

Public Document Pack

Executive Board

Thursday, 9 July 2020

Time: 6.00 pm

Virtual Meeting

[Join Here](#)

AGENDA

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

1. **Welcome and Apologies**
2. **Minutes of the Previous Meeting**
June 2020 **4 - 10**
3. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM **11**
4. **Equality Implications**
The Chair will ask Members to confirm that they have considered and understood any Equality Impact Assessments associated with reports on this agenda ahead of making any decisions.
5. **Public Forum**
To receive written questions or statements submitted by members of the public no later than 4pm on the day prior to the meeting.
6. **Questions by Non-Executive Members**
To receive written questions submitted by Non-Executive Members no later than 4pm on the day prior to the meeting.
7. **Youth MPs Update**
To receive an update from the Youth MPs along with any issues they would like to raise.
8. **Executive Member Reports**
Verbal updates may be given by each Executive Member.

Leader

Adult Services and Prevention

Children, Young People and Education

8.1	Report of Ofsted Focussed Visit	
	Ofsted	12 - 19
	Appendix 1 - Ofsted	

Environmental Services

Public Health and Wellbeing

8.2	Healthy Weight Declaration - 3 Years On	
	Local Authority Declaration on Healthy Weight 3 years on	20 - 54
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	Declaration	
	Evaluation	

Digital and Customer Services

Growth and Development

8.3	Statement of Community Involvement	
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Finance and Governance

8.4	Covid-19 Finance Report	
	Covid-19 Finance Update	79 - 84

9. Corporate Issues

9.1	Capital Outturn Report 19/20	
	Capital Outturn Report	85 - 97
	Copy of QTR 4 2019-20 Capital Monitoring Appendix 1	
	OUTTURN	
	Appendix 2 Capital Budget Monitoring	
9.2	Disposal of Chapels Park South	
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	Chapels South	

10. Matters referred to the Executive Board

PART 2 – THE PRESS AND PUBLIC MAY BE EXCLUDED DURING

CONSIDERATION OF THE FOLLOWING ITEMS

11.1 Disposal of Chapels Park South

EBD Pt 2 Disposal of Chapels Park South v1.0

**103 -
106**

Date Published: Wednesday, 01 July 2020
Denise Park, Chief Executive

EXECUTIVE BOARD Thursday, 11th June, 2020

PRESENT

COUNCILLOR:

Councillor Mustafa Desai
Councillor Julie Gunn
Councillor Mohammed Khan OBE
Councillor Quesir Mahmood
Councillor Vicky McGurk
Councillor Phil Riley
Councillor Jim Smith
Councillor Damian Talbot

PORTFOLIO:

Adult Services and Prevention
Children, Young People and Education
Leader of the Council
Digital and Customer Services
Finance and Governance
Growth and Development
Environmental Services
Public Health and Wellbeing

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALSO IN ATTENDANCE:

Zara Hayat
Khalid Omar
Muhammad Bapu

Youth MP
Deputy Youth MP
Deputy Youth MP

	Item	Action
1	<u>Welcome and Apologies</u> The Chair, Councillor Mohammed Khan, welcomed all to the meeting, explaining that the meeting was a virtual meeting and how it would be run. He thanked Maureen Bateson for her valuable contribution as Executive Member for Children, Young People and Education and welcomed her successor, Julie Gunn. No apologies had been received.	
2	<u>Minutes of the Previous Meeting</u> RESOLVED - The Minutes of the meeting held on 12 th March 2020 were agreed as a correct record.	Agreed
3	<u>Declarations of Interest</u> There were no Declarations of Interest submitted.	
4	<u>Equality Implications</u> The Chair asked Members to confirm that they had considered and understood any Equality Impact Assessments associated with reports on the agenda ahead of making any decisions.	Confirmed
5	<u>Public Forum</u> No questions had been received from members of the public.	
6	<u>Questions by Non-Executive Members</u> No questions had been received from Non-Executive Members.	

	Item	Action
7	<p><u>Youth MPs Update</u></p> <p>The Youth MPs updated the Executive Board on recent activities in the lockdown period, including food parcels assistance, contact with elderly people living alone, as well as young and vulnerable people.</p> <p>The Youth MPs were pleased to advise that they had been granted a two year term which would help them focus on and deliver their campaign pledges and priorities.</p> <p>Thanks were passed to Maureen Bateson for her excellent contribution as Executive Member and the Youth MPs were looking forward to working with the new Executive Member, Julie Gunn.</p> <p>A number of Executive Members made comments on the positive work by the Youth MPs.</p>	Noted
8	<p><u>Executive Member Reports</u></p> <p><u>Leader – Verbal Update</u></p> <p>The Leader advised of Test and Trace funding received from the Government of £1.3 m for the recruitment of staff, and thanked the Help Hub and entire workforce for their great work during the ongoing Covid-19 crisis.</p> <p><u>Children, Young People and Education – Verbal Update</u></p> <p>Councillor Julie Gunn updated the Executive Board on recent decisions made relating to the postponement of re-opening of schools and nurseries based on Public Health advice.</p>	<p>Noted</p> <p>Noted</p>
8.1	<p><u>Fostering Report Quarter 3</u></p> <p>A report was submitted providing information on the management and performance of the Local Authority's Fostering Service for Quarter 3.</p> <p>RESOLVED - That the Executive Board notes the Quarter 3 Fostering Service Report which is available on the Council's website along with supporting paper, Appendix 1.</p>	Noted
8.2	<p><u>Adoption Bi-Annual Report</u></p> <p>Members were advised that Adoption Now (Regional Adoption Agency) has compiled the report with additional local information included by Blackburn with Darwen Borough Council's Service Lead for Placements. The Report detailed a summary of the period</p>	

	Item	Action
	<p>April to September 2019 with analysis, data and patterns to support service development</p> <p>RESOLVED - That the Executive Board notes the Adoption Six Monthly Report alongside Appendix 1.</p>	Noted
8.3	<p><u>School Holiday Pattern 2021/2022</u></p> <p>The Executive Board was advised that the local authority had responsibility for setting the school holiday pattern for Community and Controlled Schools, in consultation with neighbouring local authorities, schools and teacher associations. For other maintained schools (Voluntary Aided and Foundation) the governing body set the holiday pattern. Trustees of Free Schools and Academies (schools independent of the authority) had responsibility for setting their term and holiday dates.</p> <p>RESOLVED - Agrees the school term and holiday pattern for Community and Controlled schools for 2021/2022 (as set out in Appendix 2 – Recommended Dates 2021/2022).</p> <p><u>Public Health and Wellbeing – Verbal Update</u></p> <p>Councillor Damian Talbot advised that the Blackburn Museum and Art Gallery was celebrating its 146th anniversary.</p> <p><u>Digital and Customer Services – Verbal Update</u></p> <p>Councillor Quesir Mahmood thanked the IT Department for their response to the pandemic by keeping services going and these comments were echoed by the Leader.</p>	<p>Approved</p> <p>Noted</p> <p>Noted</p>
8.4	<p><u>Masterplan - Bank Hey</u></p> <p>The Bank Hey Masterplan related to land allocated for housing in Blackburn with Darwen's Local Plan Part 2 and was located between Heys Lane and Bog Height Road in Blackburn.</p> <p>The Masterplan had been prepared collaboratively with the landowners to guide the layout and form of new housing development on the site. It sought to create a high quality, distinctive neighbourhood, identifying spatial principles for land use, transport, design and green infrastructure which needed to be adhered to in bringing forward development on the site.</p> <p>Fundamentally, it provided a structure to the development of the whole site and ensured that it was not brought forward in a piecemeal manner.</p> <p>An Infrastructure Delivery Phasing Plan had also been prepared to support the masterplan which set out the necessary infrastructure requirements for each phase of development to ensure the site</p>	

	Item	Action
	<p>was brought forward in a sustainable manner. Council officers have been fully involved in the master-planning process, infrastructure requirements and phasing plan for the site.</p> <p>RESOLVED -That the Executive Board:</p> <p>Approves the Bank Hey Masterplan and accompanying Infrastructure Delivery Phasing Plan to inform the comprehensive development of the site for new housing and to ensure the necessary infrastructure is delivered at each phase of development.</p>	Approved
8.5	<p><u>Corporate Revenue Budget Monitoring Report - Quarter 4 - 2019/20</u></p> <p>Members received a report detailing the overall revenue position of the Council for the year ended 31st March 2020, highlighting the key issues for review. It also determined the year end position with regard to portfolio under/overspends and the impact on earmarked and unallocated reserves.</p> <p>RESOLVED - The Executive Board is asked to approve:</p> <ul style="list-style-type: none"> • the portfolio budget adjustments outlined in Appendix 1. • carry forward of the specific amounts shown in Appendix 1 from 2019/20 to 2020/21. • the earmarked reserves position shown in Appendix 2 • the variations to revenue expenditure, as listed in Section 6, thereby giving rise to a revised balance of £7.173 million on the unallocated General Fund revenue reserve at 31st March 2020. 	Approved
9.1	<p><u>Disposal of Land off Ellison Fold Way, Darwen</u></p> <p>A report was submitted outlining the outcome of an informal tender exercise for Council owned land off Marsh House Lane in Darwen, referred to as EFW - Phase 1, and seeking approval to dispose of the site for housing development to Bidder A, the company recommended as preferred bidder.</p> <p>Members were asked to note that Blackburn with Darwen Borough Council and Lea Hough (appointed land agent) had jointly brought forward the residential development opportunity, which incorporated Council and privately owned land, through an informal tender process administered by Council officers.</p> <p>The sale of the land would be undertaken on behalf of the Council and the private landowners by jointly appointed solicitors.</p>	

	Item	Action
	<p>RESOLVED - That the Executive Board:</p> <p>2.1 Approves the appointment of Bidder A as preferred bidder.</p> <p>2.2 Delegates authority to conclude negotiations, including terms of the land sale and disposal contracts, to the Growth Programme Director in consultation with the Executive Members for Finance and Governance and Growth and Development to approve the final terms.</p> <p>2.3 Notes the Council has been advised that Bidder A is also the preferred developer for the Phase 2 development at Ellison Fold Way.</p>	<p>Approved</p> <p>Approved</p> <p>Noted</p>
9.2	<p><u>Update on Decisions taken under Emergency Powers in relation to the Council's initial response to the Covid-19 Pandemic</u></p> <p>The Executive Board was advised of urgent decisions taken and published by the Chief Executive under her emergency powers in managing the Council's initial emergency response to the current Covid-19 pandemic.</p> <p>RESOLVED - That the Executive Board:</p> <p>Notes the decisions taken by the Chief Executive under emergency powers in relation to the Covid-19 pandemic</p> <ul style="list-style-type: none"> i) Decision of 3rd April in respect of securing emergency strategic food supplies through the Lancashire LRF ii) Decision of 24th April in respect of securing strategic supplies of PPE through the Lancashire LRF iii) Decisions of 7th May in respect of food and other essential supplies to be distributed through the Blackburn with Darwen Food Hub 	<p>Noted</p>
9.3	<p><u>Corporate Plan Progress Report</u></p> <p>The Executive Board receive a report on progress against the Council's strategic priorities documented within the Corporate Plan (2019-23) which contained information to provide assurance that appropriate actions were being taken to address key areas of concern.</p> <p>RESOLVED - That the Executive Board:</p> <ul style="list-style-type: none"> 1. Note the overall performance against the delivery of the Council's strategic objectives as illustrated in Appendix One 2. Note the remedial action to improve delivery against the 2019-2023 Corporate priorities which are giving cause for concern, as outlined in Appendix Two 3. A further report will be presented to Council Forum in July to note the council's performance in the immediate response to the Coronavirus pandemic. 	<p>Noted</p> <p>Noted</p> <p>Noted</p>

	Item	Action
10.1	<p><u>Petition: Disposal of Open Space off Old Gates Drive</u></p> <p>The Executive Board was advised that a petition has been received from residents in relation to Council owned land at Lomond Gardens/Old Gates Drive, Blackburn.</p> <p>Residents objected to proposed access from the existing public open space on Old Gates Drive to serve the new housing development, utilisation of Old Gates Drive as an access road for temporary construction works and creating a permanent access road to serve a new housing development at Lomond Gardens. They also had concerns of increased traffic during the construction phase and post development.</p> <p>It was reported that the proposed access to the development would be considered and would be subject to a new formal reserved matters application or a Full planning application.</p> <p>RESOLVED - That the Executive Board:</p> <p>Notes the petition. The proposed access to the development will be considered and will be subject to a new formal reserved matters application or a Full planning application. The Growth team will report back to the lead petitioner.</p> <p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING.</p>	Noted
11.1	<p><u>Disposal of Land off Ellison Way, Darwen</u></p> <p>Further to the report submitted at Agenda Item 9.1, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - That the Executive Board:</p> <p>2.1 Approves the appointment of Bidder A as preferred bidder.</p> <p>2.2 Delegates authority to conclude negotiations, including terms of the land sale and disposal contracts, to the Growth Programme Director in consultation with the Executive Members for Finance and Governance and Growth and Development to approve the final terms.</p> <p>2.3 Notes the Council has been advised that Bidder A is also the preferred developer for the Phase 2 development at Ellison Fold Way.</p>	<p>Approved</p> <p>Approved</p> <p>Noted</p>

	Item	Action
	<p>Signed at a meeting of the Board</p> <p>on Thursday, 9 July 2020</p> <p>(being the ensuing meeting on the Board)</p> <p>Chair of the meeting at which the Minutes were confirmed</p>	

DECLARATIONS OF INTEREST IN ITEMS ON THIS AGENDA

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: EXECUTIVE BOARD

DATE: 8th July 2020

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children, Young People and Education

LEAD OFFICERS: Director of Children's Services & Education

DATE: Thursday, 9 July 2020

PORTFOLIO(S) AFFECTED: Children, Young People and Education

WARD/S AFFECTED: (All Wards);

KEY DECISION: N

SUBJECT:

Report of the Ofsted Focused Visit 19-20 February 2020

1. EXECUTIVE SUMMARY

This report sets out the findings of our last inspection by Ofsted as part of the Inspection of Local Authorities Children's Services (ILACS) framework. The short inspection was led by Inspector – Paula Thompson Jones, who was supported by Inspector – Kathryn Grindrod. The Focused Visit was announced three working days before the fieldwork of the inspection took place. The Lead Inspector required a broad range of information to be shared within one working day of the notification, and also asked for a range of audit activity to be submitted within two working days of the notification. The theme of our inspection was – Children in our care – with a specific focus on children who have recently become looked after.

2. RECOMMENDATIONS

That the Executive Board:

Executive Members are asked to note the contents of this report and to agree to the actions taken by the Service to ensure that we continue to meet the needs of children and families who require a social work service.

3. BACKGROUND

The primary key findings from the focused visit and our headline in terms of good practice was that – where risks are evident action is taken to protect our children in BwD.

Others include:

Decisions are timely and appropriate and children are placed in placements which meet their needs.

When care proceedings are initiated work begins to achieve early permanency and within review processes, permanence options are discussed.

Our legal gateway panel which was created in July 2019 offers a more consistent approach when decisions have to be made to intervene with legal advice and potential care proceedings.

Where there are risks to unborn babies assessments are timely and effective. Their future needs are risk assessed in order to protect.

The vast majority of children are placed with their brothers and sisters and have good contact plans in place.

Connected persons (extended family members or others with a meaningful relationship with a child) are assessed well and supported to care for the children they are assessed to care for. A specific team was created to undertake such assessments in the summer of 2018 and is working well.

Social workers know their children well and this also included information from third parties such as school/health representatives.

Social workers are doing more direct work with the children they hold than has previously been evidenced with good examples of wishes and feelings work.

Family group conferences are used well, both for support to plans and in identifying potential carers – such conferences are recorded well. Family group conferences are also used well to support extended family/carers – an example of a grandmother caring for her 5 grandchildren was given.

There is evidence of management oversight and evidence of Independent Reviewing Officers overseeing work. Regular supervision is in place.

Staff feel support by their managers and by senior leaders – a senior manager presence was reported by social workers.

Our Children's Advice and Duty Service (CADS) – which was 3 months into implementation at the time of the focused visit was acknowledged as a strategy to address caseloads.

Training for staff is in place which is effective and well received by staff.

Leaders understand the weaknesses within the service and strategies are in place to support. As a result of our sustained activity Social Work caseloads have reduced from an average of 21 to 18 for Assessed and Supported Year in Employment (newly qualified social workers) and from 24 to 22 for experienced Social Workers. This reduction has taken place since the time of the Focused Visit.

We have developed a social work retention strategy to ensure that we provide opportunities for Social Work staff who are committed to working within Blackburn with Darwen to have access to a clear career structure with investment in their continuous professional development. This will be launched at the end of July 2020.

4. KEY ISSUES & RISKS

Two key primary areas for improvement:

Where children are at risk of neglect they can remain at home for too long – we wait for a catalyst before children come into our care.

Action: - The link between poverty and neglect is complex. Not all children who live in poverty experience neglect however children living in families with insufficient resources to meet basic needs may be more vulnerable to experiencing neglect.

A task and finish group through the Children's Partnership Board is supporting a multi-agency approach to this issue.

A neglect strategic action plan to address what Children's Services and partners can do to work together in this area is being updated and about to be shared.

Children subject to social work intervention under the category of neglect are being individually tracked by service leads so ensure we understand our cohort well and where the offer to our children is consistent and at the correct level.

A multi-agency audit is taking place with a focus on neglect in our Practice Week on the 6th July to inform what further action we need to take to improve the quality of our help and protection to children who are living in neglectful families.

