

Public Document Pack

Executive Member Decisions

Friday, 24th June, 2022
10.00 am

AGENDA

1. **Proposed Experimental Traffic Regulation Order -
Springfield Terrace, Blackburn Residents Only Parking
Scheme**
EMD Springfield Terrace Residents Parking Scheme 2 - 14
EMD - Springfield Terrace Residents Parking Scheme
EIAChecklist
EMD Springfield Terrace Parking Scheme - EIAtoolkit
Notice of making experimental order Springfield Terrace

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PARTII

Date Published: Friday 24th June 2022
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



REPORT OF: Exec Member of Growth and Development

LEAD OFFICERS: Director of Growth and Development

DATE: 25th March 2022

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: Mill Hill and Moorgate Ward

SUBJECT: Proposed Experimental Traffic Regulation Order – Springfield Terrace, Blackburn Residents Only Parking Scheme

1. EXECUTIVE SUMMARY

To inform the Executive Member for Regeneration of the proposal to introduce an experimental Traffic Regulation Order as detailed below and seek approval to make it:-

Proposed Residents Only Permit Parking.....Properties 1 – 15 Springfield Terrace, Blackburn

2. RECOMMENDATIONS

That the Executive Member:

Authorise the Strategic Head of Legal & Governance to make and advertise the Experimental Traffic Regulation Order as per the attached schedule.

3. BACKGROUND

Complaints have been raised by local residents that the car parks adjacent to Springfield Terrace are being used by visitors and employees of the nearby nursery and business.

It is intended to formalise the current parking arrangements by introducing resident parking on these car parks which may then be managed by the Council Civil Enforcement Officers through the introduction of a residents parking scheme for those properties affected.

It is proposed to provide a permit parking scheme for the car parks through an experimental order to allow us to monitor and ensure that nearby residential streets are not affected by displaced vehicles.

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 and Chief Officer. Traffic Regulation Orders are required to be

published in the local press and on site to comply with the Road Traffic Regulations Act 1984. Directly affected properties are consulted in line with current procedure.

The proposal meets the requirements of the Traffic Management Act 2004 in managing the expeditious movement of traffic on the highway network.

6. FINANCIAL IMPLICATIONS

The cost of making and advertising this experimental Traffic Regulation Order will be funded from the Traffic 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 enable comments/objections and suggestions on how the experimental order may be improved through variation from members of the public as well as relevant Council Highway officers.

Experimental orders are predominately to provide the Highways Authority with a proper period of time to test the effects of a traffic order. An experimental order enables the impact of the new restrictions to be examined and potentially minor changes made to address unforeseen issues more readily. For an experimental order the objection period is 6 months which actually allows people to raise any objections or recommendations they may have with knowledge of how the restriction really works. Hence the recommendation for the review after 6 months is a reasonable and appropriate requirement although additionally the recommendation could be to continue with the experimental order for a further period if it was considered necessary. The order could actually be modified sooner than the initial 6 months depending on how it was operating and the interim objections and feedback that was being received.

The experimental period will allow the Council to make necessary adjustments although it should be noted that every time an experimental order is modified, the 6 month objection period starts again.

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 comment on the Experimental Order during the first 6 months from its implementation.

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:	Karen Timperley
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DATE:	15 th March 2022
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BACKGROUND PAPER:	Appendix 1 Notice of Proposal
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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.	Growth and Development	Date the activity will be implemented	01/04/2022
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Brief description of activity	Proposed Experimental Traffic Regulation Order for Residents Parking Scheme – Springfield terrace, Blackburn
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Does this activity: Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
FOR =0	TOTAL	AGAINST =6

Will you now be completing an EIA?

Yes

No

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

Assessment Lead Signature	K Timperley
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date	16/03/2022

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]

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)

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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

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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.

**BLACKBURN WITH DARWEN BOROUGH COUNCIL
(TRAFFIC REGULATION) (SPRINGFIELD TERRACE, BLACKBURN)
(EXPERIMENTAL RESIDENTS ONLY PARKING SCHEME) ORDER 2022**

NOTICE is hereby given that on the [] Blackburn with Darwen Borough Council (“the Authority”) in exercise of its powers under Sections 1, 2, 4, 9, 10, 32, 35, 45, 46 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended) (“the Act”) made the above Order the general effect of which is to introduce a Residents Only Parking Scheme as described in the Schedules and highlighted in the Plan below.

