

Public Document Pack

Executive Board

Thursday, 10 September 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**
Minutes August 2020 4 - 6
3. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM 7
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

- | | | |
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| 8.1 | Fostering Services Quarter 4 Report | |
| | Fostering Service Annual Report Q4 | 8 - 23 |
| | Appendix 1 - Q4 Fostering Service Annual Report 2020 | |
| 8.2 | Adoption Report | |
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| | Appendix 1 - Adoption Now 2019-20 | |
| 8.3 | Schools Capital Programme 2020-21 | |
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| | Appendix 1 - School Capital Programme 2020-21 | |

Environmental Services

Public Health and Wellbeing

Digital and Customer Services

Growth and Development

- | | | |
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| 8.5 | Update to S106 Process and Infrastructure Funding Statement 2019/20 | |
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| 8.6 | Revenue Budget Monitoring Report | |
| | Corporate Revenue Budget Monitoring Report Quarter 1 - 2020-21 | 80 - 91 |
| | Appendix 1 - Corporate Revenue Budget Monitoring Report | |
| | Appendix 2 - Corporate Revenue Budget Monitoring Report | |
| 9. | Corporate Issues | |
| 10. | Matters referred to the Executive Board | |
| 10.1 | Petition: Use of No.8 Eden Park to provide care and | |

support

Petition regarding the use of No.8 Eden Park, Blackburn 92 - 102
Appendix 1 - Petition for Eden Action Group

**PART 2 – THE PRESS AND PUBLIC MAY BE EXCLUDED DURING
CONSIDERATION OF THE FOLLOWING ITEMS**

Date Published: Wednesday, 02 September 2020
Denise Park, Chief Executive

EXECUTIVE BOARD Thursday, 13th August, 2020

PRESENT

COUNCILLOR:

Councillor Mustafa Desai
Councillor Julie Gunn
Councillor Mohammed Khan OBE
Councillor Quesir Mahmood
Councillor Vicky McGurk
Councillor Phil Riley
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
Public Health and Wellbeing

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALSO IN ATTENDANCE:

Khalid Omar
Muhammad Bapu

Deputy Youth MP
Deputy Youth MP

	Item	Action
1	<p><u>Welcome and Apologies</u></p> <p>The Chair read the opening statement explaining that this was a virtual meeting.</p> <p>Apologies had been received from Councillor Jim Smith and Zara Hayat, the Youth MP.</p>	
2	<p><u>Minutes of the Previous Meeting</u></p> <p>The Minutes of the meeting held on 9th July 2020 were agreed as a correct record.</p>	Agreed
3	<p><u>Declarations of Interest</u></p> <p>There were no Declarations of Interest submitted.</p>	
4	<p><u>Equality Implications</u></p> <p>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.</p>	Confirmed
5	<p><u>Public Forum</u></p> <p>No Questions had been submitted by members of the public.</p>	
6	<p><u>Questions by Non-Executive Members</u></p> <p>No Questions had been submitted by Non-Executive Members.</p>	

	Item	Action
7	<p><u>Youth MPs Update</u></p> <p>The Deputy Youth MPs updated the Executive Board on recent activities and events including:</p> <ul style="list-style-type: none"> • Litter-picking. • Spreading the message about testing for Covid-19 and following the guidelines. • Progression of campaign issues such as Youth Involvement in Crime and Young People’s Mental Health issues. • Production of a booklet that will help young people learn about basic economic terms and learn other basic things like loans and taxes that will help young teenagers and young adults learn about financial responsibilities. 	Noted
8	<p><u>Executive Member Reports</u></p> <p><u>Leader’s Update</u></p> <p>Councillor Mohammed Khan verbally reported that the Council had recently become a Full Member of the Local Enterprise Partnership.</p>	Noted
8.1	<p><u>Blackburn with Darwen COVID-19 Local Outbreak Management Plan</u></p> <p>A report was submitted, which outlined how Local authorities had a significant role to play in the identification and management of COVID-19 outbreaks. All upper-tier local authorities (UTLAs) were instructed to produce a Local Outbreak Management Plan (LOMP) by the end of June 2020.</p> <p>The aim of the LOMP was to provide a clear plan setting out the way the authority would work with the new national NHS test and trace system to provide a fully co-ordinated approach to contain and manage local outbreaks of COVID-19.</p> <p>The Blackburn with Darwen COVID-19 Health Protection Board was responsible for the LOMP. It would provide oversight on how outbreaks were managed, informed by local intelligence and data.</p> <p>Blackburn with Darwen Council had been allocated a grant of £1.36 million to fund the implementation of the LOMP.</p> <p>RESOLVED - That the Executive Board:</p> <p>a) Approves Issue 1 of the Blackburn with Darwen COVID-19 Local Outbreak Management Plan.</p> <p>b) Monitors implementation and update of the Plan through the Member-led, Outbreak Engagement Board.</p>	<p>Approved</p> <p>Approved</p>

	Item	Action
	<p><u>Digital and Customer Services Update</u></p> <p>Councillor Quesir Mahmood verbally reported on the work undertaken by staff in his Portfolio to supporting Public Health on Covid-19 projects such as Local Track and Trace and production of a Covid Dashboard.</p>	
8.2	<p><u>Corporate Capital Budget and Balance Sheet Monitoring Report 2020/21-Quarter 1</u></p> <p>The Executive Board received a report which outlined the overall financial position of the Council in respect of the capital programme as at 30th June 2020, highlighting key issues and explaining variations in the first 3 months of the financial year.</p> <p>Councillor John Slater asked questions relating to collection rates and arrears, and also borrowing and investments ie. was the Council solvent? Councillor Vicky McGurk advised that she would provide written responses to both questions to all Executive Board Members.</p> <p>RESOLVED - The Executive Board is asked;</p> <ul style="list-style-type: none"> • to approve the revised capital programme as per Appendix 1, • to approve the variations to the programme shown in Appendix 2 	<p>Approved</p> <p>Approved</p>
	<p>Signed at a meeting of the Board</p> <p>on Thursday, 10 September 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: **10TH SEPTEMBER 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, 10 September 2020

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

WARD/S AFFECTED: (All Wards);

KEY DECISION: N

SUBJECT:

Fostering Service Quarter 4/End of Year Report 2019/20

1. EXECUTIVE SUMMARY

This Report provides information on the management and performance of the Local Authority's Fostering Service and is revised each Quarter. The Quarter 4 Report includes analysis of the past year's data.

2. RECOMMENDATIONS

That the Executive Board notes the Quarter 4 Fostering Service Report which is available on the Council's website along with supporting paper, Appendix 1.

3. BACKGROUND

The Fostering Service Regulations 2011 and the National Minimum Standards for Fostering Services requires that the Council Executive:

- a) Receive written reports on the management, outcomes and financial state of the Fostering Service every 3 months;
- b) Monitor the management and outcomes of the services in order to satisfy themselves that the service is effective and is achieving good outcomes for children;
- c) Satisfy themselves that the provider is complying with the conditions of registration.

The Report has been written to address the areas identified above. It will be taken into account by OFSTED when inspecting the Service.

The Report is for the fourth Quarter of 2019/20 covering the period from 1st January to 31st March 2020, and provides a comprehensive overview of the Service.

4. KEY ISSUES & RISKS

The Appendix 1 paper provides a comprehensive overview of the Fostering Service, issues and risks with recommendations for Service development. The key areas are as follows:

1. The annual figures show an increase in children in our care in Quarter 4, but 2019/20 has seen a consistent reduction in children in our care in each Quarter, evidenced in the comparison chart. There have been a number of Mother and Baby placement requests in Quarter 4, which have been the outcome of Care Proceedings due to Court decision making. There have been no new Agency placements made since October 2019, which is a huge success.
2. There has been a 58% increase in the number of children and young people placed in family and friends foster placements over the past year, the highest number of such placements at 68 in Quarter 4 2020 in comparison to the last three years which has enabled children to remain within their birth families and with connected carers.
3. It remains a continual challenge for the Service to identify in-house or Independent Fostering Agency placements for children with disabilities specifically; largely due to the more complex needs of young people being referred for placements but also the practical and environmental factors impacting upon potential Foster Carers, where adaptations to accommodate the young person may be required.
4. Blackburn with Darwen have been involved in the DfE fostering Seed-funding partnership with Blackpool, Cumbria and Lancashire (Consortium known as BBCL), a partnership working together with Outcomes UK to improve commissioning and sufficiency planning. This is a feasibility study which aims to improve the fostering offer by looking at collaborative approaches to recruitment, training and commissioning. The Market Position Statement outlined that the number of children beginning to be looked after each year in BwD has increased from 93 in 2015 to 171 children in 2019, however the number of children in Local Authority Care stabilised in the first 6 months of 2019-2020. This coincides with the remodel of MASH at the front door, becoming the Children's Advice and Duty Service (CADS).
6. The recruitment of mainstream foster carers was an increasing challenge over 2019/20 and this has led to looking at new ideas in terms of recruitment campaigns which are outlined in Appendix 1 (Recruitment Section pages 7-8.)
7. The 'Fostering Front Door' offer from the You Can Foster pilot involving North West Authorities came to an end at short notice during Quarter 4, and resulted in the loss of a Social Work presence as the first point of contact at the enquiry stage. While losing 'You Can Foster' involvement was not significant, the loss of the 'Front Door' offer was a challenge. Long-term plans are being considered, and at present the Fostering Service are managing enquiries and registrations directly.
8. In Quarter 4, the pressure and challenge upon the Local Authority to identify foster placements and in-house residential provision has remained significant. The requests for commissioned residential placements in Quarter 3 and Quarter 4 have seen some reduction from October 2019 to March 2020. The service continues to be as creative as possible and is offering short breaks to maintain existing placements and prevent disruption where this is achievable, albeit the impact of Covid-19 will be reported regarding the impact upon placement stability and sufficiency in Quarter 1 of 2020.
9. There is an evident peak in children and young people placed at home on Care Orders or Supervision Orders increasing from 62 in Quarter 1 to 70 in Quarter 4. Requests for parent and child placements and assessment units, placing sibling groups and the age group 11-15 years, remain the most challenging for the service.