Caseloads are too high and too complex, particularly for those social workers in their first year of practice

Action: The implementation of CADS, at the 26 week review since implementation, indicates that our referral level at the front door has reduced by 30%. This is part of our overall strategy to ensure that the right children receive the right level of support at the right time and is supporting a reduction in caseloads. The number of open cases within children's social care has reduced by approximately 400 compared to 12 months ago.

We aspire to every social worker having a realistic caseload – 15 for a newly qualified social worker in their first year of practice – 22 for those fully qualified. Work is ongoing with HR and finance and within our own resources to ensure that we are actively working towards achieving this figure being the average.

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

There is a need to ensure that Children's Services manage the budget within the Portfolio to ensure that Social Workers are recruited and retained in Blackburn with Darwen. This is to make sure that children and young people and their families receive a consistent and high quality service.

7. LEGAL IMPLICATIONS

None

8. RESOURCE IMPLICATIONS

To ensure that we have an effective social work recruitment and retention strategy.

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.

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.

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10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

CONTACT OFFICER:	Janette Clarke, Ailsa Smith, , janette.clark@blackburn.gov.uk, ailsa.smith@blackburn.gov.uk
DATE:	01 July 2020
BACKGROUND PAPER:	

23 March 2020

Jayne Ivory
Director of Children's Services and Education
Blackburn with Darwen Council
10 Duke Street
Blackburn
BB2 1DH

Dear Jayne Ivory

Focused visit to Blackburn with Darwen children's services

This letter summarises the findings of a focused visit to Blackburn with Darwen children's services on 19 February 2020. The inspectors were Paula Thomson-Jones, Her Majesty's Inspector and Kathryn Grindrod, Her Majesty's Inspector.

Inspectors looked at the local authority's arrangements for decision-making for children who come into care and the quality of early care planning and placements.

Inspectors looked at a range of evidence, including case discussions with social workers in the assessment and support teams. They also looked at local authority performance management and quality assurance information and children's case records.

Overview

Senior leaders understand the strengths and areas for development within the service. While there have been improvements in some areas of service, progress remains slow in key areas of weakness that were identified at previous inspections.

Leaders have recognised that, despite the local authority being judged to be good overall at the last inspection, there is significant work to do to ensure that this is sustained. As part of their plans for practice improvement, a new quality assurance framework has been introduced. This has led to an increase in the range of audit activity to support a greater understanding of practice. However, most audits remain focused on compliance and do not evaluate children's experiences.

When children are at immediate or significant risk, decisions to bring them into care are made promptly and appropriately. However, decision-making when children are suffering neglect is too slow. This means that some children are left in harmful situations and plans for their future are delayed.

Social work caseloads are too high in the assessment and support teams, which impacts on social workers' ability to build relationships with children and understand their experiences. Although leaders have acted to try and reduce demand for social work services, this has not had any impact on workloads in these social work teams. At the point of this visit, effective interim plans to address workload pressures were not in place.

What needs to improve in this area of social work practice

- Caseloads in the assessment and support teams to enable social workers to build meaningful relationships with children and deliver good-quality social work practice.
- The quality of assessments and plans for children.
- Management oversight, including that by independent reviewing officers (IROs), to ensure that there is challenge to drift in care planning, and support for practice improvements.
- The quality of audits so that they support the evaluation of social work practice and its impact on children.

Findings

- When children are at immediate risk, for example if they have been physically harmed, decisions for them to come into care are taken appropriately and quickly. Timely, good quality pre-birth assessments lead to appropriate decisions being made for unborn children, and these protect them from birth.
- The response to children experiencing neglect is not always prompt or effective. This means that some children are being left in harmful situations for too long and often come into care in an emergency as the result of further significant incidents within their home. This means that some children then experience changes in placement, and delay in effective planning for permanence. This was identified by Ofsted as an area for improvement at the last inspection in 2017 and at the previous focused visit in 2018.
- Family group conferences are routinely used to support children and families to prevent children coming into care or to identify alternative family carers. As a result, many children who come into care can live within their extended family network. These carers are appropriately assessed and supported to ensure that children's needs are met.

- There have been improvements in the process for making decisions about children coming into care. A regular panel now ensures consistency of approach and application of thresholds. This is not always well recorded on children's case files, and it would be difficult for some children to understand the reason that the decision was made for them to come into care should they read their records later.
- When children need to come into care, the local authority undertakes family finding using a matching process based on children's needs. This leads to most children being placed appropriately with carers who can meet their needs. The reasons for carers being matched with children are not well recorded.
- Many initial placement plans and care plans are poorly completed, and do not provide carers with the information they need to look after children. This had already been identified by the local authority as part of their quality assurance activity prior to this visit, and there is a plan in place to support improvements.
- Children in care have their needs met and their circumstances do improve. A wide range of effective services are available from a range of partner agencies, and this supports carers to meet children's needs.
- Most children live with their brothers and sisters when it is in their best interests. They have regular family time with their parents and other family members, which is supervised and supported appropriately by the local authority when needed.
- In most of the cases seen, there is timely planning for permanence at the first review. For a minority of children, this was not achieved because the review focused too much on work with parents and the progression of court processes.
- Social workers can talk about the children they support, and they understand their wishes and feelings. Their workloads mean that they often rely on other professionals to gather this information as they are not able to spend as much time with children as they would wish to. Some children experience several changes in social worker, and this prevents the development of a meaningful relationship.
- Caseloads of social workers remain too high, including for newly qualified workers, who do not currently have appropriately protected caseloads or enough time to learn and develop. Since the last focused visit, senior leaders have undertaken a significant restructuring of the front door to children's social care, which is starting to reduce work in the service. The local authority reports that this is starting to have an impact on the workloads in referral and assessment teams. However, they estimate that it may take a further nine months to impact on workloads in social work teams. The interim plans to reduce caseloads do not sufficiently address these issues, and high workloads remain a significant barrier

to improving the quality and consistency of social work practice. Senior leaders committed to taking further action to address this during the visit.

- Social worker supervision happens regularly, but does not always have an impact on preventing drift for children experiencing neglect. Independent reviewing officers regularly review work with children, but this does not consistently lead to improved practice or ensure that care plans progress in a timely way.
- A new framework for quality assurance was launched in November 2019. This is intended to support a change in culture towards continuous practice improvement, with use of a range of methods to gain feedback. An initial practice week accurately identified some areas for improvement. This has led to further audit activity to evaluate the weaknesses in these areas of practice. Audits remain too focused on compliance, and this reduces their effectiveness in supporting improvement in the quality and consistency of social work practice.
- Social workers report that managers and senior leaders are supportive and accessible and that they receive good support from their colleagues. A wide variety of training is available for social workers and managers, and this has had some positive impact on the work completed with children, for example increasing the use of direct work.

Ofsted will take the findings from this focused visit into account when planning your next inspection or visit.

Yours sincerely

Paula Thomson-Jones
Her Majesty's Inspector

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Public Health and Wellbeing

LEAD OFFICERS: Dominic Harrison

DATE: Thursday, 9 July 2020

PORTFOLIO(S) AFFECTED: All

WARD/S AFFECTED: All

KEY DECISION: Y

SUBJECT:

Local Authority Declaration on Healthy Weight - 3 Years On

1. EXECUTIVE SUMMARY

- 1.1 In April 2017 Blackburn with Darwen's Borough Council and Clinical Commissioning Group became the first in the country to sign a joint Local Authority Declaration on Healthy Weight. The Declaration, which requires senior level commitment, encapsulates a vision to promote healthy weight and to improve the health and wellbeing of those who live, work and go to school in Blackburn with Darwen.
- 1.2 Overseen by the Eat Well Move More Shape Up strategic steering group, there has been significant progress against a number of the local commitments. Whilst progress has been slower against the generic commitments in the Declaration there are a number of upcoming opportunities to embed healthy weight as a priority including the development of the Local Plan and the Department for Transport's emergency funding to promote walking and cycling.
- 1.3 In 2019, Blackburn with Darwen Public Health commissioned Food Active to carry out an independent evaluation of the Healthy Weight Declaration. A number of key Officers and Members were interviewed as part of the evaluation and after assimilation of the information, collected a set of recommendations were provided as part of the final report. The report highlights the need for continued momentum, system wide working where healthy weight is seen as everyone's business and working with communities and Elected Members to drive the Declaration forwards using clear and consistent messages. There is also a further recommendation to review and refresh the local commitments beyond 2020. In light of the recent evidence of the impact of obesity and diabetes on COVID-19 outcomes this is an opportune time to revisit and revise the local commitments in the Declaration to highlight the importance of a healthy weight for health and wellbeing, encouraging and supporting a resilient food system and active travel for all.

2. RECOMMENDATIONS

That the Executive Board:

- Notes the content of the report.
- Notes to progress made to date and the key issues impacting on effective implementation of the commitments within the Declaration.
- Notes the content of and recommendations in the Local Authority Declaration on Healthy Weight Evaluation.

- Supports the review and refresh of the current Local Authority Declaration on Healthy Weight.

3. BACKGROUND

3.1 Since the signing of the Declaration there has been significant progress against a number of the local commitments including

- Designation of Blackburn with Darwen as a Breastfeeding Friendly Borough.
- Formation of the BwD Food Alliance, which manages the delivery Good Food Plan.
- Support to introduce the Daily Mile in primary schools in the borough.
- Development of a primary school food policy for schools to adopt.
- An Early Years Food & Physical Activity Guide developed for all early years settings.

3.2 Since signing the Healthy Weight Declaration, Blackburn with Darwen Council has led two successful Pennine Lancashire wide applications to national funding opportunities which impact on healthy weight across the life course. The Department of Health and Social Care funded Childhood Obesity Trailblazer Programme 'Healthier Place Healthier Future' and the Sport England funded Local Delivery Pilot 'Together an Active Future' present significant opportunities to raise the profile of physical activity and healthy eating whilst influencing local policy and practice to embed healthy weight in all policies. This national investment and support brings the national spotlight to Blackburn with Darwen with other local authorities keen to learn from our work.

3.3 Whilst there has been much progress, there is a great deal of work still to do (Appendix A). A feature of the approach to tackling unhealthy weight in Blackburn with Darwen is the strong partnerships that exist across organisations and the understanding of the need to take a systems approach. The independent evaluation carried out in 2019 led to a number of key findings which will inform future development and priorities in tackling unhealthy weight.

3.4 In July 2019, Public Health England published a guide for local authorities to promoting a healthy weight by taking a whole systems approach. A local whole systems approach to healthy weight is a 'health in all policies' approach, which draws on local authorities' strengths and recognises they can create local approaches more effectively by engaging with their community and local assets. This guide supports both the Declaration and the systems approach we are taking in Blackburn with Darwen.

3.5 The current COVID-19 pandemic has highlighted the fragility in the food system for all and the potential impact on the most vulnerable in our communities and the need for a local approach to building resilience across the system. It also gives an opportunity to capitalise on the messages around the importance of physical activity in promoting health and wellbeing. The national message to be more active has positively impacted the numbers walking and cycling and people have also been cooking more often and beginning to grow their own fruit and vegetables. It is well documented that obesity and diabetes worsen the impact of COVID-19 and may begin to support a social movement around healthy weight being facilitated by the Healthier Place Healthier Future programme.

3.6 The original Local Authority Declaration on Healthy Weight has been reviewed and refreshed by Food Active and will be launched in June 2020. With this in mind, and on the back of the recent evaluation of Blackburn with Darwen's current Declaration, it would be an appropriate time for Blackburn with Darwen to refresh and relaunch

4 KEY ISSUES & RISKS

4.1 There is a real opportunity to capitalise on the impact of COVID-19 on people's attitudes to health and wellbeing. While this is the case it presents a window of opportunity make a real difference. It is recognised that the framing of messages around healthy weight will be important to ensure community engagement with the Declaration and work through the Healthier Place Healthier Future programme can work to develop appropriate local framing of healthy weight messages.

5 POLICY IMPLICATIONS

None identified.

6 FINANCIAL IMPLICATIONS

None identified

7 LEGAL IMPLICATIONS

None identified.

8 RESOURCE IMPLICATIONS

The review and refresh of the Declaration would be undertaken by the Public Health team. This work would be supported by the Shape Up sub group membership and overseen by Eat Well Move More Shape Up strategic steering group. Action and activity will be shared across partners where possible.

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.

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.

10 CONSULTATIONS

Ten Officers and Elected Members were interviewed as part of the independent evaluation. The Eat Well Move More Shape Up steering board and Shape Up sub group have been consulted and are supportive of a review and refresh of the Declaration.

11 STATEMENT OF COMPLIANCE

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

12 DECLARATION OF INTEREST

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

CONTACT OFFICER:	Ailsa Smith, ailsa.smith@blackburn.gov.uk
DATE:	11 th June 2020
BACKGROUND PAPER:	Blackburn with Darwen's Local Authority Declaration on Healthy Weight 2017 Blackburn with Darwen's Local Government Healthy Weight Declaration: An Evaluation

Progress against Local Authority Declaration on Healthy Weight commitments – LA/CCG

		By Who	Time-scale	RAG Rating	Comment / Update on Progress
1.	Commitments:				
1.1	Protecting residents from the commercial pressures and vested interests of the food and drink industry supplying high fat, salt and sugar products.	LA - Comms PH&WB			<p>The council's advertising policy was reviewed in 2017 and PH commented on and made recommendations for HFSS food and drinks to be included in 400m hot food takeaway restriction around schools. No changes were made to the policy at that time.</p> <p>Recommendation/Action: to review of Advertising Policy to support the Childhood Obesity Trailblazer work and address this commitment in LADHW Support the roll out of the BiteBack 2030 campaign for young people</p>
1.2	Consider how commercial partnerships with the food and drink industry may impact on messages communicated around healthy weight to the local community.	LA – Comms PH&WB/ Strategic Partners			<p>Piece of work required to develop to map out potential conflicts of interest with the HFSS in funding/commercial partnerships with partners. This should include wider PH messages around alcohol, gambling and climate change conflicts. Acknowledge issues around loss of funding when raising this.</p> <p>The Council have supported the rejection of both the Coca Cola Christmas Truck and Premier League Trophy Tour Bus from coming to BwD</p> <p>Recommendation/Action: Work with relevant partners such as Healthy Stadia to develop action plan to support this commitment</p> <p>Continue to support the lobbying against Coca Cola coming to the Borough if approached.</p>
1.3	Review provision in all our public buildings, facilities and providers to make healthy foods and drinks more convenient and affordable and limit access to high-calorie, low-nutrient foods and drinks (to include all public institutions	LA/ - PH&WB Procurement CCG			<p>ELHT have implemented changes to vending as part of the CQUIN to increase the access to healthier options. Learning from this can be shared with and used by LA and CCG.</p> <p>CCG Fusion House vending machine is owned by St Modwen – after a consultation with staff they asked that it remain in situ.</p> <p>Range of catering contracts via LA – contracts require review with Public Health support</p> <p>Recommendation/Action: Undertake a full review of vending machines in all council owned/controlled buildings</p> <p>Request CCG support a review of CCG and Health Centre vending offer</p>

		By Who	Time-scale	RAG Rating	Comment / Update on Progress
	such as schools, hospitals, care homes, leisure facilities).				Develop a staff consultation to support the review across LA/ CCG/Health Centres Review LA catering contracts
1.4	Increase public access to fresh drinking water on local authority controlled sites.	LA – Environment PH&WB/ CCG			Water available via fountains in gyms for facility users but not in other building for public Opportunity to support single use plastic agenda and Council's Climate Emergency Declaration by promoting www.refill.org.uk and re-useable bottles Possible opportunity to provide access to water in parks via application to Heritage Fund Recommendation/Action: Promote Refill.org.uk with BwD businesses and organisation Source funding for water fountains in town centres Engage with United Utilities to explore water availability
1.5	Consider supplementary guidance for hot food takeaways, specifically in areas around schools, parks and where access to healthier alternatives are limited.	LA – Planning PH&WB			Planning for Health SPD adopted in 2016 with some success. A5 applications had reduced however A3s have increased. PL has recently been chosen as a Childhood Obesity Trailblazer area and this will give some capacity to review and strengthen the PfHSPD and support other districts to adopt their own SPD. A range of planning regulatory tools will be explored to determine best fit which will be supported by an enhanced Recipe 4 Health programme Recommendation/Action: Review and strengthen PfHSPD
1.6	Advocate plans with partners including the NHS and all agencies represented on the Health and Wellbeing Board, healthy cities, academic institutions and local communities to address the causes and impacts of obesity.	LA/CCG/ Pennine Leaders Forum			Regular update to CCG Governing Body on EWMMSU strategy and Declaration commitments. Quarterly Shape Up sub groups meetings and EWMMSU Strategy steering group and annual report which are shared with HWBB. Healthy Weight Summit held in March 2019 with planned 6/12 follow ups. Recommendation/Action: Work more closely with emerging PCNs on healthy weight agenda to be supported by Sport England programme work Support Elected Members to be advocates for healthy weight in their communities and member duties

