

Public Document Pack

Executive Member Decisions

Friday, 19th March, 2021

10.00 am

AGENDA

1. **Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) Order 2019**
EMD Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019 **3 - 16**
EMD Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019 EIA Checklist
EMD Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019 EIA_toolkit
Appendix 1 for EMD Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019
Appendix 2 for EMD Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019
Appendix 3 for EMD Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019

2. **Lease of land at Fishmoor Reservoir to Lancashire School Sailing Association**
Lease of land at Fishmoor Reservoir to Lancashire School Sailing Association **17 - 28**
Lease of land at Fishmoor Reservoir to Lancashire School Sailing Association EIA Checklist
Lease of land at Fishmoor Reservoir to Lancashire School Sailing Association EIA_toolkit
Annex A

- | | | |
|----|--|-----------------------|
| 3. | <p>Disposal of Long Leasehold interest in Plot 1 Wainwright Way</p> <p>Disposal of Long Leasehold interest in Plot 1 Wainwright Way</p> <p>Disposal of Long Leasehold interest in Plot 1 Wainwright Way EIA Checklist</p> <p>Disposal of Long Leasehold interest in Plot 1 Wainwright Way EIA_toolkit</p> <p>Part 2 Report for Disposal of Long Leasehold interest in Plot 1 Wainwright Way</p> <p>Annex A - Plan for Disposal of Long Leasehold interest in Plot 1 Wainwright Way</p> | <p>29 - 43</p> |
| 4. | <p>Acquisition of Blakey Moor Building, Blackburn</p> <p>EMD Acquisition of Blakey Moor Building, Blackburn</p> <p>EMD Acquisition of Blakey Moor Building, Blackburn EIA Checklist</p> <p>EMD Acquisition of Blakey Moor Building, Blackburn EIA_toolkit</p> <p>EMD Pt 2 Report Acquisition of Blakey Moor Building, Blackburn</p> <p>Annex 1 - Plan</p> | <p>44 - 59</p> |

Date Published: Date Not Specified
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



REPORT OF: Executive Member for Environmental Services

LEAD OFFICERS: Strategic Director of Place
Director of Place

DATE: 18th February 2021

PORTFOLIO/S AFFECTED: Growth and Development Environmental Services

WARD/S AFFECTED: Little Harwood and Whitebirk
Livesey with Pleasington

SUBJECT: Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019.

1. EXECUTIVE SUMMARY

To inform the Executive Member for Growth and Development of the proposal to advertise an amendment to a Traffic Regulation Order as detailed below and seek approval to make it:-

Sandy Lane, Blackburn.....	30 mph restricted road
Sandy Lane, Long Lane, Woodcock Hill Road, Blackburn.....	40 mph speed restriction
Carl Fogarty Way, Blackburn.....	40 mph speed restriction
Red Lion Roundabout, Blackburn.....	40 mph speed restriction

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

It is proposed to include new speed restrictions on the roads detailed in the schedule which will be added as an amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019.

Sandy Lane, Long Lane and Woodcock Hill Road

This is to provide a step change from National Speed limit to 30/40 mph allowing for a more controlled speed reduction and improving road safety as vehicles enter and exit the village of Pleasington.

Carl Fogarty Way and Red Lion roundabout

Due to the presence of street lighting columns less than 200 yards apart, these roads would generally be restricted to a speed limit of 30 mph. The introduction of the proposed 40mph speed limit will be more suited to the environment and characteristics of the road. The increase in speed limit will deter

dangerous overtaking of any driver who is complying with the 30mph speed limit and thus make the highway safer for all road users.

The exact location of these changes to speed restrictions is described in the schedule – Appendix 1

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 Growth and Development, the Executive Member for Environmental Services and Chief Officers. Traffic Regulation Orders are required to be published and advertised in accordance with The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020.

6. FINANCIAL IMPLICATIONS

The cost of making and advertising this Traffic Regulation Order will be approximately £2000 and will be funded from the Traffic element of the Highway Maintenance budget.

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 the council's website.

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:	2
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CONTACT OFFICER:	Simon Littler
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DATE:	18/2/2021
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BACKGROUND PAPER:	Appendix 1 Schedule Appendix 2.1 and 2.2 Plans
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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.	Traffic	Date the activity will be implemented	15/03/2021
Brief description of activity	<u>Proposed Amendment to The Borough of Blackburn with Darwen (various roads in Blackburn with Darwen Borough) (speed limit)(consolidation) order 2019</u>		


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	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	- 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	11/02/2021

Name of the activity being assessed				
Directorate / Department		Service		Assessment Author
Is this a new or existing activity?	<input type="checkbox"/> New <input type="checkbox"/> Existing	Responsible manager / director for the assessment		
Date EIA started	Click here to enter a date.	Implementation date of the activity		Click here to enter a date.

SECTION 1 - ABOUT YOUR ACTIVITY

How was the need for this activity identified? i.e. Why are we doing this activity?			
What is the activity looking to achieve? What are the aims and objectives?			
Services currently provided (if applicable)			
Type of activity	<input type="checkbox"/> Budget changes <input type="checkbox"/> Change to existing activity	<input type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning	<input type="checkbox"/> New activity <input type="checkbox"/> Other [please state here]

What resources will support in undertaking the equality analysis and impact assessment?

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

Who are you consulting with? How are you consulting with them? *(Please insert any information around surveys and consultations undertaken)*

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Who does the activity impact upon?*	Service users	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?* The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	No impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

***If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*
A public authority must have 'due regard' (i.e. consciously consider) to the following:

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	
Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

N.B. Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Vulnerable Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Deprived Communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other [please state]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<p>Does the activity raise any issues for community cohesion?</p> <p>Does the activity contribute positively towards community cohesion?</p>	
<p>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found here</p>	
<p>Does the activity support / aggravate existing departmental and/or corporate risk?</p>	<p><i>Is the activity on the departmental risk register? If it is not, should it be?</i></p>

CONCLUSIONS OF THE ANALYSIS

<p>Action following completion of the impact assessment</p>			
<p><i>It is important that the correct option is chosen depending on the findings of the analysis. The action plan must be completed as required.</i></p>			
<input type="checkbox"/> No major change in the activity	<input type="checkbox"/> Adjust activity	<input type="checkbox"/> Continue with activity	<input type="checkbox"/> Stop and reconsider activity
<p>Please explain how you have reached your conclusion</p>			
<p></p>			

SECTION 4**ACTION PLAN**

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date

Page 1

MONITORING AND REVIEW

The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i>
Who is responsible for carrying out this review?	

