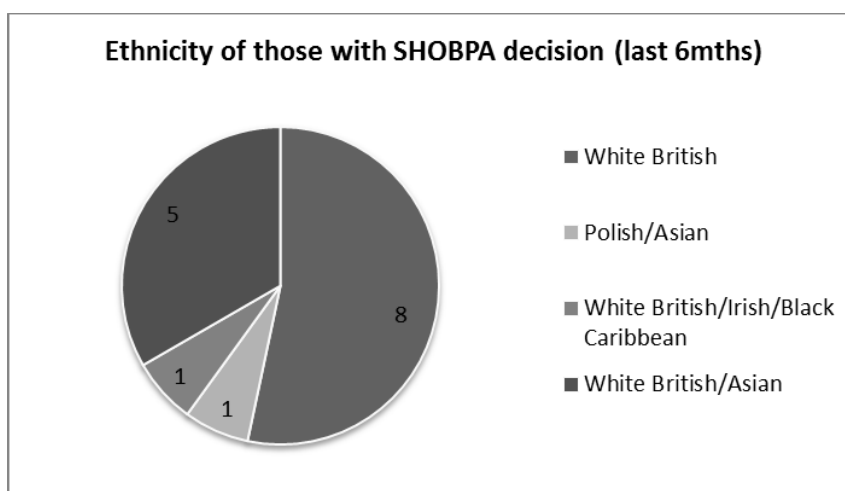
Introduction

The Adoption Service contributes to improving outcomes for the most vulnerable children and young people in line with priorities outlined in other Council plans.

Adoption Agency Business - Children

Children with an Adoption Plan

During this 6 month period, fifteen children have been presented to the Agency Decision Maker (ADM) for a Should Be Placed for Adoption decision (SHOBPA), a slight increase on this time last year, however three of these subsequently had a reversal of decision after the court ordered that they should return to birth parents on Care Orders. Of the children with SHOBPA decisions, two are a sibling group with plans to place together and two were already in two separate concurrent placements. None have significant health needs or disabilities.

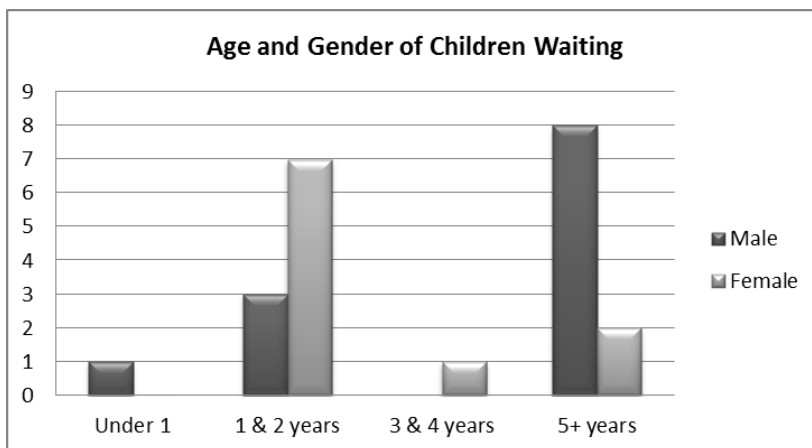
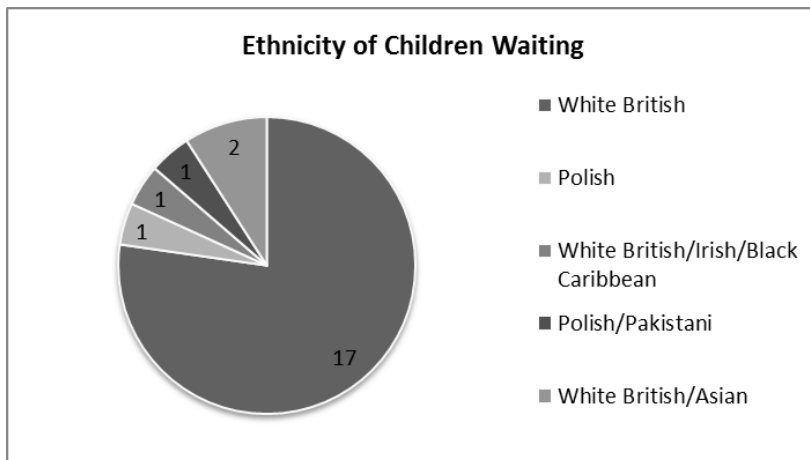


Children Awaiting Matching

On 30th September 2017, there were 22 children with a plan for adoption awaiting placement, over a third more than the same time last year. Ten of these were in sibling groups – one sibling group of four and three sibling groups of two. Two little girls had significant health needs/disability however one of these was already placed in a fostering for adoption (FFA) placement. Three children were still awaiting Placement Orders although a placement had already been identified for one of these and another was already in a concurrent placement.

Of the remaining nineteen children, eight were currently proceeding to matches including a sibling group of four who will be placed together and two who were already in FFA or Concurrent placements. This left eleven children on a Placement Order without a linked family which is higher than in recent years due to a slight increase in the number of children with plans for adoption, and a decrease in the number of adopters

available. It is also notable that there were a high number of boys aged five years and over. Four children (two sibling groups of two) had very recently experienced placement disruptions and were not ready as yet for full family finding to recommence. Of the remaining seven, only two had been waiting a significant period of time, one with significant additional health needs and a boy aged five years with significant developmental delay and attachment difficulties.

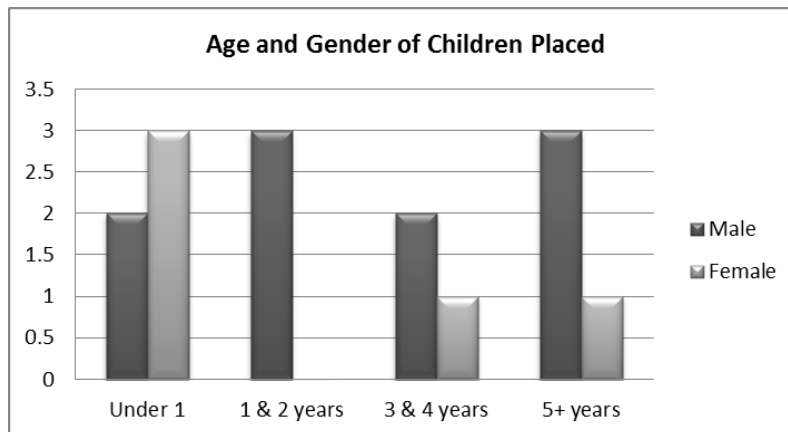
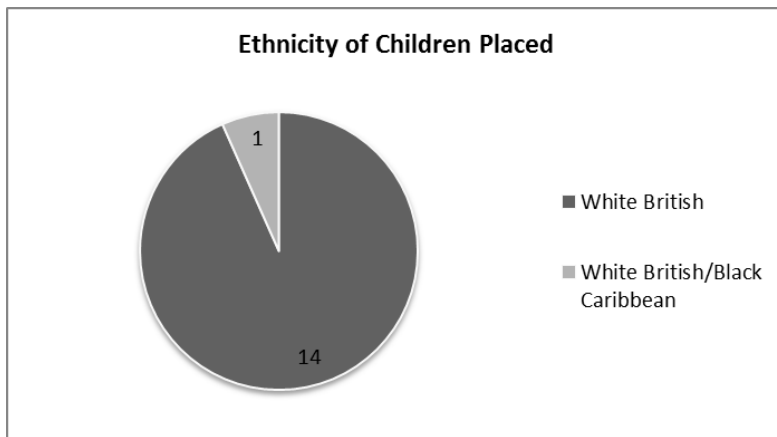


Family Finding Activity

Professional links and relationships have continued to result in some positive matches, especially within those local authorities and voluntary agencies due to form the Regional Adoption Agency (RAA) alongside Blackburn with Darwen. Blackburn with Darwen also regularly receives profiles of adopters seeking children and these are circulated as appropriate. In addition to these more informal routes, in-house placement meetings and regional placement meetings continue to be held on a monthly basis with children coming through court profiled anonymously alongside those with Placement Orders still waiting. Link Maker continues to be a useful tool, and children are also placed immediately on Adoption Match once a Placement Order is made. Exchange Days have been used with limited success for those children who are considered harder to place. Two children attended an activity day, however for others this has not been appropriate within the last six months. Activity Days continue to be considered for all children waiting. Media coverage has been considered for five children during the last six months. For a sibling group of four, the parents were not in agreement, and a placement has since been identified. For a little girl with a rare health condition, this is still being considered and the parents are being approached.

Children Placed for Adoption

A total of fifteen children have been placed with adoptive families since April 2017 in 14 placements, a slight increase on this period last year. Two of these children were formally matched with concurrent carers, changing the status of the placement from a foster placement to an adoptive placement. There was one sibling group of two and one child with suspected foetal alcohol syndrome who was placed with his two sisters who had previously been adopted through another local authority.



Two thirds of those children placed have been placed with local authorities or voluntary agencies, which will form the new RAA, Adoption NoW from November. Whilst voluntary agencies within Adoption NoW will continue to charge for placements made (including concurrent placements which are part of a joint commission), this still leaves over of a third of placements made prior to the launch of Adoption NoW which will now result in a cost saving going forward. From a support perspective it is also possible to offer a much more cohesive package of support within Adoption Now. It is also significant from this support perspective, as well as preserving the identity of the child, that all except one of the placements made was within the North West. The one placement made further afield was in order to place a little boy with two siblings, who had previously been adopted. Local support has been sourced for that placement.