		By Who	Time-scale	RAG Rating	Comment / Update on Progress
1.7	Strive to protect our children from inappropriate marketing by the food and drink industry	LA/HPHF Programme			<p>Links to 1.1</p> <p>Opportunity to be part of the Outsmart Advertising scheme (meeting Aug 2019 to discuss)</p> <p>Raise awareness of advertising and marketing techniques in communities via Trailblazer 'Great Big Junk Food Debate' campaign</p> <p>Recommendation/Actions: Ensure advertising/marketing techniques included in the campaign</p> <p>Explore Outsmart Advertising opportunity</p> <p>Support the Bite Back 2030 campaign</p>
1.8	Support the government in taking action at national level to help local authorities reduce obesity prevalence and health inequalities in our communities	LA – PH&WB			<p>DPH lobbies national Government via ADPHs nationally to reduce inequalities. Support Food Active in consultation responses particularly around the Childhood Obesity Plan</p> <p>Submit expressions of interest for national programmes impacting on childhood obesity which include ambitious plans to tackle unhealthy weight locally. Recent success with Childhood Obesity Trailblazer and Sport England Local Delivery Pilot both with which have the potential to impact on national policy and strategy</p> <p>Continue to share good practice regionally and nationally where invited to do so e.g. PHE Spatial Planning Conference 2019, Westminster Food and Nutrition Forum 2019</p> <p>Recommendation/Actions: Continue to support activity as described above</p>
1.9	Ensure food and provided at public events includes healthy provisions, supporting food retailers to deliver this offer.				<p>Little progress to date. Relevant relationships need to be built to work on food offer at events which have Council control. National Festival of Making is an opportunity to showcase healthy street food and local food businesses however this years had little healthy food/drink – opportunity to influence food/drink offer and develop cooking opportunity during the Festival.</p> <p>Support to partner events to be offered via Be Well Together</p> <p>Recommendation/Action: Discuss approach to support event catering/food at Food Alliance meeting</p>

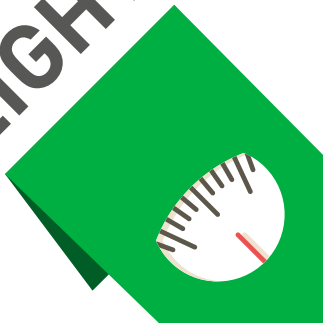
		By Who	Time-scale	RAG Rating	Comment / Update on Progress
					National Festival of Making – link with organisers to plan a healthier food/drink offer Seek examples of good practice from other LAs around public event food offers
1.10	Support the health and well-being of local authority staff and increase knowledge and understanding of overweight and obesity to create a culture and ethos that de-normalises unhealthy weight.	LA – PH&WB HR			Wellbeing Week held in October for the last two years – moving to a Wellbeing Month in 2019. Focus across all areas of wellbeing. Access to Wellbeing Service and reduced price gym membership – not all will/want to access. Network of Workplace Health Champions (WHC) to pass on wellbeing information to teams – not all areas are covered by WHC. Workplace health programme places large focus on Mental Health - more emphasis required on de normalising unhealthy weight. Addressing embedded workplace food culture around rewards, fundraising etc Recommendation/action: Workplace GULP campaign to be piloted Identify WHC gaps and recruit. Review all HR policies to ensure healthy weight is embedded. Consult with HR team and all BwD staff around attitudes to food and physical activity and use responses to shape outcomes to begin to address food culture across the council
1.11	Consider how strategies, plans and infrastructures for regeneration and town planning positively impact on physical activity.	LA – PH&WB Planning Transport			BwD Local plan review has commenced 2019 – Public Health have commented. Health Impact Assessments should be reviewed for all major applications – currently PH do not see these Recommendation/action: To work closely with Strategic Planners to ensure the PfHSPD is embedded in the Plan and physical activity is embedded in other relevant strategies Work with Transport Planner to promote active travel and increase walking and cycling Embed a process for PH to review major applications
1.12	Monitor the progress of the plan against	LA – PH&WB			Independent evaluation being completed Sept 2019 with report to Exec Board, CCG Governing Body and HWBB with recommendations to follow.

		By Who	Time-scale	RAG Rating	Comment / Update on Progress
	commitments and publish the results				Progress monitored via EWMMSU Steering Group Recommendation/Action: Reports to Boards as above on completion of evaluation
2.	Local Commitments:				
2.1	Support the introduction of 'Mile a Day' and 'Couch to 5k' in primary and secondary schools respectively				Training for primary schools promoted and provided by BwD SGO, BRFC Trust and Active Lancashire. Training will continue to be provided as required. Mapping exercise continues but difficult to keep accurate log of schools who participate. Couch to 5K more difficult to develop due to run leaders being required to be over 18. Youth Sport Trust have been running programmes in school to support them to embed PA as a part of the school day – Pleckgate case study on whole school approach to physical activity. Recommendation/action: DfE Healthy Schools Rating released July 2019 and to be used to engage HTs in embedding Daily Mile or similar in school day. PH to visit HT forums to promote
2.2	Support Early Years settings to enable a structured physical activity offer and healthy food policy	LA – PH&WB EYS team			EYS food and physical activity guide developed in 2018 and made available for all EYS providers. PH have been trying to evaluate uptake and usefulness of the tool – no significant response yet Annual review complete 2019 Further work to support fundamental movement skills (FMS) to be explored via Sport England programme to aid school readiness and support lifelong physical activity habit Recommendation/action: Evaluation required to assess effectiveness of the Guide – support require from LA EYS team. Develop pilot FMS programme through Sport England LDP
2.3	Develop a Food Poverty Network to reduce food poverty and tackle malnutrition in all settings	BwD Food Alliance			BwD Food Alliance now 'live' and managing the BwD Good Food Plan to tackle food insecurity and sustainability. This is being managed via quarterly meetings – senior leadership now required to gain and maintain momentum. The Alliance acknowledges that funding is required to ensure the plan is able to be delivered effectively.

		By Who	Time-scale	RAG Rating	Comment / Update on Progress
					Recommendation/action: Identify senior leader to Chair meetings Identify funding sources to support the delivery of the Good Food Plan
2.4	Support the introduction of school food policies including lunchbox policies	LA-PH&WB Education			Primary school food policy developed in November 2017 for school to adopt. Evaluation of this is now required – support from Education services requested. Secondary school food guide is being co-developed with young people, BwD Healthwatch and UCLAN and will consider the whole school approach to food. Schools currently being identified to support this work. Recommendation/action: Evaluation of primary food policy to complete. Begin work on secondary food guide
2.5	To be a designated Sugar Smart Town	LA – PH&WB HPHF team			Work to be included in Childhood Obesity Trailblazer programme. Aiming for adoption in Sugar Smart September but due to work on the Trailblazer this will now be postponed until April 2020 to coincide with a celebration of 3 years of the strategy. Engage partners to make the pledge as part of the launch. Recommendation/action: Sugar Smart Town adoption to be put on Exec Board forward planner for April 2020. Develop action plan in conjunction with Trailblazer work
2.6	Develop a Food Charter for the Borough to promote healthy and sustainable food in a local economy	BwD Food Alliance			Developed as part of the Good Food Plan. Also developed a Pledge to support the plan. This will be managed via the BwD Food Alliance. Recommendation/action: Links to ICS sustainable food strategy to be made.
2.7	Promote Active Travel and use Rights of Way across the Borough to increase physical activity, for social and employment opportunities and minimise air pollution	LA – PH&WB BwD Connect			BwD Connect programme developed a range of activities and interventions to promote active travel and cycling activities for beginners to advanced cyclists. Funding ends this year – risk to continuation of programme Further work to promote RoW to be developed – walking is a priority within the BwD Sport England Pathfinder business case. The HW Declaration supports the Council's Climate Emergency Declaration Recommendation/action: make clear link to the HWDec and EWMMSU strategy within Climate Emergency action plan to support multiple agendas Develop walking and cycling as a priority in Sport England development. Opportunities through DfT Emergency Funding (Coronavirus) to enable safer cycling and walking in the Borough – working with Highways to achieve this

		By Who	Time-scale	RAG Rating	Comment / Update on Progress
2.8	Support 'Street Play' initiatives through exploring the implementation of periodic temporary street closure orders and other innovative sites for play	LA – PH&WB Adults & Prevention			To be explored via Sport England funding. To include alley and street play along with other 'non-standard' play areas that do not include closing streets. Explore examples of good practice across the country. Work with Keep Blackburn/Darwen Tidy to develop opportunities. Recommendation/action: Develop pilot via Sport England programme Engage KBT/KDT to develop a programme to support environmental agenda alongside increasing physical activity Community Safety team in A&P have a Street Play programme set up – to be supported by the Active BwD group and developed with the support of SE funding and partnership working
2.9	To be a designated Breastfeeding Friendly Town	LA – PH&WB Children's Services ELHT LCFT			Status achieved in November 2018. ELHT Baby Friendly Team lead on action plan. Six 'permanent' billboards across the town with images of mums feeding their babies in local places. Initiation rate now at 80%. BF Team Gold Award holders for sustainability with a successful reaccréditation of Health Visiting and Children's Centres. Network of volunteers to support BF mums and very active Facebook support group 'Breast Intentions' Further work now required within the Council to embed aims and objectives of a Breastfeeding Friendly Town Recommendation/action: Review of Breastfeeding policy. Review of staff training around supporting BF
2.10	To achieve Sustainable Food Town status	BwD Food Alliance			Links to 2.3 and 2.6 Aim to achieve by end of 2020/21

LOCAL GOVERNMENT DECLARATION ON HEALTHY WEIGHT



THIS LOCAL GOVERNMENT DECLARATION ON HEALTHY WEIGHT IS A STATEMENT, INDIVIDUALLY OWNED BY BLACKBURN WITH DARWEN BOROUGH COUNCIL AND BLACKBURN WITH DARWEN CLINICAL COMMISSIONING GROUP.

It encapsulates a vision to promote healthy weight and improve the health and well-being of the local population. We recognise that we need to exercise our responsibility in developing and implementing policies which promote healthy weight.



Milka
Page 31
Cllr Mohammed Khan M.B.E.
Leader of the Council

Mustafa Desai
Cllr Mustafa Desai
Executive Member
for Health and
Adult Social Care

Dominic P. Harrison
Dominic Harrison
Director of Public Health

Chris Clayton
Dr Chris Clayton
Clinical Chief Officer
Blackburn with Darwen
Clinical Commissioning Group

WE ACKNOWLEDGE THAT:

- > Unhealthy weight is a serious public health problem that increases disability, disease and death and has substantial long term economic, well-being and social costs. The proportion of the population affected by unhealthy weight continues to rise;
- > Unhealthy weight is affected by health inequalities and is more common in lower socio-economic groups;
- > Poor diet during early life (the period between conception and weaning) can carry adverse health consequences in later life;
- > Poor diet and an unhealthy weight are risk factors for cardiovascular disease, cancer and type 2 diabetes which contribute powerfully to poor health and premature death;
- > Energy dense food and drinks high in fat and sugar and low in essential nutrients contribute to a significant amount of additional and unnecessary calories in the diet;
- > There is greater availability and access to foods and drinks high in fat, sugar and salt which are increasingly eaten outside of the home, contributing to excess energy intake;
- > Increased intake of foods high in fat and sugar and low in fruit and vegetables are strongly linked to those in manual occupations;
- > People living in more socially deprived areas have less access to healthy foods;
- > Advertising and marketing of foods and drinks high in fat, sugar and salt increases their consumption;
- > Education, information and the increased availability of healthy alternatives help individuals to make healthy, informed food and drink choices;
- > Modern physical activity environments contribute to sedentary lifestyles;
- > Urban planning can have a significant impact on opportunities for physical activity, promoting safer environments for walking, cycling and recreation.

AS LOCAL LEADERS IN PUBLIC HEALTH WE WELCOME THE:

- > Opportunity for local government to lead local action to prevent obesity, securing the health and well-being of our residents whilst considering available social, environmental and financial NHS and social care resources;
- > Opportunity to protect some of the most vulnerable in society by giving children the best start in life and enabling all children, young people and adults to maximise their capabilities and make informed choices;
- > National commitment to address childhood obesity;
- > Support for the Local Authority Declaration on Healthy Weight from the following organisations: Association of Directors of Public Health North West, British Dental Association, Children's Food Campaign and the UK Health Forum.

WE COMMIT OUR COUNCIL FROM THIS DATE

13.04.2017

...to sign the Declaration to show commitment to reducing unhealthy weight in our communities, protect the health and well-being of staff and citizens and make an economic impact on health and social care and the local economy by striving to:

- > Engage with the local food and drink sector (retailers, manufacturers, caterers, out of home settings) where appropriate to consider responsible retailing (such as not selling energy drinks to under 18s), offering and promoting healthier food and drink options, and reformulating and reducing the portion sizes of high fat, sugar and salt (HFSS) products;
- > Consider how commercial partnerships with the food and drink industry may impact on the messages communicated around healthy weight to our local communities. Funding may be offered to support research, discretionary services (such as sport and recreation and tourism events) and town centre promotions;
- > Review provision in all our public buildings, facilities and 'via' providers to make healthy foods and drinks more available, convenient and affordable and limit access to high-calorie, low-nutrient foods and drinks (this should be applied to public institutions such as schools, hospitals, care homes and leisure facilities where possible);
- > Increase public access to fresh drinking water on local authority controlled sites;
- > Consider supplementary guidance for hot food takeaways, specifically in areas around schools, parks and where access to healthier alternatives are limited;
- > Advocate plans with our partners including the NHS and all agencies represented on the Health and Well-being Board, Healthy Cities, academic institutions and local communities to address the causes and impacts of obesity;
- > Protect our children from inappropriate marketing by the food and drink industry such as advertising and marketing in close proximity to schools; 'giveaways' and promotions within schools; at events on local authority controlled sites;
- > Support action at national level to help local authorities reduce obesity prevalence and health inequalities in our communities;
- > Ensure food and drinks provided at public events include healthy provisions, supporting food retailers to deliver this offer;
- > Support the health and well-being of local authority staff and increase knowledge and understanding of unhealthy weight to create a culture and ethos that normalises healthy weight;
- > Invest in the health literacy of local citizens to make informed healthier choices;
- > Ensure clear and comprehensive healthy eating messages are consistent with government guidelines.
- > Consider how strategies, plans and infrastructures for regeneration and town planning positively impact on physical activity;
- > Monitor the progress of our plan against our commitments and publish the results.

IN ADDITION OUR LOCAL AUTHORITY WILL WORK TOWARDS:.....

- > Support the introduction of 'Mile a Day' and 'Couch to 5k' in primary and secondary schools respectively
- > Support Early Years settings to enable a structured physical activity offer and healthy food policy
- > Develop a Food Poverty Network to reduce food poverty and tackle malnutrition in all settings
- > Support the introduction of school food policies including lunchbox policies
- > To be a designated Sugar Smart Town
- > Develop a Food Charter for the Borough to promote healthy and sustainable food in a local economy
- > Promote Active Travel and use of Rights of Way across the Borough to increase physical activity, for social and employment opportunities and minimise air pollution
- > Support 'Street Play' initiatives through exploring the implementation of periodic temporary street closure orders and other innovative sites for play
- > To be a designated Breastfeeding Friendly Town
- > To achieve Sustainable Food Town status

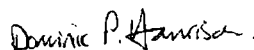
Signatories:



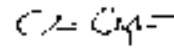
Cllr Mohammed Khan M.B.E.
Leader of the Council



Cllr Mustafa Desai
Executive Member for Health
and Adult Social Care



Dominic Harrison
Director of Public Health



Dr Chris Clayton
Clinical Chief Officer
Blackburn with Darwen Clinical
Commissioning Group

To be reviewed by 13th April, 2018

**FOOD
ACTIVE**



NHS
Blackburn with Darwen
Clinical Commissioning Group

The Local Authority Declaration on Healthy Weight has been designed and developed on behalf of Food Active, by the Health Equalities Group and is based on the the Local Authority Declaration on Tobacco Control.

For further information please contact:
info@hegroup.org.uk

BLACKBURN WITH DARWEN'S LOCAL GOVERNMENT HEALTHY WEIGHT DECLARATION:

An Evaluation



October 2019

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1.0 SUMMARY

The Local Government Declaration on Healthy Weight (Declaration) enables local authorities to review their policies and consider how these may impact on healthy weight; it draws attention to the problems caused by overweight and obesity; it helps the council both to take leadership but also to challenge partner organisations to play their own role in addressing healthy weight.

The Declaration was originally designed by the North West based healthy weight campaign, Food Active in consultation with expert stakeholder, including Directors of Public

Health, local authority officers, academics and partner organisations.

This evaluation report of the Blackburn with Darwen Declaration was requested in order to assess progress. It contains a background to the Declaration and the steps Blackburn with Darwen Council and Clinical Commissioning Group (CCG) took for it to be adopted. Ten senior council officers and members were interviewed for their insight and comments.

The report is authored by Alex Holt of Food Active.

2.0 INTRODUCTION

Food Active is a regional healthy weight campaign commissioned by local authorities in the North West including Blackburn with Darwen Council. The programme was initiated in 2012 as a collaborative commitment by Directors of Public Health to address obesity, following the launch of the Government White Paper 'Healthy Weight Healthy Lives'. The Food Active brand was launched in November 2013 using a website, e-bulletin and social media and is now well known both nationally and internationally.

Food Active has proposed the development of a Local Government Declaration on Healthy Weight as a means for local government to take a 'whole systems' policy-based to addressing obesity. Blackpool Council was the first to adopt such a Declaration in January 2016 with three other North West councils following in the next twelve months (St Helens, Knowsley and Lancashire). Blackburn with Darwen were the first council to jointly sign with their CCG (13th April 2017). To date (October 2019) 19 councils have signed the Declaration.

3.0 BACKGROUND TO THE FOOD ACTIVE LOCAL GOVERNMENT DECLARATION ON HEALTHY WEIGHT

Food Active aims to add value locally by tackling obesity through a collaborative approach, with a specific focus on population level policies that will help reduce excess weight. In August 2014, Food Active organised and hosted a meeting with expert stakeholders to initiate discussions on the principles of drafting a local authority commitment to address obesity. The rationale for developing such a document is based on the Local Authority Declaration on Tobacco Control. The event informed initial discussions on the focus, priorities for action and overarching vision for

the policy tool, to consider engagement and support within local authorities and a process for its development and possible timescale. Further workshops were then delivered across the region with key stakeholders in three local authorities. The objectives were to consider the proposed content and local variation in relation to priorities and issues affecting policy development and decision making, engagement with key council members and national and local endorsement. These events resulted in the development of a draft declaration in 2015.