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

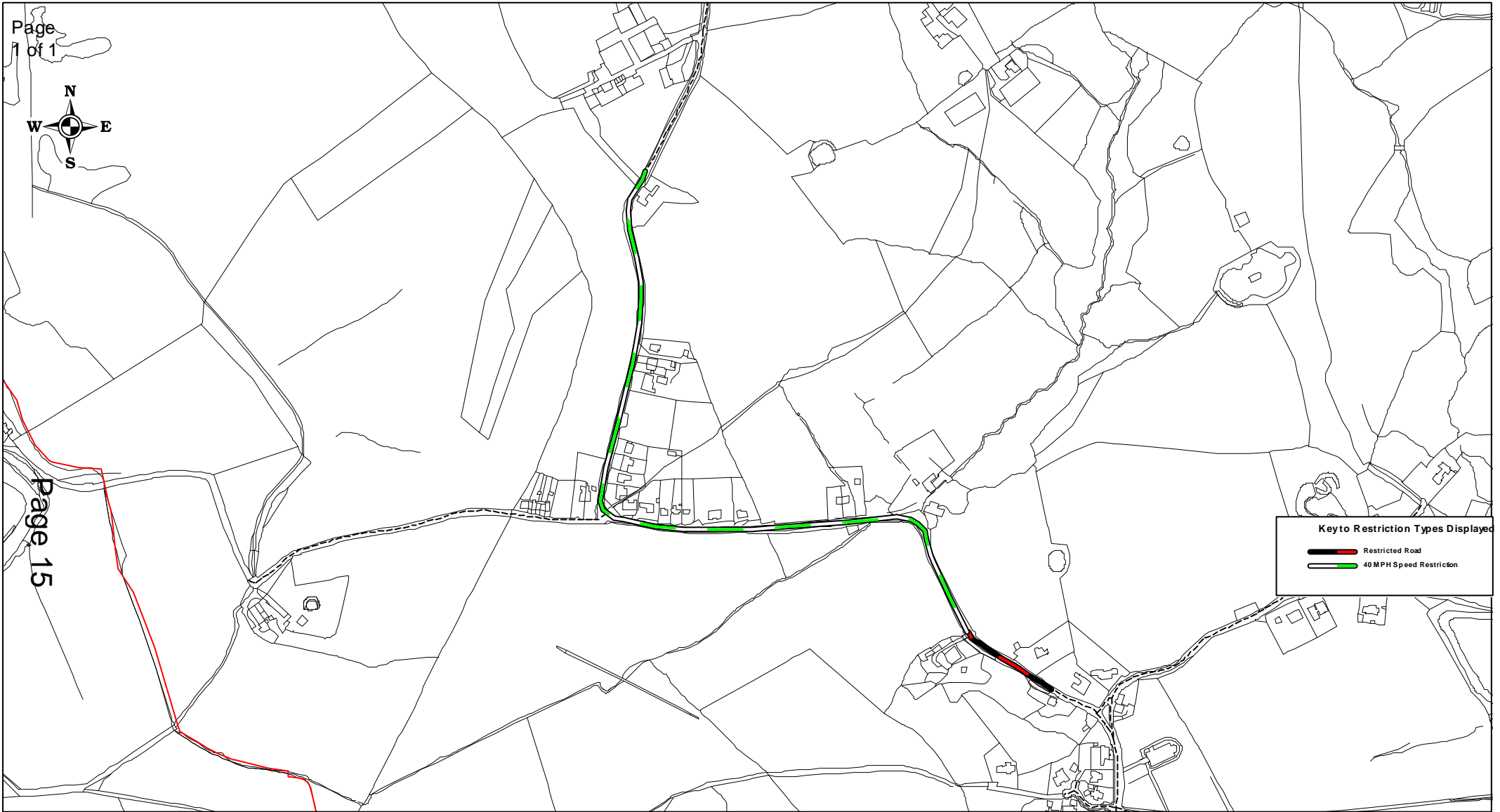
SCHEDULES

40 MPH SPEED RESTRICTION

Street	Side	Location
CARL FOGARTY WAY BLACKBURN,	No Side Specified	from a point 20 metres east of the centreline of Gorse Street to its easterly terminal point
RED LION ROUNDABOUT BLACKBURN	No Side Specified	for its full extent connecting the A678, Carl Fogarty Way and Burnley Road
SANDY LANE, LONG LANE AND WOODCOCK HILL ROAD, BLACKBURN,	No Side Specified	from a point 279 metres north of the centreline of Priory Close for a distance of 878 metres in a north westerly direction

RESTRICTED ROAD

Street	Side	Location
SANDY LANE BLACKBURN,	No Side Specified	from a point 167 metres north of its junction with the Centreline of Priory Close for a distance of 113 metres in a north westerly direction



