

Public Document Pack

Executive Member Decisions

Friday 25th June, 2021

AGENDA

1. **St Aidan's Short Breaks Service Staffing Structure Changes**
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Date Published: 25th June 2021
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



REPORT OF:	Executive Member for Adult Services and Prevention Executive Member for Finance and Governance
LEAD OFFICERS:	Director of Adults and Prevention (DASS)
DATE:	April 2021

PORTFOLIO/S AFFECTED:	Adult Services and Prevention
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WARD/S AFFECTED:	All
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SUBJECT: St Aidan's Short Breaks Service Staffing Structure changes
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1. EXECUTIVE SUMMARY

St Aidan's is a Short Term Breaks Service that provides respite for Adult service users in the Borough.

Following an Executive Member decision in 2019, the plans and building work to extend and enhance the environment of the flat based accommodation at St Aidan's has recently been completed (this has been significantly delayed due to the outbreak of Covid 19).

This development has included specialist design to manage risks associated with those service users with particular complex behavioural or autism needs who require stand-alone accommodation. The design minimises risk of harm for both service users and the staff supporting them whilst offering them a homely and holistic environment. People who will be using this facility generally have a requirement for one to one or two to one staffing and a waking watch overnight, which currently is having to be commissioned with external providers.

It is proposed that additional staffing and an enhanced skill set would support this development, for people with more complex health needs and challenging behaviour within the space, and that this is provided in house.

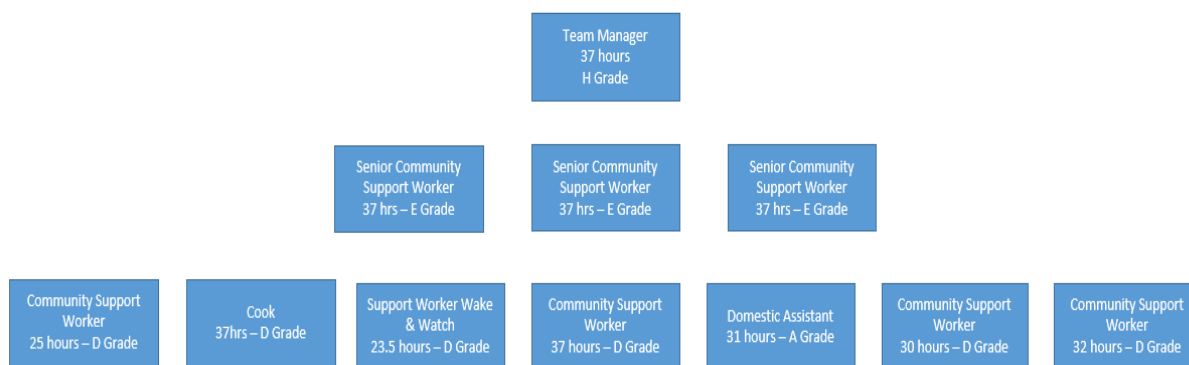
This paper seeks to propose that the current St Aidan's model evolves to manage increased demand and complexities. Furthermore, it seeks to highlight current demand/capacity and propose a new/ increased staff structure at St Aidan's to create an improved respite service in the Borough

2. RECOMMENDATIONS

That the Executive Member (s):

- Agrees to increase the existing staff structure in order to staff the Apartment

Existing Staff Structure



Proposed Increase

D Grade Support Workers (25 hrs per FTE): 4 new posts

D Grade Wake & Watch (35 hrs per FTE): 2 new posts

3. BACKGROUND

St Aidan's Short Breaks Service currently provides respite for Adult service users. Its partner service, Apple Trees, provides respite service on behalf of Children's Services.

When Children come through Transitions into Adulthood, respite is currently commissioned with external providers, if needs are complex and cannot be accommodated in the main St Aidan's building. There is a justifiable and important need to provide an enhanced in-house model of service that can manage future complexity of demand and needs that is coming through transitions. It will:

- Support the Blackburn with Darwen Big Plan Strategy for people with Learning Disabilities and Autism 2020-2025
- Ensure greater reliability of service for users and families within the Borough.
- Provide the opportunity to increase the range of support that can be given, in terms of people's health and behavioural needs, which is consistent with current in-house provision for children
- Ensure respite provision for individuals with complex needs continue from Children's into Adults through transitions.
- Future proof and contain spend for young people transitioning to Adults in the next five years
- Attract health funding for short breaks at St Aidans for complex service users, in terms of cost of provision and enhancing the skill set of staff

As outlined in the Big Plan Principle 3, this supports a planned and seamless transition for children moving into adulthood.