Street in Blackburn depicting the unhealthy food environment

4.0 THE BLACKBURN WITH DARWEN COUNCIL AND CLINICAL COMMISSIONING GROUP DECLARATION ON HEALTHY WEIGHT

The Declaration was launched as part of the Eat Well, Move More, Shape Up Strategy to provide strategic leadership to the healthy weight agenda. Overweight and obesity levels in Blackburn with Darwen (as of 2017/18 results) are:

Overweight (including obesity): 23.6% in reception, 34.6% in year 6 and 61.9% for adults. The reception and year 6 figures for Blackburn with Darwen are higher than the England average (22.4% for reception; 34.3% for year 6), but lower than the North West average (23.9% for reception; 35.5% for year 6). The figure for adults in Blackburn with Darwen is very slightly lower than both the England (62.0%) and North West average (64.3%).

Blackburn with Darwen's Eat Well, Move More, Shape Up Strategy is structured around access to affordable, healthy and good quality food; increasing opportunities to be physically active; and health promoting environments, the aims include:

Eat Well Aims

- Promote healthy and sustainable food choices for all
- Tackle food poverty and diet related ill-health across the life course
- Build community food knowledge, skills and resources
- Promote a vibrant diverse local food economy
- Transform catering and food procurement
- Reduce waste and the ecological footprint of the food system



Move More Aims

- Active society: creating a social movement where physical activity is a priority for everyone
- Moving professionals: activating networks to create active healthy workplaces and make every contact count to promote physical activity
- Active environments: creating the right spaces for safe and enjoyable physical activity
- Moving at scale: maximising the potential of the existing assets and build on existing evidence base on what works to make us active

Shape Up Aims

- Transforming the environment we live in
- Making healthier choices easier by educating and empowering individuals and communities
- Giving all children the best start and tackling the generational issue of healthy weight in families
- Ensuring holistic and integrated evidence-based support for individuals with weight related conditions– either under or overweight



Children eating lunch, St. Gabriel's Primary School

The Blackburn with Darwen Declaration includes two sections. The first is a series of 14 generic statements developed by Food Active, and in consultation with the steering group, concerning the impact of overweight and obesity and includes commitments to protect the well-being of staff and citizens. The second part includes 10 commitments agreed by Blackburn with Darwen Council to meet its local needs. This is the same approach taken by the majority of the councils who have adopted similar Declarations in England. The text of Blackburn with Darwen's local commitments is contained in full in Appendix 2.

Signing the Declaration on Healthy Weight in Blackburn with Darwen meant the council made a formal and public commitment to support employees and the residents of Blackburn with Darwen to tackle the issue of obesity by encouraging individuals to make healthy choices. It was signed formally by Cllr Mohammed Khan M.B.E., Leader of the Council; Cllr Mustafa Desai, Executive Member for Health and Adult Social Care; Dominic Harrison, Director of Public Health.



Signatories of Blackburn with Darwen's Healthy Weight Declaration.

5.0 METHODS OF EVALUATION

In addition to having access to both internal and publicly available Blackburn with Darwen Council briefing documents and presentations, interviews were carried out with ten key respondents in senior roles within Blackburn with Darwen Council including four Elected Members. They were asked the same seven questions (see Appendix 3) and asked if there was anything that they wanted to add at the conclusion of the interview.

The interviews were either recorded on an audio device and notes taken as back up or completed electronically by the participant, if an interview was not possible. A transcribed version of each interview was sent to the participant for verification. The respondents can all be identified (see Appendix 1) but given it is the roles they play in relation to the Declaration that are important, they are referred to below as follows:

DPH	Director of Public Health
PHDM	Public Health Development Manager
CCG	CCG Clinical Lead
CPH	Consultant in Public Health
EMCYP	Executive Member for Children, Young People and Education
EMDCS	Executive Member for Digital and Customer Services
EMCL	Leader of the Council
EMAHW	Assistant Executive Member for Health and Wellbeing
PSDM	Planning Strategy and Development Manager
STP	Senior Transport Planner

6.0 FINDINGS

The transcribed quotes have been themed under each of the question headings. Quotes from all ten of the participants appear in the findings below, some have more quotes than others due to the level of detail in the interview. Please note not all issues raised by interviewees have been included in this report, some text has been issued for reasons of brevity.

6.1 OBESITY IN BLACKBURN WITH DARWEN

All saw obesity as an important issue and were clear that obesity needed to be addressed.

- CCG: "Yes, as a GP I see lots of patients with weight problems, and this directly and indirectly contributes to a lot of ill health".
- STP: "With recent figures indicating that one in four adults in Blackburn with Darwen are classified as obese and with 1.5% classified as severely obese I would, yes feel that obesity is a problem within the Borough"
- CPH: "Yes for me absolutely, obesity is a local problem for us"

Links between obesity and deprivation/poverty.

- EMCL: "Yes, it is a problem, particularly amongst the more deprived".
- EMDCS: "Obesity is a problem, we have known for a number of years, in terms of where the town sits in the terms of demographics, in terms of poverty, it is a constant problem that we are trying to address
- PHDM: "Both adult and childhood obesity levels in Blackburn with Darwen are similar to the national average. However, the main issue in Blackburn with Darwen is the Level of obesity within our most deprived wards. Our most deprived wards also see an increase in poor dental health, disproportionate numbers of hot food takeaways and poor access to green space".

There was acknowledgement that underweight is an issue in Blackburn with Darwen.

- EMCYP: "I think healthy weight overall is a problem. It is both a problem in terms of overweight and obesity but also underweight.
- DPH: "We are not surprising amongst the very worst in the country [for obesity] given our level of poverty and given that obesity is linked to poverty. I think one of the reasons for that, for us, is that we have 30% south Asian population who certainly in the younger years tend to weigh less, in fact we have a related but opposite problem which is relatively high percentage of low weight children. Of course, those things can be related, but in our case, we think some of it is related to ethnicity."

6.2 ROLES IN PROMOTING HEALTHY WEIGHT IN BLACKBURN WITH DARWEN

Ensuring healthy weight is discussed and taken seriously:

CPH: "My role is trying to explain that it is not just about taking a population approach, it's not just what services we commission and care pathways we have for treating weight issues, it is about a whole system change...it is partnership working and raising awareness that slight changes to policies and practice in various sectors could influence overall outcomes of obesity prevalence".

Making sure change happens:

EMCL: "I am responsible as leader of the council for the action plan, to make sure we are monitoring the whole process, to make sure the strategy is implemented in our policies and practice in the local authority"

DPH: "As a Director of Public Health of course, my role is to make sure the system is working to produce the maximum number of the population in the healthiest weight possible...I think one of the things we are increasingly realising is that we cannot screen, case-find or treat our way out of obesity, because the percentage of the population with that problem is getting bigger every year".

PHDM: "I support the council, CCG and other settings in ensuring healthy weight is a priority in all policies and daily practice".

Understanding all council services have a role to play in addressing unhealthy weight:

STP: "I see my role as more of a supportive role in promoting healthy weight in Blackburn with Darwen through the Connecting East Lancashire Programme (CEL). CEL encourages people to be more active through walking and cycling schemes.

PSDM: "My role is to ensure Blackburn with Darwen's strategic framework supports and highlights the promotion of healthy weight wherever possible".

It is about promoting prevention as key:

CCG: "As a GP I am a still a strong supporter of family medicine and influencing families to make the right choices...but I also work with the CCG in a more strategic direction trying to get patients away from medical care and looking at self-management, self-care, and promoting healthy weight and healthy lifestyles".

Understanding the role of elected members:

- EMDCS: "I feel every elected member has a role to play in terms of the uptake and belief around the strategy and actually delivering the messages to inform local residents and the local population on the importance of healthy weight".
- EMCYP: "In my role supporting children and families, it is about the right start for children".



Dr Penny Morris, Medical Director, BwD CCG presenting at the Healthy Weight Summit, March 19.

6.3 ROLES IN SUPPORTING BLACKBURN WITH DARWEN COUNCIL TO ADOPT THE DECLARATION

Role of public health to drive this agenda forward:

- PHDM: "I successfully advocated for the adoption of the declaration with senior leaders from both the council and the CCG".
- DPH: "My role as DPH and our role as a public health department was to lead our key stakeholders in signing up – those stakeholders being the CCG and the local authority".

Communication was key:

- EMCL: "I was to make sure the departments within the council were fully on board to implement this policy and to make sure that all elected members are very much aware of what work we are trying to do, and then they can raise awareness in their own local area.
- CPH: "I ensured the agenda continued, that we continued to have regular strategic meetings, continuing to ensure the whole council recognised that they had a role to play".

System leader support:

- EMAHW: "As an elected member I had to support the officer's recommendations (or not), which I did whole-heartedly.
- EMDCS: "I inputted into the debate and actually supported the executive member and the offices who were bringing this forward".

6.4 HAS THE DECLARATION HELPED TO ADDRESS UNHEALTHY WEIGHT?

It has helped to generate opportunities:

- EMAHW: "It has helped to influence the things we are working on now...Recipe for Health, Obesity Trailblazer, food poverty, working with public and private sector".
- DPH: "I think one of the areas where I could say it has been particularly helpful is that we are now, on the basis of the work done on the declaration and our wider strategic work we have put in bids for, and have been successful in a being a child obesity trailblazer in a recent national programme".
- CPH: "We are committed, we have a strategy, we have a declaration and I think that really strengthens our funding applications, so when funders look at us, we do look like we have actually done the leg work, this project is more likely to succeed because we have got those strong partnerships".

Demonstrates a real commitment:

- STP: "It is valuable in having such a supporting document that shows commitment to improving health and wellbeing of the local population...this in turn completely supports the work we are delivering through the CEL project".
- EMDCS: "Having [a declaration] there reminds us that yes we have the issue and we have a duty of care to deliver our strategies to address the issues that we set out to do".

Ensures policies and practice support healthy weight:

- PSDM: "It's helped to raise awareness of the issue when assessing planning applications for developments which may affect eating behaviours of residents".
- PHDM: "I think people genuinely do not have healthy weight on their radar or consider it an issue when considering policy, service development and embedded daily practice and the Declaration can help to start those sometimes difficult conversations".
- EMCYP: "Policies we have adopted around advertising, what we do what we don't do. Trying to get businesses to think more healthily".

6.5 HAS ADOPTING THE DECLARATION CAUSED ANY DIFFICULTIES?

The general consensus was that the declaration has not caused difficulties for respondents in their roles:

- DPH: "No, we see it very much as an asset and as a very useful tool in mobilising political and organisational support for a set of objectives which should be self-evident but often aren't".
- EMAHW: "Not at all. It is encouraging more than putting obstacles in our way".
- CPH: "We have had some interesting conversations but I would say it was good to have those conversations, so they were actually opportunities".

But there was reference to the fact there were challenges

- EMDCS: "It is not an easy issue to resolve overnight, it is a long game, it is not easy to change people's behaviour, it has challenges and we are working extremely hard to tackle those challenges".
- EMCYP: "For a lot people, they think that we don't understand the pressures of life for them, so where we have got parents who have to work because of the system, it is easier to buy a take away meal or a pre-cooked meal from a supermarket than make it from scratch, because people are busy and they take the simple option which is not always the healthy option".
- PHDM: "There is also a challenge around 'health vs wealth' where economic regeneration and the pressure on the Council to create revenue from advertising and high-profile events such as the Festival of Making. There is no easy answer to this and will be an ongoing piece of work".
- CPH: "We also had a discussion about workplace health which has been quite challenging, so I think we are sometimes seem as the 'food police' or the 'health police'".

And maintaining momentum was seen as key:

EMCL: "The only difficulty I have found was raising the awareness and maintaining momentum".

PHDM: "The difficulty has been maintaining momentum and raising awareness of the Declaration and its commitments".

Healthy weight is everybody's business:

CPH: "Raising awareness of what it means to sign up to the healthy weight declaration, means that everybody has to understand it is about health promoting environments, health promoting settings, and it feeds into workplace health as well, so people need to think before promoting their event, or activity that it does fit, it is a consistent message that we are promoting".

6.6 WHAT STEPS CAN BE TAKEN TO ADDRESS UNHEALTHY WEIGHT IN BLACKBURN WITH DARWEN

Working with communities, with elected members:

EMCL: "Engaging with the community, engaging with elected members....changing behaviour and attitude and culture of the community and individual".

PHDM: "Engaging all elected members in the healthy weight discussion and support them to advocate for healthy weight in their communities".

DPH: "One of our biggest underutilised capacities is the commitment, enthusiasm and continued engagement of our elected members. I think signing the healthy weight declaration is a key strategy to enabling elected members to become engaged at a political level in some of the challenges involved in reducing obesogenic environments".

DPH: "Create a social movement for health".

Around education:

EMDCS: "Education – helping people to understand the effect of a choice they are making".

Early intervention:

EMCYP: "For me it is about starting as early as possible".

CPH: "Recognising children and young people, so starting at a very early age, or even pre-conception with a focus on population health and wellbeing but actually so we don't lose the focus on the family approach and we don't lose the focus and just think about adults and treatment of obesity, we do think about primary prevention as a key policy and strategy".

Review current practice:

PHDM: "Review all policies and ensure healthy weight features in every policy".

PHDM: "Review all communication and marketing activity from the council to ensure consistent messages which affect healthy weight are given out to council staff and residents".

CPH: "Workplace health and staff culture change [within the Council].

CPH: "Look at policies and strategies to ensure we are creating health promoting environments, not contradicting".

DPH: "To be constantly vigilant about what opportunities there are through existing powers of inspection, of regulation, and of planning to control the proliferation of unhealthy hot food outlets in places".

CCG: "With the reconfiguration of services around networks and working more as integrated teams, I think both council and health services, although we have a brilliant connection already, it could be better".

Work as a whole system:

STP: "To ensure the approach to tackling obesity is a whole system approach across all council departments, ensuring everyone understands the importance and the role they have to play".



Physical activity at Blackburn Central High School

6.7 HOW SHOULD THE DECLARATION BE TAKEN FORWARD?

To a certain extent this has been covered previously, keeping momentum going is key, as is engaging with Elected Members and all council departments.

Also using it to look for further opportunities:

EMAHW: "I think the obesity trailblazer is a big, big thing for us and I think it will help us to identify what will work and what isn't working".

Ensuring everyone is aware of the role they have to play:

SPT: "In my opinion it is vitally important that as a council we all understand what the healthy weight declaration is, the role that we play with the work that we do and how we work together to tackle the obesity issue".

Consistent messages:

CCG: "A joint push...so we are all singing from the same hymn sheet, just get this message out that there are ways of getting to a healthier weight, that there is help out there, not just for residents, but for practitioners, for workers, for social workers, for doctors and nurses to make better use of existing resources so we are all sending the right message out, sometimes the message isn't always clear and sometimes it is a little bit confused".

EMCL: "Reviewing our communication system and marketing strategy, and to send a consistent message to residents and staff members of the council".



Seema Kennedy MP and Leader of the Council, Cllr Mohammed Chan OBE visiting a hot food takeaway, to celebrate Pennine Lancashire being selected as a childhood obesity trailblazer.

Continually monitor and review:

- EMDCS: “We have to continually monitor ourselves and assess the impact of the strategies we have implemented – are they really having an impact on people’s weight, on childhood obesity? It is about making those decisions, implementing them, reviewing effectiveness and continually tweaking to improve, then we will end up with a robust strategy to improve people’s lives”.
- DPH: “We need the whole system to sign up, and that means national government and national government departments who create policy and provide the context for healthy or unhealthy food supplies”.
- CPH: “In Blackburn we do have the joint declaration and I think that was a really great move to link with the CCG and the local authority, so place-based prevention. So, to take it on to the next steps we need to think about our other strategic partners in our patch”.
- PHDM: “We will also maintain the engagement from partners and stakeholders who attended the Healthy Weight Summit in March to ‘grow’ the healthy weight movement into communities and settings across Blackburn with Darwen”.
- PHDM: “Review and refresh the local commitments beyond 2020”.



Cllr Brian Turner hosting the Healthy Weight Summit, March 2019. Bringing partners together to strengthen action on healthy weight in the borough.

7.0 SUMMARY AND KEY LEARNING

Ten participants were interviewed for this evaluation exercise. Participants held a wide range of positions and roles, which provided the opportunity to understand views on both healthy weight in Blackburn with Darwen and the Declaration from a variety of perspectives.

- Obesity is considered an issue in Blackburn with Darwen
- All participants felt that they had a role to play in addressing unhealthy weight in Blackburn with Darwen
- Overall participants were very positive about the impact and the opportunities generated from the Declaration
- Participants felt it was key to ensure momentum continued to impact on healthy weight
- Participants felt a system-wide approach was very important
- Utilising Elected Members to drive the healthy weight agenda forwards was seen as important, and useful in engaging communities
- Partnerships were viewed as important – it was suggested that they need to think about other strategic partners across the patch
- Working with communities was flagged as important in driving the Declaration forwards
- Participants felt it was important to use the Declaration to continually revisit and review policies and practice
- It was seen as important to ensure that impact was continually monitored and evaluated
- Consistent messages were viewed as important
- It was suggested that a review and refresh the local commitments beyond 2020 should be considered

8.0 ACKNOWLEDGEMENTS

Thank you to the officers and members of Blackburn with Darwen Council who supported and participated in this evaluation. Thank you to Beth Wolfenden for coordinating the participants.

Thanks to Robin Ireland and Nicola Calder at the Health Equalities Group who led the development of the Local Government Declaration on Healthy Weight.

Thank you to Beth Bradshaw at the Health Equalities Group for her support with the interviews and compiling the report.