	North West	Further Afield
Own	1	1
Other LAs within Adoption NoW	4	0
VAA within Adoption NoW	4	0
Other Local Authority	4	0
Other VAA	1	0

Timescales for placements made

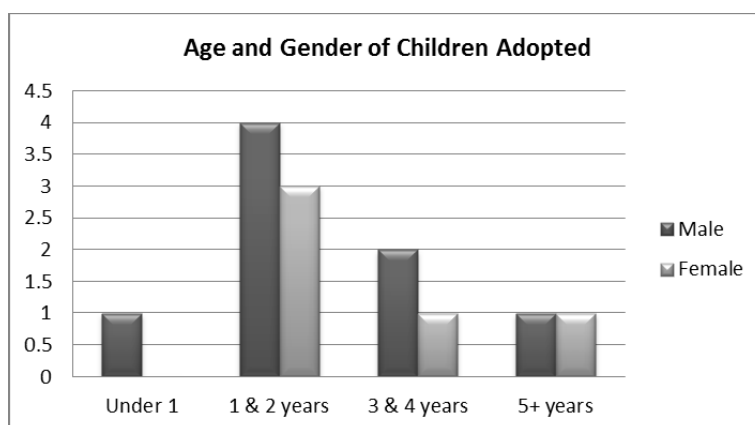
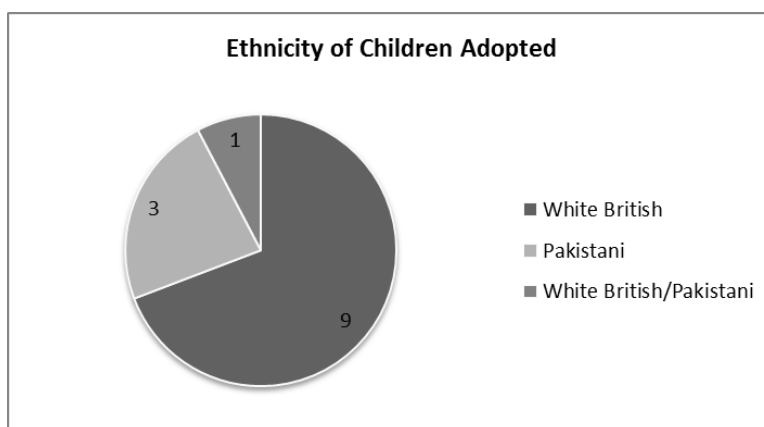
Timescale	Target	BwD Placements achieved quicker than target	BwD Placements achieved slower than target
Placement Order to Matching	Scorecard Indicator - 121 days	10	5

These figures are similar to this time last year with two thirds of placements being made in under the target of 121 days. Of the five that were over, two were just 4 days over (a sibling group of two). The Scorecard

measures are not 'counted' until the year after an Adoption Order has been made, therefore these positive figures will not influence the published Scorecard results for some time yet.

Children Adopted

Thirteen Blackburn with Darwen children have been granted Adoption Orders in the first half of this financial year, a reduction on this time last year when the number was 20. These included two sets of sibling groups of two and three children, who had additional health complexities.



Most Adoption Orders have been made in a timely fashion despite birth parents requesting leave to contest in the majority of cases, however four children did experience more significant delay post placement before Adoption Orders were granted. In one case this was due to the birth mother requiring the involvement of an Official Solicitor (ie. lacking capacity) resulting in very protracted adoption proceedings. For the other three, there was delay in applying for an Adoption Order; in the case of a sibling group of two because the elder of the two took longer to settle into the placement and in the other case due to issues around inheritance which took over two years to conclude.

Next year the figures relating to timeliness of care proceedings and placement will impact on the published scorecard. The indicators so far for this year are extremely positive, with the best average figures ever achieved. Whilst the A2 figure is the one that arguably the Department has more control over, both figures are scrutinised to consider how and why delays are occurring.

	Target	BwD under target	BwD over target	Total BwD average
A1 Entry into care to placement	426	7	6	410
A2 Placement Order to Matching	121	9	4	118

Adoption Disruption

There have sadly been two adoptive placement disruptions in the first half of this year, affecting two sibling groups of two. In the first case, the children were in placement for a very short time when the adopter

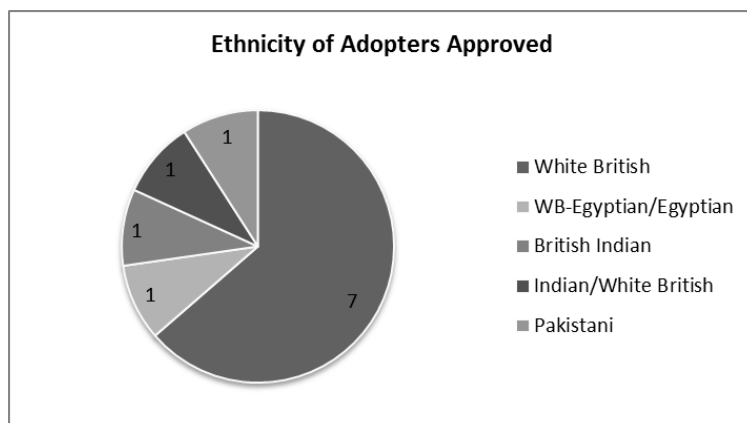
decided that he no longer wished to parent and that he was finding it particularly difficult to bond with one of the children. In the other, the Department took the decision to remove the children after just a few weeks due to a series of significant concerns regarding to the adopters' honesty, openness, integrity and ability to offer safe and appropriate care to the children.

The disruption meeting for the first is planned for early November and it is hoped that the second will be held before the end of the year. These will be opportunities to reflect and consider whether anything could have been done differently to avoid these tragic outcomes. The meetings will also give the opportunity to start to look forward to consider whether adoption is still in the best interests of all of the children, and whether placement together is also both best and achievable for each sibling pair.

Adoption Agency Business - Adopters

Adopter Recruitment

The first six months of this financial year have been very positive in terms of adopter approvals, as predicted in last year's annual report. A total of eleven families have been approved, a significant increase on the same period last year and an increase of two from the previous year also. In addition, on 30th September 2017 there were seven families at various stages of assessment. There is still a need regionally for more adopters however and recruitment has now broadened out again to meet the need for adopters for White British babies as well as sibling groups, older children and children with additional health needs/disabilities.

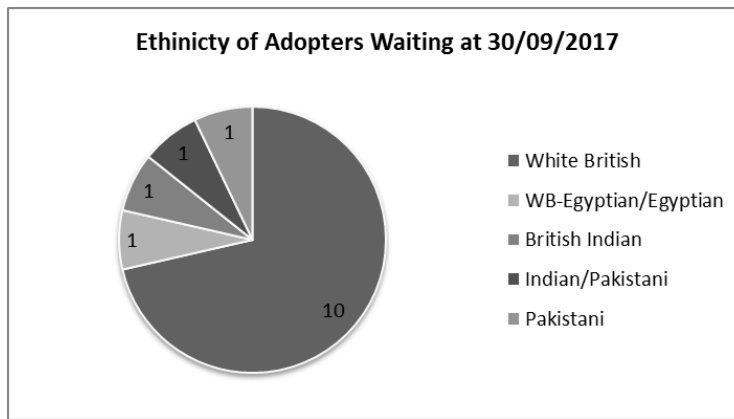


Just over half of those approved live outside the Local Authority border and three of these were assessed for specific children. Three of those approved this year already had children placed with them by 30th September including two of the three being assessed for specific Blackburn with Darwen children.

Only three of those approved completed the whole process within the six month timescale. In two cases, both stages of the assessment were completed within timescale but the adopters took a little longer to proceed from stage 1 to stage 2. The issue with most was delay in completing stage 1 due to checks taking longer than the required timescale to be returned, including foreign police checks in some cases. In three cases, stage 2 went out of timescale; one because the adopters chose to wait for a specific assessor who they had got to know rather than progressing more quickly with stage 2 with an alternative assessor, another because the adopters wanted to wait to be approved and matched to the child in their care at the same panel and there were delays with the child's care proceedings, and the third because of failings on the part of an independent assessor to provide an adequate report within timescales for the Panel.

Adopters Waiting

On 30th September 2017, there were 14 families awaiting the placement of a child/children, just slightly more than those waiting at the same time last year. Of these, nine were proceeding with strong links anticipating matches and placements in the following month or two leaving just five open to enquiries for children.



Time Waited as of 30/09/2017

Over 2 years	1
18 months	1
1 year	1
6-12 mths	2
0-6 mths	9

There are very few difficulties now with adopters waiting long periods of time. Of those above, the family who have been waiting for over two years now have a match lined up and are expecting placement in October and the couple waiting for a year are also progressing with a placement. The family who have been waiting for 18 months experienced a breakdown during introductions and therefore took some time to recover and reconsider their matching criteria before being available again. Care is being taken not to over recruit adopters from an Asian background looking to adopt just one very young child as there still appears to be a surplus of these adopters.

Over the past six months, two families have withdrawn during the assessment period due to changes in their circumstances and/or understanding. A third couple were de-registered following concerns that they had acquired a baby through illegal means and were being dishonest about this. The appropriate authorities were informed and the case remains under investigation.

Adopter Placements

Blackburn with Darwen adopters continue to attract interest from other Local Authorities both in the North West and around the country with an increasing number of adopters being identified for matches before or very shortly after approval. Seven families have had children placed with them over the past six months, with two of these welcoming sibling groups of two.

Origin of Children Placed with BwD Adopters

BwD	2
LA within Adoption NoW	3
Other LA	2

Adoption Panel

The Panel has continued to meet on a monthly basis to consider adopter approvals, reviews, matches and Special Guardianship cases. In all cases but one the Panel recommendations were agreed by the Agency Decision Maker (ADM). With regards to one approval where the Panel felt the report provided by an independent assessor remained inadequate, the ADM made the decision to approve on the proviso that further work was completed on the assessment to make it fit for the purposes of matching. The Panel has continued to receive very positive feedback from both professionals and prospective adopters who have attended. Some Panel agendas have included items being considered for other local authorities within the Regional Adoption Agency.

For every Panel, Panel members received the papers in sufficient time to enable them to read the papers thoroughly and in all but the case mentioned above, they had received sufficient information to consider the case and reach a conclusion. The majority of reports in relation to matches and approvals were considered to be good or excellent and in respect of Special Guardianship Orders (SGO), the reports were considered to be good or adequate. Support plans were found to be appropriate to the child's needs. Timescales for approvals and matches were considered and the Panel was satisfied with the explanations provided regarding any delay.

The Panel Chair and two other members resigned in September, and there was one new Panel member, who joined the pool during the last six months.