The Order will come into force on the [] on an experimental basis and will remain in force for a maximum period of eighteen months.

During that period, the Authority will be considering whether the provisions of this experimental order should be made permanent and any person who wishes to make any observations whether supporting or objecting to the making of a permanent Order, may do so in writing to the undersigned, specifying the grounds thereof, within six months of the date of this Order coming into effect (or if this Order is subsequently varied by another order or modified pursuant to Section 10(2) of the Act, beginning with the day on which the variation or modification came into force). Amendments to this Order may be made by issuing a further Order as authorised by a Director of the Authority or such other replacement Director that has the same effective powers.

A copy of the Order, statement of reasons and relevant plan may be examined at the Information Desks, Town Hall, Blackburn and Town Hall, Darwen on Mondays to Fridays inclusive between the hours of 10.00 a.m. and 4.00 p.m. (excluding Bank Holidays). The schedules below contain abbreviations for brevity such as follows: “m” = metres, “jct” = junction, “Cl” = Cl, “dist.” = distance, “drn” = directionn, “N””S””E””W” = north, south, east & west, “sthly” = southerly, “NWrlly” = north-westerly etc.

Any queries concerning the Order should be made by telephoning the Authority on 01254-585585

Dated this [] day of [] 2022

**Asad Laher, Strategic Head of Legal & Governance
Town Hall, BLACKBURN, BB1 7DY**

SCHEDULE 1

**PROPOSED RESIDENTS ONLY PARKING SCHEME
MONDAY TO SATURDAY 8:00AM – 6:00PM**

Street	DESCRIPTION
Springfield Terrace	Car parks 1 and 2 adjacent to Springfield Terrace as highlighted in red on the plan

SCHEDULE 2

ELIGIBILITY FOR PERMITS

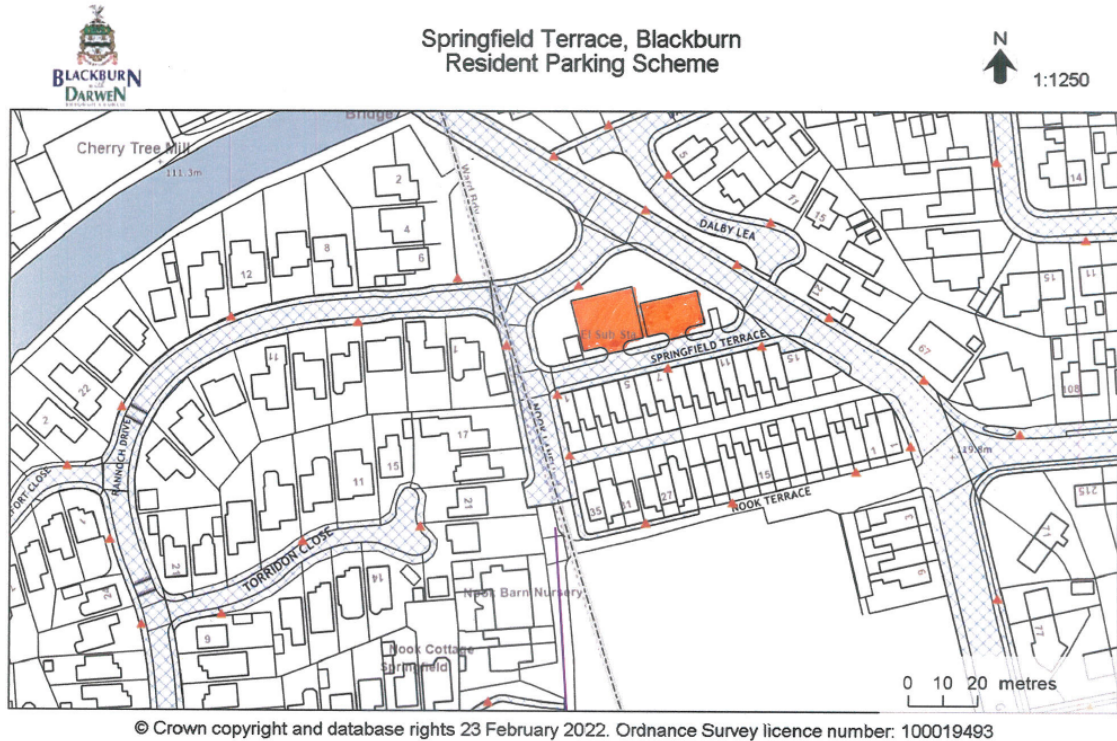
Street	Properties
Springfield Terrace	Numbers 1-15