9.0 APPENDICIES

APPENDIX 1: INTERVIEWEES FOR EVALUATION REPORT

DPH	Professor Dominic Harrison	Director of Public Health
PHDM	Beth Wolfenden	Public Health Development Manager
CCG	Dr John Randall	CCG Clinical Lead
CPH	Shirley Goodhew	Consultant in Public Health
EMCYP	Cllr Maureen Bateson	Executive Member for Children, Young People and Education
EMDCS	Cllr Quesir Mahmood	Exec Member for Digital and Customer Services
EMCL	Cllr Mohammed Khan OBE	Leader of the Council
EMAHW	Cllr Brian Taylor	Assistant Exexutive Member for Health and Wellbeing
PSDM	Helen Holland	Planning Strategy and Development Manager
STP	Melanie Taylor	Senior Transport Planner

APPENDIX 2: LOCAL COMMITMENTS FROM BLACKBURN WITH DARWEN'S DECLARATION, AS ADPOTED IN MARCH 2017

- > Support the introduction of 'Mile a Day' and 'Couch to 5k' in primary and secondary schools respectively
- > Support Early Years settings to enable a structured physical activity offer and healthy food policy
- > Develop a Food Poverty Network to reduce food poverty and tackle malnutrition in all settings
- > Support the introduction of school food policies including lunchbox policies
- > To be a designated Sugar Smart Town
- > Develop a Food Charter for the Borough to promote healthy and sustainable food in a local economy
- > Promote Active Travel and use of Rights of Way across the Borough to increase physical activity, for social and employment opportunities and minimise air pollution
- > Support 'Street Play' initiatives through exploring the implementation of periodic temporary street closure orders and other innovative sites for play
- > To be a designated Breastfeeding Friendly Town
- > To achieve Sustainable Food Town status

APPENDIX 3: QUESTIONS USED FOR THIS EVALUATION

Q1: Do you feel obesity is a particular problem in Blackburn with Darwen?

Q2: How do you see your role in promoting healthy weight in Blackburn with Darwen?

Q3: What role (if any) did you play in the adoption of the Local Authority Declaration on Healthy Weight by Blackburn with Darwen Council?

Q4: Has the Declaration helped you (and/or the Council) to address healthy weight in Blackburn with Darwen? If so, what influence do you feel it has had?

Q5: Has adopting the Declaration caused any difficulties either for you in your role or for the Council?

Q6: Can you identify what you feel may be the three most important steps that the Council may be able to take in tackling obesity in Blackburn with Darwen?

Q7: What do you think may be the best way of taking the Local Authority Declaration on Healthy Weight forward?

That concludes my questions. Is there anything else about the Local Authority Declaration that you would like to add?

This support pack has been prepared by:

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Produced in November 2019

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth & Development
DATE:	Thursday, 9 July 2020

PORTFOLIO(S) AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT:

Statement of Community Involvement (SCI)

1. EXECUTIVE SUMMARY

The Statement of Community Involvement (SCI) sets the policy for how Blackburn with Darwen Council's Planning Service will involve local residents, businesses and other key organisations and stakeholders in the plan making process and the determination of planning applications in the Borough. The Local Authority is legally bound to adhere to commitments set out in its SCI. The recent impacts of COVID-19 and restrictions imposed on business, social integration and travel mean that a review of the SCI is now necessary.

2. RECOMMENDATIONS

That the Executive Board:

1. Approves the revised Statement of Community Involvement (SCI) which sets the policy for how the Council consults with members of the public and stakeholders in its Planning Service. The revised SCI covers any temporary arrangements that may be necessary during COVID-19 restrictions.

3. BACKGROUND

All local planning authorities are required to prepare a SCI under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012, and is informed by the National Planning Policy Framework (NPPF) 2019.

The SCI demonstrates the ways that the Planning Service will engage with the community and businesses, in both the plan- making process and in decisions on planning applications. It also provides an explanation of the planning process and what happens if you decide to become involved in the process. Planning is integral to our neighbourhoods, and it's important that the local community and businesses become involved at an early stage and throughout the planning process to help inform how Blackburn with Darwen and the places within it might evolve and develop over time.

SCI's must be kept under review at least every five years. Blackburn with Darwen last adopted its SCI in May 2018. The impact of COVID-19 in terms of restrictions imposed by lockdown and social distancing measures has necessitated an earlier review than would otherwise be necessary. By

approving the revised SCI the Council can ensure that consultations in the future remain in accordance with the adopted SCI and therefore legally sound.

The key changes in principle between the adopted May 2018 SCI and this revised SCI are:

1. Confirmation of any potential temporary arrangements that may need to be implemented due to COVID-19 restrictions, the trigger points for commencement, and how this will be communicated; and
2. Inclusion of reference to the latest regulations, including any temporary regulations, to avoid the need for any future update until 2025

4. KEY ISSUES & RISKS

Ensuring that the Council has an up to date SCI in the era of COVID-19 means that the most up to date information on how the community and stakeholders can get involved in the planning system is reflected. The Council can ensure that it meets its legal obligations regardless of whether or not restrictions and social distancing measures are currently in place.

5. POLICY IMPLICATIONS

By having an up to date revised SCI the Council ensures compliance with legal requirements. It also ensures that the community and stakeholders have the opportunity and knowledge of how to engage in the production of planning policy documents and to comment on planning applications early on in the process. The revised SCI identifies potential temporary arrangements for consultations and community involvement that may need to be put in place during periods of COVID-19 restriction. It sets out how the communication of the imposition of temporary arrangements will take place. It also provides more flexibility to accommodate any potential future changes to regulations to minimise the need for any further updates prior to the statutory five year review trigger point for SCIs.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

A SCI is required to be published by local planning authorities under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012, and is informed by the National Planning Policy Framework (NPPF) 2019.

The Council is legally obliged to comply with its Statement of Community Involvement, once it is formally adopted.

8. RESOURCE IMPLICATIONS

Any resource implications of the SCI will be met within existing Growth Board budgets.

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.

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.

10. CONSULTATIONS

The SCI is a statement of fact of how the Council will consult with members of the public and stakeholders in planning application decisions and on planning policy documents. As a result, it is not necessary to consult on the document.

The approved SCI will be made available on the Council's website.

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

CONTACT OFFICER:	PMO Growth, Darren Tweed, , pmogrowth@blackburn.gov.uk, darren.tweed@blackburn.gov.uk
DATE:	01/06/20
BACKGROUND PAPER:	SCI July 2020



Statement of Community Involvement (SCI)

July 2020

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1. Introduction

- 1.1 This Statement of Community Involvement (SCI) sets out the consultation that will take place with the community on planning policy documents and planning applications.
- 1.2 Effective community involvement is likely to have a number of benefits including:
 - It will provide a greater sense of public ownership of local services;
 - It will improve community cohesion and the sense of inclusion;
 - It will enable attention to be given to public priorities and aspirations, strengthening the evidence base by drawing on local knowledge;
 - It provides an opportunity to promote regeneration and a commitment to change by facilitating joint working; and
 - It creates certainty about what will be happening and the timescales involved.
- 1.3 A SCI is required under Section 18 of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012, and is informed by the National Planning Policy Framework (NPPF) 2019.
- 1.4 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 introduced the requirement to review a statement of community involvement every five years, starting from the date of adoption. This came into effect from 6 April 2018. The Council adopted a new SCI in May 2018.
- 1.5 The impacts of COVID-19 and guidance on helping to combat the spread of the virus may now include changes to the way that the Council is able to consult on planning applications and policy. As a result the Council has reviewed its commitments to consultation in light of new guidance¹ and prepared this revised SCI to highlight any temporary arrangements that may need to be put into place during periods of restriction.
- 1.6 Any temporary amendments relating to COVID-19 are highlighted in this document in [] and in *italic* text. Details are set out in the monitoring and review section as to how the Council will decide whether or not the trigger point for COVID-19 restrictions, and therefore the temporary amendments set out in this SCI, are in force.
- 1.7 The Council will ensure that, at a minimum, it consults on both plan making and planning applications in line with the latest regulations, including any temporary regulations that may be enacted². For plan making, where all of the usual deposit points for hard copy documents are closed then the Council will seek to implement alternative systems to ensure adequate and fair access to viewing documents for all sections of the community. E.g. providing paper copies where practical, feasible and no other alternative is available and/or implementing an appointment

¹ <https://www.gov.uk/guidance/plan-making>

² E.g. The [Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

based system for the viewing of documents at the Council's Principal Office. Relevant details will be provided at the commencement of any statutory public consultation period.

2. Blackburn with Darwen Borough Council's consultation approach

- 2.1 People can participate in all aspects of the planning process, including the preparation and examination of planning policy documents, and in the consideration of planning applications.

Planning policy

- 2.2 As part of involving the community in the preparation of planning policy documents, the Council will maintain an up to date consultation database so that anyone or any organisation who wishes to be informed of the progress of planning policy documents is directly consulted when a document is published for consultation.
- 2.3 Appendix 1 lists the key stakeholders to whom draft planning policy documents may be sent for comments. This includes representatives of service and infrastructure providers, regeneration, environmental and health interests. The regulations require the Council, as the Local Planning Authority, to decide which of these might be the appropriate bodies to consult during the consultation period and for their views to be taken into account.
- 2.4 Further information on how the Council will work with the community on planning policy documents is set out in Parts 3 - 5 of this SCI.

Planning applications

- 2.5 As part of notifying the community when planning applications are received, the Council will ensure there is appropriate publicity to enable members of the public to comment on proposals. Further information on how the Council will consult on planning applications is set out in Part 6 of this SCI.

Duty to Cooperate

- 2.6 As part of the statutory Duty to Cooperate, neighbouring authorities and other relevant organisations must work together across boundaries on strategic planning issues that affect them all. Blackburn with Darwen Council will ensure it fulfils its legal requirements and actively engage with the required organisations³.
- 2.7 In accordance with requirements set out in planning regulations⁴ the Council provides details to their communities in its Authority Monitoring Reports of the actions undertaken under the duty to cooperate. This includes details of the actions taken to respond constructively to requests for cooperation from neighbouring planning authorities and other bodies covered by the duty.

³ As set out in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

⁴ The Town and Country Planning (Local Planning) (England) Regulations 2012, [regulation 34 part 6](#)

3. Local Plans

- 3.1 The Local Plan sets out the policies and proposals for development and use of land and buildings in an authority's area. It is the main planning policy document and is subject to mandatory public consultation as well as independent examination.
- 3.2 The Local Plan forms part of the Development Plan and planning applications must be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.
- 3.3 The minimum legal requirements for consultation and public participation in Local Plan preparation are set down in the Town and Country Planning (Local Planning) (England) Regulations 2012. Specified bodies must be consulted if the Council considers that the body may be affected by what is proposed.
- 3.4 In addition to the formal bodies, it is the intention of the Council to involve the community at an early stage in the preparation of its Local Plan. This is essential to work towards the key objectives of openness and consensus, and resolving conflicts.
- 3.5 Community involvement is intended to be continuous throughout the Local Plan preparation process. However, distinct stages of consultation can be recognised within the Plan process, as shown below:

Figure 1: Stages of Community Involvement in Local Plan preparation⁵

Stage	
1	Preparation of a Local Plan (Reg 18) – at least one statutory 6 week public consultation on the scope and proposed content of any new Local Plan
2	Publication of a Local Plan and representations relating to a Local Plan (Regs 19 & 20) – statutory 6 week public consultation
3	Submission of documents and information to the Secretary of State (Reg 22)
4	Independent examination (Reg 24) – may include a further period of consultation where 'main modifications' to the plan submitted under Reg 22 are proposed
5	Inspector's Report (Reg 25)
6	Adoption of a Local Plan (Reg 26)

- 3.6 The following information sets out how the Council will consult with the community and stakeholders at each consultation stage of Local Plan preparation to ensure they have the opportunity for involvement from the outset and throughout the process.

Stage 1: preparation of a Local Plan (Reg 18)

Blackburn with Darwen Borough Council will:

⁵ Town and Country Planning (Local Planning) (England) Regulations 2012

- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders that scoping/issues and options documents are to be published for consultation and are available for inspection. Communication will include details of where documents are available to view (see below), start/finish of consultation and how anyone wishing to make representation is able to do so.
- Send a press release to local newspaper outlining details of the consultation.
- Make copies of any scoping/issues and options documents available for inspection at the Council offices and any other venue the Council considers appropriate (Reg 35). [*Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations*].
- Publish a notification on Council website and social media, along with links to any scoping/issues and options documents.
- Carry out a range of other community involvement methods, appropriate to the scope and potential impact of the Local Plan [*and in line with any Covid-19 guidance or restrictions in place at that time*]. The programme of such exercises will be set out and publicised prior to the commencement of this consultation stage.

Stage 2: Publication of a Local Plan and representations relating to a Local Plan (Regs 19 & 20)

Blackburn with Darwen Borough Council will:

- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, that the draft plan and accompanying evidence base will shortly be published for consultation and be available for inspection. At this stage, the emphasis is on exploring the legality and ‘soundness’ of the document, rather than content.
- Send a press release to local newspaper, outlining details of the consultation.
- Make copies of draft plan available for inspection at the Council offices and any other venue the Council considers appropriate (Reg 35). [*Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations*].
- Publish the draft plan and supporting documents on the Council website. Include information on how to make a representation and what will happen when a representation has been received.
- Publish consultation details, dates and links on social media.
- Issue press release with details of consultation dates, where and when documents will be available for inspection (see above), as well as how representation can be made.
- Use additional, more targeted community involvement methods if deemed appropriate to do so by the Council [*and in line with any Covid-19 guidance or restrictions in place at that time*].
- Consider all representations received within the specified 6 week period (Reg 20).

- Publish a summary of the representations received indicating how they have been considered and whether any changes are proposed as a result.

Stage 3: Submission of documents and information to the Secretary of State (Reg 22)

Blackburn with Darwen Borough Council will:

- Submit a statement of compliance demonstrating how the Council has complied with its Statement of Community Involvement along with accompanying documents. This will set out whom and how the Council consulted at pre-submission stage, the representations received and the main issues raised and how these have been addressed in the Local Plan.
- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, that the submission Local Plan and accompanying evidence base is published and submitted to the Secretary of State for independent examination. Include information advising where hard copies of all documents submitted can be viewed (see below).
- Make copies of the Local Plan and supporting documentation available for inspection at the Council offices and any other venue where pre-submission documents were displayed (Reg 35). *[Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations]*.
- Publicise the submission on Council website and social media.

Stage 4: Independent examination (Reg 24)

Blackburn with Darwen Borough Council will:

- Send email/letter to any person who made a representation on the submission document. Notification should be at least 6 weeks before and information on the time and place at which the independent examination will take place and the name of the person appointed to carry out the examination will be included.
- Publish information on the Council website and on social media.
- *[Any examination will be held in accordance with the latest Planning Inspectorate guidance⁶. The Planning Inspectorate will publish relevant updates on the impacts of Covid-19 on Local Plan examinations on the Government website⁷].*

Stage 5: Inspector's Report (Reg 25)

Blackburn with Darwen Borough Council will:

- Send email/send letter notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, that the Inspector's report has been received and when it will be published.
- As soon as is reasonably practical, publish the Inspector's report and make it available for inspection at the Council offices and any other venue where pre-submission documents were

⁶ <https://www.gov.uk/guidance/local-plans>

⁷ Latest update published 1 April 2020 <https://www.gov.uk/guidance/coronavirus-covid-19-planning-inspectorate-guidance>

displayed (Reg 35). *[Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations]*.

- Publish the Inspector's report on the Council website.
- Publish a notification on social media.

Stage 6: Adoption of a Local Plan (Reg 26)

Blackburn with Darwen Borough Council will:

- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, that the Local Plan has been adopted and include a copy of the adoption statement.
- As soon as is reasonably practical, publish the adopted Local Plan, the adoption statement and accompanying sustainability appraisal report and make these documents available for inspection at the Council offices and any other venue where pre-submission documents were displayed (Reg 35). *[Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations]*.
- Publish notification and documents on the Council website.
- Publish a notification on social media.
- Send out a press release to local newspaper stating that the adopted Local Plan and the adoption statement are available for inspection, indicating where and when they can be inspected.

4. Supplementary Planning Documents (SPDs)

- 4.1 Supplementary Planning Documents (SPDs) are produced to expand on policy and provide additional information and guidance in support of policies and proposals in the Local Plan. They can be site specific or topic based.
- 4.2 As with Local Plan preparation, SPD preparation is informed by community involvement – requirements of which are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulations set out a minimum of four weeks for formal consultation on an SPD. The Council will consider the need for a longer period of consultation where appropriate.
- 4.3 The following information sets out how the Council will involve the community and stakeholders in the various stages of SPD preparation.

SPD Stage: Preparation of draft plan (Regs 12 & 13)

Blackburn with Darwen Borough Council will:

- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, of issues to be addressed in the Supplementary Planning Document. Information sent should include details of consultation period, where any background information can be viewed and how representation can be made.
- Where a site specific Supplementary Planning Document is being prepared, undertake more targeted consultation with the local community in the vicinity of the site if the Council deems it to be a necessary part of the process in order to gather sufficient feedback from interested parties.
- Make copies of the SPD document available for inspection at the Council offices and any other venue the Council considers appropriate (Reg 35). [*Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations*].
- Publish a notification on Council website.

SPD Stage: Adoption and publication (Reg 14)

Blackburn with Darwen Borough Council will:

- Prepare a statement setting out the main issues raised by representations received and how they have been addressed in the SPD the Council intends to adopt.
- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders, that the SPD has been adopted and send them a link to the document and adoption statement on the Council's website.
- Make copies of the adopted SPD and adoption statement available for inspection at the Council offices and any other venue the Council considers appropriate. [*Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations*].
- Publish a notification and make the SPD available on the Council's website.