Current data highlights that 1.1 percent of the population in the UK are living with Autism. Seventy percent of adults say they are not receiving the support they need and feel isolated. The opening of the apartment will provide an enhanced offer to support people with challenging behaviours, complex health needs and Autism within a local offer.

4. KEY ISSUES & RISKS

The current staffing levels means that we are unable to meet needs within the Borough. For example, the current budget only allows for Waking Watch cover for nine nights per month and is unable to also meet the needs of:

- Service users with complex behavioural needs requiring one to one support and two to one support
- Young people who are unable to share their accommodation due to risk and behaviours.
- Night time needs
- Specific health needs

There are currently fourteen service users unable to access St Aidans, as respite for this cohort can only be offered in the Apartment. The alternative is to access respite out of Borough, which is a more expensive option than the in-house provision.

The service users are being supported in their home environment. This has been particularly difficult due to the Pandemic in terms of carer support.

Many families and service users do not want to consider out of Borough provision. The need to support an in-Borough offer is therefore crucial.

5. POLICY IMPLICATIONS

There are no policy implications arising from this report.

Under the Care Act 2014 the Local Authority have a duty to ensure that we have appropriate provision to meet individual care and support needs and demand for social care services. As far as possible our approach to commissioning services is to meet those needs within the Borough as out of Borough provision is often more costly and does not meet family and service users needs, particularly in relation to respite care.

Development of our in-Borough offer fits within the Local Authority Commissioning Strategy and our Commissioning intentions.

6. FINANCIAL IMPLICATIONS

The net cost of the proposed staffing remodel as outlined above is estimated at £126,000 and can be met by a matching reduction in the external commissioning budget.

7. LEGAL IMPLICATIONS

Under the Care Act 2014, the Local Authority has duties to promote individual wellbeing, prevent needs for care and support arising, promote diversity and quality in provision of services and to ensure that the assessed eligible care and support needs of service users and their carers are met. (ss1-5, 18-20).

Having this enhanced provision available at St Aidan's for our service users will assist the Council to fulfil those Care Act duties more effectively and better meet service users' needs.

8. RESOURCE IMPLICATIONS

Proposed Staff Increase

D Grade Support Workers (25 hrs per FTE): 4 new posts

D Grade Wake & Watch (35 hrs per FTE): 2 new posts

The cost of this proposal will be funded by way of an internal realignment of budgets within the portfolio. Corporate cash limit increase is not being requested here.

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

Discussions and planning meetings have taken place with Children’s Services and the Adults LD Team, in terms of the design and layout of the Apartment and the complex cases that will come through Transitions within the next five years.

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:	Susan Kalvenas, Service Lead Provider Services Katherine White, Deputy Director Adult Social Care
DATE:	
BACKGROUND PAPER:	

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.	Adult Services and Prevention Provider Services	Date the activity will be implemented	14/05/2021
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Brief description of activity	Increase the Existing Staffing Structure at St Aidans Respite Centre
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input checked="" type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Budget changes - Change to existing Council policy/strategy	<input 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 = 1	TOTAL	AGAINST = 5

Will you now be completing an EIA?

Yes

No

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

Assessment Lead Signature	Susan Kalvenas
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date	30/04/2021

EXECUTIVE MEMBER DECISION



REPORT OF:	Executive Member for Public Health and Wellbeing
LEAD OFFICERS:	Director of Environment and Operations
DATE:	1 June 2021

PORTFOLIO/S AFFECTED:	Public Health and Wellbeing
WARD/S AFFECTED:	ALL

SUBJECT: Tender for Witton Cafe

1. EXECUTIVE SUMMARY

Witton Park Café closed in June 2020 due to Covid restrictions and the property has laid empty ever since. Taking advice and guidance from property colleagues a combined annual rental of £17,000 has been suggested as the lease cost.