SCHEDULE 3

**CHARGES
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Type of Permit	Charge
Residents Permit	£30.00 per annum
Visitors Permit	£30.00 per annum
Transfers/Replacements	Free
Refunds	Not available

PLAN



EXECUTIVE MEMBER DECISION



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Place

DATE: 12th April 2022

PORTFOLIO/S

AFFECTED: Growth and Development

WARD/S AFFECTED: Darwen East;

SUBJECT: EMD- Purchase by Agreement of Vernon Street Flats, Darwen

1. EXECUTIVE SUMMARY

To seek approval to purchase the above block of 9 flats by agreement as part of the Council's Empty Property Strategy to reduce the number of long-term empty properties and provide much needed accommodation for the Borough

2. RECOMMENDATIONS

That the Executive Member:

Upon being satisfied that:

- a. it would contribute to the economic, social and environmental well-being of the borough;
- b. there is a compelling case in the public interest in bringing empty properties back into use;
- c. sufficient funds exist for carrying the resolution into effect;
- d. no impediments exist to the implementation of the scheme to redevelop the property (subject to the making of the order) and there is a reasonable prospect of its implementation, should the order be made;

2.1 Authorise the Strategic Director Place to finalise and complete the terms of the acquisition. Thereby negating the requirement to use compulsory purchase powers to ensure that the dwellings are brought back into use

2.2 Authorise the Deputy Director, Legal & Governance (Monitoring Officer) to complete the necessary legal formalities for the acquisition.

3. BACKGROUND

- 3.1 As part of the Council's commitment to bringing empty properties back into use, this building has been evaluated using the priority scoring matrix (Appendix 1). It scores highly due to the fact that the flats are in a poor state of repair internally and the Council has received a number of complaints with regards to the building which has been vacant for over 15 years.
- 3.2 The flats, known as 28-44 Vernon Street, Darwen comprise of 6 x one-bed flats and 3 x two-bed flats situated in three wings off a central staircase and arranged over three storeys. There is also an adjoining car park.
- 3.3 The site of the property and land is outlined in red on the attached plan (Appendix 2).
- 3.4 The building is situated in the Darwen East ward of the Borough, just off Sudellside Street. It originally formed part of the Council owned Ellenshaw Housing Estate, much of which has since been demolished by Together Housing with new-build family homes now replacing the demolished properties.
- The building has been the subject of recent complaints from local residents and ward councillors in relation to;
- Anti-social behaviour by youths congregating at the property.
 - Fly-tipping in the yard.
 - The general condition of the building and the fact it continues to remain empty.
- 1.4 Substantial efforts have been made by the Principal Housing Projects Manager to identify and contact the owners to encourage them to bring the property back into use and discussions have been underway since September 2018 when it was the owners' intention to put the property on the market for sale.
- 1.5 Due to internal policy changes in the proprietor company, the property was not marketed for sale and the owners have no plans to refurbish the property for occupation. As such, they were made aware of the Council's enforcement action policy and potential CPO action that was being considered and in 2021 they contacted the Council to offer the property for sale by agreement. However, if this agreement does not proceed to completion, it may be necessary to move to Compulsory Purchase Action in the future.
- 1.6 In preparation of potential CPO action the Council's Growth Team undertook an assessment of how the property could be brought back into occupation, consultation was undertaken with internal and external partners to look at potential uses for the property.
- 1.7 The Council's Housing Needs team identified a need to provide move-on accommodation for individuals who had been homeless or at risk of being made homeless. The team felt that the location and property size provided an opportunity for the Council to provide a scheme to meet this statutory need in the Borough.
- 1.8 The Growth Team has considered this potential use and carried out a preliminary assessment of condition and refurbishment costs to bring the property back into use. A Structural survey and Asbestos survey was undertaken to inform the valuation of the property. Once the property is acquired costs and proposals will be further refined to confirm if the scheme can be delivered.