5. Neighbourhood Development Plans (NDPs)

- 5.1 Neighbourhood planning is a key part of the Localism Act 2011. It gives local communities greater power to shape development by having a direct role in the development of planning policies at a local level.
- 5.2 A Neighbourhood Development Plan (NDP) allows the local community to create a vision and planning policies for the use and development of land in a neighbourhood. For example, where new homes and businesses can be built and what they should look like. They can be general or more detailed, depending on what is important to local people. They must however, conform with the policies within the Local Plan and should not be used to promote a lower level of development.
- 5.3 Consultation on the early stages of the NDP preparation is carried out by the Neighbourhood Forum, Town or Parish Council preparing the Plan. A Statement has to be submitted along with the draft Plan indicating what consultation has been carried out and how it has informed its preparation.
- 5.4 Once the NDP is submitted, the Council is required to consult on the draft Neighbourhood Development Plan as set out in the section below before it is sent to an independent examiner for examination.
- 5.5 Following receipt of the Examiner's report and before the NDP can be 'made' by the Council, a referendum must then also be held for the community to approve the Plan in its final form. A simple majority of the votes is required before the Council can formally 'make' the Plan so that it becomes part of the Development Plan. Regulations on Neighbourhood Development Plans are set out in The Neighbourhood Planning (General) Regulations 2012.
- 5.6 *[Various stages of the Neighbourhood Planning process have the potential to be impacted upon by Covid-19 restrictions. E.g. public consultation, the referendum and/or the examination. The Council will support the Neighbourhood forum appropriately to ensure that procedures are in line with the latest guidance set out in Planning Practice Guidance⁸].*

Neighbourhood Planning Act 2017

- 5.7 Section 6 of the Neighbourhood Planning Act 2017 amends the Planning and Compulsory Purchase Act 2004, which requires a local planning authority to prepare a statement of community involvement. An authority is now also required to set out their policy for discharging the duty to give advice or assistance to qualifying bodies in developing neighbourhood plans and modifying existing neighbourhood plans.

⁸ <https://www.gov.uk/guidance/neighbourhood-planning--2>

5.8 Blackburn with Darwen Council will offer the following advice and assistance in such circumstances:

- Providing qualifying bodies with any required evidence base information where available;
- Carrying out a screening exercise of the draft Plan to determine whether a Strategic Environmental Assessment (SEA) is required to be undertaken;
- Offer advice or assistance where appropriate in any other aspect of preparation of the draft Plan.

Consultation on Neighbourhood Planning preparation

5.9 The following sets out how the Council will help publicise each stage of Neighbourhood Plan preparation.

Defining the Neighbourhood Area (Reg 7) *(statutory 6 week consultation period)*

Blackburn with Darwen Borough Council will:

- Publicise the application on its website, along with displaying site notices across the Neighbourhood area, informing interested parties how a representation can be made (Reg 6).
- Following the decision, the Council will inform the parish council/s and publicise the Neighbourhood Area on the Council website and within the Neighbourhood Area. This will form the 'decision document' (Reg 7).

Write and publicise the draft Neighbourhood Development Plan (Reg 14) *(Statutory 6 week consultation period)*

Blackburn with Darwen Council will:

- Send email/written notification to statutory consultees, general consultees on the planning database and other relevant stakeholders informing them of the draft Plan and how they can submit any comments on the document.
- Publish the consultation document on the Council's website and make hard copies available at the Council offices and any other venue deemed appropriate. *[Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations].*

Submission of the final Plan (Reg 16) *(Statutory 6 week consultation period)*

- The final plan should be submitted to the Council and should, amongst other requirements, include a consultation statement detailing how the opinions of interested parties have been sought.

- The Council will publish the Plan for a minimum 6 week period by sending email/written notification to statutory consultees, consultees on the Planning consultation database and any other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have previously made comments.
- The Council will publish the final Plan on the Council's website and make hard copies available at the Council offices and any other venue deemed appropriate. *[Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations].*

Adoption of the Neighbourhood Plan (Regs 19 & 20)

Blackburn with Darwen Council will:

- Publish adopted Plans on the Council's website and make available for viewing at the Council office, local venues and libraries. *[Where Covid-19 restrictions prevent access in this way then the Council will ensure any consultation is in line with the latest relevant Regulations].*
- Send copies of the decision to adopt to parish/es and any person asking to be notified.
- Where known, the Council will update details of the progress of each Neighbourhood Development Plan (including details of examination or referendum arrangements) on its website www.blackburn.gov.uk. However, the main point of contact should be via the relevant Neighbourhood Forum, Town Council or Parish Council.

6. Development Management

- 6.1 The Development Management (DM) team is responsible for making decisions and recommendations on planning applications. These take into account the policies in the development plan and any other planning considerations which apply.
- 6.2 The Council is committed to both informing and engaging with the wider community and individuals in relation to planning proposals. An important part of the process is to provide information and advice to applicants and to seek and take into account the views of the general public and statutory consultees on all planning applications.
- 6.3 However, there needs to be a balance between making decisions in a timely and cost-effective way and providing the community with a reasonable opportunity to comment. The breadth of consultees will vary with the nature of the proposal and location so not all bodies are consulted on every application.
- 6.4 This section of the SCI describes how the Council will involve individuals, the wider community, stakeholders and interested groups/organisations in the DM process. *[Any specific implications of COVID-19 that may place restrictions on consultation arrangements relevant to DM will be set out on the Council's Planning webpages⁹].*

Pre-application advice and consultation

- 6.5 Pre-application discussions can confirm whether the principle of development would be acceptable and allows clear advice to be given on what information is required in order for a planning decision to be made. This allows applications to progress with more certainty through the formal process. Such approaches are treated as confidential.
- 6.6 Developers are encouraged to consult with neighbours and statutory bodies before submitting an application whether pre application advice is sought or not. Engagement with the community can help an applicant gauge the community response to the proposal and address any issues of concern which become evident.

Significant/Major pre-application advice proposals

- 6.7 Pre application advice will include advice about how to undertake the consultation process in the local context of the proposal. Consultation arrangements should be set out in a site specific statement of community involvement which is required to be submitted as part of the planning application for some major development proposals.
- 6.8 Applicants/developers will be expected to involve the local community in a way tailored to reflect the nature, scale and potential impact of the proposed development. This could include:

⁹ <https://www.blackburn.gov.uk/planning>

- Consultation events with the local community
- Consultation with elected members, town and parish councillors
- Making detailed plans available for public view
- Press notices/leaflets or letters to nearby residents

6.9 The consultation arrangements should be organised, managed and funded by the applicant/developer to allow the input of the community at the outset.

6.10 The applicant/developer is urged to discuss with the Council proposed measures to effectively involve the community at an early stage as part of pre-application discussions.

Planning applications

6.11 There are a variety of ways in which planning applications are publicised and information relating to applications is made available to view and comment upon. General advice about the planning process including consultation and how to make comments on planning applications is provided on the Council's Planning web pages:

<https://www.blackburn.gov.uk/planning/planning-permission-applications/comment-a-planning-application>

Publicity

6.12 The Council is required to undertake a formal period of public consultation before determining a planning application. These requirements are set out in in Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. There are separate arrangements for listed buildings which are set out in Regulation 5 and 5a of the Listed Buildings and Conservation Area Regulations 1990 (as amended).

6.13 These requirements are, however, regarded by the Council as the minimum, and in most cases established practice is to go beyond the basic steps specified.

6.14 For all planning applications, details of the application will be published on the Council's website and further to this each week a weekly list of all received, decided and appealed applications is published online.

6.15 Applications are publicised by either a site notice in at least one place on or near the land to which the application relates, a press notice or via the neighbour notification process. Occupiers of premises adjoining the application site/proposal are notified in writing that an application has been received and highlights it can be viewed on the Council's website.

6.16 Site notices will be used where wider consultation is considered to be necessary due to the scale of the proposal or where neighbouring properties are not known.

Consultation

6.17 The Council will seek to engage a wide range of stakeholders in the planning application process. These include Government departments and agencies, Council departments, adjoining local

authorities and interest bodies (see Appendix 2). Not all bodies are consulted on each application; consultations vary according to the nature of the proposal and location.

- 6.18 Experience suggests that neighbouring occupiers prefer to be notified by letter, and although regulations state that notification be made to adjoining owners and occupiers, in practice the Council will notify all those who could potentially be affected by the proposed development, according to the circumstances and the case officer's judgement.
- 6.19 Representations should be received by the Council within the 21 day consultation period from the last notice given. However, comments received after the 21 day period will also be taken into consideration wherever possible, until the application is determined. This consultation period is extended to 24 days where Bank Holidays are within the statutory consultation period. Details on what the Council can and cannot consider as part of the assessment of the planning application can be found here:

<https://www.blackburn.gov.uk/planning/planning-permission-applications/comment-a-planning-application/planning-permission>

- 6.20 Parish Councils are consulted on current applications within their respective areas, and are informed that all documents relating to the application are available on the Council's website. The 21 days consultation period still applies. The role of the Parish Councils in the planning process can be found here:

<https://www.blackburn.gov.uk/planning/planning-permission-applications/comment-a-planning-application/planning-role-parish>

Weekly List

- 6.21 The Planning Service has recently undergone a 'Digitisation' Project which involved transferring planning records into digital format and updating computer systems.
- 6.22 As part of this project, the weekly lists of applications received are now available to view through the online explorer. This will allow members of the public, Council Members and stakeholders to monitor applications received and determined, not just on a borough wide basis, but also on a ward by ward basis.

Representations

- 6.23 Once all consultation has concluded, the Council will consider the representations made by consultees and the public and proceed to determine the application.

Re-consultation

- 6.24 The Council will work proactively with applicants to secure appropriate developments with the applicant as required by paragraph 187 of the National Planning Policy Framework. As such applications may be amended during a planning application to overcome an issue identified.

- 6.25 Where an application has been amended the Local Planning Authority will decide whether further publicity and consultation is necessary. An additional 10-14 days will be provided for comments.

How an application is considered

- 6.26 The majority of applications are determined by Officers under the Authority's Scheme of Delegated powers. All other decisions are taken by the Planning and Highways Committee. Further details on this can be found here:
<https://www.blackburn.gov.uk/planning/planning-and-highways-committee>

Notification of Decision

- 6.27 Once a decision has been reached, the decision notice is sent to the applicant or agent via email advising of the outcome. A copy is also published on the Council's website and can be viewed with all the other relevant application documents. In its initial consultation letter the Council will also advise how information on the outcome will be available.
- 6.28 If the decision was made by the Planning and Highways Committee, minutes will be available on the Council's website and can be viewed at the Town Hall on request.

Planning Appeals

- 6.29 Applicants or their agents on their behalf have the right to appeal against the decision made whether a refusal or against any conditions imposed. There are no provisions for a third party including objectors to appeal.
- 6.30 The appeal process is administrated by the Planning Inspectorate (PINS) on behalf of the Secretary of State. The applicant should contact PINS if they wish to appeal.
- 6.31 If an appeal is made against the Council's decision, the Council will notify in writing all those advised of the original application and will outline the process to be followed. All comments made on the application are copied to the Planning Inspectorate, and all those involved in the original decision are given a further opportunity to comment in writing or make representations at a hearing or inquiry into the appeal.

7. Monitoring and review

- 7.1 Impacts of COVID-19 and potential temporary arrangements on consultation and community involvement are set out in this SCI highlighted in [*italic text in square brackets*]. These temporary arrangements will only be enacted when restrictions in place as a result of a Government imposed lockdown (full or partial) and/or social distancing measures or guidance prevent normal consultation methods set out in this SCI from taking place.
- 7.2 In the event of further COVID-19 outbreaks it is possible that complex and varying restrictions may be imposed in the coming months and years ahead. It may therefore be a matter of degree rather than hard fact as to whether temporary COVID-19 amendments should be in place for the purposes of public consultation. For the avoidance of doubt, decisions will be made by the relevant Council Officer and Portfolio Holder. This will be communicated as follows:
- Planning applications (DM): the Council will publicise any further changes/impacts to DM-related consultations and operations on its website¹⁰.
 - Planning policy: the Council will confirm in its publication material whether temporary amendments set out in this SCI are enacted for statutory public consultation periods.
- 7.3 Monitoring of the procedures outlined in this SCI will be continual, so that evaluation can take place as part of the Authority Monitoring Report (AMR). The effectiveness of the SCI will be reported in the monitoring report. Changes in practices may result from this review, to reflect best practice in community/stakeholder involvement, managing stakeholder expectations more effectively and addressing specific concerns in relation to joint working with stakeholders.
- 7.4 For further information or clarification on any aspect of this SCI, please contact the Council's Growth Team on 01254 273915 or email forwardplanning@blackburn.gov.uk

¹⁰ <https://www.blackburn.gov.uk/planning>

APPENDIX 1: Consultation bodies - Planning Policy

The Council ensures that the requirements for notifying specific and general consultation bodies at various stages in the preparation of the Local Plan are achieved in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Specific and general consultation bodies are those listed under Regulation 2 of the 2012 Regulations, and summarised below.

General consultation bodies mean the following:

- Voluntary bodies in the area;
- Bodies which represent the interests of different racial, ethnic or national groups in the area;
- Bodies which represent the interests of different religious groups in the area;
- Bodies which represent the interests of disabled persons in the area;
- Bodies which represent the interests of local business.

Specific consultation bodies mean the following:

- The Coal Authority
- The Environment Agency
- Historic England
- The Marine Management Organisation
- Natural England
- Network Rail
- Highways England
- Adjoining local authorities
- Relevant telecommunications companies
- Relevant health providers
- Relevant gas and electricity companies
- Relevant water and sewerage undertakers
- Homes England (formerly Homes and Communities Agency)

APPENDIX 2: Consultation bodies - Planning Applications

Statutory Consultees

Depending upon the scale, type and location of the planning application or the constraints of the site, there may be a statutory requirement to consult with certain official groups, bodies or people. These are known as statutory consultees and could comprise one, some or all of the following:

Statutory consultee
Adjoining landowners
Canal and River Trust
Coal Authority
Control of major-accident hazards competent authority (COMAH)
County Planning Authorities
Crown Estates Commissioners
Department of Energy and Climate Change
Designated Neighbourhood Forum
Environment Agency
Forestry Commission
Garden History Society
Health and Safety Executive
Highways Authority
Highways England
Historic England
Lancashire Enterprise Partnership
Local Highway Authority
Local Planning Authorities
National Parks Authorities
Natural England
Parish Councils
Rail Infrastructure Managers
Rail Network Operators
Sport England
Theatres Trust
Toll Road Concessionaries
Water and sewerage undertakers

Non-Statutory consultees

In addition to the statutory consultees set above, local planning authorities should also consider whether there are planning policy reasons to engage other consultees who, whilst not designated in law, are likely to have an interest in a proposed development (non-statutory consultees):

e.g. Non-statutory consultees
CPRE
Electricity North West
Cadent Gas
Lancashire Wildlife Trust
Emergency Services and Multi-Agency Emergency Planning
RSPB
Forestry Commission
Health and Safety Executive
Ministry of Defence
Office of Nuclear Regulation
Police and Crime Commissioners
Business Improvement Districts

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance
LEAD OFFICERS:	Director of Finance and Customer Services
DATE:	9 July 2020

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

SUBJECT: COVID-19 FINANCE UPDATE REPORT

1. EXECUTIVE SUMMARY

This report outlines the financial implications for the Council arising from the impact of COVID-19, based on the forecast prepared, and assumptions made, in the third Financial Management Return submitted to MHCLG on 19th June 2020, i.e:

- additional expenditure incurred by the Council in providing a response to the crisis across the borough and
- loss of income arising due to the cessation/reduction in the Council's various income generating activities, and the impact on Council Tax and Business Rates as a consequence of the economic downturn

2. RECOMMENDATIONS

The Executive Board is asked note the financial implications arising from the COVID-19 pandemic outlined in the report and as included in the third Financial Management Return submitted to MHCLG.

3. BACKGROUND

The Council has a statutory requirement to set a balanced budget each year and to review its adequacy of reserves. This report sets out the potential impacts on the delivery of a balanced budget for 2020/21 and the Medium Term Financial Strategy (MTFS).

The 2020/21 Budget and MTFS 2020-2023 approved by Finance Council in February 2020 set a balanced budget for the year based on the assumptions in place at the time. Since that time, the COVID-19 pandemic has created a significant shock to the economy and resulted in significant unplanned expenditure and income losses as set out in the report.

4. KEY ISSUES & RISKS

Government Funding for the COVID-19 Emergency

To date, Government have announced two tranches of emergency COVID-19 grant funding to Local Government amounting to £3.2 billion, for Blackburn with Darwen this amounts to £9.297 million.

In addition, £1.3bn has been provided directly to CCGs to support the hospital discharge process with local authorities.

The Council has also been awarded £2.2 million from the £500 million Hardship Grant funding to provide further Council Tax relief for vulnerable residents (for which, each working age Local Council Tax Scheme (LCTS) recipient will receive a further discount of £150 or less if the current liability is less) and we have also claimed £0.016 million for costs from the £3.2 million fund to support housing rough sleepers.

The Council has also received funding from the Government for which it acts as conduit for onward payment of the funding through to those for whom it is intended. This funding relates to;

- £1.8 billion of Business Rate Relief, of which BwD has received £16.3 million;
- £12.3 billion of Business Rate Grant support for Small Businesses as well as the Leisure, Hospitality and Leisure sectors, of which the BwD allocation is £46.4 million;
- a further £617 million to provide support to those businesses with ongoing premises costs but who have not met the criteria to qualify for funding through the Government's Business Rates Grants - this is a Discretionary Scheme and each individual council is required to establish their own, individual scheme – of this BwD has received £2.2 million, and finally,
- Care Home Infection Control funding of £600 million of which BwD has been allocated £1.4 million

Further funding available to BwD has included;

- £0.131 million of the £50 million fund to support the re-opening of High Streets safely, this grant will be claimed from Government, in arrears, based on actual expenditure incurred
- £0.385 million through the £225 million emergency active travel fund, comprising both revenue and capital funding.
- £1.4 million of the £300 million additional funding for local authorities to support the new Test and Trace service.