Adoption Agency Business – Support

Training and Support to Adoptive Parents

Preparation training for prospective adopters being assessed continues to run at least once a month although some across the region have had to be cancelled due to lack of take up. The facilitation of these groups is already shared by the six local authorities forming Adoption NoW. The Adoption Service recognises the value of ongoing training and support for adopters at different stages in the adoption process and their child's/children's development, to prevent family breakdown in later years and add quality of life to adoptive families. Post approval and post adoption training is now spread across the region, which has meant that fewer events have had to be cancelled due to lack of attenders and a greater variety of training subjects can be offered.

The last six months saw the return of the annual Fun Day for adopters and their children and there has also been an event held aimed at older children/young people and their parents during this time period. A new venue was used for the Fun Day which people found to be safer and more accessible. Previously it has been held in a Children's Centre and there have been difficulties with local children and young people entering the building, plus adopters of Blackburn with Darwen children feeling more vulnerable when attending.

Post Adoption Support

The Post Adoption Support Team continues to co-ordinate Mailbox contact for children in adoptive placements with their birth families, facilitate direct contact for a number of children with their birth families, provide an access to records service for adult adoptees, provide more individualised support to those adopted children and their families who are in greater need and respond to lower level queries with advice and one off support. Only those general enquiries and mailbox queries which cannot be resolved fairly easily are recorded as referrals. A total of thirteen referrals have been received in the first half of this year, a significant reduction on the same time last year, however many lower level enquiries have been dealt with without opening on the database. The reduction is also as a result of a smoother flowing mailbox system resulting in fewer more complex enquiries.

Number of Referrals Received

Assessment and Support	10
Contact/Mailbox issues	0
Information and Advice	0
Access to Records	3

Twenty-three applications to the Adoption Support Fund have been accepted providing therapeutic support to 18 children. Three further applications are currently awaiting approval. Four children have received therapeutic input directly from the in-house psychologist and/or a therapeutically trained Post Adoption Support Social Worker from the Ream and claims are made to the fund for this work. The remainder of the work has been commissioned due to geography, adopter choice or to ensure that therapists with the correct qualifications and skills to meet the need are used.

On 30th September, a total of 54 cases were open to Post Adoption Support.

Number of open referrals at 30th September 2017

Assessment and Support	44
Contact/Mailbox issues	7
Information and Advice	1
Access to Records	2

Seventeen birth parents have accessed some level of support through Birth Ties (a service which Blackburn with Darwen commissions through After Adoption) over the past six months.

Fast Track Adoption and Permanence Team

A new psychologist has recently joined the Service, however this service no longer exists in its previous format. The psychologist sits within the Revive Team, which offers therapeutic and psychology services to Blackburn with Darwen children who are open to Children's Services whether at a Child In Need, Child Protection or Child Looked After level. This includes children progressing with plans for adoption and other permanence plans. The Child Support Officer who was previously part of the Fast Track Team continues to sit within the Adoption Team and has been busy over the last six months offering therapeutic support and advice to fourteen children and their carers including four who have experienced adoptive placement disruptions. Advice is sought from one of the psychologists within the Revive Team as and when needed and clinical supervision is available from the same source.

Adoption Agency Business - Other

Non-agency adoptions

There has been one Adoption Order made in the last six months in relation to a step parent adoption.

Inter-country adoption

Inter-country adoption services are rarely requested in Blackburn with Darwen but the Local Authority has a statutory obligation to provide or commission a service. The Borough remains part of a regional commission for inter-country adoption services provided by the Inter Country Adoption Centre.

Participation of Young People

During the last six months, the Adoption Service has been awarded the Investors in Children Award. Creative ways continue to be used to encourage participation from children who access post adoption support as well as those children who are awaiting adoption, especially, but not exclusively, those who are verbal. The Participation Champions continue to collate evidence of this in a quarterly report.

Complaints/Compliments

There have been two formal complaints within the last six months. One was from a persistent complainant and was found to be ungrounded – a full explanation was sent. The second was upheld in part and an apology sent along with an explanation regarding procedures. There have been four formal compliments made all regarding work which was considered outstanding by the recipients. All of the compliments have been from adopters, although one child also sent in a lovely card of thanks.

Allegations

There have been no allegations in the last six months.

Staffing

Over the last 6 months, the Service has operated with a core team of eight full time equivalent social workers, one child support officer who works 32 hours per week, a deputy team manager and a team manager. During this period, one person has retired with a replacement due to start in October, leaving a gap of three months in between, and one person has just returned from maternity leave which was not covered in her absence; therefore for most of the period, the Service has been operating with a reduction of one fulltime social worker, and half of the time with a reduction of two full time social workers. This, alongside a slight increase in the number of children with plans for adoption, has resulted in increased caseloads and the need to commission some adopter assessments in order to avoid delay for adopters.

There has inevitably been some impact on service, however high standards have continued to be maintained as much as possible through the good will of the Team as a whole.

Budget

A total of £289,334 has been committed on placing children with outside agencies in the first half of this year, a slight reduction on the same time last year. The total committed expenditure includes £57,334 for the two disrupted placements. Whilst the adopters' agencies have a right to charge this amount under the terms of the standard agreement (two thirds at point of placement), it is not yet clear whether they are planning to charge due to the specific circumstances of these two disruptions. Expected income from placements made with Blackburn with Darwen adopters has fallen in the first half of this year to £167,000.

In addition, £48,125 has been claimed from the Adoption Support Fund for further assessments and therapeutic work as detailed previously. Most of this work was commissioned externally, however £5,425 was claimed for work being provided directly by the Local Authority. These figures are significantly lower than the same time last year (less than half the amount of total funding received and a fifth of the income for internal work). This is due largely to the nature of referrals received and the needs being met which have not required such large amounts of spending. It is also due, however, to the cap that was introduced of £5,000 per child per year. Whilst some children have met the criteria for further funding above this cap, the fund then only provides 50% of the excess amount.

Regional Adoption Agency

The final phase of planning for the formation of the Regional Adoption Agency has taken up much time particularly for the Adoption Team Manager and Deputy Team Manager over the past six months. Many of the practical functions of Adoption NoW are already up and running with Adopter Preparation groups being run collaboratively across the region, Panels being shared and post adoption support training and support groups being co-ordinated centrally and offered to all within the region. Most of the policy and procedures for day to day working have been agreed on some level, although tweaks are anticipated once the Agency goes live.

One of the final phases has been agreeing the secondment details with staff affected and as of the 30th September, the consultation period was still live. It is still anticipated however that Adoption NoW will be launched on 6th November, although it is likely that in practice there will be some gradual movement of services across from each local authority as the finer details are addressed.

Plans are afoot with Blackburn with Darwen to ensure that there is no loss of or negative impact on service during or after the change, and the Adoption Team Manager will remain available for as long as needed to help with the smooth transition of some elements of service from the Adoption Team to other appropriate members of the Department.

This will be the last six monthly report in this format as adopters, Panels and post adoption support will come fully under Adoption NoW from November 2017. Whilst the children's social workers within the Adoption Team will also be seconded to the RAA, it will still be possible to collate data specifically regarding Blackburn with Darwen children, and these cases will only be held by social workers employed by Blackburn with Darwen; therefore, future reports will focus on these elements only, with Adoption Now preparing its own reports to present progress on the other areas of service.

Team Development

There have been fewer opportunities for staff development over the past six months due to work pressures and the focus on being RAA ready, however individual staff have continued to take advantage of training that is offered across Children's Services, as well as taking part where possible in developing the ground work for Adoption NoW.

Update on actions for the last 6 months

Action – Participate fully as a Team in relevant workshops and the next phase of development of the Regional Adoption Agency, and implement agreed changes in readiness for the launch in October.

Progress – The launch has now been put back to 6th November 2017 but much of the processes and procedures have already been agreed through the workshops and further working together has been implemented over the last six months.

Action – Recruit 12 new adopters with a variety of matching criteria, from both within and outside the Local Authority – There are now only five Blackburn with Darwen adopters waiting who are not currently progressing to a match and there has been an increase in the number of children with plans for adoption across the region.

Progress – This target has nearly been achieved with eleven adopters approved but others still in the assessment process. Whilst there is still a preference for younger children a number of those recruited feel able to consider a sibling group of two, others are able to consider Fostering For Adoption and some are more open in terms of their matching criteria, being open to a greater amount of uncertainty. In addition, those recruited are from a variety of ethnic backgrounds with a high percentage being outside of the Local Authority's boundaries.

Action – Maintain the new lower timescales for matching by using all available family finding possibilities and ensuring that every day counts.

Progress – The timescales for those children placed and for those adopted within the last six months are extremely positive – the best ever since the scorecard began. There are a number of children awaiting placement who have been waiting for a longer period but with the prospect of very positive outcomes. Those who have experienced disruptions will also affect the average timescales if they go on to be adopted, however, once again, this outcome would be extremely positive for each child involved if it is achievable.

Action – Clear the backlog of closures and create processes which take account of the additional administrative responsibilities for the Team to ensure a smooth workflow and avoid delay in being able to allocate new cases.

Progress – Progress has been made on this with fewer cases remaining open for long periods of time awaiting closure, however further work is needed to move to a fully electronic system to reduce the amount of time needed for social workers to complete children's files.

Action - Further embed the use of Protocol in adoption processes for adopters and children.

Progress – Adopter recruitment is now flowing more smoothly on Protocol allowing data to be collated and reviewed more easily. There are still technical difficulties in implementing the full change for children's cases but this should be eased in part by having dedicated business support within Adoption NoW as the system often requires named people to progress work. Further training will be received in October across all areas to ensure consistency of use.

Action - Continue to seek ways to promote involvement by children including incorporating questions from adopted young people into the Panel and using a young people's panel (including adopted young people) as part of any staff recruitment.

Progress – Sadly it has not been possible yet to identify a date for Panel training in order to involve the young people in this and subsequently incorporate their questions as a standard within Panels. Further training for the Regional Adoption Agency Panels is planned in the near future and this will be incorporated in so that it is not lost.

Action – Collate and implement learning from audits.

Progress – Due to the relatively low numbers of adoption cases (children, post adoption support and adopters) there have been difficulties in creating enough data and information from adoption audits to uncover any systemic or consistent difficulties within the Service. Where trends or themes have been identified, learning from this has been passed onto the Team and implemented.

Actions for the coming 6 months

Action – Gather and implement learning from the two placement disruptions following the disruption meetings.