Key to Restriction Types Displayed

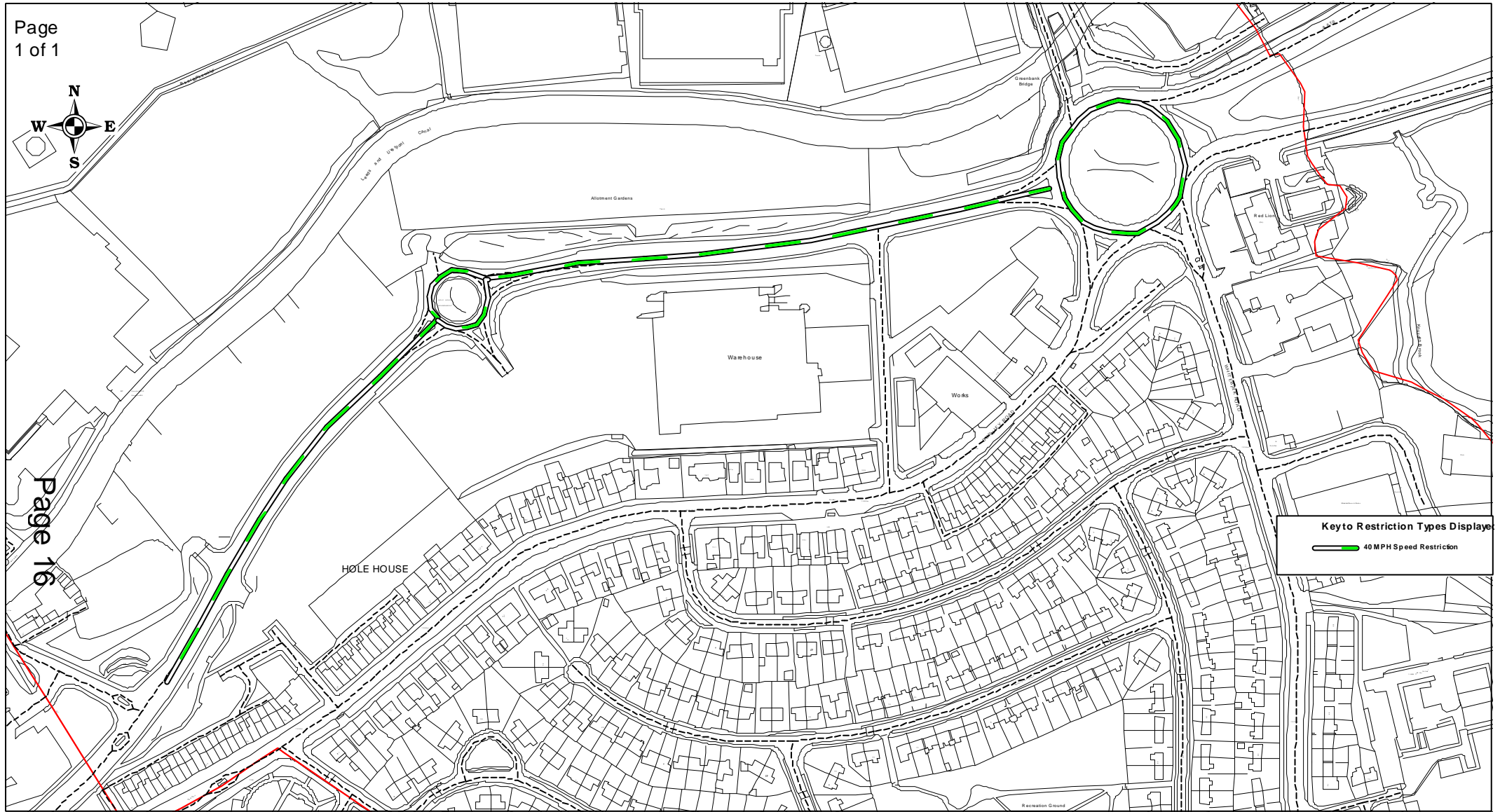
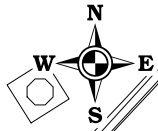
-  Restricted Road
-  40 MPH Speed Restriction




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Amendment to Speed limit Consolidation Order 2019
Sandy Lane, Long Lane, Woodcock Hill Road Blackburn

SCALE	1 : 5900
DATE	08/12/2020
DRAWING No.	
DRAWN BY	
Checked by	



Key to Restriction Types Displayed

 40 MPH Speed Restriction



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Amendment to Speed Limit Consolidation Order 2019 Carl Fogarty Way Blackburn

SCALE	1 : 3000
DATE	08/12/2020
DRAWING No.	
DRAWN BY	
Checked by	

Executive Member Decision



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Place

DATE: Friday, 5 March 2021

PORTFOLIO(S) AFFECTED: Growth and Development

WARD/S AFFECTED: Blackburn South East;

SUBJECT:

Lease of land at Fishmoor Reservoir to Lancashire School Sailing Association

1. EXECUTIVE SUMMARY

1.1 To seek approval to grant a long leasehold interest in land at Fishmoor Reservoir to Lancashire School Sailing Association for the purposes of a community hub for watersports activities

2. RECOMMENDATIONS

That the Executive Member:

- 2.1 Approves entering into a long leasehold agreement with Lancashire School Sailing Association
- 2.2 Delegates authority to the Growth Programme Director in consultation with the Executive Member for Growth and Development to finalise the Heads of Terms and final site boundaries.
- 2.3 Approves Lancashire School Sailing Association to develop a community hub for watersports activities on the land (subject to planning approval).

3. BACKGROUND

3.1 Lancashire School Sailing Association (LSSA) is a small voluntary Youth Watersports charity (CIO No:1169755) with its main operating base at Fishmoor Reservoir, Blackburn. The Association has been supported by United Utilities as site owners, giving access to this community resource, and from a number of local & national funders including Sport England assisting with training and equipment which has enabled LSSA to provide opportunities for Young People at this site since 1981. Over 700 “on water” pupil sessions were delivered at Fishmoor Reservoir in 2019.

3.2 Recently LSSA has seen a growth in membership and increase in demand from local groups. The charity aim to reach more young people and volunteers through local Schools, community groups, National Governing Body of Sport and Active Lancashire network. LSSA’s intention is to deliver a series of attractive courses in line with their successful existing programme, and also run open days and undertake outreach work to engage harder to reach groups and individuals.

3.3 To cater for this growth, LSSA has identified through consultation that a new, fit for purpose facility is required to replace the existing dilapidated and sub-standard teaching rooms, changing areas and boat storage containers.