From a cashflow perspective, the Government has provided support through arrangements including;

- an upfront payment of the Business Rates Grant
- the deferral, until July, of £2.6bn in business rates payments due from local to central government
- £850m of existing social care grants paid in advance

Summary Financial Position 2020/21

Following work to refine both the actual costs incurred, and income lost due to COVID-19 during the period 1st April to 19th June 2020, and in reviewing and refining assumptions on which the forecasts for these are based for the remainder of the financial year, the third COVID-19 Financial Management Return was submitted to MHCLG on 19th June 2020. The return identified a forecast financial gap for 2020/21 of £19.5 mill comprising;

	Actual April 20 £'mill	Actual May 20 £'mill	Actual June 20 £'mill	Forecast July 20 to Mar 21 £'mill	Full Year Forecast 20/21 £'mill
Additional Expenditure	3.1	1.1	0.6	5.0	9.8
Income Loss	3.9	3.4	2.7	8.9	18.9
Less - Govt COVID-19 Funding (tranches 1 & 2)					(9.2)
Financial Gap					19.5 mill

Based on the Revenue Outturn Monitoring Report for 2019/20 (as presented to Executive Board in June) our available reserves to meet the costs of COVID-19, should no further funding from central government funding be made available, are;

RESERVES	£'million	£'million
Unallocated Reserves		7.2
Earmarked Reserves	28.6	
Less Reserves held in relation to schools	(9.1)	
Less - Reserves held in respect of joint arrangements and charitable bodies	(0.4)	
Less - Reserves held for specified purposes (e.g. S106 contributions)	(2.5)	
Less - Amounts already committed in future year budgets/MTFS	(0.3)	
Less - Amounts c/fwd in respect of unspent grants and contributions	(8.0)	
Earmarked Reserves that could be re-designated		8.3
TOTAL COUNCIL RESERVES AVAILABLE		15.5 mill

Assuming a balanced budget across all portfolios in 2020/21, and the re-designation all useable, ear-marked reserves, based on the forecast funding gap of £19.5 million above, based on the forecasted expenditure and loss of income, there would be insufficient reserves to take us through to 31st March 2021.

The forecast is based on knowledge of the current position and will undoubtedly fluctuate as we continue to revise our assumptions and assessments as further information becomes available. During this time the Council will continue to engage in an ongoing dialogue with MHCLG and through the various local government forums such as the Local Government Association (LGA) and SIGOMA (Special Interest Group of Metropolitan Areas) to lobby for additional funding and support, as well as submitting the required monthly COVID-19 Financial Management returns to ensure government is aware of the financial impacts we are working to address.

Impact on the Medium Term Financial Strategy (MTFS)

The overall impact on the MTFS will be determined by:

- The level of the final additional costs and income losses arising from COVID-19 that occur in 2020/21;
- The level of further MHCLG financial support that is provided to address the financial pressures faced by the sector;
- The ongoing financial pressures resulting from decisions made in response to the pandemic
- The impact on Council Tax and Business Rates in both the current year and in 2021/22.

At this point in the financial year, financial impact on the longer term MTFS is difficult to quantify with any firm degree of accuracy as much is dependent on the impact of the easing of lockdown measures in terms of both the virus (i.e. a second spike), and the economy.

Next Steps

As already set out above, the financial forecast identifies a significant risk to the financial viability and sustainability of the Council. The forecast budget gap of £19.5 million for 20/21 (based on the third Financial Management return to MHCLG) would require the Council to utilise not only all of its Unallocated Reserve, but also the Earmarked Reserves held for Discretionary purposes, before the end of the 2020/21 financial year (assuming these can be re-designated to address the immediate financial challenge posed); this would still leave a budget gap of £4.0 million.

We are not the only authority facing significant financial difficulties as a result of the pandemic and as noted above, we are continuing ongoing discussions with government, as well as supporting the lobbying by the LGA, SIGOMA and other local authority representative bodies, to convey to government the dire financial position that local authorities now find themselves in. In this we are clear in expressing the urgent need for further in-year funding, as well as an overall plan for Local Government to ensure ongoing financial sustainability in moving into recovery from the crisis. We understand MHCLG and Treasury are considering a further funding package but at the time of writing the quantum and any allocation methodology for this is unknown.

Whilst the report sets out and focuses on the financial impact of COVID-19 on the Council, there may be some positive budget variances that we can take into consideration to assist in offsetting the additional costs and loss of income, such as a reduction in recruitment, the costs avoided as activities/services have been reduced or stopped. Although it is too early in the financial year to quantify the positive impact of this, conversely it may well be that;

- if faced with a second spike, we re-enter more stringent lockdown measures, our un-budgeted emergency responses are invoked again and our income generating operations are forced to close once more
- the economic recovery of our residents and businesses is worse than forecast thereby increasing costs and reducing income further
- as we emerge from lockdown, we may well see a spike in the costs of social care in both adults and children's services as the full impact on families and individuals during lockdown becomes more evident

We will continue to monitor and estimate the costs and savings associated with this over the coming months, in the meantime we will put in place arrangements to scrutinise all existing expenditure plans and Executive Members and their Directors will work to develop potential savings options for consideration.

5. POLICY IMPLICATIONS

The impact of COVID-19 has impacted on the wider delivery of frontline services. The financial impact remains under consideration to assess how the Council can deliver both its statutory and priority services.

6. FINANCIAL IMPLICATIONS

The significant financial implications are in the report above.

The full impact of these cannot be quantified at this point in time but the ability of the Council to deliver a balanced budget in 2020/21 remains uncertain. In the longer term, the most significant uncertainty is the impact of the pandemic on Council Tax and Business Rates income. This, combined with the additional costs and local income losses incurred, and their impact on reserve levels, will be significant.

Based on the financial forecast, in 20/21 the ability to deliver the budget will almost certainly depend on provision of further funding from central government, however beyond this, the impact is likely to be even more significant in 2021/22 when the wider economic picture becomes clearer and the expected collection fund losses from the current year need to be funded.

The longer term outlook will be influenced by the ongoing review of financing in the sector. This has been deferred to 2021/22 at the earliest so there remains significant uncertainty in the deliverability of the Council's current MTFs. The Council continues to liaise with Government to develop a mutual understanding of the issues to enable appropriate actions to be taken by both.

7. LEGAL IMPLICATIONS

The Council has a duty to ensure it can deliver a balanced budget. The Local Government Act 2003 imposes a duty on an authority to monitor its budgets during the year and consider what action to take if a potential deterioration is identified.

Published decision notices for Urgent Executive Decisions made by Officers under Delegated Authority in response to the COVID-19 pandemic, including those made under Emergency Powers under the Council's Scheme of Delegation to Officers, are available online. The use of Emergency Powers remains a last resort based on the criteria prescribed by in the Constitution and, where possible taken in consultation with the Leader and the relevant Executive Member, with reporting to the Executive Board meeting and publication of decision notices to ensure openness and transparency.

The use of the Emergency Powers is likely to reduce as we move out of the 'Response' phase into 'Recovery' and return to normal decision making. However, there may still be occasions where due to time limitations, Emergency Powers may still need to be exercised to ensure effective and efficient provision of services. In such cases Officers will continue to engage with the Leader and Executive Members.

8. RESOURCE IMPLICATIONS

There are no specific resource implications arising from the report

9. EQUALITY AND HEALTH IMPLICATIONS

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

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

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

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

10. CONSULTATIONS

The budget planning governance structure includes involvement and consultation with Council Officers, Directors and Executive Members.

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

VERSION: v1.0

**CONTACT
OFFICER:** Louise Mattinson

DATE: 29th June 2020

**BACKGROUND
PAPER:**

2020/21 Budget and Medium Term Financial Strategy approved at Finance Council
(February 2020)

MHCLG funding announcements

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance
LEAD OFFICERS:	Director of Finance and Customer Services
DATE:	9 July 2020

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

SUBJECT: CORPORATE CAPITAL BUDGET AND BALANCE SHEET MONITORING REPORT 2019/20 – Quarter 4 as at 31st March 2020

1. EXECUTIVE SUMMARY

To report the overall financial position of the Council in respect of the capital programme as at 31st March 2020, highlighting key issues and explaining variations at the year end with regard to scheme under/overspends and slippage since the last report to the Executive Board in February 2020.

2. RECOMMENDATIONS

The Executive Board is asked;

- to approve the revised capital programme as per Appendix 1,
- to approve the variations to the programme shown in Appendix 2

3. BACKGROUND

All portfolios are required to examine their capital budget position on a monthly basis.

4. KEY ISSUES & RISKS

a) The total cost of the Council's capital investment programme for 2019/20 has decreased from the projection of £28.941 million, as approved by Executive Board on 13th February 2020, to £26.136 million at 31st March 2020. The net variation of £2.805 million (detailed in Appendix 2) reflects;

- variations made to reflect the approval of schemes during the fourth quarter of the year, including an increase of £0.086 million (of which £0.030 million is funded from reallocation of budgets within the existing 2019/20 programme)
- further variations during the last quarter of the year, for which approval is requested (£3.295 million)
- slippage and re-profiling of budgets during the fourth quarter of the year (£6.156 million).

b) Capital receipts of £2.116 million were received during 2019/20 which were used to support the Minimum Revenue Provision. This compares with the forecast reported to the Executive Board in February of £3.7 million.

5. POLICY IMPLICATIONS

The information contained within the report accords with the capital strategy and the three year budget forecast within the Medium Term Financial Strategy 2019-22, as approved at Finance Council on 25th February 2019.

6. FINANCIAL IMPLICATIONS

6.1 CAPITAL PROGRAMME

The variations in actual spend and resource availability for 2019/20 are summarised by portfolio in Appendix 1. Variations in spending are set out in Appendix 2.

The capital programme for 2019/20 has decreased by £2.805 million in the final quarter. The major capital variations to note are as follows:

6.1.1 New Approved Capital Schemes

Several capital schemes (new schemes and amendments to existing schemes) were approved in the final quarter of 2019/20 and have now been added to the capital programme as follows:

Scheme	Amount 2019/20 Capital Programme	Amount 2020/21 Capital Programme	Approved By	Date Approved
Children's, Young People and Education				
Creation of New School Places – £3 million included in the capital programme agreed at February 2020 Finance Council	-	£6,300,000	Executive Board	12.03.20
Growth and Development				
3-7 Blakey Moor – funded from Corporate Property Investment Fund earmarked scheme	-	£230,000	Executive Member Decision	21.02.20
Digital and Customer Services				
Smart Phone Replacements – funded from Corporate ICT earmarked scheme	£56,000	-	Delegated Officer Decision	05.03.20
Digital Customer Portal – funded from Corporate ICT earmarked scheme	-	£850,000	Executive Board	09.01.20
Reablement System – funded from Corporate ICT earmarked scheme	-	£50,000	Delegated Officer Decision	03.01.20
Finance and Governance				
Darwen Town Hall Re-roofing – funded from Corporate Accommodation Strategy Phase 2 scheme	£30,000	£270,000	Executive Board	12.09.19
Total	£86,000	£7,700,000		

6.1.2 Adults and Prevention Services

Disabled Facilities Grant

Approval is requested to carry forward funding of £147,000 in respect of the Disabled Facilities Grant to use for spend to be incurred in 2020/21.

Telecare Project

A request is made to carry forward £130,000 of the Telecare Project allocation to fund expenditure on this scheme in 2020/21.

6.1.3 Children's Young People & Education

Disabled Facilities Grant

Approval is requested to carry forward funding of £397,000 in respect of the Disabled Facilities Grant. The allocation has been committed to specific works/projects but due to other commitments in the final quarter of the year, the work could not be completed by the Corporate Building Team prior to 31st March 2020.

Capital Allocations for Schools

This funding has been retained in an overarching Capital Allocation Fund within the capital programme until bids against this have been approved by the schools so that the fund can be allocated. As such, a balance remains unallocated at the year-end of £1.853 million for carry forward and utilisation in 2020/21.

There have been several requested variations to the programme in respect of schools at 31st March 2020 as follows:

Scheme	Slippage £	Other Variations £
Newfield ASD – to fund overspend on the scheme	-	568,000
St Barnabas & St Pauls	232,000	-
Audley Juniors Roof Repairs	34,000	-
Avondale Kitchen	113,000	-
Feniscowles Heating	96,000	-
Shadsworth Infants - Heating	100,000	-
Brookhouse Upgrade Fire Alarm	20,000	-
St Cuthberts SEN	133,000	-
Audley Infants Remodel Reception Class	203,000	-
BCHS/Crosshill SEN	300,000	-
Turncroft Nursery Boiler	28,000	-
Other Schemes – minor slippage on several schemes	19,000	-
Other Schemes – minor variations, over/underspends on several schemes	-	(10,000)
Total Slippage and Variations	1,278,000	558,000
Funded by:		
Capital Allocations	-	533,500
Contingency	-	24,500
Total Variations Funding	-	558,000

The significant variations to note are:

Newfield ASD

A variation of £568,000 is requested in respect of the Newfield ASD School scheme, to cover the costs of the overspend on this project. Additional works were required over and above the original scope of the scheme including; temporary classroom arrangements, design changes and additional costs associated with the removal of contaminated land. The original budget also omitted costs for the demolition of the existing building on the site; these costs are part of the final overspend reported.

6.1.4 Environmental Services

A request is made to slip the remaining £22,000 of budget in respect of Old Bank Lane Car Park and £10,000 in respect of the Land Remediation scheme into 2020/21 to be used for costs expected to be incurred next year.

6.1.5 Growth and Development

Darwen 3 Day Market

The Darwen Market Square scheme is complete and an accrual has been made for the retention that will be released in summer 2020. The scheme has overspent by £526,000, due to additional costs relating to the demolition of the 3 day market; design and project management fees; changes in paving materials due to quarry closure; design changes; replacement of heritage railings; and other highways works. In addition, urgent works to the Market Hall and Annexe to accommodate both relocated and new traders, and creation of a new entrance for the Annexe have contributed to additional spend. A contribution of £42,000 was made from LTP funding, £17,884 was made available from S106 funding with the remaining shortfall of £466,000 met from main programme borrowing.

Blakey Moor

Approval is requested to re-profile a further £408,000 into 2020/21 due to delays in the works during the final quarter of the year.

Reel Cinema

Delays have been incurred due to the Covid-19 pandemic, and so approval is requested to slip £322,000 into the 2020/21 programme.

LTP/NPIF/Growth Deal 3/Darwen East Corridor

As per the Executive Board Report dated 9 January 2020, approval was received to increase the Growth Deal South East Blackburn scheme from £6.8 million to £11.56 million. The Growth Deal 3 (Pennine Gateways) has been increased by £4.76 million, with a split across the financial years of £2.579 million in 2019/20 and £2.181 million in 2020/21.

Other variations to the Growth and Development Capital budgets are provided in the table below:-

	£'000	£'000
Starting Budget		8,637
<u>Slippage of funding to 20/21</u>		
S106 contribution that will be utilised in 20/21	(348)	
Growth Deal 3 reduced spend on Furthergate and North Blackburn schemes thereby reducing the in-year grant claims (note: these will be claimed in 2020/21)	(484)	
Total Slippage		(832)

<u>Variations to Grants</u>		
Over budgeted for DFT Incentive Fund	(3)	
Virement of funding to Darwen Market Scheme to support public realm spend	(42)	
Total Variation on Grants		(45)
<u>Variation to External Contributions</u>		
Refunds received from subcontractors	116	
Backdated Lancashire Enterprise Partnership Claims for Growth Deal 3 (Pennine Gateways)	148	
Total Variations on External Contributions		264
Increase to Growth Deal 3 South East Blackburn		2,579
Capital Spend as at 31/03/2020		10,603

Drainage Schemes

The Covid-19 pandemic has caused delays to a number of drainage schemes and a request is made to slip the remaining budgets into 2020/21, the schemes affected are shown in the table below:-

Scheme	Slippage Requested £
Bury Fold Brook	14,000
Birch Hall Avenue Appraisal	52,000
Pottery Farm Alleviation	10,000
Waterfall Study	26,000
Pallet Farm Environment Grant	9,000
Surface Water Remodelling	26,000
Total Slippage	137,000

Assistance to Industry

A request is made to slip the £104,000 that remains unutilised at 31st March 2020 for the consideration and approval of grant requests in 2020/21.

Growth Team Housing Schemes

Approval is sought to slip the following Growth Team Housing Scheme allocations, as these schemes are all on going:

Scheme	Slippage Requested £
Neighbourhood Intervention Fund	10,000
Development Investment Fund	41,000
Land Release Fund	29,000
Total Slippage	80,000

6.1.6 Digital and Customer Services

Corporate ICT Schemes - Slippage

A request is made to approve the re-profiling of the Corporate ICT schemes as listed below. These are continuing schemes which have not completed in 2019/20:

Scheme	Re-Profiling Requested £
Monitoring and Management Service Systems	3,000
Digitisation of Planning	1,000
Finance System	5,000
Desktop Refresh	(32,000)
Core Infrastructure Programme	60,000
Ticketing System King Georges Hall	25,000
Legal Services Case Management System	51,000
Corporate Website	46,000
Protocol Mobile App Project	4,000
Replacement Unix Servers	3,000
Digital Customer Portal	(41,000)
Total Slippage	125,000

Desktop Refresh and Digital Customer Portal

Re-profiling of the desktop refresh and the digital customer portal budgets has been necessary; it is therefore requested that amounts of £32,000 and £41,000 respectively, that had previously slipped into 2020/21, are brought back into the 2019/20 programme to cover spend in the year.