Action – Fully engage with the launch of Adoption NoW and adjust working accordingly.

Action – Create and implement electronic files for all areas of the Adoption Service, and fully implement all strands within Protocol consistently across Adoption NoW.

Action – Work with Safeguarding colleagues and others to ensure that all appropriate systems and procedures are in place and are understood by all to ensure that good practice is not lost as the adoption services moves over to Adoption NoW.

Action – Ensure the smooth handover of staff to new managers by completing joint supervisions in order to achieve continuity for staff well-being and for the cases that they hold.

Action – Transfer good practice with regards to Child/Young People Participation into Adoption NoW and ensuring that work with regards to incorporating their voice on Panels is not lost – incorporate this into the new Panel member training and development programme.

Katrina Williams
Adoption Team Manager
3rd November 2017

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Leisure Culture and Young People
LEAD OFFICERS:	Director of Environment and Leisure
DATE:	14 December 2017

PORTFOLIO/S AFFECTED:	Leisure Culture and Young People
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WARD/S AFFECTED:	All
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KEY DECISION:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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SUBJECT: Update on Leisure Review
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1. EXECUTIVE SUMMARY

In 2012/13, the Leisure, Culture and Young People's portfolio undertook a Leisure review with support from Sport England. The review resulted in the Council approving the building of Witton Park Arena and Blackburn Leisure Centre which replaced the ageing and dilapidated facilities at Waves Water Fun Centre.

In 2015 and 2016, in the face of continuing and severe cuts in funding from central government, the portfolio held public meetings to discuss the future operational management of Audley Sports Centre, Daisyfield Pools and Shadsworth Leisure Centre. Following consultation processes, the Council subsequently transferred the operational management of the three Council owned leisure facilities to third party operators.

The alternative management arrangements at Daisyfield Pools and Audley Sports Centre have progressed well; however the management arrangements at Shadsworth Leisure Centre are less well embedded. The Centurions swimming club are operating the swimming pool at Shadsworth Leisure Centre, however the Council has had to provide lifeguard cover for some swim sessions at considerable cost because the club have been unable to lifeguard all the swim sessions. The swimming club membership has not expanded as much as anticipated; as a result the club have been unable to pay the Council the agreed pool hire fee. The costs associated with operating Shadsworth Leisure Centre are not affordable within the cash limited budget for the Leisure, Culture and Young People's portfolio.

The purpose of the report is to update members of the progress made on the transfer of the management of the three leisure facilities.

2. RECOMMENDATIONS

That the Executive Board:

- Notes the report and the ongoing consultation processes outlined within the report.
- Notes that the outcome of the consultation will be reported back to the Executive Board on 11th January 2017 with a recommendation as to the future operation of Shadsworth Leisure Centre.

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3. BACKGROUND

The Leisure, Culture and Young People's portfolio undertook a Leisure review with support from Sport England in 2012/13. The review resulted in the Council approving the building of Witton Park Arena at a cost of £2.6m which opened in March 2014 and Blackburn Leisure Centre which was built in partnership with Blackburn College at a cost of £13.5m and opened in April 2015 and replaced the ageing and dilapidated facilities at Waves Water Fun Centre.

These two leisure facilities coupled with Darwen Leisure Centre, which opened in 2010, are extremely popular and provide modern state of the art facilities for residents across the Borough. These three leisure facilities are responsible for generating the vast majority of the income and attendances across leisure services.

As part of the Council's efficiency savings, the portfolio had to consider the future operation of its other leisure facilities which were ageing, expensive to operate and unaffordable in the face of continuing and severe cuts in funding from central government.

In 2015 and 2016, public consultation meetings were organised to discuss the future management arrangements for Shadsworth Leisure Centre, Daisyfield Pools and Audley Sports Centre; the public meeting dates are listed below:

- Shadsworth Leisure Centre – 20 October 2015
- Daisyfield Pools – 22 October 2015
- Audley Sports Centre – 12 July 2016

In addition to the public meetings, adverts were placed locally and requested that organisations which were interested in managing and operating any of the three leisure facilities should contact the Council to declare their interest. The Council also organised customer and stakeholder surveys to be available at the three sites and provided PCs on site to enable people to complete the survey on line, along with paper copies at each site for customers who didn't wish to complete the survey on line.

Daisyfield Pools

Following the public consultation meeting regarding Daisyfield Pools, 'Half Fish' a local charitable organisation informed the Council of their interest in managing and operating Daisyfield Pools. As no other interest was declared via the public meeting and local adverts, the Council reached an agreement with Half Fish to operate Daisyfield Pools on a landlord / tenant basis, whereby Half Fish operate the facility and employ all the staff and the Council has responsibility for the building structure, the plant and the mechanical and electrical services.

Audley Sports Centre

Following the public consultation meeting at Audley Sports Centre, three organisations informed the Council that they were interested in managing and operating Audley Sports Centre. As a result of this interest, the Council formally tendered the contract to manage and operate the facility. Three tenders were received and following an evaluation process, the contract to manage and operate Audley Sports Centre was awarded to Jamia Ghosia Association on a 25 year full repairing lease.

Shadsworth Leisure Centre

Following the public consultation meeting at Shadsworth Leisure Centre, the Centurions swimming club informed the Council that they were interested in operating the swimming pool at the centre. The club submitted a proposal that they would have exclusive use of the pool but would allocate one lane for public swimming and they would life guard the pool to enable the Council to reduce staffing costs. The club also proposed to pay pool hire fees to the Council to cover pool operating costs. There was no other interest declared as a result of the public meeting and local adverts.

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Unfortunately despite best endeavours, the Centurions swimming club experienced slower volunteer

uptake than they had anticipated and as a result, they have not recruited sufficient qualified lifeguards to supervise all the swim sessions. Therefore the Council has had to provide lifeguard cover at certain times during the week at a considerable cost. The club membership has grown in size but it has not expanded as much as the club has anticipated, accordingly the club are not collecting the subscription fees required to cover the agreed pool hire fee.

The main cost of operating Shadsworth Leisure Centre is as followed:

- Premises cost of £71,000 (£26,000 rates and £45,000 utilities)
- Salaries cost of £95,000 (£45,000 of which is pool related).

Shadsworth Leisure Centre is creating a budget pressure of £136,000 which cannot be managed by the portfolio. The income targets for the three main leisure centres has increased from £2,355m in 2015/16 to £2,918m in 2017/18 and whilst the three leisure centres are on target to achieve this targeted level of income, there is little scope to generate the additional income required to offset the budget pressure from Shadsworth Leisure Centre, for which there is no budget.

4. KEY ISSUES & RISKS

- As part of the Council's efficiency savings, the Leisure, Culture and Young People's portfolio had to consider the future of its other leisure facilities which were ageing, expensive to operate and unaffordable in the face of continuing and severe cuts in funding from central government.
- In 2015 and 2016, public consultation via surveys and meetings were organised to discuss the future management arrangements for Daisyfield Pools, Shadsworth Leisure Centre and Audley Sports Centre.
- The portfolio was able to transfer the management of Audley Sports Centre and Daisyfield Pools to other organisations and as a result, the Council no longer employs any staff within these two buildings.
- The Centurions swimming club was the only organisation to declare any interest in Shadsworth Leisure Centre and their interest was focused solely on the swimming pool, not the dry side facilities. The Centurions swimming club have exclusive use of the pool but have allocated one lane of the pool for casual swimming alongside their swim squad training sessions. However, public swimming has reduced to the point where there are only six casual swimmers using the pool on a regular basis. The club has insufficient lifeguards to supervise all the swim sessions so the Council is still providing some lifeguard cover to ensure the safety of swimmers at a considerable cost.
- Shadsworth Leisure Centre is creating a budget pressure of £136,000 in 2017/18 which is unaffordable and cannot be managed by the portfolio.
- It is feasible to relocate the Centurions swimming club and the casual swimmers to other pools in the Borough. The swimming club could relocate to Daisyfield Pools as the pool is currently open just 16 hours a week and has capacity to accommodate the majority of the club swimming sessions. The relocation of the club to Daisyfield Pools would also provide additional income for the pool operator. The casual swimmers could relocate to any of the other three council owned pools within the Borough.
- The Council has embarked on a consultation process to elicit feedback and views from users and non-users of the swimming pool. The Council has met with the Centurions swimming club on 3 occasions. The consultation process also included hosting an open public meeting on Tuesday 5th December 2017 and making available a customer questionnaire from 27 November 2017 to 24 December 2017 to enable users and non-users to provide feedback and make suggestions about the future operation of the swimming pool. The consultation process

will assist the Council to identify if there are any organisations or groups who wish to consider operating the swimming pool at no cost to the Council.

- If no other organisations show any interest in operating the swimming pool as a result of the consultation process, or no alternative proposals are submitted which enables the Council to operate the swimming pool at no cost, one of the options available to the Council is to close the swimming pool and relocate the swimming club and casual swimmers to alternative council owned pools within the Borough.

5. POLICY IMPLICATIONS

The Sport England facilities planning model which was completed in 2012 demonstrated that the Borough had an over-provision of swimming pool facilities. If the swimming pool at Shadsworth Leisure Centre was to close it would reduce swimming pool provision in the Borough, but there would still be sufficient swimming pool facilities for the residents of the Borough as highlighted by Sport England in the facilities planning model for pool provision (2 swimming pools in Blackburn and 1 pool in Darwen).

6. FINANCIAL IMPLICATIONS

The cost of operating Shadsworth Leisure Centre in 2017/18 is estimated to be £136,000. The main costs are detailed in the table below:

SHADSWORTH LEISURE CENTRE	
EXPENDITURE	
Premises related	81,000
Salaries	90,000
Supplies and services	9,000
Total costs	180,000
INCOME	
Income from swimming pool charges	16,000
Income from dry side facilities	38,000
Total income	54,000
NET OPERATING COST 2016/17	136,000
Estimated savings from pool related salaries	48,000
Estimated savings from rates and utilities	50,000
Estimated savings from supplies and services	4,000
TOTAL SAVINGS FROM POOL CLOSURE	102,000

If the swimming pool at Shadsworth Leisure Centre was to close, it would save the Council circa £102,000 pa in utility costs, staff costs and rates. The staff currently employed to lifeguard the swimming pool could be redeployed to other vacant posts within the portfolio so there would be no redundancies as a result of the pool closure.