The new fully accessible building will be equipped with learning aids e.g. hearing loops, for those with disabilities or special educational needs, and will consist of:
Reception, small sailing centre office and adult changing rooms.
Dry training rooms and social areas which can be merged to create larger classrooms and meeting areas.
Boats, equipment, spares & safety boat storage areas.
Wet changing, showers and teaching areas.
External boat rigging and teaching areas.
Additional external storage area for boats and paddling equipment.

3.4 The proposed new development will not fit on the current site let by LSSA from United Utilities, so in order to facilitate the development it is necessary for Blackburn with Darwen Borough Council to grant a leasehold interest over land immediately adjoining the site (Annex A). The length of lease will match that granted by United Utilities for consistency.

3.5 It will also be necessary for the Council to grant a licence for building works to allow LSSA to carry out the development, which will be subject to planning approval.

4. KEY ISSUES & RISKS

4.1 If LSSA fail to develop this new facility they would not be able to grow the level of on-water activity they intend to deliver for local community groups & schools. In turn this would mean that their new Watersports Development Plan could not be implemented.
Ultimately active participant numbers would fall as the facilities become unusable, and an opportunity to reach new and different community audiences to positively develop their physical and mental wellbeing would be missed.

5. POLICY IMPLICATIONS

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

6. FINANCIAL IMPLICATIONS

6.1 The Council is currently in discussions regarding a rental contribution from the LSSA, and if this is required, the rental value will be at a reduced rate to take into consideration their charitable status and ongoing contribution to the community. Any rent to be charged will fall within delegated powers threshold.

7. LEGAL IMPLICATIONS

7.1 The disposal method complies with the Council's legal obligations for such transactions and with the Council's Disposal Policy 2019

8. RESOURCE IMPLICATIONS

8.1 Legal and surveyor resources will be required to complete the transaction

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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.

10. CONSULTATIONS

10.1 The proposal has been subject to consultations between Council Officers, Executive Members, and Legal and Planning departments

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.

CONTACT OFFICER:	Simon Jones, Programme Director, Growth and Development
DATE:	02 nd March 2021
BACKGROUND PAPER:	None

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.	Growth and Development	Date the activity will be implemented	12/03/2021
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Brief description of activity	Lease of land at Fishmoor Reservoir to Lancashire School Sailing Association
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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 - Budget changes - Change to existing Council policy/strategy	<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	Simon Jones
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Gwen Kinloch
Date	04/03/2021

Name of the activity being assessed				
Directorate / Department		Service		Assessment Author
Is this a new or existing activity?	<input type="checkbox"/> New <input type="checkbox"/> Existing	Responsible manager / director for the assessment		
Date EIA started	Click here to enter a date.	Implementation date of the activity		Click here to enter a date.

SECTION 1 - ABOUT YOUR ACTIVITY

How was the need for this activity identified? i.e. Why are we doing this activity?			
What is the activity looking to achieve? What are the aims and objectives?			
Services currently provided (if applicable)			
Type of activity	<input type="checkbox"/> Budget changes <input type="checkbox"/> Change to existing activity	<input type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning	<input type="checkbox"/> New activity <input type="checkbox"/> Other [please state here]

What resources will support in undertaking the equality analysis and impact assessment?

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

Who are you consulting with? How are you consulting with them? *(Please insert any information around surveys and consultations undertaken)*

Page 2
 Who does the activity impact upon?*

Who does the activity impact upon?*	Service users	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?* The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
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		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

***If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*
A public authority must have 'due regard' (i.e. consciously consider) to the following:

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	
Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>Page 23</p>			

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

N.B. Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Vulnerable Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Deprived Communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other [please state]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<p>Does the activity raise any issues for community cohesion?</p> <p>Does the activity contribute positively towards community cohesion?</p>	
<p>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found here</p>	
<p>Does the activity support / aggravate existing departmental and/or corporate risk?</p>	<p><i>Is the activity on the departmental risk register? If it is not, should it be?</i></p>

CONCLUSIONS OF THE ANALYSIS

<p>Action following completion of the impact assessment</p>			
<p><i>It is important that the correct option is chosen depending on the findings of the analysis. The action plan must be completed as required.</i></p>			
<p><input type="checkbox"/> No major change in the activity</p>	<p><input type="checkbox"/> Adjust activity</p>	<p><input type="checkbox"/> Continue with activity</p>	<p><input type="checkbox"/> Stop and reconsider activity</p>
<p>Please explain how you have reached your conclusion</p>			
<p></p>			

