

Public Document Pack

Executive Member Decisions

Friday, 8th November, 2019

AGENDA

1. **Disposal of land and buildings by auction at 50-54 Church Street, Blackburn**
EMD - Disposal of land and buildings by auction 50-54 Church St 2 - 9
EMD-Part 2 - Disposal of land and buildings by auction at 50-54 Church St
Plan 50-54 Church St
EIA-Checklist Church St

2. **Proposed Traffic Regulation Order - Proposed Prohibition of Waiting on Beardwood Brow, Blackburn and extension of Prohibition of Waiting on Beardwood, Blackburn**
EMD - Proposed TRO Prohibition of waiting Beardwood Brow 10 - 15
Appendix 1 schedule Beardwood Brow Restrictions
Appendix 2 plan Beardwood restrictions
EIA-Checklist Beardwood Brow

Date Published: 8th November 2019
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



REPORT OF: Executive Member for Resources

LEAD OFFICERS: Director of Growth and Development

DATE: 23rd October 2019

PORTFOLIO/S AFFECTED: Resources

WARD/S AFFECTED: Blackburn Central

SUBJECT: Disposal of land and buildings by auction at 50-54, Church Street, Blackburn.

EXECUTIVE SUMMARY The Blackburn Town Centre retail market is dominated by The Mall Shopping Centre where the majority of the national retailers represented in the Borough are situated. It is difficult to attract significant national occupiers to units outside the The Mall and 50-54 Church Street is no exception. Whilst this investment property comprises a mixed use building with offices on the first and second floors the bulk of any rental income derives from the large retail shop at ground floor. The shop/restaurant-bar is currently vacant and the upper floors are let to Newsquest who have exercised their option to determine the lease in March 2020. The chances of attracting a well-known national retailer to take the vacant space are unlikely. As part of the ongoing strategic review this investment has been identified as one which is unlikely to perform in the short to medium term and it is recommended therefore that the Council dispose of the premises by way of auction.

2. RECOMMENDATIONS

That the Executive Member approves the disposal by auction of land and buildings referred to in this report on the terms recommended.

3. BACKGROUND The Council initially leased the premises for use as a visitors centre in 2004. In 2006 the Council acquired the freehold and refurbished the upper floors including for the installation of a lift to meet DDA requirements. The Visitors Centre vacated the retail premises in 2009 and they were then let to Blackburn Rovers A.F.C. between 2010 to 2016 followed by Gioia Italiano in 2017 and the early months of 2018. The ground floor has now been vacant since May of last year and Newsquest are due to vacate the upper floors in March of next year. The opportunities to find suitable tenants for the accommodation are slim and now would therefore be a suitable time to dispose of the building. A guide price of £400k. has been placed on the auction sale.

4. KEY ISSUES & RISKS

The proposed sale would release funds for re-investment within the Borough in property sectors which would encourage employment creation.

5. POLICY IMPLICATIONS

The disposal method accords with the Council's approved policy for disposal.

6. FINANCIAL IMPLICATIONS

The Council will receive a capital receipt but lose the opportunity to realise any annual rent.

7. LEGAL IMPLICATIONS

The reasoning and consideration as to the Council's disposal policy has been discussed elsewhere. Under S.123 of the Local Government Act 1972 the Council is obliged to obtain best consideration reasonably obtainable.

8. RESOURCE IMPLICATIONS

Legal and surveyor resources are required to complete the transaction.

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

The proposal has been subject to consultations between Council Officers and relevant members of the Growth Board.

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 and published if applicable.