4. KEY ISSUES & RISKS

- 4.1 Tackling empty properties supports the key priorities in the Council's Corporate Plan and the Empty Property Strategy.
- 4.2 There are currently around 2,318 empty properties in the Borough, of which 1,903 are classified as empty and unfurnished with 996 of those classified as long term empties (over 6 months). 356 of those homes have stood empty for over 2 years and are being charged a Premium rate for Council Tax (as at 02.03.21.). Contact has been made with all owners of long term empty properties and as a direct result of that intervention, 653 empty properties were brought back into use in 2020-21 and to date 800 homes have been brought back into occupation in 2021-22. However, as quickly as properties are removed from the empty property list, others are added to it.
- 4.3 Continued efforts are required to ensure that properties are empty for a minimum period of time and the Council's message that long term empty properties will not be tolerated continues to be communicated.
- 4.4 There are currently no grant funding opportunities available to support empty homes refurbishment (previous HCA initiatives ended in March 2015). Direct support and signposting is offered to help owners to bring their properties back into use. Where owners are unwilling or unable to bring their properties back into use, enforcement action is considered to be the most appropriate course of action to be taken.
- 4.5 Engagement with the owners of the property has resulted in negotiations to acquire the property by agreement. However, if the matter cannot be completed, it may be that compulsory purchase action will be considered to be the only course of action left to the Council to bring the property back into use. If this becomes the case, further approvals will be sought.
- 4.6 Empty properties in the borough can have negative environmental impacts on neighbourhoods in addition to being a wasted housing resource. At neighbourhood level, empty properties attract fly tipping, crime, arson and nuisance. It is a Council priority to tackle these problems through enforcement as part of the wider effort to improve neighbourhoods and prevent blight.
- 4.7 Bringing empty properties back into use creates extra accommodation for rent or sale and could also generate additional income for the Council via New Homes Bonus (NHB) payment.
- 4.8 The costs will be funded from the Neighbourhood Intervention Fund, which is part of the Council's Growth Capital Programme; there are sufficient uncommitted funds available within the programme to support the purchase of this property.
- 4.9 The property has had structural and asbestos surveys undertaken and has been inspected for valuation purposes. The property has been valued to reflect the refurbishment costs, repairs and asbestos removal. Negotiations have taken place with the owners and heads of terms have been provisionally agreed
- 4.10 Once acquired, the property will be further evaluated for suitability to be refurbished and used to provide move-on accommodation by the Council's Housing Needs team to help them meet statutory duties in addressing homelessness. Officers are also in discussions with a registered provider who is interested in working with the Council to deliver and run the move-on service at this property.

- 4.11 If the property is unsuitable or unviable to provide move-on accommodation, then it will be offered for sale via the Council's appointed estate agent. Sale of the property will be via a sealed tender to the highest bidder with preference given to buyers who intend to refurbish the property, provide good quality accommodation for rent and grant 'nomination' rights to the Council. A building licence will be granted to the buyer and formal sale will be completed once the property has been renovated to the Council's required standard. This approach also encourages the use of local labour and local spend.
- 4.12 To date, 28 properties have been acquired using Neighbourhood Intervention Funds. Of these, 22 have been successfully refurbished and occupied and 4 are in the process of being refurbished. 2 properties are with our legal department awaiting exchange of contracts.

5. POLICY IMPLICATIONS

- 5.6.1 The costs will be funded from the Neighbourhood Intervention Fund, which is part of the Council's Growth Capital Programme; there are sufficient uncommitted funds available within the programme to support this acquisition.
- 6.2 Some revenue budget will be required to fund the CPO action (if required) and subsequent sale of the property. The amount required will be approximately £2,100 for the appropriate service of the required legal notices and £1,000 for the estate agent's fees. The total figure of £3,100 will be funded from within existing budgets.
- 6.3 Capital receipts from sale of assets funded by the Neighbourhood Intervention Fund are recycled back into the project so that further purchases by agreement or CPO's can be undertaken as and when required