SECTION 4**ACTION PLAN**

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date

MONITORING AND REVIEW

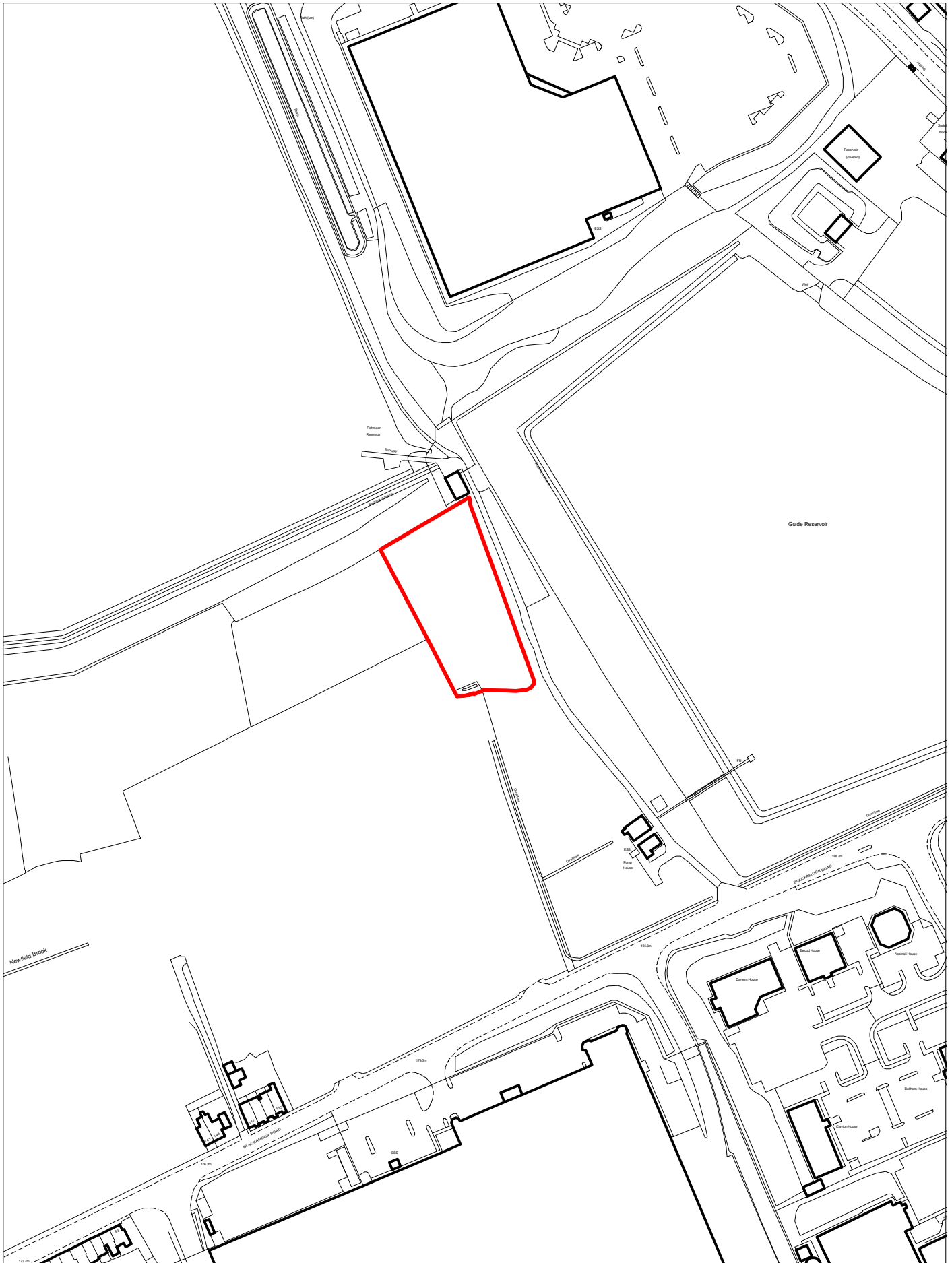
The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i>
Who is responsible for carrying out this review?	

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

ANNEX A



Scale 1:2500

Indicative site boundary
Final site boundary to be agreed

Executive Member Decision



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

REPORT OF: Executive Member for Finance and Governance,
Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Place

DATE: Friday, 5 March 2021

PORTFOLIO(S) AFFECTED: Growth and Development

WARD/S AFFECTED: Blackburn Central;

SUBJECT:

Disposal of Long Leasehold interest in Plot 1 Wainwright Way

1. EXECUTIVE SUMMARY

1.1 To seek approval for the sale of a long leasehold interest in Plot 1 Wainwright Way, Blackburn to an identified purchaser and enter into a building licence and subsequent agreement for sale.

2. RECOMMENDATIONS

That the Executive Members:

2.1 Approve entering into a building licence and subsequent agreement for sale with the identified purchaser.

2.2 Authorise the Director of HR, Governance & Engagement to complete the necessary legal formalities.

2.3 Authorise the Growth Programme Director to finalise details of the building licence and heads of terms.

2.4 Approve the payment of the development fee to the holder of the Exclusivity Option.

3. BACKGROUND

3.1 Plot 1 Wainwright Way, Blackburn comprises approximately 0.84 acres of commercial development land, and is one of a number of plots upon which Maple Grove Developments have an exclusivity option, granted in 2016 following a tender exercise.

3.2 Of the six plots included in the exclusivity option, four have been developed or sold. The remaining two plots (Plots 1 and 3) have been marketed for three years. A deal reached advanced stages in late 2019 but subsequently fell through and the sites have continued to be marketed.

3.3 Provisional terms have been now been agreed with an identified purchaser, who intend to build units to let for employment use. A premium will be paid for a 250 year long leasehold interest at a peppercorn rent. Whilst the identified purchaser is a newly formed company set up to deliver commercial development, the directors have previously carried out a successful "self-build" development in the area through their existing company.

3.4 Construction will be carried out under a building licence, with the freehold of the site transferred to the developer under completion, to ensure the units are built out within an acceptable timeframe. A percentage of the agreed premium will be paid upon exchange.

3.5 As Maple Grove Developments have an exclusivity option on the site and are not delivering the development scheme, a development fee comprising an agreed percentage of the premium will be paid to them, matching the agreed deal for the Home Bargains development in 2018.

3.6 As the proposed purchaser will be paying a percentage of the premium as deposit on exchange, Maple Grove's development fee will be paid out of this deposit, meaning there will be no financial outlay by the Council to satisfy the exclusivity option.

3.7 Once the development fee has been paid to Maple Grove, the remaining exclusivity option on Plots 1 & 3 will be extinguished, giving the Council full control over the plots.

4. KEY ISSUES & RISKS

4.1 Following an extensive marketing period, an end user with an acceptable scheme has been identified for a reasonable consideration.

4.2 Should the transaction not proceed, Maple Grove and the Council shall surrender the Exclusivity Option, and the Council will re-market and tender the site.

4.3 Should the transaction not be completed with either bidder then the Council will explore other options for the site and re-tender.

5. POLICY IMPLICATIONS

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

6. FINANCIAL IMPLICATIONS

6.1 The Council will receive a capital receipt once the development fee is subtracted from the agreed premium.

6.2 Each party is to bear their own costs in relation to this transaction.

7. LEGAL IMPLICATIONS

7.1 The disposal method complies with the Council's legal obligations for such transactions and with the Council's Disposal Policy 2019.

8. RESOURCE IMPLICATIONS

8.1 Legal and surveyor resources will be required to complete the transaction

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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.

10. CONSULTATIONS

10.1 The proposal has been subject to consultations between Council Officers, Executive members, and Legal and Planning departments

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.