VERSION:	1
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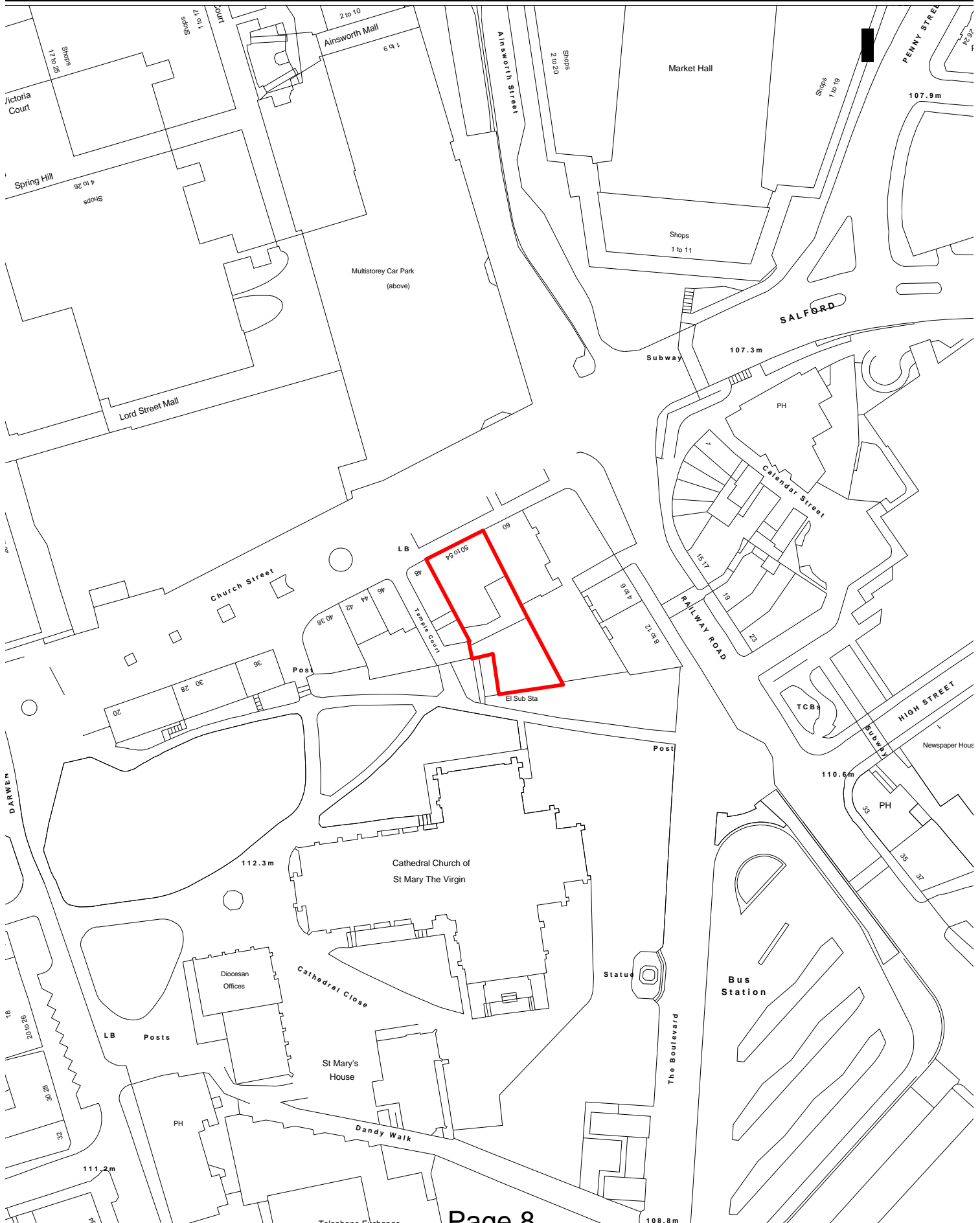
CONTACT OFFICER:	Steve Darwin
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DATE:	23 rd October 2019
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BACKGROUND PAPER:	
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



EQUALITY IMPACT ASSESSMENT CHECKLIST

This checklist is to be used when you are uncertain if your activity requires an EIA or not.

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

Service area & dept.	Finance & Governance	Date the activity will be implemented	03/12/2019
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Brief description of activity	Disposal of land and buildings at 50-54, Church Street, Blackburn.
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Does this activity: Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
FOR = 0	TOTAL	AGAINST = 6

Will you now be completing an EIA?