6. FINANCIAL IMPLICATIONS

- 6.1 The costs will be funded from the Neighbourhood Intervention Fund, which is part of the Council's Growth Capital Programme; there are sufficient uncommitted funds available within the programme to support this acquisition.
- 6.2 Some revenue budget will be required to fund the CPO action (if required) and subsequent sale of the property. The amount required will be approximately £2,100 for the appropriate service of the required legal notices and £1,000 for the estate agent's fees. The total figure of £3,100 will be funded from within existing budgets.
- 6.3 Capital receipts from sale of assets funded by the Neighbourhood Intervention Fund are recycled back into the project so that further purchases by agreement or CPO's can be undertaken as and when required

7. LEGAL IMPLICATIONS

- 7.1 If purchase by agreement cannot be secured, under the provisions of section 17 of the Housing Act 1985 the local authority may acquire houses or buildings which may be suitable as houses, together with any land occupied with the houses or buildings. The power is available even if the ownership of the property is to be transferred to someone else.
- 7.2 The Council also needs to consider the Guidance on Compulsory Purchase Process and the

8. RESOURCE IMPLICATIONS

- 8.1 Resources needed to purchase this property will be provided by the Empty Properties Team. Support will be required from the legal team to complete the legal transfer of the property to the Council.
- 8.2 Some support will be required from Capita Symonds to carry out a valuation of the property concerned.

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

- 10.1 Comprehensive consultation has been undertaken to understand the impacts of empty properties on local communities. The Strategic Housing Market Assessment (SHMA) supports bringing empty properties back into use. This has also been reflected in the Council's Local Plan which treats empty properties as a valuable resource towards meeting housing need within the borough.
- 10.2 The further development of the Council's Empty Property Strategy has also consulted stakeholders and agencies prior to consideration of further tools to tackle empty properties

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.

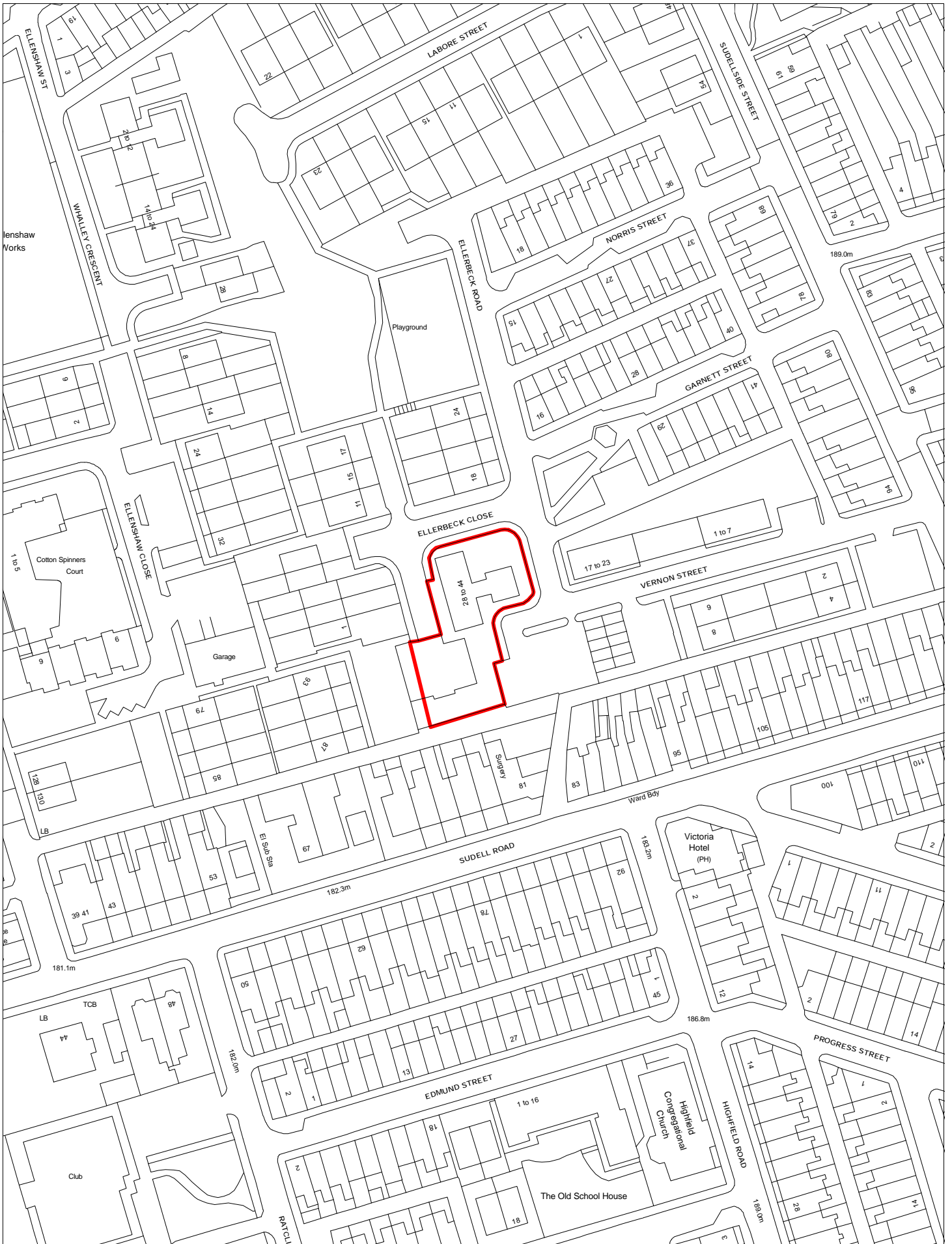
VERSION:	0.01
CONTACT OFFICER:	Nicola Fox 01
DATE:	12th April 2022
BACKGROUND PAPER:	Empty Property Strategy