10. The newly established Nightsafe at St Silas for post 16 provision has been well utilised and young people placed by the Local Authority have had positive placement opportunities. The provision referrals for Local Authority funded placements of which there are 3, are managed by the Leaving Care Team, and overseen by the Commissioning Panel.

5. POLICY IMPLICATIONS

No policy implications identified.

6. FINANCIAL IMPLICATIONS

Any increase in demand within the Fostering Service has the potential to have a significant impact on the financial position of the portfolio, due to the costs of externally commissioned placements. As a result, both the fostering and commissioned placements budgets are closely monitored throughout the year. The commissioned placements budget remains a concern due to demand and costly placements both in the independent residential and fostering sectors. In 2019/2020 the commissioned placements budget saw expenditure of £8.753m against an annual budget of £4.739m, an overspend of £4.014m.

7. LEGAL IMPLICATIONS

This report is required to meet statutory requirements as set out in the 'National Minimum Standards for Fostering.'

8. RESOURCE IMPLICATIONS

None identified.

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

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:	Pamela Price, Ailsa Smith, , pamela.price@blackburn.gov.uk, ailsa.smith@blackburn.gov.uk
DATE:	14/08/20
BACKGROUND PAPER:	Appendix 1 to be considered alongside this report.

Fostering Service Quarter 4 Report

1st January - 31st March 2020

Executive Report



Quarterly reports to the Executive Board are a requirement of the Fostering Service to meet Standard 25.7 of the National Minimum Standards for Fostering Services. They are a key part of the documentation considered by OFSTED when conducting a Service inspection.

Introduction

Blackburn with Darwen Borough Council's Fostering Service aims to ensure that:

- The best foster carers are recruited for our children;
- All placements receive high quality support, effectively targeted according to need;
- Children are found permanent families without delay;
- Children and young people in foster care achieve the best possible outcomes.

Children in Our Care in Foster Care

The period from Quarter 3 to Quarter 4 2019/20 saw a slight increase with 13 children becoming Children in our Care. The annual figures show an increase in children in our care in Quarter 4, but 2019/20 has seen a consistent reduction in children in our care in each Quarter, evidenced in the comparison chart below. There have been a number of Mother and Baby placement requests in Quarter 4, which have been the outcome of Care Proceedings due to Court decision making. There have been no new Agency placements made since October 2019, which is a huge success given the limitations of identifying placements on a National scale not just at a local level. Challenges remain over this twelve month period for the Service to meet demand for foster placements, both in house and Agency. There has been a 58% increase in the number of children and young people placed in family and friends foster placements over the past year, the highest number of such placements at 68 in Quarter 4 2020 in comparison to the last three years and this has enabled children to remain within their birth families and with connected carers.

Comparison Figures

	31st March 2017	31st March 2018	31st March 2019	31st March 2020
Number of Children in our Care	375	377	407	412
Number of CioC in Foster Care	248 (66%)	215 (57%)	262 (64%)	270 (65%)
Number of children in in-house foster care placements	153 (41%)	118 (31%)	151 (37%)	142 (34%)
Number of children in family and friends foster care	49 (13%)	48 (13%)	43 (10%)	68 (16.5%)
Number of children in independent fostering agency placements	46 (12%)	49 (13%)	68 (16%)	60 (14.5%)

Comparison figures per Quarter for 2019/20

	Q1 June 2019	Q2 Sept 2019	Q3 Dec 2019	Q4 March 20
Number of Children in our Care	408	403	399	412
Number of CioC in Foster Care	264 (64.7%)	269 (66.7%)	261 (65.4%)	270 (65%)

Number of children in in-house foster care placements	148 (36%)	143 (35.4%)	131 (32.8%)	142 (34%)
Number of children in family and friends foster care	50 (12%)	58 (14.3%)	67 (16.8%)	68 (16.5%)
Number of children in independent fostering agency placements	66 (16.2%)	68 (16.8%)	63 (15.8%)	60 (14.5%)

The gender ratio of children in our care remains higher for males, particularly in the 11 to 15 years age group, which has been a consistent pattern. The teenage cohort remain the most challenging to place and the most costly in terms of placement commissioning. Blackburn with Darwen's short break offer alongside the therapeutic support from Revive, is key to identifying, sustaining and supporting foster placements for this group of young people if residential provision is to be prevented. However, for some young people in the 11-15 years age bracket, a residential placement is the preferable option for example those with more complex emotional and mental health/therapeutic needs, or children with complex health needs and disabilities.

Gender and Age Comparison as of 31st March 2020

	All children in foster care	In-house	Family and Friends	Independent Fostering Agency
Male	145	81	31	33
Female	125	61	37	27

Age	All children in foster care	In-house	Family and Friends	Independent Fostering Agency
0 to 2	41	22	14	5
3 to 6 years	50	18	20	12
7 to 10 years	50	24	11	15
11 to 15 years	95	57	17	21
16 years plus	34	21	6	7
Total	270	142	68	60

The largest group of young people in Foster Care at the end of Quarter 4 is amongst males aged 11-15 years, and this age group is a challenge to the Service when identifying in-house and Independent Foster Care placements. It is however positive for Blackburn with Darwen that 57 out of 95 young people in this harder to place group are in our own in-house foster placements.

Ethnicity of Children in our Care:

Of the 412 children and young people in our care, 332 were from a white, British ethnic origin. There were 48 from the Asian ethnic group, 1 from a black ethnic origin, 18 mixed and 13 recorded as 'other' in terms of their ethnic origin according to Government recommended grouping definitions.

Children with disabilities in Foster Care

There are 7 children and young people in our care who have disabilities. This is a low figure in comparison to our North West Local Authority neighbours, and is largely due to the supportive and preventative packages that Blackburn with Darwen provide for children with complex needs and disabilities. Short breaks, both commissioned and our 'Local Offer', assist families to support their children within their own home as opposed to requiring alternative accommodation.

It remains a continual challenge for the Service to identify in-house or Independent Fostering Agency placements for children with disabilities specifically; largely due to the more complex needs of young people being referred for placements but also the practical and environmental factors impacting upon potential Foster Carers, where adaptations to accommodate the young person may be required. Foster carers are provided with the relevant training and support to meet the specific needs of the child they have in placement and are able to access support from the Children with Disabilities Team with aids and adaptations, Disability Links registration and information and advice where needed. Children with disabilities primarily are placed in residential placements out of Borough.

Placement Stability and Sufficiency.

The Department uses a definition of placement stability based on 3 or more placements in a 12 month period that is calculated on a cumulative basis over the year and is demonstrated in the table below with 2018/19 being the comparable Authority average at 9.6%:

Performance Over time	2016/17	2017/18	2018/19	Performance to Date	Comparable Authority Average 2018/19	North West Average 2018/19	England Average 2018/19
% Stability of LAC placements	6.4%	8.8%	11.4%	13.1%	9.6%	10.4%	10.4%

Blackburn with Darwen is slightly higher than the North West average of 10.4% in terms of placement stability and reasons to explain this were summarised following an audit of children who had three placements or more within a two year period. The age group with the highest number of placement moves is the 0-2 year group and 11-15 year group. Babies removed at birth, then placed in parent and child assessment units, progressing to a permanence plan of SGO or Adoption demonstrates how 3 placements in a short time frame could be achieved. The teenage cohort experience a higher level of placement moves due to emotional instability, being placed out of area for example, or not investing in their placement following their experience of placement disruption early in their journey in the care system. This is not an issue specific to the Fostering Service in Blackburn with Darwen, but reflects instability for all types of placements and is a national challenge certainly in terms of placement sufficiency.

The placement framework is competitive for both fostering and residential provision, with Local Authorities competing for placements and both foster carers and Independent providers being able to 'take their pick' of referrals which is a challenge, especially when placing children who are in their teenage years with significant emotional or mental health needs.

Blackburn with Darwen have been involved in the DfE fostering Seed-funding partnership with Blackpool, Cumbria and Lancashire (Consortium known as BBCL), a partnership working together with Outcomes UK to improve commissioning and sufficiency planning. This is a feasibility study aimed at improving the fostering offer by looking at collaborative approaches to recruitment, training and commissioning. The Market Position Statement outlined that the number of children beginning to be looked after each year in BwD has increased from 93 in 2015 to 171 children in 2019, however the number of children in Local Authority Care stabilised in the first 6 months of 2019-2020. The Consortium of BBCL are working towards new ways of working such as the possibility of a BBCL framework, and Exchange Days to promote children and young people requiring long term foster placements and good quality matching processes.

Disruption meetings are held in order to identify learning and inform future planning for any child whose placement has been disrupted. These meetings are chaired by an Officer from Quality and Assurance.

Matching and Ethnicity

In Quarter 4 there have been six transracial placements. These have been 4 White British children placed with Asian foster carers, and likewise 2 Asian heritage children with White British foster carers. Cultural and dietary needs have been discussed at the point of placement and have not proven problematic.

Engagement with Children & Young People and the VOICE Group

The VOICE group recommenced in February 2020 and was facilitated by the Participation Officer for both the Senior and Junior groups held at Blackburn Youth Zone. There continue to be Participation Champions for children in our care and care leavers, from each area of Service. Participation Champion Network Meetings take place every Quarter with the aim to deliver the ideas and aspirations of young people within each Service area.