There are 6 interested parties in the café and procurement have advised to go out to tender directly to these interested parties.

2. RECOMMENDATIONS

That the Executive Member:
Notes the report and approves the tender process for Witton Cafe

3. BACKGROUND

The decision was taken in June 2020 not to re-open the café and kiosk in Witton park in light of the ongoing pandemic and its detrimental impact on the business and given the ongoing uncertainty about the future of the hospitality industry.

Since its closure there has been a number of interested, external parties enquiring about the potential to lease the café space. This interest gives the Council the opportunity to consider an alternative operating model for the café space.

With Myerscough College students on-site in the Visitors Centres buildings there is a requirement for them to have access to hot food for their lunches. This provision is currently being offered by a catering van.

Park users and students create a seasonal customer base that could sustain a smaller catering operator.

Advice and guidance has been sought from property colleagues with regard to the lease value and the procurement team to agree the appropriate approach for the tendering process.

4. KEY ISSUES & RISKS

- The café space is currently vacant and the kiosk is closed; the Council has decided not to re-open it themselves although there is a need to provide on-site catering for Myerscough students.
- The property section has assessed the space and provided an estimated annual lease of £15,000 pa for the café excluding utilities. The kiosk will be included in the lease arrangements so a combined rent of £17,000 (excl utilities) will be sought through the tender
- The LHWB section is carrying an income target budget pressure of £80,000 on Witton café and kiosk and Leisure Services therefore any annual rent secured will help to off-set this pressure.
- Contracts and Procurement have advised that due to the existing interest in the café, it is proposed to go out to tender directly to the 6 parties who have already contacted the Council expressing their interest in securing a lease.

5. POLICY IMPLICATIONS

The transaction, as proposed, complies with the requirements of the Council's Disposal Policy

6. FINANCIAL IMPLICATIONS

The closure of the café has created an efficiency saving on expenditure however, an income pressure remains on the budget.

Tendering out and securing an annual rent will off-set some of the budget pressures therefore securing an alternative provider represents a beneficial position to the Department and the Council as a whole.

7. LEGAL IMPLICATIONS

To meet the requirements of the Council's Contract and Procurement Procedure Rules quotations will be invited through the Chest. The quick quote process will be used to request bids from the parties that have already expressed an interest in securing the lease.

8. RESOURCE IMPLICATIONS

Any resource implications will be met from within the Council's Venues' Budgets.

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

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:	Neil Dagnall
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DATE:	1 st February 2021
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BACKGROUND PAPER:	
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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.	Venues; Environment & Operations Department	Date the activity will be implemented	08/02/2021
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Brief description of activity	Tender for Witton Park Cafe
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input checked="" type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Budget changes - Change to existing Council policy/strategy	<input 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 =1	TOTAL	AGAINST =5

Will you now be completing an EIA?

Yes

No

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

Assessment Lead Signature	Neil Dagnall
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date	01/02/2021

Executive Member Decision



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Place

DATE: Friday, 9 July 2021

PORTFOLIO(S) AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

SUBJECT:

Approval to publish Notice of Intent to prepare an Enhanced Bus Partnership

1. EXECUTIVE SUMMARY

The Government published 'Bus Back Better', a National Bus Strategy (NBS) which sets out a bold ambition for what they want to achieve for the bus. Aspirations of the NBS include:

- More frequent buses
- Faster and reliable
- Cheaper
- More comprehensive
- Easier to understand and use
- Greener
- Accessible and inclusive by design
- Innovative and safe mode of transport
- Links to other policies and plans
- Support for LTA's to increase resource to skill up for the future

Two requirements of the strategy are for the Council and its operators and to enter into a statutory 'Enhanced Partnership' or Franchising Agreement to continue to receive funding; and deliver the improvements included within the published Bus Service Improvement Plan (BSIP). The appropriate arrangement for Blackburn with Darwen Borough Council is to enter into an 'Enhanced Partnership' and we submitted our expression of interest to do so to the Department for Transport (DfT) in April

2. RECOMMENDATIONS

That the Executive Member:

Approve the Council's intention to prepare an 'Enhanced Partnership' working in collaboration with all bus operators and Lancashire County Council to create a joint Bus Service Improvement Plan (BSIP)

3. BACKGROUND

'Bus Back Better', a National Bus Strategy (NBS) sets out clear objectives and requirements for Local Transport Authorities (LTA's) and links requirements to deliver upon these to ensure that funding is received post April 2022.