Yes

No

The EIA toolkit can be found [here](#)

Assessment Lead Signature	Steve Darwin
Checked by departmental E&D Lead	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Date	23/10/2019

EXECUTIVE MEMBER DECISION



REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth and Development
DATE:	25 th October 2019

PORTFOLIO/S AFFECTED:	Growth and Development
WARD/S AFFECTED:	Billinge and Beardwood

SUBJECT: Proposed Traffic Regulation Order – Proposed Prohibition of Waiting on Beardwood Brow, Blackburn and extension of Prohibition of Waiting on Beardwood, Blackburn

1. EXECUTIVE SUMMARY
To inform the Executive Member for Regeneration of the proposal to advertise a Traffic Regulation Order as detailed below and seek approval to make it:-
Beardwood Brow / Beardwood.....Prohibition of Waiting

2. RECOMMENDATIONS
That the Executive Member:
Authorise the Director of HR, Legal and Corporate Services to advertise the proposed Traffic Regulation Orders as per the attached schedule.
Authorise the Director of HR, Legal and Corporate Services to then make the Traffic Regulation Order should no objections be made.

Note that any unresolved objections will be reported to a meeting of the Planning and Highways Committee.

3. BACKGROUND
Planning permission has been granted to convert a property at 55 Beardwood Brow into a new prayer room. Concerns have been raised regarding the number of vehicles used by those attending the prayer room which may cause congestion on the roads and obscure sightlines at junctions. It is proposed therefore to introduce new double yellow lines on Beardwood Brow, Blackburn and to extend the double yellow lines on Beardwood, Blackburn to prevent people parking close to junctions, in order to ensure free flow of traffic and to keep sightlines clear.

4. KEY ISSUES & RISKS
No risks arising from this proposal have been identified. The proposal is of benefit to the social and economic well being of the Borough.

5. POLICY IMPLICATIONS
The proposal to make and revoke Traffic Regulation Orders requires delegated approval from the

Executive Member for Regeneration and Chief Officer. Traffic Regulation Orders are required to be published in the local press and on site to comply with the Road Traffic Regulations Act 1984. Directly affected properties are consulted in line with current procedure.

6. FINANCIAL IMPLICATIONS

All costs will be covered by the applicant who has been granted planning permission to convert the house into a prayer room.

7. LEGAL IMPLICATIONS

The necessary legal powers to implement this scheme are within the Road Traffic Regulations Act 1984. The advertising of the proposals will provide the public the opportunity to comment/object which will be considered appropriately by officers and if any objections cannot be agreed then they will be brought back for a decision by the Executive Member.

8. RESOURCE IMPLICATIONS

None

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

Members of the public will be given the opportunity to object to or comment on the proposal following statutory advertising on site and in the local newspaper.

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 and published if applicable.

VERSION: 1

CONTACT OFFICER:	Simon Littler
DATE:	25 th October 2019
BACKGROUND PAPER:	Appendix 1- Schedule Appendix 2 – Plan

SCHEDULES

NO WAITING AT ANY TIME

Street	Side	Location
BEARDWOOD BLACKBURN,	both	from the centre line of Preston New Road for a distance of 105 metres in a northerly direction
BEARDWOOD BROW BLACKBURN,	both	from the centre line of Beardwood for a distance of 70 metres in a south easterly direction