CONTACT OFFICER:	Alex Wildman, Strategic Development Manager (Commercial)
DATE:	04 th March 2021
BACKGROUND PAPER:	None

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.	Growth and Development	Date the activity will be implemented	12/03/2021
---------------------------------	------------------------	--	------------

Brief description of activity	Disposal of long leasehold interest in Plot 1 Wainwright Way
--------------------------------------	--

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 - Budget changes - Change to existing Council policy/strategy	<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	Alex Wildman
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Gwen Kinloch
Date	05/03/2021

Name of the activity being assessed				
Directorate / Department		Service		Assessment Author
Is this a new or existing activity?	<input type="checkbox"/> New <input type="checkbox"/> Existing	Responsible manager / director for the assessment		
Date EIA started	Click here to enter a date.	Implementation date of the activity		Click here to enter a date.

SECTION 1 - ABOUT YOUR ACTIVITY

How was the need for this activity identified? i.e. Why are we doing this activity?			
<p>☐ What is the activity looking to achieve?</p> <p>☐ What are the aims and objectives?</p>			
Services currently provided (if applicable)			
Type of activity	<input type="checkbox"/> Budget changes <input type="checkbox"/> Change to existing activity	<input type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning	<input type="checkbox"/> New activity <input type="checkbox"/> Other [please state here]

SECTION 2 - UNDERSTANDING YOUR CUSTOMER

What resources will support in undertaking the equality analysis and impact assessment?

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

Who are you consulting with? How are you consulting with them? (Please insert any information around surveys and consultations undertaken)

Page 5

Who does the activity impact upon?*	Service users	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?* The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
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***If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*
A public authority must have 'due regard' (i.e. consciously consider) to the following:

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	
Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			
<p>Page 35</p>			

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

N.B. Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
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Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Vulnerable Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Deprived Communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other [please state]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<p>Does the activity raise any issues for community cohesion?</p> <p>Does the activity contribute positively towards community cohesion?</p>	
<p>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found here</p>	
<p>Does the activity support / aggravate existing departmental and/or corporate risk?</p>	<p><i>Is the activity on the departmental risk register? If it is not, should it be?</i></p>

CONCLUSIONS OF THE ANALYSIS

<p>Action following completion of the impact assessment</p>			
<p><i>It is important that the correct option is chosen depending on the findings of the analysis. The action plan must be completed as required.</i></p>			
<input type="checkbox"/> No major change in the activity	<input type="checkbox"/> Adjust activity	<input type="checkbox"/> Continue with activity	<input type="checkbox"/> Stop and reconsider activity
<p>Please explain how you have reached your conclusion</p>			
<p></p>			

SECTION 4**ACTION PLAN**

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date

Page 3

MONITORING AND REVIEW

The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

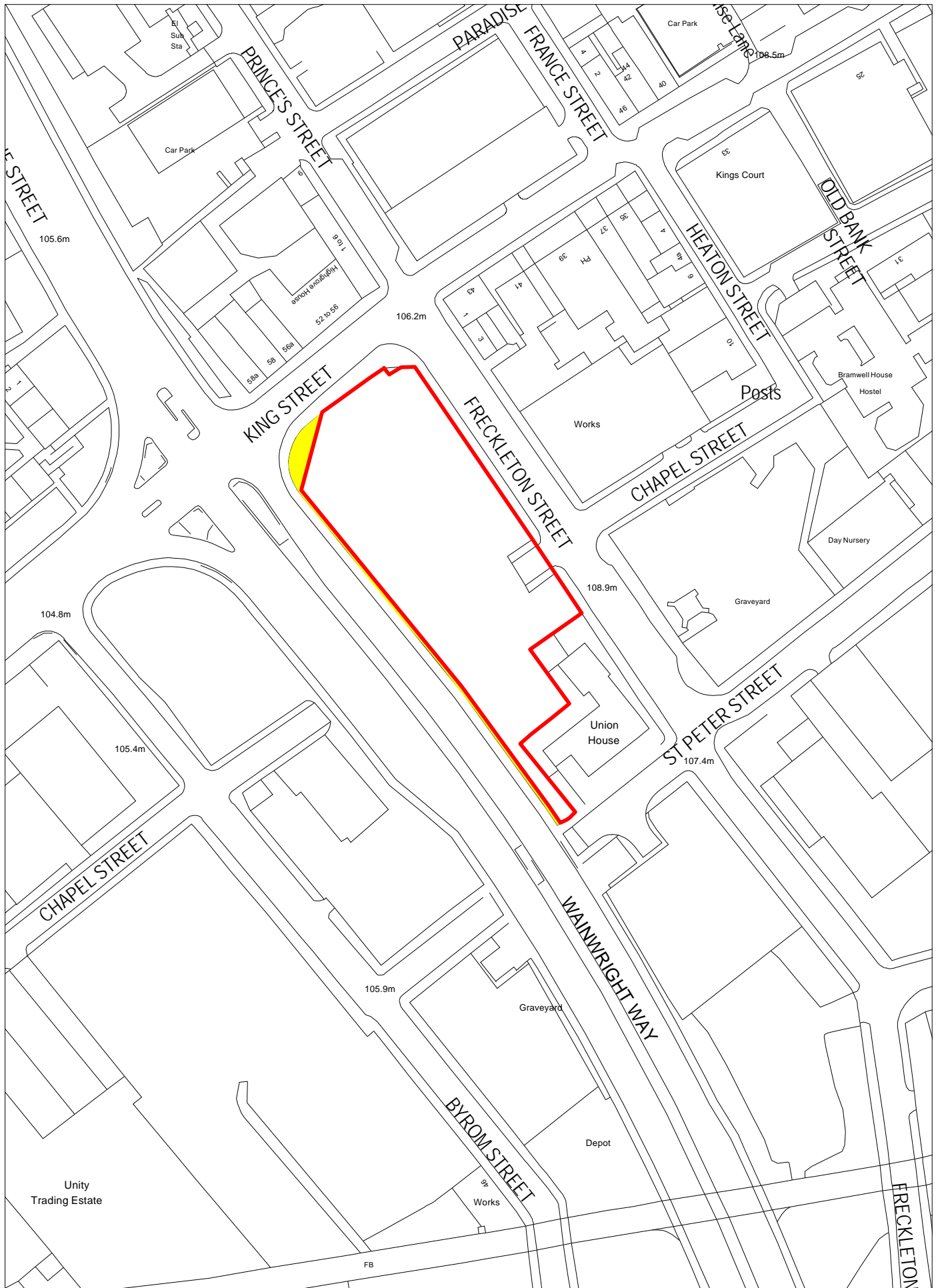
If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i>
Who is responsible for carrying out this review?	