Feedback from Children in Foster Care:

The views of children and young people are gathered via:

- The Voice Group
- Participation in the recruitment of staff/interview process
- Support Groups for Children/Events
- Foster Carer Annual Review Feedback
- Feedback from Social Workers/Supervising Social Workers
- The Investors in Children process

The following comments have been made by children and young people in Foster Care:

'I love living with my foster carers they make me feel included'

'I love going on holiday to the caravan and to the beach'

'She talks to me when I feel sad about my Mum'

'I wish I could stay up later at bedtime!'

'I am loved and cared for'

Social Workers said;

'The feedback about the young person as part of the Annual Review was so thoughtful'

'They go over and above the extra mile for her'

Birth Children of Foster Carers said:

'She looks up to me; I like to help her with homework when she gets stuck'

'He can be a bit annoying sometimes, but we get along'

Promoting Children's Health, Emotional Development, Education and Leisure:

Foster families are provided with pre and post-approval preparation and training on the importance and availability of health, education and leisure services to enable them to help children achieve their potential and enhance their emotional wellbeing.

Looked After Children and young people are encouraged to participate in a variety of activities in which they can succeed and are supported in achieving better outcomes. All local Looked After Children and care leavers are provided with a Leisure Membership Card which enables them to access free sport and leisure activities within the Borough. Foster carers are also provided with a MAX Card, which offers heavily discounted access to a range of leisure parks and facilities around the North West. This is funded by the Fostering Service in partnership with

the Foster Carer Association. A new initiative is the discounted corporate gym membership offer being extended to foster carer households, promoting their physical and emotional health needs.

Children in foster care have regular medicals at the statutory frequency appropriate for their age. There is a Designated Nurse for Looked After Children, who takes an active role in following up health issues and assisting with health promotion work. Foster carers have a Health Passport for each child in their care, which is a record of all of the child's health details.

In relation to emotional wellbeing, Looked After Children have access to Clinical Psychology and related services through REVIVE and the East Lancashire Child and Adolescent Service (ELCAS) also known as Children and Adolescent Mental Health Service (CAMHS). The REVIVE Service is a partnership between Blackburn with Darwen Borough Council's Children's Services and East Lancashire Hospital Trust to provide emotional health support for children known to the Local Authority and is based at Duke Street. REVIVE delivers consultation to Foster Carers, training and direct intervention on emotional health and well-being.

Revive saw some changes in staffing over Quarter 3 and 4, with the Clinical Psychologist leaving for pastures new, and the recruitment of a new Clinical Psychologist who will join the Team in August 2020. The Service will also say farewell to their Play Therapist in July 2020, but the post will be advertised. The introduction of new staff in the coming months is an opportunity to review and re-launch the service to ensure as many children and young people in our care as possible can receive consultation and direct work around their emotional well being and foster carers will continue to be supported with placement stability. There were 25 new referrals made to the REVIVE Service in Quarter 4, with 10 being Looked after Children.

In line with Standard 8 of the National Minimum Standards for Fostering Services, the Department implements a written Education Policy prepared in partnership with the Virtual Head Teacher and the Education Manager for Children in Our Care. The Virtual Head's role is to ensure that the educational needs of all Children in our Care are being met and that levels of achievement and aspiration among our children and young people are raised. Termly briefings are held with a group of social workers, managers and Designated Teachers and Head Teachers to consider ways to improve achievement and attainment.

The Pupil Premium allowance, previously paid to schools to support Children in our Care to achieve in school, is managed by the Virtual Head who has a system in place to administer and ensure the money is spent appropriately to further their educational achievements. The Virtual Head quality assures all Personal Education Plans (PEPs).

The Education Manager, where necessary, actively intervenes with Schools to promote the needs of children in Foster Care. As part of the preparation and assessment process and through the Foster Carer Agreement, Foster Carers are set a clear expectation that they will promote and support children's educational attainment. The ways in which Foster Carers meet children's educational needs are monitored through the foster carer review process and supervisory visits. Foster Carers regularly receive training 'Promoting Educational Achievement for Children in Our Care'.

Quarter 4 saw the annual extra tuition provided at the Kip McGrath Centre being well accessed, mainly by children in our care in Years 6, 10 and 11. School attendance overall continues to be very good with average attendance at 94%.

Transitions

Children and young people in foster care are supported to make a positive transition to adult life and foster carers attend training on 'Transitions' which focuses on their role in developing young people's skills to live independently as they progress towards adulthood. The Children in Our Care Team and the Fostering Team encourage carers and young people to consider 'staying put' and the Leaving Care Service also delivers courses for foster carers to develop their understanding of this. The training has been positively evaluated by carers and most indicate a willingness to work with 'staying put'. The Leaving Care Service attends Reviews to discuss Staying Put with foster carers for young people aged 17 years.

The Leaving Care Service has the Investing in Children Award, and is also working hard to encourage and support care leavers into apprenticeships. There are currently several young people on apprenticeships across the workforce.

The Leaving Care Service has achieved more Staying put placements this year overall, and continues to offer supported lodgings and supported accommodation which increases choice for young people leaving foster care and residential placements in favour of semi-independence. Participation levels continue to be good with young people being involved in interviewing and various training programmes.

The Leaving Care Service has eight advisors. Three advisors are working with the 16 to 18 year old age group resolving issues with accommodation, education, training and employment and staying put. Five advisors are providing advice and guidance to the 21 to 25 year old age group.

Children and young people with disabilities who are in our care are also referred at 17 years of age to Adult Social Care for an assessment of need, and there is a period of twelve months for planning to be undertaken around post 18 years provision.

Care Planning

The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015 provide a revised definition of 'permanence' for Children Looked After, including for the first time the definition of a long term foster placement. The responsibilities of the Local Authority in assessing the ability of the foster carer to meet the needs of the child now and in the future, and identifying any support services needed to achieve this are also set out. Local Authorities are required to achieve long term matching within reasonable timescales. The Permanence Tracking Panel meets frequently to discuss and monitor progress for Care Orders at Home, Special Guardianship Orders, Section 20 Accommodated and both non-matched and long term matched placements. There is an emphasis given to achieving a formal matching decision for those children and young people in long-term foster placements, to promote their emotional stability and achieve a permanence plan.

The Fostering Service

The Fostering Service is structured into three teams including a Permanence Team, which was launched on 1st July 2018. The Permanence Team completes all assessments of family members/connected persons from Child Protection to Public Law Outline pre-proceedings and Care Proceedings for which there were 105 assessments in Quarter 4. There are 5 full time Social Workers and one working four days per week. The Special Guardianship Social Worker is part time and continues to experience capacity issues. One Social Worker commenced maternity leave in Quarter 4 and this post is being covered by an Agency worker.

The Permanence Team has been successful in ensuring that family members/connected persons are assessed within PLO pre-proceedings and court timescales avoiding delay, but also that the appropriate Social Workers are completing the assessments with the most appropriate skill base, knowledge and experience. The number of assessments within the Team is consistently high in terms of caseloads and many are long distance.

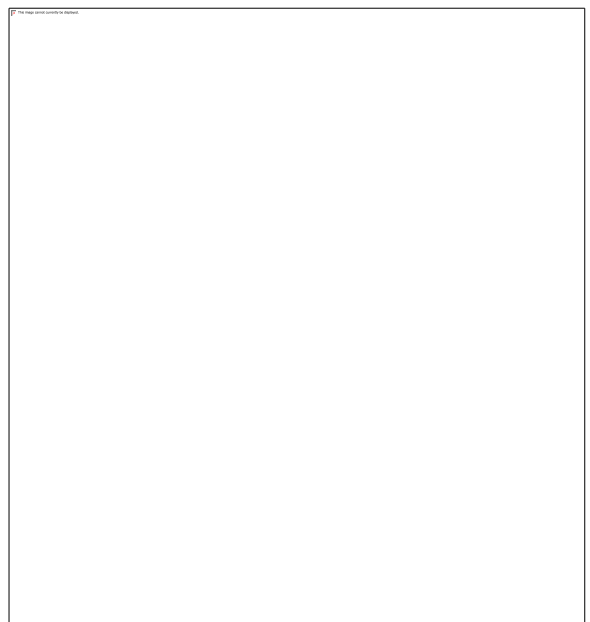
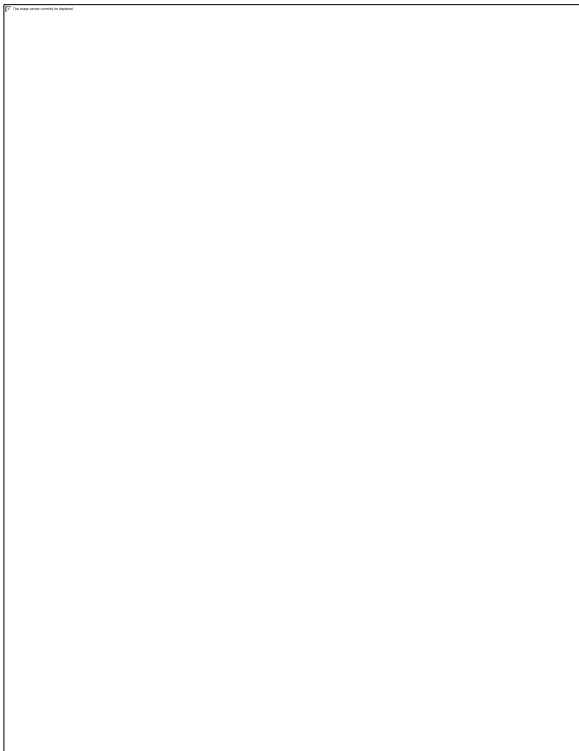
There are two mainstream Fostering Teams in the Service, with Quarter 4 seeing one of the Team Managers taking flexible retirement, moving into a reduced hours post in the Leaving Care Team. The Service is under review and restructure, with a proposal to disestablish one Team Manager post in favour of a Deputy Manager role working alongside just one Team Manager for both teams. The Fostering Support Officer also moved on from her post this Quarter, and the role is being recruited to with the new staff member commencing in Quarter 1 of 2020. There will also be a new role of Deputy Team Manager in the Permanence Team commencing at the same time. The objective is to achieve more of a 'one team' approach within the mainstream side of the service.