PRIORITY SCORING MATRIX

Maximum Points: 38 (must score 26 or over)

Address: Vernon Street Flats, Darwen. BB3 3EF.		
Score		
How long has the property been Empty?	Less than 6 months	0
	6 months to 2 years	1
	2 – 5 years	2
	Over 5 years	4
Is the property in disrepair?	No	0
	Minor disrepair	1
	Serious disrepair	2
	Severe disrepair	4
Have complaints been received in Respect of this property?	No complaints	0
	Under 3 complaints	1
	5 to 9 complaints	2
	10 complaints or over	4
Is the property within an Intervention area?	No	0
	Yes	2
Is the property within an Investment area?	No	0
	Yes	2
Is the property within a selective Licensing area?	No	0
	Yes	2
Adequate evidence of attempted previous contact with owner?	No	0
	Yes	20
TOTAL SCORE		32

VERNON STREET FLATS

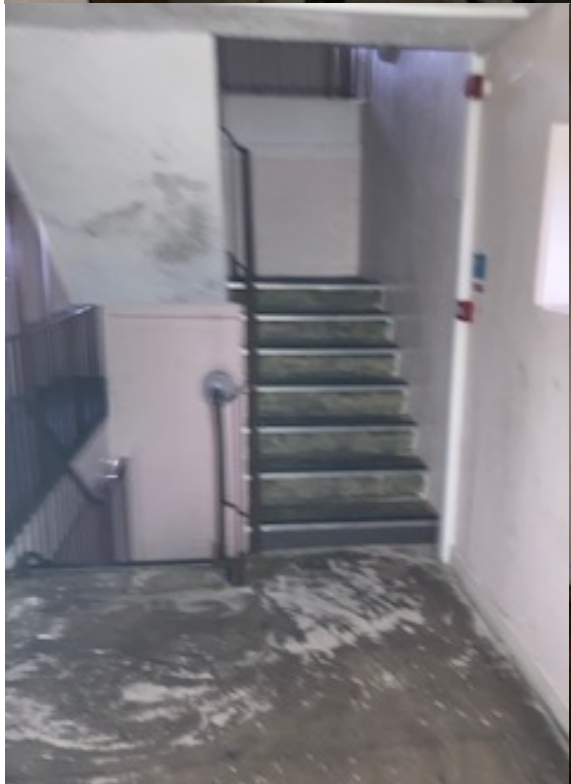


1:1250

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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.	Growth Team, Growth and Development	Date the activity will be implemented	30/05/2022
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Brief description of activity	Purchase by Agreement of Vernon Street Flats, Darwen
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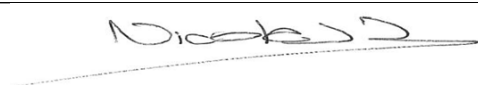
Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Budget changes - Change to existing Council policy/strategy	<input checked="" type="checkbox"/> 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	
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date	13/04/2022

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]	

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 2	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>			
<p>Page 28</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>			
<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

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.

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