The timescales to adhere to this strategy have been and remain very challenging:

- 18th March 2021 - Strategy published
- 16 April 2021 – LTA's required to submit an expression of interest to receive the capacity building funding of £100K
- 30th June 2021 - Commit to entering into an Enhanced Partnership (EP), or have commenced statutory steps towards franchising. Failure to commit to EP or franchising will mean loss of CBSSG and other future funding streams
- 31 October 2021 - Publish initial Bus Service Improvement Plan (BSIP) with review periods
- 1 April 2022 - Enhanced Partnership in place for each LTA area

The 'Enhanced Partnerships' will be:

- Legally binding agreements between local transport authorities and bus operators and include what improvements will be made to bus services. The operators will still run the services
- Developed through negotiation
- Flexible – can cover anything except structure of commercial bus network and single-operator fare levels
- Monitor and report upon performance

Funding:

- Capacity funding of £100K already received following our initial expression of interest
- Further funding to come once statutory notice is issued, c.£15M split between all LTA's, our allocation is yet to be confirmed

The Bus Service Improvement Plans (BSIP) will deliver services that:

Are community-centred - The needs and concerns of the people who live, work and visit an area should be the driving force behind transport planning and bus service delivery. BSIPs must be developed "in collaboration" with all key stakeholders

Consider the transport landscape - LTAs should outline the challenges and opportunities facing bus services in their BSIP's. They should assess current provision, including community transport and shared transport options, the barriers to travel, whether bus use is in growth or decline, and the wider social, economic and environmental benefits of improving services

Are accessible - Every stage of a bus journey should be accessible, from planning a trip and buying a ticket to the infrastructure, vehicle and overall experience. Community engagement, particularly with disability groups and passengers is critical in identifying and overcoming barriers to travel

Are inclusive – We have residents without access to a bank account, mobile device or internet access, and many more who are old, vulnerable, or have poor mental health. Transport poverty is particularly challenging for these groups and leads to loneliness and isolation. No one should be excluded from travelling by bus

Are affordable - Buses give people access to life's opportunities through education, training and work. They improve health and wellbeing and are a green and sustainable transport option. Bus travel needs to be attractive enough that people choose to use it, and affordable enough that everyone can use it

Are available – BSIP's are expected to address the under and overprovision of bus services as well as integration with other modes. Using bus passenger data alone will ignore everyone not currently using the bus, as well as all those services where passenger data is not available. For services to be effective, they need to meet people's needs and this can only be achieved through proper community engagement

Prioritise buses - Delivering improvements to services and growing bus use are a fundamental requirement of BSIPs. Bus priority measures will ensure services are reliable and punctual, as well as faster and more convenient than travelling by private car, not only improving services but encouraging modal shift

Consider air quality and zero emissions – LTA's will need to demonstrate how air quality will be improved and zero emissions achieved. Greener cars are not the solution given that pollution from tyre and brake wear is greater than exhaust emissions. A bus, however, can take up to 75 cars off the road so getting more people on board is the way to a greener, more sustainable future

Include monitoring - To make sure the aims of the BSIP are achieved, LTAs will need to set targets for customer satisfaction, passenger growth, journey times and reliability. Provision for monitoring services, at the very least annually, will also need to be set out to ensure the BSIP is effective

Are a living document - BSIPs are not intended to be fixed, long-term transport plans. They should be revisited and updated regularly, to reflect changes in the transport landscape and the evolving needs of the community

4. KEY ISSUES & RISKS

If the Council does not engage with the requirements of this strategy then we will not receive funding from April 2022, when the new funding commences

5. POLICY IMPLICATIONS

The 'Enhanced Partnership' and subsequent Bus Service Improvement Plans will align with the joint Authority (BwD, LCC and Blackpool) Local Transport Plan and any successor documents

6. FINANCIAL IMPLICATIONS

Current funding will cease post April 2022.