Foster Carer Recruitment

The recruitment of mainstream foster carers was an increasing challenge over 2019/20 and this has led to looking at new ideas in terms of recruitment campaigns. There were only 5 mainstream fostering households approved this year, but this has been addressed in the following ways:

- Review of foster carer pay and support offer with a 2% pay increase this year
- Proposal to offer a foster carer retainer fee for up to a month for those without placements
- matching the corporate gym membership offer for all foster carers
- increasing our spend on Google ads
- plan for Quarter 1 2020 advertising on Heart North West Radio for 12 months

Quarter 4 also saw the new bus stop recruitment campaign with eye-catching posters advertising our fostering offer and highlighting our need for foster carers for teenagers. It is hoped that this would attract interest to be seen in Quarter 1 onwards in our enquiries.



The past 12 months saw leaflet drops in the Borough, online advertising, a boost to our online advertising and making the BwD foster carer support and finance package as appealing as possible despite these challenging times.

The low number of mainstream approvals for 2019/20 will place a focus on having a more successful 2020/21 and combining digital marketing and recruitment alongside some more traditional methods of advertising. From discussions with other North West Local Authorities, recruitment has been a significant challenge over the past months. Despite receiving enquiries, it has been challenging to convert these into approvals, due to the level of competition.

The 'Fostering Front Door' offer from the You Can Foster pilot involving North West Authorities came to an end at short notice during Quarter 4, and resulted in the loss of a Social Work presence as the first point of contact at enquiry stage. While losing You Can Foster involvement was not significant, the loss of the 'Front Door' offer was a challenge. Long-term plans are being considered, and at present the Fostering Service are managing enquiries and registrations directly.

Foster Carer Retention

The Recruitment and Retention Strategy has been amended, and uploaded to the Council website. In Quarter 4, there were 12 resignations, however 9 of those were family and friends foster carers who had successfully achieved a Special Guardianship Order for the child in their care. Two foster carers took retirement and one fostering household resigned and is considering a move to an Independent Fostering Agency. The support 'package' for foster carers is something that is regularly reviewed in order to attempt to be as competitive with other Authorities and IFAs as we possibly can be.

Short Breaks Fostering

There are 12 approved short break carers in Quarter 4 with one resignation, some of which are providing short term/long-term placements alongside providing short break support. Short break placements have provided stability for children and young people who have had a variety of additional needs, and have provided emergency short breaks, support for mainstream placements, unaccompanied asylum seekers and planned short breaks. A short break carer support group session was held on 10th March prior to Covid-19 restrictions, and as of 23rd March, all short breaks were suspended due to the pandemic. This will continue to be reviewed in line with Central Government guidance.

Foster Carer Training

Quarter 4 saw many foster carers completing online training, with First Aid held in January as a classroom based course and 8 foster carers attended. Two further training dates, which were classroom based, planned for the end of March were postponed due to Covid-19 restrictions.

Fostering Panel

Over the past 12 months, there has been a drive to recruit more panel members which has been a success when evaluated at the end of Quarter 4. There are professionals from various services and backgrounds, alongside independent members. The Panel continues to be chaired by an Independent Social Worker/Manager as part of a commission with Adoption Matters. The Panel meets once, sometimes twice monthly. Quarter 4 saw no mainstream approvals but 5 family and friends foster carers were approved. The Panel Advisor role continues to be undertaken by the Fostering Team Manager.

Review Panel

Annual Review Panel saw 27 reviews in Quarter 4, and towards the end of March these were held without Panel attendance for foster carers due to Covid. The Review Panel will resume once the restrictions are eased. The Panel has been attended by the Service Lead and Team Manager for the latter period of Quarter 4. Foster Carers are asked to provide their feedback to be considered as part of their review paperwork.

Complaints

During Quarter 4 there has been one complaint received from a fostering household in respect of changes to their Supervising Social Worker due to sickness within the Service. This complaint was taken to Stage 1 and investigated by the Service Lead. The number of complaints over the year as a whole is 2 in total.

Compliments

Quarter 4 saw 1 compliment from a birth parent regarding the care and presentation of her children while placed with their foster carers. There have been 11 compliments received in the year overall.

Allegations

There were no allegations received in Quarter 4, with the figure for the year in total being 4.

The LADO is consulted in line with safeguarding procedures for allegations in respect of foster carers.

Specific Incidents and Restraints

In Quarter 4 there were 9 incident reports received, with a total of 43 for the year overall.

Serious Illness and Accidents

Quarter 4 saw 3 reports of accidents with Hospital admissions, consisting of a car accident, and two young people with suspected fractures which following x-ray were no cause for concern. The year saw 26 illness and accident reports overall.

Missing from Home

Quarter 4 saw 9 reports involving five young people. The year overall saw a total of 32 missing from home reports and the procedure is to report these to the Engage Team. Triggers for the young people are identified and return home interviews when undertaken can assist with this.

Bullying:

Quarter 4 saw one report of bullying involving a young person attending youth club and this was reported and dealt with accordingly. There have been 2 reports of bullying over the year as a whole.

Exemptions

There has been one continued exemption which has enabled a sibling group of 3 to remain together in placement and this was still in place at the end of Quarter 4. There have been 4 exemptions for the year overall. Additional support considerations are made at the point of placement should this be required for foster carers caring for over three children.

Engagement with Foster Carers

Blackburn with Darwen has a Foster Carer Association (FCA), which meets regularly and has an Elected Committee. Members of the Committee meet the DCS, senior managers and the Executive Member on a quarterly basis. The Chair of the FCA sits on the Corporate Parenting Specialist Advisory Group. The FCA has its own website, which has been increasingly used to communicate messages and news.

At the request of foster carers, membership of the Fostering Network moved to Foster Talk that provides similar services to support foster carers. Foster carers also have access to independent support commissioned from the Fostering Network to provide support and advocacy services in the event of complaints or allegations.

A small group of foster carers are recruitment champions, who help drive recruitment forward and are involved with planning events, Skills to Foster preparation training, and manning recruitment stands and events.

The Fostering Service holds a Foster Carer Forum every six months. This is planned for April 2020 but will now be postponed due to Covid-19 restrictions and a virtual forum will be considered.

Budget

Current placement pressures in-house and across the independent fostering agency landscape continue to place the commissioning budget under pressure, as increasingly adolescents and children with disabilities are placed in costly residential placements due to the lack of foster placements across the region and at a national level. It is however positive to note that from October 2019 to the end of Quarter 4, an Agency Residential placement has not been made. The commissioned placements budget remains a concern due to demand and costly placements both in the independent residential and fostering sectors. In 2019/2020 the commissioned placements budget saw expenditure of £8.753m against an annual budget of £4.739m, an overspend of £4.014m.

Commissioned Placements

In Quarter 4, the pressure and challenge upon the Local Authority to identify foster placements and in-house residential provision has remained significant. The requests for commissioned residential placements in Quarter 3 and Quarter 4 have seen some reduction. The Service continues to be as creative as possible and is offering short breaks to maintain existing placements and prevent disruption where this is achievable, albeit the impact of Covid-19 will be reported regarding the impact upon placement stability and sufficiency in Quarter 1 2020.

There is an evident peak in children and young people placed at home on Care Orders or Supervision Orders increasing from 62 in Quarter 1 to 70 in Quarter 4. Requests for parent and child placements and assessment units, placing sibling groups and the age group 11-15 years, remain the most challenging for the Service. For the latter part of 2019/20, Lytham Road Residential Children's Home (BwD) has remained at full capacity with 4 young people in placement consistently. The newly commissioned Nightsafe at St Silas has also been well utilised for post 16 years young people and the referral process is overseen by Leaving Care Manager and the Commissioning Panel.

End of Quarter 1 2019	End of Quarter 2 2019	End of Quarter 3 2019	End of Quarter 4 2020
Independent Agency Residential Placements 25	Independent Agency Residential Placements 28	Independent Agency Residential Placements 28	Independent Agency Residential Placements 24
Independent Agency Fostering Placements 67	Independent Agency Fostering Placements 68	Independent Agency Fostering Placements 68	Independent Agency Fostering Placements 60

New Service Priorities for 2020/21:

1. The Service has a target of recruiting 20 new fostering households over the coming year.
2. A Team Development Day will be an annual event to value and support the staff, and ensure specific training and development areas are actioned. This will coincide with two new Deputy Team Managers commencing their new roles in September 2020.
3. The Revive Team will be reviewed in terms of staffing, workload capacity and developing a review process for evidencing that outcomes are being met and the impact of their therapeutic involvement. This will enable the Service to manage the referrals and to identify when their involvement can cease

as outcomes and objectives are met. The Revive Team will also see two new Psychologists and a Play Therapist recruited into existing posts.

4. Foster Carer training will continue to develop, led by a Fostering Team/Deputy Manager. The Service will focus on the development of online training in the current climate, and the overall training offer in line with Foster Carer requests such as mental health/self-harm and transgender awareness. The objective is to increase engagement and attendance. Nurturing Attachment sessions will be delivered by Revive with the aim to enable all newly approved foster carers to access this early in their fostering journey.

5. The management team will continue to monitor compliance with Fostering Regulations and National Minimum Standards and will increase the number of case file audits completed each month to support this.

6. Placement sufficiency and stability will continue to be a key area of focus, with areas for learning taken from disruption meetings and case auditing. Blackburn with Darwen are part of the cohort of North West Authorities' collaboration for the DfE SEED funding and research project, which looks specifically at recruitment, retention, sufficiency and producing a Market Position Statement. The aim is to form a new local commissioning framework and hold regular Exchange Days to focus on long term matching opportunities.