A small number of staff would be employed to supervise the use of the dry side facilities including the sports hall, squash court, school gym and dance studio. The income from the dry side facilities would offset the staffing costs. There would be some costs associated with rates and utilities but these would be significantly reduced if the swimming pool was closed.

7. LEGAL IMPLICATIONS

In 2015 and 2016, the Council embarked on consultation processes with regards to the future management and operation of Daisyfield Pools, Shadsworth Leisure Centre and Audley Sports Centre. The consultation processes included hosting public meetings and making available a customer and stakeholder questionnaire to enable customers and stakeholder to provide feedback and make suggestions about the future operation of the three sites.

The Council has secured alternative management arrangements for Audley Leisure Centre and Daisyfield Pools which remain in place to date. Unfortunately, the alternative management arrangements for the swimming pool at Shadsworth Leisure Centre have not progressed as planned and as a result, the Council has had to fund significant operating costs for which it has no budget.

As the previous consultation processes were undertaken in 2015 and 2016, the Council has entered into a further consultation process with regards to the future operation of the swimming pool at Shadsworth Leisure Centre.

The consultation process has included hosting an open public meeting on Tuesday 5th December 2017 and making available a customer questionnaire from 27th November 2017 to 24th December 2017 to enable users and non-users to provide feedback and make suggestions about the future operation of the swimming pool.

The results of the consultation will be reported to the Executive Board meeting in January 2018 along with recommendations about the future operation of the swimming pool at Shadsworth Leisure Centre.

8. RESOURCE IMPLICATIONS

If there are no changes to the operation of Shadsworth Leisure Centre, the Council will have to allocate £136,000 to subsidise the operation of the centre.

If the pool was to transfer to an alternative organisation, it would transfer on the basis that the operator would not require any revenue support from the Council.

If the pool was to close, a small number of staff would be employed to supervise the use of the dry side facilities including the sports hall, squash court, school gym and dance studio. The income from the dry side facilities would offset the staffing costs. There would be some costs associated with rates and utilities but these would be reduced greatly.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

10. CONSULTATIONS

A full public consultation was carried out as part of the Leisure Review process in 2015 and 2016. This included public meetings for each of the three sites, survey questionnaires for customers, stakeholders and the general public and local adverts.

A further public consultation process is being carried out to determine the future operation of the swimming pool at Shadsworth Leisure Centre. The consultation process has included hosting a public meeting on Tuesday 5th December and making available a customer questionnaire from 27th November 2017 to 24th December 2017 to enable users and non-users to provide feedback and make suggestions about the future operation of the swimming pool. The consultation process will assist the Council to identify if there are any organisations or groups who wish to consider operating the swimming pool at no cost to the Council.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

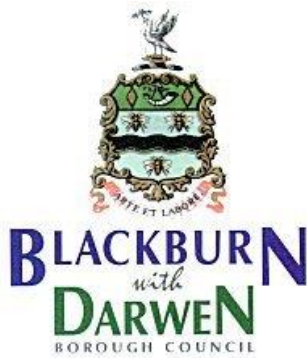
All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	4
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CONTACT OFFICER:	Martin Eden
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DATE:	5 December 2017
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BACKGROUND PAPER:	
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EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Resources
LEAD OFFICERS:	Director of HR, Legal and Corporate Services
DATE:	14 th December 2017

PORTFOLIO/S AFFECTED:	ALL
WARD/S AFFECTED:	All
KEY DECISION:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

SUBJECT: CLOSURE OF COUNCIL CHARITY: HENRIETTA KENYON BEQUEST

1. EXECUTIVE SUMMARY

A proposal to close all business, dealings and the account of the “Henrietta Kenyon Bequest” (HKB) account held and managed by the Council.

2. RECOMMENDATIONS

That the Executive Board:

- note the background and options available to the Council relating to this dormant charity;
- authorises the closing of the charity and the account of the Henrietta Kenyon Bequest;
- authorises the application to the Charities Commission for a direction to transfer funds for a dormant bank account under the provisions of the Charities Act 2011;
- and in doing so to enter into discussion/consultation with other charities that may be eligible to receive funds from the HKB, or as directed by the Charities Commission and;
- approves the distribution of the monies to such charity/charities who have been identified as having the same aims and purpose by the Director of Finance and IT in consultation with the Executive Member for Resources.

3. BACKGROUND

As previously reported to the Executive Board, the Council is the trustee/part trustee of five inactive charities/trusts that are no longer in operation or meeting the purpose they were initially set up to achieve. The five charities are as follows:-

Harriet Holt Trust
Common Goods Trust,
Garstang Lecture Fund,
Henrietta Kenyon Bequest,
Poors Land Charity

Over the years these charities have gradually become redundant which unfortunately means that whilst funds are available in each of the accounts the charities themselves are inactive. For most of

the charities, the purpose for which they were set up has become obsolete therefore restricting spending of the monies held in the accounts. With others the reason for the inactivity has largely been due to a lack of presence of trustees to conduct business. As a result monies have remained in accounts for a number of years with accrued interest. Three of these charities are registered with the Charities Commission whereby annual accounts are submitted yearly, and this requires resources from the Council.

The charities have become however dormant and no further monies have been injected into or spent from the accounts for almost 15 years and in some cases even longer.

Collectively there are sums of approximately £81,851 held in the accounts. Given this lack of activity it is now considered appropriate for the Council to consider options for utilising the dormant funds for good causes in the Borough.

Given the differing nature of each of the dormant accounts it is intended that separate reports will be presented for each charity. This report focuses on the Henrietta Kenyon Bequest (HKB).

4. KEY ISSUES & RISKS

The HKB is a charity that is registered at the Charities Commission under charity no 225127. The charitable objects are “to provide comforts and amenities for aged persons resident in the hostel known as Brookhouse, Pearl Street, Blackburn which would not otherwise be provided out of the rates taxes or other public funds”.

The Governing Document is a Will dated 19 July 1932 of Henrietta Kenyon who was an “inmate” of Queens Park Hospital Blackburn whereby she instructed the residue of monies from her estate to be paid “for the benefit of the inmates of the Women’s ward of the Queens Park Hospital, Blackburn”.

It is unfortunately not clear how the Council came to manage this account and it can be presumed that after the monies were paid by the executors the remaining account was transferred to the local authority at some stage.

The Charities Act 2011 provides that “charity” means an institution which is established for charitable purposes only. A ‘charitable purpose’ is a purpose which is for the ‘benefit of the public’ and for other purposes including ‘the advancement of health or the saving of lives’, ‘the relief of those in need because of youth, age, ill-health, disability, financial hardship or other disadvantage’ (amongst other reasons set out in the legislation).

Whilst this account is registered as a charity and there is a will, the Charities Commission are only holding the first and last page of the will so it is safe to say that there is detail not known to the Council.

This causes a concern particularly if there is missing information relating to the closure of the account.

On this basis and in the event of absent trustees it is recommended that the Council apply to the Charities Commission under the Charities Act 2011 to request a direction to be made to deal with the dormant account. This is the most viable option for the Council to transfer funds in an ethical and prudent manner, under the direction of the Charities Commission.

There are currently monies in the sum of £14,752.09 (approx.) held in the charity’s account which have not been added to or drawn from for a number of years.

In respect of the HKB it is therefore considered that the best option is to:-

- a) Close the account
- b) Apply to the Charities Commission to make a direction relating to the dormant account under

the provisions of the Charities Act 2011

- c) Transfer monies to another local charity/charities that performs a similar purpose
- d) If for whatever reason, the Charities Commission do not make a direction or are not able to make a direction then the matter will be referred back to members of the Executive Board Committee to discuss further alternative options.

5. POLICY IMPLICATIONS

The Council supports a range of services in the local community and transferring money from a dormant charity account to support local services reflects the Council's objectives of improving health and wellbeing of all persons in our community.

6. FINANCIAL IMPLICATIONS

There are no direct financial costs to the proposals to transfer money from a dormant account to a local charity as set out in the report, other than internal officer time and resources.

7. LEGAL IMPLICATIONS

In disposing of a charity's funds the Council must be mindful to its ethos as a charity and ensure that there is transparency.

An unincorporated charity can be closed and the assets transferred to other charities that carry out similar work or have similar objectives. Section 268 of the Charities Act 2011 enables trustees of a charity, by resolution, to transfer all property of a charity to another charity or two or more charities as specified in that resolution. The trustees have to be satisfied that it is expedient in the interests of furthering the purpose in which the property is held and that the purposes of the charities are similar.

The resolution must be passed by a majority of not less than two-thirds of the charity trustees who vote on the resolution. Notice is also required to be sent to the Charities Commission who may direct that publicity is given to the proposed transfer, they may ask for additional information or may object to the proposal.

Additionally the provisions in the Charities Act 2011 at section 107 allows the Charities Commission to make a direction where accounts are dormant and the trustees are unknown, to transfer funds to another charity. The Council will apply for a direction and in the event that a direction is not made by the Charities Commission, a further report will be presented to the Board to discuss further options. The process of applying for a direction is crucial and sensible at this stage given the lack of a complete Governing Document and absent trustees. Once this option is exhausted the Council will be able to consider alternative suitable options.

Any transfer of funds will be subject to consultation and discussion with the receiving charity and also checking the activity of the receiving charity and work history.

All existing debts and liabilities will need to be cleared before the remaining assets are transferred.

8. RESOURCE IMPLICATIONS

The legal processes required will be funded from within existing resources and once completed the transfer will result in a small resources utilisation saving within the Financial Services Team which is factored into the current restructuring programme.