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

PLOT 1 WAINWRIGHT WAY, BLACKBURN.



Executive Member Decision



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

REPORT OF: Executive Member for Finance and Governance,
Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Place

DATE: Friday, 19 March 2021

PORTFOLIO(S) AFFECTED: Growth and Development

WARD/S AFFECTED: Blackburn Central;

SUBJECT:

EMD Acquisition of Blakey Moor Building, Blackburn BB2 1DH

1. EXECUTIVE SUMMARY

To seek approval for the strategic acquisition of Blakey Moor Building by Barnfield Blackburn Ltd, a Joint Venture company in which the Council is shareholder. This acquisition will support the Council's town centre regeneration proposals in the surrounding area.

2. RECOMMENDATIONS

That the Executive Members:

1. Approve the purchase subject to the provisionally agreed terms and conditions as detailed in the Part 2 Report.
2. Authorise the Council directors of Barnfield Blackburn Ltd to agree final terms and appoint solicitors to complete the necessary legal formalities.
3. Approve the additional capital contribution into the Joint Venture Company to facilitate the acquisition of this key strategic building.

3. BACKGROUND

Blakey Moor Building is a L-shaped former education building owned by Blackburn College arranged over lower ground, ground and first floors extending to 43,110 sq. ft, with a small external car park. The building is located in Blackburn town centre in close proximity to King George's Hall and the newly constructed Reel Cinema. The property has been vacant since 2012 and has deteriorated into a poor state of repair. The Council is keen to see the building redeveloped and have been in discussions with the College to acquire the building for a number of years. Should the building and car park be acquired by someone other than the Council, this could have a detrimental impact on the Council's regeneration plans for the area by an inappropriate use, low quality development or long term empty building.

The Council and Barnfield's joint venture company, Barnfield Blackburn Limited, is currently preparing commercial plots which have a good level of demand from end-users at Millbank Business Park. Interest has also been secured in the residential schemes at Milking Lane with the potential for substantial profit for both shareholders.

Encouraged by this success, the company is now considering this additional regeneration opportunity to add to its portfolio.

Barnfield Blackburn Ltd have agreed a figure to acquire the property subject to contract. Provisional heads of terms are as follows:

Vendor
Blackburn College, Feilden Street, Blackburn BB2 1LH

Purchaser
Barnfield Blackburn Ltd, 8 Kenyon Road, Nelson BB9 5SP

Description
L-shaped detached property with car park offered with vacant possession

Interest to be acquired
Freehold

Exchange
Upon Exchange of Contracts, the Purchaser is to pay a 10% deposit. Exchange is to take place within 8 weeks of the Purchaser receiving the full contract pack

Completion
Completion will be 8 weeks following Exchange of Contracts. The balance of the Purchase price will be paid, and the freehold interest transferred upon completion

Possession
Vacant possession to be given on completion

Costs
Each party to bear their own costs in relation to this transaction

Following acquisition the Joint Venture company will progress with works necessary to make the property safe and draw-up a scheme to bring the property back into use. This development scheme will be used to apply for future grant funding possibilities, with a variety of end-user options to be considered including leisure, office and hospitality, or a mix of uses.

4. KEY ISSUES & RISKS

The acquisition supports the Council's regeneration plans for the area. If the Council does not complete the acquisition, the land and building may be disposed of to a 3rd party who does not share the same aspirations as the Council, potentially leading to an unwanted use, low quality development or long term empty property.

Although the Council's shareholding in Barnfield Blackburn Ltd is 25%, due to the unique challenges presented by this regeneration project, together with the skills and capabilities the Council can bring, the intention is for the project to be funded 50:50.

5. POLICY IMPLICATIONS

This acquisition is strategically important in terms of supporting the regeneration of the wider area and the Council's long term proposals. It is considered that not making this decision to purchase promptly could prejudice the Council's strategic interests for the area.

6. FINANCIAL IMPLICATIONS

In order to acquire the property, cover the appropriate fees and carry out necessary works to secure the property, a capital contribution into the Joint Venture company will be necessary from the Council.

7. LEGAL IMPLICATIONS

The proposed transaction complies with the Council's Constitution for the acquisition of property interests.

8. RESOURCE IMPLICATIONS

Legal and surveyor resources will be required to complete this transaction.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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.

10. CONSULTATIONS

Public consultation will be carried out regarding potential future uses of the site and building via the planning application process.

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.

CONTACT OFFICER:	Simon Jones, Programme Director, Growth and Development
DATE:	11 th March 2021
BACKGROUND PAPER:	None

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.	Growth and Development	Date the activity will be implemented	19/03/2021
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Brief description of activity	Acquisition of Blakey Moor Building by Barnfield Blackburn Ltd
--------------------------------------	--

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 - Budget changes - Change to existing Council policy/strategy	<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	Simon Jones
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date	16/03/2021

Name of the activity being assessed					
Directorate / Department		Service		Assessment Author	
Is this a new or existing activity?	<input type="checkbox"/> New <input type="checkbox"/> Existing	Responsible manager / director for the assessment			
Date EIA started	Click here to enter a date.	Implementation date of the activity		Click here to enter a date.	