7. The Fostering Front Door/You Can Foster has now ceased. The interim plan has seen this service brought back in-house and managed via the Fostering Service and Business Support. A review of the duty/placement referral system and fostering commissioning process will be undertaken.

8. Recruitment will focus upon emergency and short break foster carers, to respond to the increasing demand for urgent placements for teenagers. This will also enable a support package of short breaks to be considered for those young people who are more challenging to place and/or in fragile placements currently and will seek to assist with placement stability alongside our Revive offer.

Pamela Price
Service Lead, Placements

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Director of Children's Services & Education
DATE:	Thursday 10 th September 2020

PORTFOLIO(S) AFFECTED:	Children, Young People and Education
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	N

SUBJECT:
Adoption Now End of Year Report for 2019/20

1. EXECUTIVE SUMMARY

Adoption Now (Regional Adoption Agency) has compiled this Report with additional local information included by Blackburn with Darwen Borough Council's Service Lead for Placements. The Report details a summary of the period 2019/20 with particular focus upon October 2019 to March 2020 with analysis, data and patterns that may support service development.

2. RECOMMENDATIONS

That the Executive Board notes the Adoption Now Annual Report alongside Appendix 1.

3. BACKGROUND

Adoption Now is a Regional Adoption Agency providing Adoption Services on behalf of a consortium agreement with six Local Authorities; Blackburn with Darwen, Bolton, Bury, Rochdale, Oldham and Tameside.

Data remains local data relating to Blackburn with Darwen children, with Post Adoption Support, Recruitment and Assessment data including regional data.

This is the annual end of year Report produced by the Head of Service from the RAA, with additional information and oversight from Blackburn with Darwen Borough Council's Service Lead for Placements. Local Authority employees remain seconded to the RAA to date. There is a regular Adoption case-tracking meeting held to enable the Local Authority to have continued shared information and updates about the progress of children with Adoption Care Plans in the Borough. This also allows financial oversight and monitoring.

4. KEY ISSUES & RISKS

- During the second half of the year, 10 children were subject to a decision that they should be placed for adoption (SHOBPA). The total number over the full year is 28 and the children were primarily of white British origin. In terms of the age of those children in the first half of the year 55% were aged 0 - 2, 33% were aged 3 or 4 and 12% were over 5.
- In the second half of the year 60% were aged 0 – 2, 20% were 3 or 4 and 20% were over 5.
- On 31st March 2020, there were 16 children with a plan for adoption (subject to a placement order) awaiting placement and not yet matched. This number included 3 sibling groups of 2, all of whom have links being explored, a child with Huntington Disease in the family background who may also

now have a link, a child with significant developmental delay where a link is being explored, and 3 young children due to be matched at panel.

- There have been 28 Blackburn with Darwen children matched with adopters this year 2019/20, and 20 Adoption Orders made.
- With an annual target of 100 adopters to be recruited set by the Board, a total of 90 were approved which is an achievement. Recruitment and Marketing continues to be innovative and varied, focusing upon potential adopters from various backgrounds, ethnicities, and from the LGBT community.
- There have been 3 adoption disruptions over the year, with meetings held to learn from this and identify where possible the contributing factors. The likely impact of lockdown on this cohort of families at the end of March 2020 was still unknown. Inevitably, it was recognised that newly formed families would be isolated from their personal and professional support networks.
- The function of the letterbox co-ordinators remains an area for review and is currently in discussion with the RAA Board.
- Adoption Now office premises at Howell Croft in Bolton have been sold and a planned move to alternative premises is still to be identified will take place in the coming months although this is likely to be delayed due to the impact of Covid-19.

5. POLICY IMPLICATIONS

There are no Policy implications.

6. FINANCIAL IMPLICATIONS

In accordance with the agreed financial model, the operational budget for Adoption was combined with five other North West Authorities when the RAA was formed in 2017. As outlined in Appendix 1, the costs of placing children with Adopters outside of Adoption Now in 2019/20 was £320,200 against a budget of £266,700, an overspend of £53,500. The first option is to source Adopters within the Adoption Now pool.

The Adoption Service as a whole returned an overspend of £139,100.

Discussions are ongoing with the RAA Board about the financial implication of bringing the letterbox function into the RAA which is quoted at approximately £12,000 per annum per Local Authority. This has been agreed by the Board that this function needs to transfer to Adoption Now as opposed to individual Authorities.

7. LEGAL IMPLICATIONS

This Report is required to meet statutory requirements set out in 'The National Minimum Standards for Adoption.'

8. RESOURCE IMPLICATIONS

None identified.

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

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:	Pamela Price, Ailsa Smith pamelaprice@blackburn.gov.uk, ailsasmith@blackburn.gov.uk
DATE:	16/08/20
BACKGROUND PAPER:	Appendix 1 Report attached.

Adoption Annual Report

2019/20



Executive Report

Introduction

Achieving adoption for children contributes to improving outcomes for the most vulnerable children and young people in line with priorities outlined in other Council plans.

In 2017 there was a significant change in the way that adoption services were delivered as Adoption Now went live on 20th November. Adoption Now is a Regional Adoption Agency providing adoption services on behalf of six Local Authorities – Bolton, Blackburn with Darwen, Bury, Rochdale, Oldham and Tameside.

The data in this report is specific to Blackburn with Darwen children.

Adoption Agency Business - Children

Children with an Adoption Plan

During the second half of the year 10 children were subject to a decision that they should be placed for adoption (SHOBPA).

The total number over the full year is 28.

Those children were primarily of white British origin.

In terms of the age of those children in the first half of the year 55% were aged 0 - 2, 33% were aged 3 or 4 and 12% were over 5.

In the second half of the year 60% were aged 0 – 2, 20% were 3 or 4 and 20% were over 5.

The gender split was equal for children who have had a SHOBPA decision.

Children Awaiting a Match

On 31st March 2020, there were 16 children with a plan for adoption (subject to a placement order) awaiting placement and not yet matched. This number included 3 sibling groups of 2, all of whom have links being explored, a child with Huntington Disease in the family background who may also now have a link, a child with significant developmental delay where a link is being explored, and 3 young children due to be matched at panel.

These children are predominantly from the white British community with just one child of dual heritage Asian White British.

If the current links do not progress then continued efforts to match all of the children waiting will include them being profiled at Exchange days. Adopters come and discuss children awaiting adoption and all will be invited to attend a Family Adoption Day run by Adoption Now if this is appropriate for them. Similar National events are also run such as Activity days. These are events where adopters and children meet at a large party and get to know each other. It has proven very effective in finding families for some older children and those who are part of sibling groups.

Family Finding Activity

Professional links and relationships have continued to result in some positive matches, especially with the Voluntary Adoption Agencies (VAA's) who are partners of Adoption Now. The regional placement group meeting has been redesigned and continues to operate on a monthly basis to encourage matches with local Voluntary Adoption Agencies. Link Maker continues to be a useful tool, and children have been placed immediately on Adoption Match once a Placement Order is made if there are no families able to be explored from within Adoption Now in-house.

The development of Adoption Now means that families that would have been approved by the six Local Authorities individually are all part of the same organisation, and are immediately available to Blackburn with Darwen children. In the second half of the year, of the 14 children placed a total of 12 were placed within the Regional Adoption Agency and 2 with other agency adopters. Over the year that means that 80% of children were placed within the RAA. These placements do not incur an interagency fee. The target for the 2 year point after the Regional Adoption Agency went live was for at least 60% children to be placed 'in house'. The figure is therefore above what was anticipated back in 2017.

It is good practice to search for a family within Adoption Now in the first instance and then to look further afield to other Local Authorities, RAA's or Voluntary Adoption Agencies. This is known as an interagency placement.

On 31st March 2019 the National Adoption Register ceased to operate. Prior to this it had been a requirement for all children waiting for families for three months or more, to be added to that register along with adopters who are waiting for a match. A small number of links for children would have been made via the Register but Link maker has been a much more useful family finding tool and there has not been a significant impact from the Register ceasing.

Children Placed for Adoption

There were 11 children placed with adopters in the first half of this year and 14 children matched (the numbers of matched and placed children may be different due to early permanence placements and children matched just before the end of the half year but not yet placed).

Of the 14 matches presented to panels between April and September, there were 6 Fostering for Adoption or Concurrency placements matched, a sibling group of 2, and a sibling group of 3.

In the second half of the year a further 14 children were matched with adopters. There were two sibling groups of 2 and one child matched with early permanence carers.

There have been 28 Blackburn with Darwen children matched with adopters this year 2019/20.

The **scorecard data** for children adopted between 1st April 2019 and 31st March 2020 is as follows : -

Measure	Scorecard Indicator	Blackburn average
Placement Order to Matching (A2)	- 121 days	186
Child entering care starting adoption placement (A1)	Scorecard indicator – 426 days	344

These figures show that during this year, timescales were under the target for A1, and over for the A2 target. This is due to some children being adopted having additional needs and taking longer to find a family. Scorecard measures are not 'counted' until the year after an Adoption Order has been made, therefore these figures will not influence the published Scorecard results for some time yet.

A1 is an indicator that can be affected by Court timescales and can vary hugely due to a variety of other factors. The A2 measure represents the family finding process for children.

Children Adopted

20 Adoption Orders were made during the year 2019/20. It is these children for whom the score card data refers. Most Adoption Orders have been made in a timely fashion despite birth parents requesting leave to contest on the majority of cases.

Adoption Disruption

There have been 3 disruptions of adoptive placements during the year. A disruption is identified as a placement where the child has moved in with adopters and then the placement has failed. In the first half of the year there was just one disruption of an older child who had additional needs. A disruption meeting has taken place and learning from this case has been in relation to the need to share full information with adopters even if this is very historical.

In the second half of the year there were 2 disruptions, involving an older sibling group of 2. Sadly the disruption related to the female adopter becoming mentally unwell to such an extent that the placement could

not continue. A disruption meeting was held but there was little that could have been done differently from the perspective of Adoption Now.