9. EQUALITY AND HEALTH IMPLICATIONS

Page 43 of 64

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Consultation has been undertaken with the Charities Commission.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	David Fairclough and Rabia Saghir
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DATE:	9 th November 2017
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BACKGROUND PAPER:	Review of Charities Accounts.
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EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Regeneration Executive Member for Resources
LEAD OFFICERS:	Director of Growth and Development
DATE:	14 December 2017

PORTFOLIO/S AFFECTED:	Regeneration	Resources
WARD/S AFFECTED:	Shear Brow	Wensley Fold
KEY DECISION:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

SUBJECT: Blackburn Town Centre Development Proposals

1. EXECUTIVE SUMMARY

Building on the Council's investment in both Blackburn and Darwen Town Centres over a number of years, this report outlines new proposals which complement the Council's existing programmed schemes to deliver a number of significant regeneration projects within Blackburn Town Centre, including the Northgate Quarter. Existing proposals were published within the Executive Board Reports of 13th April 2017 and include:

- **Cinema Project** on the former Waves Leisure Centre site with the Council leading the development for a new cinema and two small leisure units leased to Reel Cinemas Ltd.
- **Blakey Moor Townscape Heritage Project** within the Northgate Conservation Area, which includes proposals for renovation and repair of the Victorian Blakey Moor terrace, former Baroque public house, King George's Hall front elevation and around 20 other historic buildings on Northgate and Lord Street West over the next 5 years. The project also includes a public realm improvement scheme which adjoins the new cinema project.

Three new proposals are now proposed to complement the existing projects and include:

- **Fabric Borders:** A new £2.9m infrastructure project supported by the National Productivity Investment Fund (NPIF) to reconfigure vehicular and pedestrian routes in the Tontine Street, Sudell Cross, Victoria Street/Whalley Range and Northgate areas across the Town Centre to remove vehicular congestion and conflicts, improve pedestrian wayfinding and movements and develop new, under-utilised sites, some in poor condition, on either side of Barbara Castle Way.
- **Public Car Park and infrastructure:** A new £2.5m scheme including a public car park and associated infrastructure to be provided below the new cinema development on the former Waves Leisure Centre site. The new car park will be open to the public and accessed from Feilden Street and provide around 98 spaces and will include investment in provision for Electrical Charging points. The car park will also provide opportunities for nearby surface level car parks to be developed in the future.
- **Jubilee Square:** A new £1.0m high quality public realm and associated infrastructure scheme to link the College campus with the Blakey Moor heritage area and the new Cinema. Jubilee Square will bring the neighbouring investment areas together, enhancing the setting, providing attractive pedestrian links and support the ongoing investment in the evening economy by attracting end users to establish and open new business premises in the area.

2. RECOMMENDATIONS

That the **Executive Board:**

- i. Note the three new project proposals and the NPIF funding award;
- ii. Note that the Final Business Case for the Cinema, and the proposed Car Park and Jubilee Square will be provided to the Executive Board in April 2018 as a key decision prior to commencement; and
- iii. Further updates on Fabric Borders and Blakey Moor will be provided to the Executive Board at key decision stages.

3. BACKGROUND

The Council has invested and supported regeneration and development schemes in both Blackburn and Darwen town centres over many years, with recent examples being the Cathedral Quarter development in Blackburn, The Mall shopping centre improvements and the current investment in Darwen Town Centre improved public realm and open space on the former 3 day market site. These are positive developments which improve the towns and bring other private investment and increased footfall for businesses.

The background to the Cinema and Blakey Moor schemes has previously been set out in Executive Board Reports in April 2017; both of these schemes are closely aligned to the strategic vision introduced by the Council's Core Strategy and Town Centre Strategy. The Northgate Quarter has been defined within the Local Plan Part 2 – adopted in 2015 – as a key area of Blackburn town centre where the objective is to protect and enhance the leisure offer, support the development of an evening economy and encourage specific uses such as cultural and entertainment facilities, art galleries and music venues.

The identification of the Northgate Quarter, in addition to the established Northgate Conservation Area, helped to attain the Blakey Moor Townscape Heritage Initiative (THI) scheme, which has secured a £3.5m investment from Blackburn with Darwen Borough Council, Heritage Lottery Fund and the private sector; and will transform the historic heart of the Northgate Quarter over the next 5 years. The new Cinema and the three new project proposals presented in this report will further strengthen the delivery of the Council's town centres strategy.

4. KEY ISSUES & RISKS

4.1 Fabric Borders

The Council has been successful in securing funding via the Department for Transport (DfT) sponsored NPIF programme. The project objectives are to improve vehicular and pedestrian access between Blackburn town centre and development areas both North and South of Barbara Castle Way. It will provide improved access to new development sites, under-utilised employment sites and emerging retail and cultural opportunities and marks the next phase of Blackburn town centre's regeneration. The works will be delivered using the Council's in-house team and complemented by contractors procured from the new Contractor & Development Framework (subject to Exec Board Approval). The Fabric Borders scheme will link through to the Blakey Moor scheme and provide continuity of high quality public realm in the town centre. The scheme is expected to be completed by 2021.

4.2 Public Car Park

Following detailed surveys an opportunity to include an undercroft car park within the new cinema development has been assessed and found to be a cost effective solution in adding more parking spaces within the area by utilising the natural fall in site levels. Initial scheme drawings indicate that 98 parking spaces can be provided under the cinema building which would be operated by the Council as pay-and-display for all town centre visitors (not only for cinema patrons). Vehicular access would be provided via Feilden Street and pedestrian access via Nab lane and Barton Street. The Nab lane access would adjoin the existing Feilden Street access with improvements to this access planned as part of the scheme. Electric vehicle charging points are also proposed for the car park. The new car park would be delivered as part of the existing cinema scheme and procured using the Contractor & Development Framework (subject to Exec Board Approval) and expected to be open along with the Cinema by December 2019.

4.3 Jubilee Square

In order to maximise the impact of the committed investments and ensure that an attractive and inviting setting is provided in line with the Conservation Area status and adjacent listed building, the creation of an identifiable public square is proposed, to be named Jubilee Square. The public square would connect the College campus with the Blakey Moor heritage area and the new Cinema as shown on the attached plan attached as Appendix A. The square would incorporate the external cinema terrace and seating area for the new leisure units and would incorporate a central green space feature, with relaxing seating and paving contrasts. The high quality public realm scheme would be delivered in parallel with the new cinema and public car park and would be procured using the Contractor & Development Framework (subject to Exec Board Approval) and would be expected to be completed by December 2019.

5. POLICY IMPLICATIONS

The development of the Northgate area meets the objectives of the Council's adopted Core Strategy and Local Plan Part 2. It also accords with the 'Culture and Life' objective of the Blackburn Town Centre Strategy. Specifically, Policy 26 of the Local plan supports the delivery of the projects within the defined Northgate Quarter.

The projects also help to deliver the improvements set out in the Northgate Conservation Area Appraisal and Management Plan, and the heritage priority and ambitions within the Council's 12 point Plan.

All of these projects are to be illustrated within the Town Centre Supplementary Planning Document (SPD), a draft version of which is set to be published for public consultation in early 2018.

6. FINANCIAL IMPLICATIONS

6.1 Fabric Borders

The £2.9m project will be delivered using £2m of NPIF external grant funding with a Council contribution of £0.9m which will be funded from the Council's LTP programme. The NPIF funding contribution will be expended during 2018-2020 with any subsequent construction years funded by the Council. Any subsequent site acquisition will be considered on a business case investment basis and will be funded from the Council's Development Investment Fund or other capital funds should the opportunity arise.

6.2 Public Car Park

The new £2.5m project would be delivered as part of the existing Cinema scheme on the former Waves Leisure Centre site. The scheme would be funded from Council borrowings to be included in the capital programme and will be subject to a Final Business Case assessment to ensure the scheme is financially viable prior to final approval.

6.3 Jubilee Square

Subject to approval, the new £1.0m project will be delivered as part of the existing Cinema scheme on the former Waves Leisure Centre site. The scheme will be funded from the Council's LTP programme and included in the capital programme with the funding profile included in the Cinema Final Business Case.

7. LEGAL IMPLICATIONS

Procurement of the works will be via the Contractor & Development Framework (subject to Executive Board Approval).

Most of this report is for noting only so presently there are few specific legal implications until the Projects are more refined and approved. In general however procurement, property and highways legal requirements will be the main areas of pertinent law.

The extant Executive Decisions of 13 April 2017 [Page 47 of 64](#) have a number of legal actions which are currently ongoing.

8. RESOURCE IMPLICATIONS

Resource demands for the new projects in terms of officer time will be met by the existing Growth and Development team supported by Procurement, Legal and Property officers.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

All of the projects will be outlined within the Town Centre SPD which will be published for consultation in early 2018.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