SCHEDULE OF REVOCATIONS

COL. 1 COL. 2 COL. 3 COL. 4

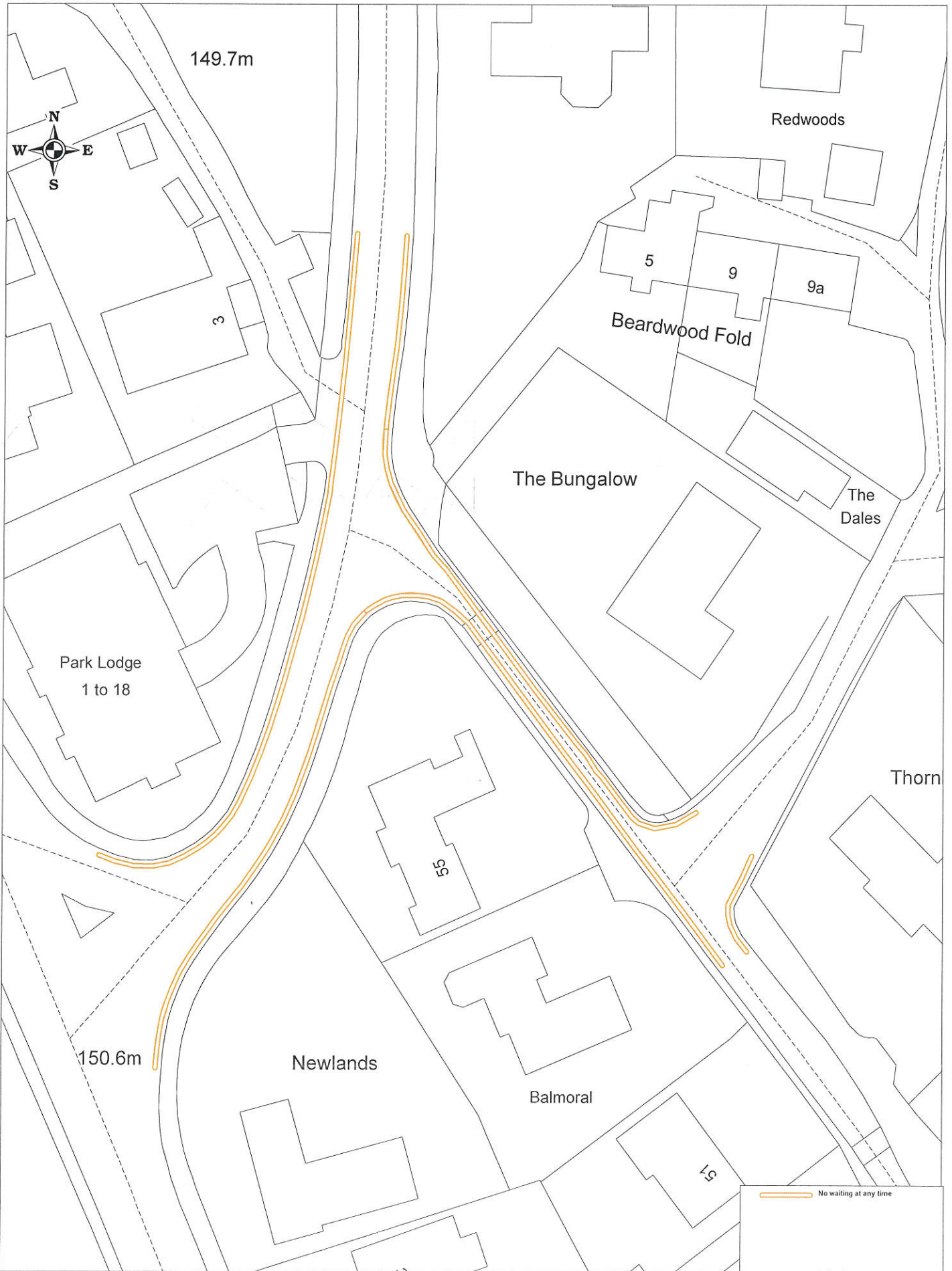
Item No. Road Name Side of Road Extents

Items to be removed from:

THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 1993

No waiting at any time

1	BEARDWOOD	both	from its junction with Preston New Road for a distance of 35 metres in a north-easterly direction
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Proposed Prohibition of Waiting
 Beardwood / Beardwood Brow Blackburn

SCALE	1 : 600
DATE	24/10/2019
DRAWING No.	
DRAWN BY	
CHECKED BY	



EQUALITY IMPACT ASSESSMENT CHECKLIST

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The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

Service area & dept.	Traffic	Date the activity will be implemented	20/11/2019
Brief description of activity	Proposed Traffic Regulation Order –Beardwood Brow, Blackburn new DYL and extension of DYL on Beardwood, Blackburn		

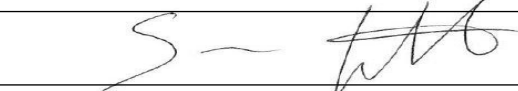
Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Does this activity: Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
FOR =0	TOTAL	AGAINST =6

Will you now be completing an EIA?

Yes

No

The EIA toolkit can be found [here](#)

Assessment Lead Signature	
E&D Lead Signature	Gwen Kinloch
Date	30/05/2018