Adoption Agency Business - Adopters

Adopter Recruitment

Nationally, there is a shortage of adopters and the number of children in the 'looked after' population rises both nationally and locally. This happened shortly after many adopters waited for long periods over the past few years, as a consequence of case law that changed the practise of the Courts in terms of agreeing adoption plans for children. The message to the public was, and still is to some extent, that there are very few babies and young children available for adoption. The recruitment strategy of Adoption Now has been to dispel this myth and focus on children waiting and timescales.

Context

Adoption Now, Regional Adoption Agency (RAA) became operational on the 20th November 2017. This report addresses the activity and outcomes of the Recruitment and Marketing work stream during the period 1st April 2019 to 31st March 2020. It should be noted that the year opened optimistically with new agency targets for adopter recruitment, marketing and development plans, and ended with the uncertainty of how the Covid-19 pandemic would impact upon the workforce and adoption practice going forward. The service began operating remotely through lockdown from 23 March 2020.

Staffing

The Recruitment and Marketing work stream for the RAA is responsible for the recruitment, assessment, training and support of prospective adopters. The team comprises of 26 individuals:

- 2 Team Managers
- 1.5 Advanced Practitioners
- 14 FTE social workers (10 part time, 9 full time)
- 3 Marketing Workers

Staff continue to be seconded from Local Authority employees to form the RAA.

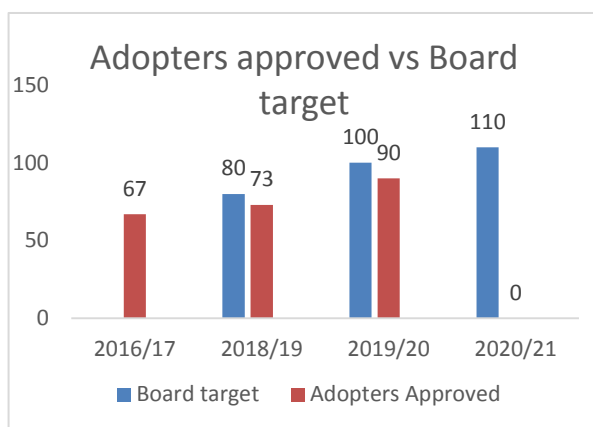
Headline Data.

In the full year preceding the formation of the RAA, (1st April 2016 - 31st March 2017), the Local Authority Adoption Teams in our six areas approved 67 adopters collectively.

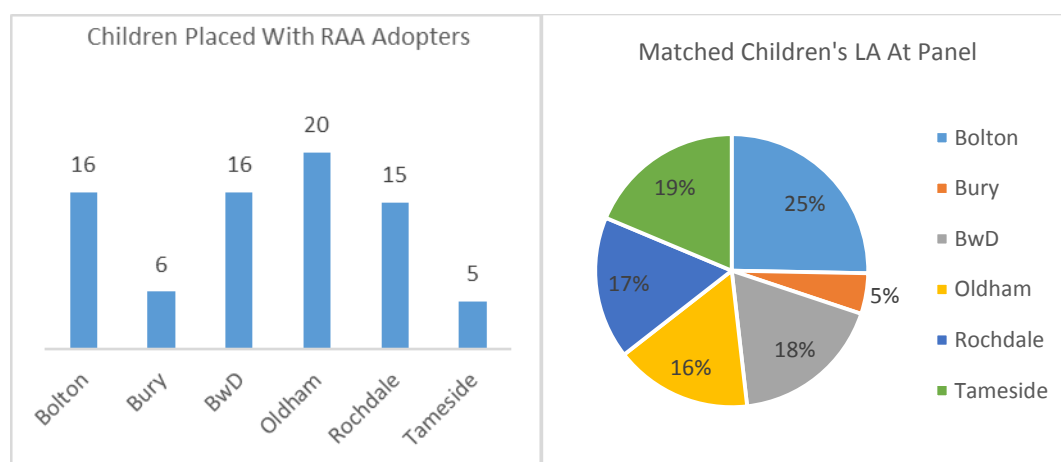
In the first full year of RAA operation (1st April 2018- 31st March 2019), 73 adopters were approved and 91 RAA children were matched with 84 RAA families. Additionally, 15 RAA families had 18 children placed with them from external agencies.

In this our second year (1st April 2019-31st March 2020), 91 families were presented to panel and 90 were approved; 78 RAA children were matched with 71 RAA families. (6 in groups of 2). Additionally, 3 RAA families had 4 children placed with them from external agencies. The total amount of income generated during the year from these placements was £166,000.

In the two years of operation, the work stream has yet to meet the aspirational adopter approval target of 100 set by the board. However, with no additional social work staff, this year's approval outcome represents a 34% increase in adoptive families than was achieved by the 6 agencies working separately as reported in 2016/17.



In respect of the 76 RAA children collectively, matched with 71 RAA families, 5 were in sibling groups of two. The distribution of RAA placements across agencies is shown below. The bar chart shows the total number of children placed and the pie chart shows the percentage by Local Authority as a proportion of all children matched within the RAA. Some Local Authorities have used more RAA adopters than others and this will be discussed in the family finding section of this report.



1. Adopter Recruitment Key Data 1.4.19- 31.3.20

	Numbers	Notes
Applications presented to Panel 1.4.19- 31.3.20	91	90 approved 1 was not recommended for approval; a recommendation supported by the Panel and the ADM.
Adopters Approved and waiting for a match at 31.3.20	21	The figure for approved and waiting adopters in the last 6 month report was zero. This significant increase in approved adopters available at year end, is because of the high number of families approved at panels in Feb/March 2020 (24 approvals in March 2020 alone). Families are still routinely being matched very quickly post approval and this figure is likely to be much lower in the next 6 month report. Despite the pandemic, linking and matching of approved adopters continues via virtual working and panel arrangements.

Adopters Linked or Matched on 31.3.20	70	The implications of the Covid 19 pandemic was already starting to be realised at year end with likely delays for this group of prospective adopters who were linked with children, not yet placed.
Adopters with Children in Placement on 31.3.20 (Children not yet adopted)	51	The likely impact of lockdown on this cohort of families at the end of March 2020 was still unknown. Inevitably it was recognised that newly formed families would be isolated from their personal and professional support networks.
Initial enquiries 1.4.19-31.3.20	292	241 couples, 51 singles. A number of those are now in the system for assessment and approval in 2020-21. This figure represents a slight increase on initial enquiries last year.
Total Adopters in the recruitment process at 31.3.20	166	23 (Initial Visits), 30 (Stage 1), 23 (Stage 2), 90 (Approved) Only seven new families are anticipated Q1 2020. This is low as a result of the drive to approve families in Q4 19/20.

Matching factors

The challenge to recruit sufficient adopters willing to consider siblings placed together, children 5 years plus, and those with additional needs or those placed under early permanence, remains a priority locally and nationally. Whilst not a legal requirement, the ability to match children on the basis of their ethnicity remains an important consideration as is the need therefore to recruit from a broad demographic that reflects the backgrounds of our children.

Siblings:

This year, 5 of the 90 approved families were able to consider two siblings, and no approvals were for three children. The number of returning adopters (second/third time adopters) however was 12, with a number of those being prompted to return by a care plan of adoption for a sibling. Whilst siblings are therefore being kept together by naturally growing families the need for adopters able to take children together remains high and an ongoing recruitment focus.

Single/LGBT:

Single and LGBT applicants have been part of targeted national and local 'myth busting' marketing campaigns for a number of years with success in increasing awareness. Adoption numbers for both groups have grown steadily year on year. For some time, LGBT applicants were known to be statistically more likely to consider older or more complex children or sibling groups (in part because they often came with fewer preconceptions of baby placements). Increasingly however subjective preferences for two parent heterosexual couples have been eroded. Though these groups are still generally broader in their matching considerations, they are increasingly likely to express similar preferences for single placements and younger children.

Of the 90 applicants approved in the Agency, 8 were single applicants and 16 were same sex couples.

Early permanence:

Prospective adopters are advised about early permanence options with a focus on recruitment for Fostering for Adoption (FfA) from first enquiry onwards. This year 16 of the 90 assessments for approval concluded with the recommendation that the applicants would consider FfA, however only 7 of those 16 approved went onto take FfA placements, the rest accepting very young babies who already had placement orders.

Ethnicity of adopters:

Routine tracking of children with adoption plans across the RAA gives the agency an informed perspective of the demographic of adopters that the RAA would ideally like to recruit to meet the needs of our children. In this year 2019/20, due to targeted recruitment and marketing activity, we have seen greater numbers and ethnic diversity in **new enquiries**. Adopters with Indian ethnicity trebled from 2019/20. The 'any other' white background more than doubled as did Bangladeshi adopters. Enquiries from white British adopters remained relatively consistent with a slight increase in 19/20.

Our ability to target and recruit from Polish, Romanian and Eastern European groups has been considerably enhanced this year with the appointment of an assessing social worker able to speak multiple languages. She has assisted greatly with access to specific communities and churches, translation of marketing materials and assessments where English is a second language.

Foster Carer applications:

7 applications in the year were foster carers wishing to adopt a child in their care. 6 were approved and one assessment went to panel with a recommendation not to approve. This was supported by the Panel and the ADM.

Timeliness

This year, 47% of the completed Stage 1 assessments were completed within the two month timescale and 80% of Stage 2 assessments in the 4 month target timescale. This compares to 32% of approvals made within target timescales by local authorities nationally. Our stage 1 delays more often relate to statutory checks, and stage 2 delays arise as a result of complexities or life events arising in the assessment period.

Quality of reports to Panel

Quality of Adopter Assessment Reports (PARs) are exceptionally high with almost 90% (82 of the 91 cases) being graded good or excellent by the Panel.