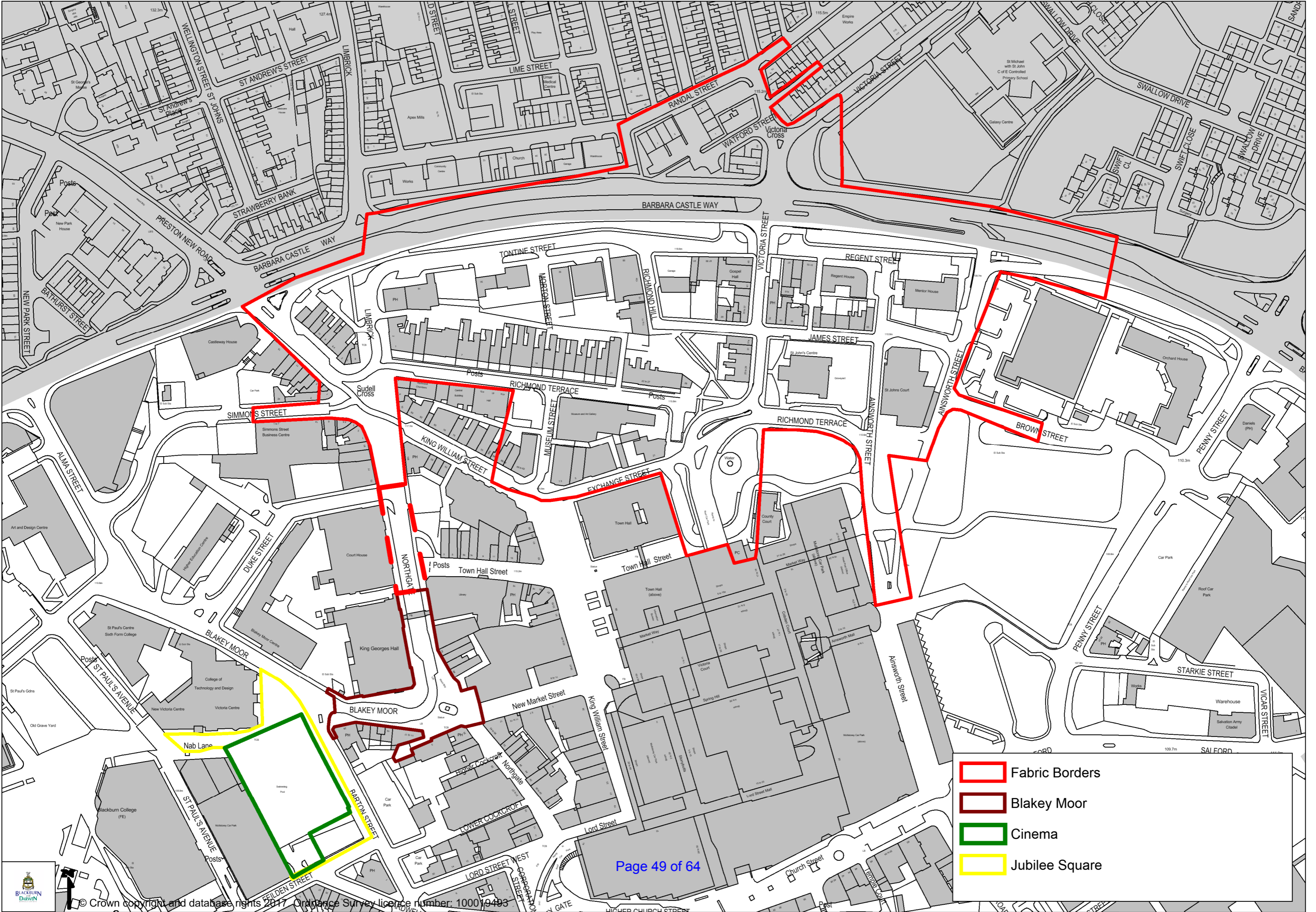
All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	2.0
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CONTACT OFFICER:	Simon Jones, Programme Director, Department of Growth & Development
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DATE:	24 th November 2017
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BACKGROUND PAPER:	Executive Board Reports for Blakey Moor and Cinema Development published in April 2017.
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- Fabric Borders
- Blakey Moor
- Cinema
- Jubilee Square





EXECUTIVE BOARD DECISION

REPORT OF: Executive Member for Regeneration
Executive Member for Resources

LEAD OFFICERS: Director of Growth and Development

DATE: 14 December 2017

PORTFOLIO/S AFFECTED: Regeneration Resources

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Procurement of a Construction and Development Framework

1. EXECUTIVE SUMMARY

This report seeks approval for the appointment of organisations to a Construction and Development Framework, following a robust evaluation process. The proposed Framework will enable and assist the Department for Growth and Development in bringing forward Council owned sites for commercial development, in addition to procuring construction and civil engineering works for growth projects and programmes.

This report presents for Executive Board consideration of the process followed between publication of OJEU notice and conclusion of the procurement.

2. RECOMMENDATIONS

That the Executive Board:

- i) Approve the recommendation, following a robust evaluation process, to appoint 5 organisations to the Blackburn with Darwen Construction and Development Framework subject to the final negotiations being concluded with no detrimental change to the Council's commercial position or risk profile.
- ii) Delegate authority to the Director of Growth and Development, in consultation with the Executive Member Regeneration:
 - a. to finalise the negotiations and formally enter into Framework Agreements with the 5 organisations provided that the negotiations have no detrimental impact on the Council's commercial position or risk profile and
 - b. subject to a) above, to finalise the detailed contractual discussions and agree final terms and contract award

3. BACKGROUND

The Growth and Development (G&D) Programme supports Blackburn with Darwen Borough Council's economic growth aspirations with the key objectives being to [Page 51 of 64](#)

- Generate new tax revenues to support the Council's Medium Term Financial Strategy;
- Generate economic activity to create employment opportunities for residents;
- Support town centre growth and vitality with the development of a new evening economy; and
- Generate financial benefits from land receipts.

The G&D Programme maps the potential outcomes and delivery timescales for over 180 plus development opportunities across the Borough utilising private and public sector land and covers employment, housing and town centre opportunities.

A new Construction and Development Framework is proposed to support growth by bringing forward Council owned sites for commercial development, in addition to procuring construction and civil engineering works for growth projects and capital programmes.

It is proposed the Framework will have a minimum of three and a maximum of five contractor developers with embedded Lancashire supply chains and sufficient breadth of experience to cover civil engineering, construction and commercial development.

Projects will be called-off from the Framework through either a single stage (direct) or two stage tender process. This will be decided at the point of a project being identified to be taken through the Framework. There will also be the ability to include construction finance to allow the procuring authority flexible payment options for financing projects

The Framework will be open to public sector organisations within the Combined Authority Area of Lancashire and will operate for 4 years with options to extend by a further 4 years in total (2 plus 2) and commence in January 2018.

Previous reports to the Executive Member for Regeneration sought approval for the commencement of the procurement process, which was granted in June 2017.

The Growth and Development team has since instigated the procurement through the Open Procedure.

Market engagement

Prior to publication of the OJEU notice a Soft Market Testing Event was held on the 28th March 2017 which was well attended by 31 organisations. This resulted in positive discussions with various organisations confirming the appetite for inclusion within the proposed framework.

Procurement process

The Framework has been procured through the Official Journal of the European Union process following an open tendering process.

The key milestones for the procurement process are outlined below:

- | | |
|--|-------------------------|
| • Soft Market Testing Event | March 2017 |
| • Prepare Procurement Documents | March to September 2017 |
| • Publish OJEU Notice | September 2017 |
| • PQQ and Tender documents returned | October 2017 |
| • Evaluation Period & Approvals | November 2017 |
| • Contract award | December 2017 |
| • Commence Framework call-off for Projects | January 2018 |

A two stage process has been followed whereby bidding organisations would need to pass a pre-qualification stage before being considered for the Invitation to Tender stage.

4. KEY ISSUES & RISKS

Tenders were received on 16th October 2017.

The evaluation teams consisted of colleagues from the Growth and Development team, Legal, Finance and Procurement departments.

It was confirmed as part of the tender documentation that the ITT section would only be evaluated following successfully passing the PQQ stage.

Further detail behind the evaluation process and proposals are included in the associated Part 2 report on this agenda.

Conclusion

Following the evaluation process, and based on the scoring above it was concluded by the evaluation team that five organisations be appointed to the Framework.

The Framework will deliver benefits over traditional procurement for projects by facilitating a more integrated solution based on continuing and closer relationships with a limited number of suppliers to assist in developing the supply chain and workforce within Lancashire region.

The Framework will also accelerate construction and development activity through pre-procured delivery partners with opportunities for early contractor involvement enabling joint development of schemes.

5. POLICY IMPLICATIONS

Blackburn with Darwen's Corporate Plan 2016 to 2019 has a priority to accelerate the growth agenda create local jobs for local people and securing the outcomes from capital investments. There is also a commitment to deliver the growth plan priorities for industry, town centres and housing.

6. FINANCIAL IMPLICATIONS

The lifetime value of the Framework is estimated as £300 million (circa £150m for Blackburn with Darwen and £150 for other LAs)

The costs of procuring the Framework will be met through existing teams with any technical or commercial support costs met through existing property call off-budgets.

Colleagues from the finance department have been involved in and supported the Growth and Development team during the procurement evaluation.

7. LEGAL IMPLICATIONS

The Council has followed the Open Procedure as outlined in this report and in accordance with the under the Public Contract regulations 2015 and EU Procurement law principles. Upon notifying bidders of the Councils intent to award a ten day standstill period will be observed and after contract award a notice will be placed in the Official Journal of the European Union.

Following the expiry of the standstill period the Council will enter into Framework Agreements with the five organisations. The draft Framework Agreement was drafted by the internal legal department and shared as part of the tender documentation issued with the OJEU notice. The Council will not accept significant derogations from the draft Framework Agreement.

The Councils legal and procurement department have been involved in the drafting of all documentation and been involved in all aspects of the procurement process.

8. RESOURCE IMPLICATIONS

Costs for managing the Framework will be covered through the efficiency of procurement costs. The Growth and Development team will lead the monitoring of the pipeline of projects through the framework with support from colleagues within the property and regeneration teams as appropriate based on the type of project being called off under the three areas of the Framework. Support from colleagues in legal, finance and procurement will be sought on individual projects as appropriate.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Executive Members and Chief Officers have been consulted during the development of the initiative.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	2.0
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CONTACT OFFICER:	Simon Jones, Programme Director, Department of Growth & Development
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DATE:	27 th November 2017
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BACKGROUND PAPER:	EMD Framework Procurement – June 2017
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EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Resources Executive Member for Regeneration
LEAD OFFICERS:	Director of Growth and Development
DATE:	14 December 2017

PORTFOLIO/S AFFECTED:	Regeneration	Resources
WARD/S AFFECTED:	Mill Hill	
KEY DECISION:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

SUBJECT: Griffin Housing Development Strategy

1. EXECUTIVE SUMMARY

1.1 The Griffin clearance site is a key development priority for the Council. The Griffin regeneration area has previously seen 160 homes refurbished under Housing Market Renewal along with a number of community confidence projects delivered to improve the quality of life for local residents. The Neighbourhood Renewal Assessment (2008) also identified 165 homes of very poor quality to be cleared and the site to be redeveloped. The Griffin SPD (2011) outlined principles for redeveloping the clearance area to provide good quality family housing and environment. The Griffin SPD was further updated in 2017

1.2 The Growth & Development team has carried out an extensive options appraisal of the site alongside detailed soft market testing with key developers and housing providers to look at ways of developing the site in a timely manner. The preferred option is to offer the site as two separate phases, with phase 1 being ready for development and phase 2 potentially requiring a compulsory purchase order

1.3 The Council has acquired the recently decommissioned Griffin public house to help create a strong frontage onto Bank Top/Redlam. This will make the site more attractive and accessible with the potential for new access into phase 1 from the main road. This has assisted in a favourably soft market testing exercise.

1.4 Following on from the soft market testing and options appraisal, it is recommended to offer the site in two phases as separate development opportunities responding to the market interest. This report details the proposed action and seeks approval to engage in the process of disposing of the site for development.