SECTION 1 - ABOUT YOUR ACTIVITY

How was the need for this activity identified? i.e. Why are we doing this activity?					
 What is the activity looking to achieve?  What are the aims and objectives?					
Services currently provided (if applicable)					
Type of activity	<input type="checkbox"/> Budget changes <input type="checkbox"/> Change to existing activity	<input type="checkbox"/> Decommissioning <input type="checkbox"/> Commissioning	<input type="checkbox"/> New activity <input type="checkbox"/> Other [please state here]		

What resources will support in undertaking the equality analysis and impact assessment?

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

Who are you consulting with? How are you consulting with them? *(Please insert any information around surveys and consultations undertaken)*

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Who does the activity impact upon?*	Service users	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?* The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	No impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

***If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? *Refer to p.3 of the guidance for more information*
A public authority must have 'due regard' (i.e. consciously consider) to the following:

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	
Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

ASSESSMENT	Is a full EIA required?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			

Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

N.B. Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Vulnerable Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Deprived Communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other [please state]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

<p>Does the activity raise any issues for community cohesion?</p> <p>Does the activity contribute positively towards community cohesion?</p>	
<p>Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found here</p>	
<p>Does the activity support / aggravate existing departmental and/or corporate risk?</p>	<p><i>Is the activity on the departmental risk register? If it is not, should it be?</i></p>

CONCLUSIONS OF THE ANALYSIS

<p>Action following completion of the impact assessment</p>			
<p><i>It is important that the correct option is chosen depending on the findings of the analysis. The action plan must be completed as required.</i></p>			
<p><input type="checkbox"/> No major change in the activity</p>	<p><input type="checkbox"/> Adjust activity</p>	<p><input type="checkbox"/> Continue with activity</p>	<p><input type="checkbox"/> Stop and reconsider activity</p>
<p>Please explain how you have reached your conclusion</p>			
<p></p>			

SECTION 4**ACTION PLAN**

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date

MONITORING AND REVIEW

The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

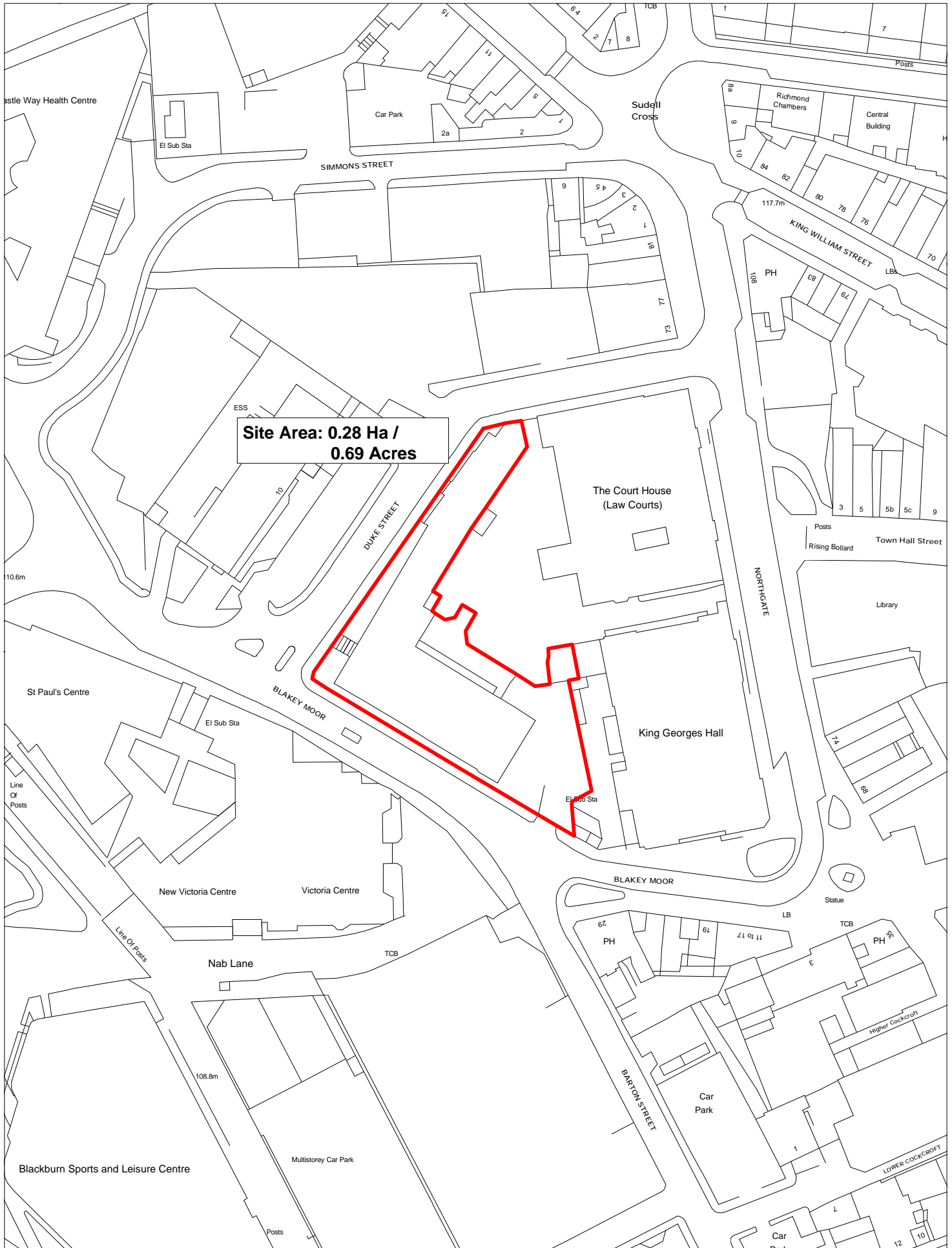
Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i>
Who is responsible for carrying out this review?	

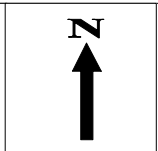
Author Signature		Date	Click here to enter a date.
Head of Service/Director Signature		Date	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
Departmental E&D Lead Signature		Date	Click here to enter a date.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted



**Site Area: 0.28 Ha /
0.69 Acres**



Blakey Moor Building, Blackburn

Scale 1:1250