Complaints

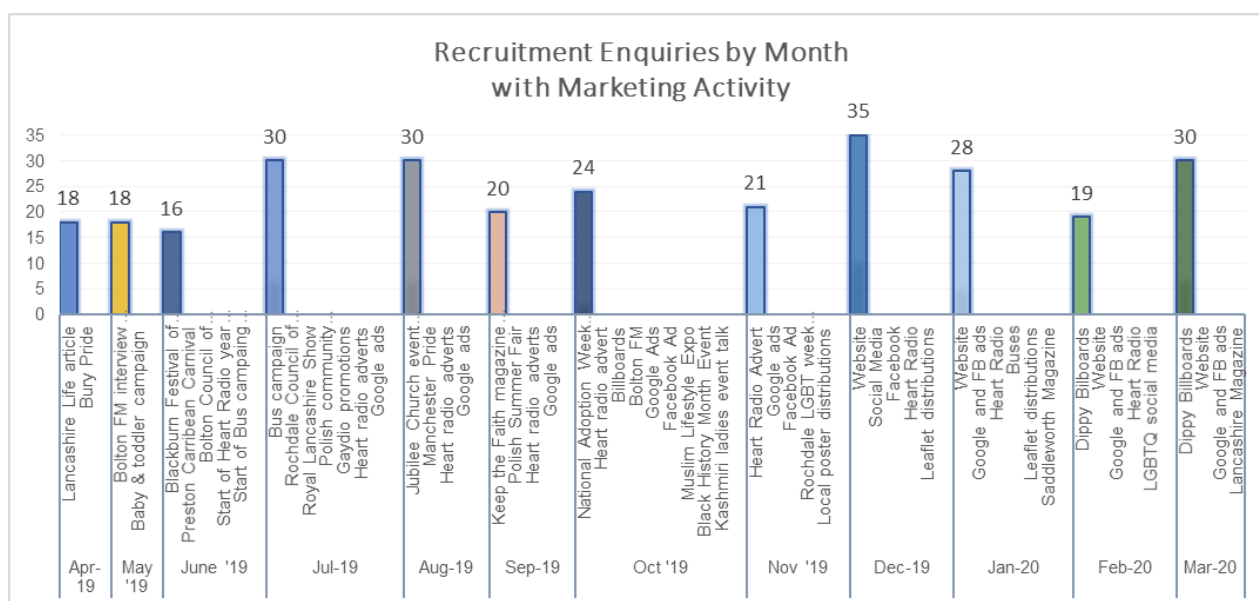
There have been no complaints reaching Stage 1 or 2 this year. The commitment and support of social workers in the team is generally recognised by the majority of service users. A number of compliments have been received from adopters in this period.

Adopter Recruitment /Marketing activity

There are three members of the team who work exclusively on recruitment and marketing activity in the RAA. One member left in October 2019 and the post was filled in January 2020. At the end of March 2020, one member of the team was on maternity leave until early 2021.

Adopter recruitment has been targeted at a wide reach from our 6 LA's over the past 12 months with a view to building up a profile of adopters with various ethnicities. Some targeted marketing has recently taken place specifically towards Asian, Polish, Muslim and LGBTQ Adopters (see recruitment activity chart below).

Number of enquiries received by month in line with marketing activity 01/04/19-31/03/20:



The chart above shows spikes in enquires during periods of heavy marketing activity including radio campaigns, events, social media and outdoor advertising.

The recruitment team attended local and regional outreach events to increase awareness of the agency with residents to raise the profile of the agency. Targeted events attended include Polish Fair, Black History, African Church, Muslim CoM. Regional events attended include Royal Lancashire Show, Fertility Show, Manchester Pride, Muslim Lifestyle Expo. During National Adoption Week the team were present at landmarks in all LA's including libraries and leisure centres.

Using feedback and response rates the recruitment plan for the year 2020/21 was devised to include the most successful events alongside key marketing methods namely social media, website improvement, outdoor and transport-based campaigns. At year end, this was being reviewed due to the pandemic.

The aim is to be consistent and regular activity throughout the year around key campaign times i.e. National Adoption Week and New Year. There will also be huge focus around the National Adoption Campaign which has been postponed from the intended launch of March. This coming year will continue to see additional focus on the Adoption Now website and online advertising to drive enquiries, supported by ongoing social media messaging.

Despite some of the larger events being successful and increasing brand exposure, many have since been cancelled, this has resulted in a shift of event attendance to a focus on further developing our website and increasing our online presence including Facebook, Twitter and google ads as well as reinstating a new radio campaign with Heart Radio – *'Don't stop looking! Adoption Now needs you'*.

Adopter Sufficiency Recruitment and Marketing 2020/21

In developing the agency sufficiency strategy, Adoption Now pays due regard to children's tracking data, particularly as the profile and needs of children in the care system change all the time in terms of ethnic diversity amongst the local authorities, gender, numbers of children needing to be placed, numbers of children with lifelong physical and developmental needs and those with specific diagnoses, for example, autism, Asperger's, foetal alcohol spectrum disorder. This informs the recruitment strategy.

It is clear that the total number of adopters approved within the agency is still not sufficient to meet the needs of our children waiting or those anticipated. The national picture in March 2020 indicates that once

published, figures for 2019/20 will report a slight upturn in adopter approvals across the country (allowing for the usual demographic anomalies). In our own agency, approvals are up 18% this year from last, which is likely to exceed the national upturn. Although still not reaching the Board target, this represents a significant RAA achievement on which to build. It is very unclear at this point what the impact of the pandemic will be on recruitment outcomes in 2020/21 but in preparing for lockdown the team have already demonstrated resilience and a commitment to delivering continuity of service.

This coming year we continue to recognise the need not just to recruit *more* adopters but to recruit to those *most needed* within the RAA. Whilst the new recruitment target of 110 adopters for 2020-21 would go some way to closing the sufficiency gap the expectation is that external placement will inevitably be required from our partner VAA's and beyond. All social workers within the recruitment team are aware of both this target and their own individual targets for the year.

Since April 2019 the Marketing team has been continuing to work on increasing awareness of adoption and the need for adopters from all walks of life to meet the needs of local children awaiting families. There has also been more work undertaken to increase the brand recognition of Adoption Now. We are mindful of our children's tracking data when planning recruitment activity. There has been increasing Marketing Activity since our Marketing Officers came into post and we have a developing data base of specific events and activities that result in measurable outcomes.

Families approved in the year have returned to Panel quickly with matches. The success in identifying early links is due to good working relationships between recruitment and assessment and care planning workstreams; adopters in stage 2 are also invited to RAA recruitment events (exchange days and Activity Days); a recruitment manager attends monthly children's tracking meetings to further inform the team on the children coming through the system and a placement meeting is held between recruitment and care planning teams on a monthly basis to further share details of priority children and available/upcoming adopters; early alert profiles are also prepared for both children and families and stored in a shared folder accessible to all workers.

Team and service development

Adoption Now have worked hard to build team identity by continuing fortnightly team meetings and establishing joint working in respect of delivering training and supporting marketing events and Activity/Exchange days. A great deal of our work in the year has involved evening visits to flexibly accommodate adopter availability and further evening and weekend recruitment responsibilities alongside our Marketing colleagues. We would not be able to deliver so many events without the general sense of good will, commitment and positivity that exists in the team.

Our recruitment and marketing officers are increasingly bringing a level of expertise and opportunity to adopter recruitment that our separate agencies would not have had. This is a developing resource as they have come to understand our service and we realise their potential. The Marketing team workers have been trialling recruitment activity and plotting it against outcomes, meaning we will have an evidenced base for marketing activity going forward year on year.

Prior to lockdown in March 2020, the team has developed a host of new resources including our own videos and training materials in order that we can continue to offer a marketing and recruitment service. These are supported by new processes and procedures. Virtual open evenings, training groups for adopters, initial visits and virtual assessments are now operating and developments are continuing throughout these extraordinary times.

Year one in the recruitment workstream largely focused on establishing the team and *processes*, year two built on those foundations with a focus on our *outcomes*. We have some aspirational recruitment targets for the year ahead that need to be owned by the team and individuals in it. Supporting recruitment activity and then continually improving timescales for stage 1 and Stage 2, so we quickly approve those we attract to the agency is a priority. Adding to that challenge this year will likely be some inevitable delays as a result of the pandemic.

We have seen some improvements this year in monitoring, recording and reporting using adaptations to Liquid Logic but further work is planned and this continues to be an area for development. Once the new pathway changes are made, further training will be delivered to the team. We also have added capacity to develop online resources, videos and podcasts to further develop our website following the appointment of a new recruitment and marketing officer with expertise in this area. It goes without saying that targeted recruitment specific to the meet the needs of RAA children will be our primary focus for the year ahead.

Adoption Support

Staffing, Team building and transitions:

The adoption support service has continued to experience various staffing issues, including some significant periods of sick leave and the full-time senior practitioner reducing to part-time hours in January 2020 and currently being on sick leave.

Whilst we have continued to meet the needs of our families during this time, it's not been without its challenges. During this time families have also been supported through the duty service where allocation has not been possible for a time.

On a positive note, the Advanced Practitioner returned to work in late Autumn, a full-time social worker is currently on a phased return following a significant period of sick leave and the part-time senior practitioner recruited has just commenced with the team.

Centralising/Developing the service:

Whilst we may currently be in unprecedented times with much of our face-to-face core offer of support being on hold, in terms of our workshops and support groups, we have been able to continue developing our support offer.

We have to date successfully delivered 3 Therapeutic Parenting Courses and we continue to receive very positive feedback from the families who completed this. We were looking to hold a further two courses in June and October and whilst there may be some delay, we will look to get new dates for these confirmed as soon as we are able to. At present we have commissioned an independent therapy service to support our development and delivery of the therapeutic parenting intervention, however, we envisage that following the next two courses that we will be ready to independently deliver and continue to develop this intervention, including a version for teenagers.