The Council currently receives circa £60k per annum Bus Services Operators grant (BSOG). Government expect all enhanced partnerships to be operational on April 2022, and that from this date only services operated under these statutory agreements will be eligible for the Reformed Bus Service Operators Grant. If we don't meet the deadline of April 2022 we will lose the reformed BSOG grant.

To ensure that the Enhanced Partnerships can be achieved the DfT has committed to providing capacity funding. To date we have received £100K with further funding to come once this statutory notice is issued, c.£15M split between all LTA's, our allocation is yet to be confirmed. This funding is for staff resource and to develop our infrastructure plan ensuring that we deliver on the vision and objectives of the partnership.

7. LEGAL IMPLICATIONS

The 'Enhanced Partnership' will require a legal agreement between the Council and all service providers. This agreement and our notice of the intention to prepare an Enhanced Partnership Plan will be undertaken in compliance with section 138F of the Transport Act 2000

8. RESOURCE IMPLICATIONS

The capacity funding received to date and further funding yet to be received from engaging in this process will fund our existing staffs and consultants required to develop the BSIP in collaboration with our service providers and LCC

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

Development of the BSIP and agreement to have an 'Enhanced Partnership' agreement in place is undertaken in collaboration with all service providers, community transport bodies and other relevant organisations, including neighbouring authorities

The BSIP will include a Passenger Charter which will be tied in to ambitions and targets, creating a passenger-centric view and public and stakeholder consultation will be required

Agreement of the BSIP will be subject to Executive Board Approval at October's meeting

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:	Dwayne Lowe, Head of Highways and Network Operations, dwayne.lowe@blackburn.gov.uk
DATE:	18 th June 2021
BACKGROUND PAPER:	

EQUALITY IMPACT ASSESSMENT CHECKLIST

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

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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.	Highways and Transport - Place	Date the activity will be implemented	30/06/2021
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Brief description of activity	To seek the Executive Member's approval to publish the Notice of Intent to prepare an Enhanced Partnership
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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	Dwayne Lowe
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Gwen Kinloch
Date	21/06/2021

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, 25 June 2021

PORTFOLIO(S) AFFECTED: Growth and Development Finance and Governance

WARD/S AFFECTED: Blackburn South and Lower
Darwen;

SUBJECT:

EMD J4 Skatepark Advance Payment

1. EXECUTIVE SUMMARY

J4 Skatepark CIC is currently undergoing a £800,000 development of a new urban sports village on the Council owned site off Blackburn Road, Darwen. An initial £250,000 funding was approved via the Darwen Town Deal Accelerated Funding to support the development alongside a £350,000 contribution from Sports England and a further £200,000 to be allocated from the Darwen Town Deal, of which the Council expects to be approved in the coming weeks.

The work is well underway with the initial £250,000 Town Deal accelerated funding utilised and the release of grant funding from Sports England expected to pay for further development works over the coming weeks, although the release of funding is pending formal finalisation of legal agreements. A request has been made from the Directors of J4 Skatepark to the Council to provide an advance payment from the Town Deal funding, to support the project's cash flow, initially £100,000 to cover a number of immediate development costs specifically:

- | | |
|-------------------------------------|---------|
| • Finalising the Concrete | £50,000 |
| • Roof Deposit | £30,000 |
| • Ongoing ground works and Drainage | £10,000 |
| • Container works | £10,000 |

The Council may also be asked to provide a further subsequent £100,000 cash flow ahead of Town Deal approvals however this is subject to the two expected grant funds still being unavailable for the Skatepark Directors to draw down and any further sum will again be for specific expenditure items to progress the the construction works to completion, the details of which will be checked by the Council officers before providing.

2. RECOMMENDATIONS

To approve an advance payment of £100,000 cash flow advance to cover immediate development costs and up to £200,000 advance payment in total to J4 Skatepark ahead of the release of Sports England funding and a further Town Deal contribution of £200,000 awaiting confirmation from Central Government.

3. BACKGROUND

J4 Skate Park is a regional facility, based in Darwen, located next to Darwen Vale School, and serves over 5,000 active BMX, skateboard and scooter users.