2. RECOMMENDATIONS

That the Executive Board:

2.1 Note the outcome of the options appraisal carried out for the Griffin Clearance site, the preferred option to offer the site in two phases, phase 1 via informal land tender and phase 2 via special purchaser arrangement with Together Housing Association

- 2.2 Approve the disposal of phase 1 via Informal land tender to be commenced in 2018
- 2.3 Grant approval to treat Together Housing Association as a 'special purchaser' to develop a new affordable housing scheme for phase 2
- 2.4 Delegate authority to conclude negotiations, including terms of any land sale and contracts to the Director of Growth and Development and Deputy Chief Executive in consultation with the Executive Members for Resources and Regeneration to approve the final commercial terms.
- 2.5 Grant approval to the Director for Growth and Development in consultation with the Director of HR, Legal and Corporate Services to consider serving of a potential Compulsory Purchase Order under the Town and Country Planning Act once all other avenues to purchase by agreement have been expended. A separate report will be presented to the Executive Board to seek approval to initiate the CPO
- 2.6 Authorises the Director of HR, Legal and Corporate Services to complete the necessary legal formalities and all legal documentation.

3. BACKGROUND

- 3.1 In 2008 the Council commissioned a Neighbourhood Renewal Assessment (NRA) for the Griffin area. The NRA identified a number of properties for retention and refurbishment along with the clearance of some very poor quality properties. A Supplementary Planning Document (SPD) for Griffin was developed in July 2011 to help inform the redevelopment of the area once all clearance properties had been cleared.
- 3.2 Griffin has been benefiting from a programme of regeneration since the NRA was completed which has resulted in around 160 homes refurbished and improved. A further 165 identified for purchase and demolition are nearing completion with 5 remaining to be purchased. Of the remaining 5 properties still to be purchased one is currently going through the legal process. The remaining four properties are unlikely to be acquired by agreement although the Council will continue to try and buy them by agreement.
- 3.3 To complete site assembly and initiate development a compulsory purchase order under the Town and Country Planning Act 1990 may be required to purchase the remaining properties. This requires the Council to appoint a willing developer who will need to secure planning permission for the redevelopment prior to the Council initiating any CPO. The CPO if required will be made as a last resort once all other options of purchasing the properties by mutual agreement have been exhausted.
- 3.4 Executive approval was secured in January 2016 (Redevelopment proposal for the cleared sites in the Griffin Regeneration Area and Alaska Street site) to offer the clearance site as part of a package of sites for development through the HCA's Developer Procurement Panel 2. Council Officers undertook some market testing with the help of HCA colleagues and identified that potential bidders were unlikely to bid for the site due to severe existing constraints such as requiring a CPO, potential high levels of ground contamination, remediation costs and lack of potential buyers. A decision was made to carry out further due diligence through commissioning technical surveys and ground investigations whilst carrying out further discussions with interested developers.
- 3.5 Officers in the Growth and Development team have undertaken an options appraisal for the site to look at the best way to bring housing development forward in the short term. To support the options appraisal soft market testing has also been undertaken with a number of private developers and registered providers. Consideration has also been given on how the site can be made more attractive to developers.
- 3.6 The Griffin site is proposed to be offered for sale as two separate phases following the detailed options appraisal. Soft market testing has shown very little interest by developers in phase 2 due

to the considerable constraints around land assembly and potential CPO action required. Phase 1 has been of good interest to developers who see development potential in the site with the enhanced frontage and opportunity to create a new access. Offering the site as two parcels will enable the Council to bring housing forward in a timely manner in phase 1 whilst phase 2 is being assembled.

- 3.7 To aid disposal the Council has undertaken a number of intrusive surveys and technical site assessments to help outline constraints on the site. This technical detail will give potential developers some comfort on ground conditions and costs for remediation along with an idea of how any proposed development can be maximised
- 3.8 The Council has also acquired the recently decommissioned Griffin public house to help create a strong frontage onto Bank Top/Redlam. The Griffin has a restricted covenant from the previous owner preventing future trading as a public house, and this together with limited end uses and the apparent poor condition of the building leaves it necessary to demolish to ensure the entrance and site frontage is more attractive to housing developers with possible new access into phase.

4. KEY ISSUES & RISKS

- 4.1 The Griffin sites have been identified as being suitable for the provision of good quality family homes. Initial estimates show a potential to develop approximately 120-150 new 2, 3 and 4 bedroomed family homes.
- 4.2 A number of options have been assessed to determine the best way of disposing the site so that the Council can influence the pace and quality of housing delivery. The soft market testing exercise has resulted in private developers and registered providers showing their interest in all or part of the site which has led to consideration of offering the site in two phases (see Appendix A).
- 4.3 Phase 1 is fully assembled and is ready to be offered for redevelopment; with the purchase of the Griffin public house this site now has a stronger frontage onto the main road. Developers have shown a healthy interest in this site and would look at providing a new highways access into the site. The site has been identified as being suitable for open market housing

Phase 2 has also received a good level of interest but has been identified as being mostly suitable for affordable housing as it fronts onto the Together Housing 'Galigreaves Estate'. This phase will require a CPO to purchase the remaining properties and complete assembly. Together Housing has confirmed their willingness to support the Council in this action if they are appointed as Preferred Developer.

The mix of housing delivered on both sites would be in line with the Griffin SPD and will meet local needs identified through the Strategic Housing Market Assessment (SHMA)

- 4.4 Following on from the soft market testing and options appraisal, it is recommended to offer the two sites as separate development opportunities. This report lays out the proposed action below and seeks approval to engage in the formal process of disposing of the two phases.
- 4.5 Phase 1 is to be offered as an informal land tender to develop new family housing. Potential bidders will be required to submit a scheme proposal, delivery timetable and willingness to enter into a conditional contract. The tender is proposed to be initiated early 2018 and is likely to take around three months to conclude. At the end of the tender exercise a report will be presented for Executive approval recommending a preferred bidder and draft Heads of Terms.
- 4.6 It is proposed that Phase 2 be offered to Together Housing Association (THA) as a special purchaser for development of predominantly affordable housing to meet local need for which the Council will be granted 100% nomination rights. THA are the Council's main strategic Registered

Provider partner and has been instrumental in helping deliver affordable homes across the Borough. Currently THA are providing much needed specialist housing for older persons housing at Shorey Bank and affordable housing at their Ellenshaw site. THA continue to work closely with the Council to develop housing that meets the needs of local residents.

4.7 THA is the largest social landlord in the Borough and owns the adjoining Galigreaves housing estate which is located across from the phase 2 site, any proposals will need to ensure that they are aligned to the existing housing at Galigreave. THA will ensure that any scheme proposal will be in line with the Griffin SPD and provide good connectivity to existing homes in the area.

THA have also shown willing to support the Council in the CPO process to assemble the site. A number of other strategic RP partners have considered the site but believe that THA are best placed to support the Council due to their extensive property ownership in the Griffin area.

4.8 THA will prepare a scheme for the site and submit a planning application. The scheme will be fully funded by THA who will also be able to secure affordable housing grant if required. THA will be given a period of time to finalise their proposals, once the proposals are accepted and planning permission is secured. The Council will engage in the Town and Country Planning CPO with THA support. A report will be presented to members outlining the final scheme proposals and seeking approval to initiate the CPO action

4.9 All new homes developed will be in line with the Borough's need and aspiration for growth. New homes will contribute to the MTFs by way of Council Tax income and New Homes Bonus. New developments will bring in additional investment and new jobs to the Borough

5. POLICY IMPLICATIONS

5.1 The disposal methods will be in accordance with the Council's disposal policy and will meet the strategic aims of the Council's Growth agenda

6. FINANCIAL IMPLICATIONS

6.1 There are no new financial implications from the disposal of the site. CPO costs have already been factored into the clearance programme.

6.2 The Council is likely to receive a capital receipt from the sale of the site but value will be subject to scheme proposals and extent of abnormalities.

A new housing scheme is likely to bring around £15m of new investment to the Borough (based on the scheme providing 135 new homes at an average build costs of £110k each)

New homes will contribute to the MTFs by way of Council Tax income and New Homes Bonus.

7. LEGAL IMPLICATIONS

7.1 The disposal of the site in Phase 1 will be via an informal land tender and is in line with the Council's disposal policy and will satisfy procurement requirements and is supported by technical input from legal and procurement.

7.2 The disposal of the site in Phase 2 will be via a Special Purchaser route with Together Housing Association.

7.2 The Council will need to ensure appropriate best considerations in disposal of land as part of any contractual agreements with Together Housing Association in accordance with Section 123 of the Local Government Act 1972.

7.3 The Council will look to safeguard its interests in ensuring that the land is developed in line with its future revenue benefit projections by agreeing a build programme with the developer.

7.4 Final commercial terms for the sale of the land and the completion of contractual terms will be presented to the Executive Members for Resources and Regeneration for approval.

8. RESOURCE IMPLICATIONS

8.1 The Tender process will be led by the Growth team who will also lead on detailed negotiations and preparation of draft Heads of Terms.

Legal resources will be required to support and complete the legal formalities relating to disposal and preparation of any development agreements.

Additional support will be required from Capita Property to prepare site disposal particulars, carry out assessments of scheme proposals, deliverability and support preparation of Heads of Terms

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Extensive stakeholder consultations have been undertaken in the Griffin area as part of the Housing Market Renewal programme, the subsequent Neighbourhood Renewal Appraisal and the preparation and of the Griffin Supplementary Planning Document.

Local Ward Councillors have also been consulted on the proposals.

Local residents and stakeholders have been involved and consulted through the various stages of regeneration. Further consultations will be undertaken during the Planning process for the proposed development.

Additional consultation has also been undertaken in the development of the Council's Local Plan and Strategic Housing Market Assessment (SHMA)

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with

equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Subhan Ali, Strategic Development Manager (Housing)
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DATE:	22 nd November 2017
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BACKGROUND PAPER:	Local Plan Part 1, Griffin Supplementary Planning Document (2017), EMD reports
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Blackburn with Darwen Council
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GRIFFIN DEVELOPMENT SITE, BLACKBURN
DATASET: BASE MAP
STATUS DRAFT
 Scale: 1:1,250

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