6.1.7 Finance and Governance

Corporate Accommodation Strategy Phase 2

There is £80,000 in the budget unspent in 19/20 and a request is made to slip this into 20/21 to be used in the completion of the project.

15a Town Hall Street Reroofing

This project has been delayed due to the Covid-19 pandemic. A request is made to slip the remaining budget of £178,000 into 20/21 when the project is expected to complete.

6.1.8 Earmarked Schemes

Corporate ICT Earmarked Scheme

It is requested that the remaining budget of £29,000 is slipped into 2020/21, to fund future projects.

Vehicle Purchase

Following a tender process, vehicles purchased in 2019/20 were sold and leased back, rather than financed by main programme borrowing. As a result of this decision, approval is requested for a variation of £277,000, to reflect the underspend on this scheme. It is also requested that the remaining £1.272 million budget, previously approved for the purchase of vehicles, is slipped into 2020/21 to cover the committed costs of the vehicles.

6.2 CAPITAL RECEIPTS

Actual capital receipts at the end of March 2020 were £2.116 million, compared with £3.700 million forecast reported to the Executive Board in February. A number of asset sales have been delayed as a result of COVID-19. All of these receipts will be utilised in support of the Minimum Revenue Provision.

6.3 BALANCE SHEET POSITION

6.3.1 Overview

Good balance sheet management assists in the effective use and control over the Council's assets and liabilities. Key assets comprise of the Council's tangible fixed assets, debtors, investments and bank balances. Key liabilities include long and short-term borrowing, creditors and reserves.

6.3.2 Non-current Assets

Tangible non-current assets include property, plant and equipment held by the Council for use in the production or supply of goods and services, for rental to others or for administrative purposes. Property assets are the responsibility of the Finance and Governance portfolio. One fifth of all assets are re-valued every year, and annual reviews are undertaken to establish whether any impairment or other adjustments need to be applied. New assets and enhancements to existing assets are managed by way of the capital programme, as reported in Appendix 1.

6.3.3 Borrowing and Investments

Long-term borrowing requirements flow from the capital programme. Regular dialogue and meetings take place between the Director of Finance and Customer Services, her staff and the Council's independent treasury consultants Arlingclose, and options for optimising borrowing requirements are actively reviewed.

No long-term borrowing has been taken this year following £35 million of new PWLB loans taken in December 2018.

Short-term borrowing levels have increased over the course of the year, being particularly high at the year-end due to additional borrowing taken to fund the upfront payment of the Council's Local Government Scheme Pension contributions made in April 2020 (as agreed at Finance Council in February 2020), thereby attracting a significant discount.

The Council's surplus cash balances are managed on a day-to-day basis in line with the Treasury Management Strategy approved by Finance Council. The Council spreads its investment risk over a number of institutions and has limits on how much can be invested in any one institution and for how long. The list of approved institutions is kept under regular review by the Treasury Management Group in conjunction with information from the Council's treasury consultants.

The Council is a shareholder in the companies delivering the local PFI schemes for Building Schools for the Future (BSF). Following a re-financing exercise on the BSF Phase 2 Scheme, a one-off payment of £0.978 million was received by the Council, reflecting the reduction in future interest costs following the interest rate swap. Re-financing of the Phase 1 Scheme was undertaken in 2018/19.

Net interest savings were achieved primarily as a result of savings on the financing cost in relation to the PFI debt.

Interest and Debt Repayments Revenue Budget

	Forecast at Qtr 3	Movement in Qtr 4	Year End Outturn
Interest and investment income	(259,800)	(9,300)	(269,100)
PFI refinancing receipt	(978,300)	-	(978,300)
Debt interest payable	12,641,300	(132,500)	12,508,800
MRP	6,526,000	(100)	6,525,900
Total	17,929,200	(141,900)	17,787,300

The gross level of borrowings has increased this year, primarily due to short-term borrowings taken to fund the pension prepayment made in April 2020, as noted above. The borrowings taken in advance of the pension prepayment were invested in the interim by way of short-term loans to other local authorities.

	Amounts at 31/03/20 £000	Amounts at 31/03/19 £000
Short term borrowing	84,000	41,000
Long term borrowing	149,915	156,265
Transferred debt re Local Government Reorganisation	14,148	14,738
Recognition of debt re PFI arrangements	63,414	65,130
TOTAL BORROWING	311,477	277,133
Investments made by the Council	57,453	24,475

The totals include the debt recognised on the balance sheet as a result of accounting adjustments in respect of bringing the BSF school buildings in to use, which are financed through PFI arrangements. These adjustments are made to ensure that the Council's effective control over, and use of, these assets is recognised with corresponding adjustments to the debt. These changes do not add to the costs faced by the Council Tax payer as the actual capital costs for these schools form part of the ongoing stream of payments made to the PFI contractor (which are in turn largely offset by PFI grant funding from the Government).

6.3.4 Debtors

The Council has a corporate debt policy, as well as other specific policies for the management of debt in the key areas of council tax, business rates and housing benefit overpayments. The table below summarises the collection performance of the various debts and the total outstanding debt in the respective areas at 31st March 2020. The table also shows the corresponding level of debt at the same point in the last financial year.

	Position at 31/03/20	Position at 31/03/19
Council tax		
Current year arrears (£000)	3,543	2,980
Previous year arrears (£000)	11,550	10,934
Total Council tax arrears	15,093	13,914
Collection rates	94.9%	95.1%
Business rates		
Current year arrears (£000)	790	625
Previous year arrears (£000)	2,513	2,048

Total Business rates arrears	3,303	2,673
Collection rates	98.3%	98.3%
Housing Benefit		
Overpayments balances (£000)	2,879	3,197

Council Tax

The collection rate has reduced in line with expectations. The changes in our Council Tax Support scheme, along with increases in the empty premium charge have had a direct impact on the collection rate.

Business Rates

The collection rate is broadly in line with expectations.

7. LEGAL IMPLICATIONS

The Council has a duty to ensure it can deliver a balanced budget. The Local Government Act 2003 imposes a duty on an authority to monitor its budgets during the year and consider what action to take if a potential deterioration is identified.

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

None

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

VERSION:	V1.0
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CONTACT OFFICER:	Jody Spencer-Anforth (Ext 507748) Julie Jewson (Ext 5893)
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DATE:	2020
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BACKGROUND PAPER:	N/A
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Capital Outturn 2019/20

	2019/20			
	Approved Programme 2019/20 (Finance Council - February 2019)	Programme Approved At Executive Board February 2020	Actual Capital Spend for 2019/20	Final Variations 2019/2020 (See Appendix 2)
	£'000	£'000	£'000	£'000
<u>Costs</u>				
Adults and Prevention Services	1,504	2,214	1,941	(273)
Children, Young People & Education	1,765	5,915	2,387	(3,528)
Environmental Services	0	143	106	(37)
Public Health & Wellbeing	0	1,195	1,145	(50)
Growth & Development	22,767	17,242	18,672	1,430
Digital & Customer Services	1,668	1,467	1,403	(64)
Finance & Governance	2,914	765	482	(283)
Total Predicted Expenditure	30,618	28,941	26,136	(2,805)
<u>Resources</u>				
- Department for Education	1,252	5,362	2,221	(3,141)
- Department for Transport	4,799	4,822	4,819	(3)
- Disabled Facilities Grants	1,861	2,525	1,991	(534)
- Other Grants	1,981	1,236	1,045	(191)
Government Grants	9,893	13,945	10,076	(3,869)
Unsupported Borrowing	12,847	10,166	11,791	1,625
External Contributions	7,578	3,556	3,196	(360)
Revenue Contributions	300	1,274	1,073	(201)
Total Resources	30,618	28,941	26,136	(2,805)
Difference	0	0	0	0
<u>Earmarked Schemes</u>				
Corporate ICT	3,393	90	0	(90)
Corporate Property Investment	1,000	2	0	(2)
Vehicles (funded from capital or leased)	0	1,549	0	(1,549)
	4,393	1,641	0	(1,641)

Scheme Variations to 2019/20 Capital Programme																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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Executive Board Decision



REPORT OF:	Executive Member for Finance and Governance, Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth & Development
DATE:	9 th July 2020

PORTFOLIO(S) AFFECTED:	Growth and Development
WARD/S AFFECTED:	Darwen East
KEY DECISION:	No

SUBJECT:

Disposal of land at Chapels Park South, off Goose House Lane, Darwen

1. EXECUTIVE SUMMARY

- 1.1 To seek approval to sell 4.7 acres of commercial development land at Chapels Park South, Darwen ("the Site"), as illustrated on the plan attached at Annex A, to Barnfield Blackburn Ltd.
- 1.2 To seek approval to increase the Council's level of investment in Barnfield Blackburn Ltd and to authorise the appointed Council officers to complete the purchase of the site.

2. RECOMMENDATIONS

That the Executive Board:

- 2.1 Notes the site at Chapels Park South is heavily constrained with significant abnormalities limiting development.
- 2.2 Notes that Barnfield Construction Ltd submitted the highest tender offer for the site following a competitive procurement exercise conducted by Council officers.
- 2.3 Approves the alternative proposal submitted by Barnfield Construction Ltd for a subsidiary joint venture company, Barnfield Blackburn Ltd, to acquire the Site in lieu of Barnfield Construction Ltd.
- 2.4 Notes the success Barnfield Blackburn Ltd has had with securing external funding for the challenging site at the former Lower Darwen Paper Mill. It is expected Barnfield Blackburn Ltd will be in a position to apply for future infrastructure funding as part of any Lancashire economic recovery plan to accelerate delivery.
- 2.5 Authorises the Director of HR, Legal and Governance to complete the necessary legal formalities in disposing of the Site.
- 2.6 Approves the increase in investment in Barnfield Blackburn Ltd of which the Council is a shareholder and authorise the appointed Council officers to complete the necessary legal formalities to purchase the Site.

3. BACKGROUND

3.1 Chapels North and South sites were originally offered for tender through the Council's development framework partners via CHEST with a deadline for submissions of July 2019.

3.2 One bid of was received from Barnfield Construction Ltd, conditional on planning and any abnormal costs to be deducted. Overhead power lines cross the southern site, and with diversion costs taken into account the bid resulted in a negative land value to the Council. Another less attractive bid was received from a party outside of the development framework, which was subsequently discounted.

3.3 Revised bids were requested, with the option to bid for the North and South sites together or separately. Deadline for submission was October 2019.

3.4 One bid was received from Barnfield Construction offering equal amounts for the northern site and southern sites separately, conditional on planning and with any abnormal costs to be deducted.

3.5 In December 2019 the northern site was identified as being required by the Council for an alternative operational use and therefore a final revised bid was requested for the southern site only, to be conditional solely on planning with all abnormal costs accounted for.

3.6 A final bid was received from Barnfield Construction for the southern site only, conditional only on planning. Barnfield also provided an alternative offer to acquire the site through Barnfield Blackburn Limited (of which the Council is shareholder) for a similar amount, conditional only on planning. Acquisition by the joint venture may assist in funding bid applications – eg. for service diversions and would also allow the Council to receive a share of any site overage. The bid proposed construction of approximately 40,000 sq. ft. of industrial space.

3.7 It is therefore proposed that the Council increases its investment in Barnfield Blackburn Ltd, to reflect the Council's shareholder responsibility for the purchase. Upon disposal following development the Council will receive the first profits generated up to the level of the additional investment provided. Land proceed profits in excess of the purchase price will be paid as shareholder dividend, as per the existing joint venture agreement.

4. KEY ISSUES & RISKS

4.1 Barnfield Construction Ltd has submitted a compliant tender bid with an acceptable scheme and were the only framework partner to bid for this heavily constrained site. An attractive alternative proposal has also been received through Barnfield Blackburn Ltd. It is recommended that the Council proceeds with the transaction with BBL.

4.2 Should the transaction not be completed as a BBL project then the Council may be unable to secure necessary funding for the utility diversions required to realise the site's development value, and therefore the site may continue to sit undeveloped.

4.3 An additional monetary injection will be made to Barnfield Blackburn Ltd by the Council.

4.4 Initial discussions indicate that there is local end-user interest in the site for an employment use. However, due to the current national economic uncertainty, there is a risk that interest will reduce. This situation will be monitored as the Borough enters recovery.

5. POLICY IMPLICATIONS

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

5.2 The site is allocated for employment development within the Council's adopted Local Plan Part 2 (2015). The proposed disposal will help to progress delivery of essential employment development in accordance with the Local Plan, and will work towards meeting the Council's targets for employment land completions and job growth.

6. FINANCIAL IMPLICATIONS

6.1 The Council will invest additional funds into the Barnfield Blackburn Ltd joint venture.

6.2 The first profits realised following the development of the site will be paid directly to the Council up to the level of the additional investment provided. Any future land receipt profits in excess of the initial purchase price will be paid as a shareholder dividend.

7. LEGAL IMPLICATIONS

7.1 The disposal method complies with the Council's legal obligations for such transactions and with the Council's Disposal Policy 2019 and in this case the author has demonstrated that this site, despite wide publicity, generated modest responses presumably because of its constraints, and so the Council can demonstrate best consideration has been obtained.

7.2 Council Officers connected with Barnfield Blackburn Limited as directors have not been involved in this matter to avoid a potential conflict of interest and will (if necessary), update the register of interests.

7.3 The Council appreciates that elements of the proposed particulars of the financial investment and return on investment are matters which will probably need to be documented by Barnfield Blackburn Limited as company's resolutions and share agreements as suitably advised at the time.

8. RESOURCE IMPLICATIONS

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

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

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.

10. CONSULTATIONS

10.1 The proposal has been subject to consultations between Council Officers, Executive members, and Legal and Planning departments. Public consultation will take place on receipt of any future planning application for development of the site.

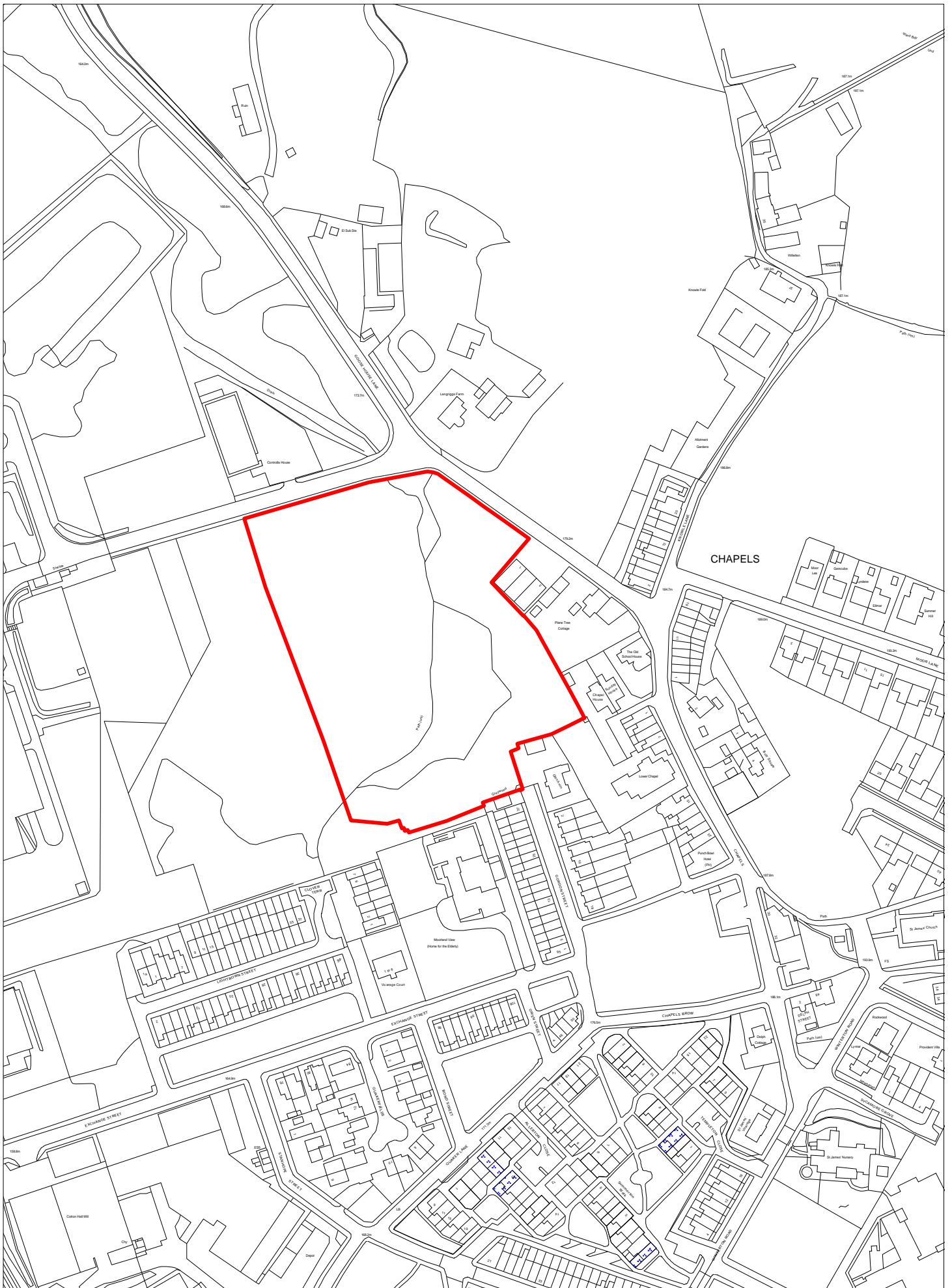
11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

CONTACT OFFICER:	Alex Wildman, Strategic Development Manager (Commercial)
DATE:	08 th June 2020
BACKGROUND PAPER:	None



1:2500

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