Planning approval was granted in February 2021 for the proposal to create a new Urban Sports Village, which would increase the current capacity of the facility by 300% by adding a new outdoor, all-weather arena that meets Olympic (and COVID secure) standards. There is the potential to establish Darwen as the Northern-base of the British Olympic BMX and skateboard teams. The enhanced venue would have the capability and capacity to host Olympic trials, national and world championships and will include a street skatepark, dirt jump and pump track and BMX contest area.

The venue and its provision is capable of delivering inclusive and high quality alternative education and apprenticeship / employment opportunities to some of our most disadvantaged young people. The proposal also intends to deliver new business premises and employment opportunities in support services, and retail and food concessions, located in designer freight containers, pioneered in Box Park, Shoreditch, London, and many leading European cities. The new facility will offer the opportunity for a further phase of development, including the provision of a hotel to support extended training camps of GB teams and provide summer camp.

The Director's vision is to provide a family-orientated venue where parents will be able to come and watch their children progress in new Olympic sports in an environment attractive to young people.

The facility will be included in the BMX Freestyle National Strategic plan to develop local riders for the Olympic Games and both British Cycling and Skateboard GB/England are backing the project and will be supporting with talent programmes.

The street courses will also give BMX, scooter and skateboard street riders a place to ride away from the town centres. It will be a safe haven for all ages to explore wheeled sports.

The proposal was backed by the Darwen Town Deal Board which secured £250,000 of Government funding to support the project through the accelerated funding allocation ahead of the main Town Deal monies. This was matched with £350,000 of Sports England funding and an additional £200,000 was allocated from the Darwen Town Investment Plan submitted to central government.

4. KEY ISSUES & RISKS

J4 Skatepark is a council owned property leased to the J4 Skatepark CIC. The development of the asset supports the Council's Corporate Plan priorities, provides a much enhanced facility for residents of the borough, particularly young people but also adds value and investment to a modern facility.

Darwen Town Deal Investment Plan supports the development of a Urban Sports Academy and the Skatepark plays an important role in the development of this. Once Town Deal Monies are released by Central Government, any advance of the £200,000 allocated will be netted off the Town Deal allocation.

The urgency of the request and the need to waive 'call in' is due to the unexpected and prolonged delay in the Skatepark receiving Sports England funding following approvals. Without the cash flow funding, construction would be stalled and cause delays and increased costs.

5. POLICY IMPLICATIONS

The development of the Skatepark supports the Council's Corporate Plan priorities

- Supporting young people and raising aspirations
- Connected communities.
- Reducing health inequalities and improving health outcomes.
- Strong economy to enable social mobility.
- Supporting town centres and businesses.

The proposal supports the delivery of the Darwen Town Deal Investment Plan.

6. FINANCIAL IMPLICATIONS

The Council, as the accountable body for the outlay of the Town Deal Fund, will account for this advancement of the Funds by reducing J4 Skatepark CIC's total entitlement under the Town Deal Funding by an equivalent amount when it becomes available to the Council. A grant Funding Agreement will be entered into with the Directors of the Skatepark and any appropriate provisions of the Government's funding agreement will be transferred to them with the intention that it will also capture the funds advanced pursuant to this decision.

7. LEGAL IMPLICATIONS

- 7.1 Due to the urgency, the advance is being made against a letter between the parties confirming the essential terms. This will be confirmed as signed by both parties immediately following this decision being made.
- 7.2 The Skatepark company has the benefit of a recently granted 30 year lease by the Council and so while there is the overall financial comfort that the funds will ultimately be enhancing a Council asset and hence it will likely gain capital value, there are no avenues that are realistically available that will enable any spent cash being returned if the Skatepark defaults (apart from directly demanding it from the Skatepark company).
- 7.3 This decision is to be made to be regarded as urgent under Rule 15 of the Overview & Scrutiny Procedure Rules and the requirements under the Rule will need to be complied with

8. RESOURCE IMPLICATIONS

No resource implications

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

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:	Clare Turner, , clare.turner@blackburn.gov.uk
DATE:	21/6/2021
BACKGROUND PAPER:	

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	21/06/2021
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Brief description of activity	Advance payment to J4 Skatepark to support cash flow of construction works until release of grant funding from Sports England and Darwen Town Deal.
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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	Clare Turner
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Gwen Kinloch
Date	22/06/2021