We are currently busy exploring how we can support our families more virtually and there is lots of creative and innovative work going on. We have produced a fortnightly bulletin called 'Reaching Out' for parents, sharing hints, tips and ideas, with therapy informed activities and mindfulness for parents which in the main has been well received. Our next edition is to be a special edition from one of our adopters, sharing their tried and tested experiences that we hope will be well received with families as it was certainly enjoyed by the team.

We are exploring how we can offer a virtual support group/coffee morning and how we can continue to deliver our workshops more virtually – a session has been scheduled for our 'Support to Family and Friends' later this month with a Q&A section to trial how this works. We are working very closely with our recruitment and assessment colleagues, who are working to provide preparation training in this way. The adoption support consultations for pre-matching, pre-placement support and early placement guidance and advice are increasingly being utilised and the number of pre-order allocations in adoption support is steadily growing. There is work still needed here, with plans for joint training for staff to be developed with our panel advisor in relation to Adoption Support Plans and continued work on building early relationships with adoption support.

The Peer Mentoring Scheme is continuing to grow and develop with a further cohort of mentors being recruited in January/February.

The Cornerstone Virtual Reality equipment has been proving successful and an invaluable resource – from prep training and adopter assessments to adoption support workshops, training and in working with individual families.

The Covid 19 Fund:

The Covid 19 Government Fund is for adoptive and Special Guardianship families who need extra support as a result of Covid 19. This fund is not an alternative to an assessment of need or the Adoption Support Fund.

Families do not need to be open to services or need an assessment to receive the extra support but they must be in scope for the fund with needs arising as a result of Covid 19.

The DfE have allocated up to £213,000 for Adoption Now to claim against to provide a package of support, whilst all claims must be made by 9th June, the funding will remain in place until the end of September 2020.

We have secured a varied package of support services through 9 successful application to the fund that we envisage will support families in the 'here and now' situation.

The services available are:

All families have access to free membership to the National Association of Therapeutic Parents (NATP) including access to online training sessions and Special Guardians can subscribe free to Grandparents plus.

We have also commissioned the Manchester Occupational Therapy Service to produce a series of Sensory Processing video's – this includes 7 sets of 3 videos, each set will be based around one of the 7 sensory systems. The initial video will explain the sensory system, the second will offer outdoor activities to support the sensory system and the third will offer indoor activities. Each series will include a handout so there will be no need for parents to make notes and the videos will be no more than 15 minutes long. Once these are produced, they can be shared with families on an unlimited basis and will be a valuable resource beyond Covid 19.

Manchester Occupational Therapy Service have extended their consent for these materials to be shared wider amongst other Regional Adoption Agencies.

A referral process has been implemented and is now active for the following support services:

- Consultation with Clinical Psychologist
- Consultation with Education Psychologist
- Mindfulness for parents
- Access to webinars re managing teenagers and younger children in the current situation
- Therapeutic parenting support – various packages
- Adult/Couples counselling
- Relax Kids
- Sessional support for pre-teens/teens and young adults
- Sessional support – DDP/Theraplay and NVR
- Grandparents Plus tier 1 and tier 2 support
- Attachment Informed Sensory Regulation Consultations as part of therapeutic parenting support.

All the support is being delivered “virtually” with referrals from adoptive families being made through adoption support and SGO referrals through their respective Local Authorities. Referral progression, allocation, monitoring and evaluation processes are being managed by the Adoption Support service for adoptive and SGO families.

Adoption Support Fund:

The future of the Adoption Support Fund remains uncertain at present. A spending review of the fund was due in November 2019, however, for various reasons this was not completed, and the fund has continued, unchanged until March 2021.

The long-term future of the fund remains under review, which is now scheduled for November 2020. It is unknown how/if the current situation relating to Covid 19 will impact on this spend review.

Total monies received 01/04/2019 – 31/03/2020	£622,656.28
Number of children currently receiving therapy funded via ASF	254
Number of applications made to the fund	205
Local Authority Breakdown:	
Blackburn with Darwen	32
Bolton	51
Bury	40
Oldham	45
Tameside	45
Rochdale	41
Number of providers currently being commissioned by Adoption Now	49 from 66 registered with AN

Total monies paid by Adoption Now for Match Funded Applications – 01/04/2019 – 31/03/2020	£14,890.50
Local Authority Breakdown:	
BwD	£284.47
Tameside	£1,516.17
Bolton	£274.35
Oldham	£1937.19
Rochdale	£48.06
Bury	£10,830.26
Number of applications/children	13

We have also been able to make some small applications to the Adoption Support Fund for packages of support provided by Adoption Now staff who are certified practitioners or working towards certification.

Total monies received 01/04/2019 – 31/03/2020 for Adoption Now Interventions	£40,600.00
Number of children – includes 3 Therapeutic Parenting Courses.	30

Clinical supervision costs for certified practitioners and those working towards this are met with this income, together with various other costs, such as room hire for the parenting course where applicable.

NB: Our Therapeutic Parenting Course is £1,500 per family.

Cases/workload:

Adoption Support

The current open case total is 351 – this total reflects the number of children receiving adoption support. An overall breakdown of the current open cases in terms of when they came into Adoption Now is as follows:

Ongoing cases from 2017/18 and 2018/19	196
01/04/2019 – 31/03/2020	155
Total	351

01/04/2019 – 31/03/2020	
Receiving on-going Adoption Support Packages	280 (<i>includes 54 assessments completed 01/04/19 – 31/03/2020</i>)
Ongoing Assessments	33
Pre-order support	38
Cases closed	128
Total	479

Access to Records

01/04/2019 – 31/03/2020	
Completed and closed	55
Ongoing	65

We successfully rolled out our process for Pre-Commencement Adoptions across the wider team in January 2020 and the process for Post Commencement Adoptions remains in progress. At present Access to Records are on hold – whilst we are still taking referrals and providing support and advice to adults wishing to access their records, these are not being progressed due to Covid 19. Letters have been sent to all adopted adults who were in the process of accessing their records with Adoption Now and they will continue to receive support from their allocated social worker where required.

Surgeries and Letterbox:

This is another area of work that is in the main on hold due to Covid 19 as surgery appointments cannot be held and supporting letterbox/indirect contact is limited as we are unable to access letterbox files. We continue to provide support through the duty service and continue to work with the letterbox co-ordinators to keep as many exchanges progressing as possible. We have many birth parents who require support to write letters and are anxious that their exchanges will be late, we are progressing any enquiries where are able to and offering reassurance that as soon as we are able we will arrange surgery appointments and will support exchanges outside of the set time frames due to any delays being outside the control of any of the parties.

Whilst in infancy, planning had commenced in relation to the management of all 6 letterbox/mailbox services moving into Adoption Now and unfortunately, this too is on hold.

Support groups/Events:

- **Training Events:**

- In the last 6 months we have run numerous workshops with up to 25 attendees at each;
Starting your adoptive family x 2 (14 attendees and 18 attendees)
The developing brain (18 attendees)
Life Story Work – introduction (19 attendees)
Life Story Work – Part 2 (12 attendees)
Introduction to Theraplay and PACE (17 attendees)
Support to family and friends (16 attendees)

- **Annual Events:**

Sadly, our Easter event had to be cancelled this year, which is a shame as we were expecting a good turn out with many families signing up who we are beginning to see regularly at our events. It is likely to that our summer picnic will not be able to go ahead either, however, for the first time since we became a RAA we have been planning a Winter Event – something that many families have been eager for us to arrange – we remain hopeful that this event will go ahead.

- **0-11 Years Support Groups/Events:**

We hold 2 Nurture/Toddler groups (0-4years) per month with an average of 12 families attending at each – with school holidays this often increases to an average of 15 families per session. Club Awesome (4-11years) runs on a monthly basis and on average we have 10 families attending – in the few months prior to the lockdown we were seeing a steady increase in the numbers of children attending Club Awesome.

- **Progress on 2020 Developments:**

- We have reviewed our 'starting your adoptive family' workshop with the aim of running multiple times throughout the year. We managed to hold one prior to lockdown and this will be the first workshop we trial virtually in the coming week.
- A workshop focusing on Trauma and Attachment has now been developed and is ready to deliver.
- Adoption Now's Therapeutic Parenting Course successfully ran in March 2020 and 2 more cohorts will be rearranged from June/October as soon as this is possible.
- Development continues for a group based therapeutic intervention to support families with the teenage years and will draw on various therapeutic approaches, including Non-Violent Resistance.
- Development continues with in building relationships with education and workshops/training for schools, both case specific and more general.

Adoption Panels

Adoption panels continue to operate four times per month with an option to run a fifth panel if required. An annual panel chairs report exists which summarises the work of the panels.

They continue to be busy and two new panel chairs have been recruited which means there are now 4 panel chairs available.

The panels quality assure all paperwork being presented and it is evident that there is continued improvement in the quality and standard of both matching paperwork and adopter assessment paperwork. 79% of matches presented for Blackburn with Darwen children were of good quality or better.

Inter-country adoption

Inter-country adoption services are rarely requested in Blackburn with Darwen, but the Local Authority has a statutory obligation to provide or commission a service. BwD commission this service from The Inter Country Adoption Centre.

Participation of Young People

Services being designed are in line with the expressed wishes of some of our young people when they were consulted late year. Creative ways continue to be used to encourage participation from children who access post adoption support as well as those children who are awaiting adoption, especially, but not exclusively, those who are verbal.

Complaints

Adoption Now nor BwD have received any complaints in relation to Blackburn with Darwen children or families in the period 2019/20.

Allegations

There have been no allegations in the last six months.

Budget

New Adoption Support fund applications have transferred to Adoption Now (see above Adoption Support section for amount claimed).

The operational budgets supporting adoption were transferred to Adoption Now and combined with the budgets from the other five local authorities. This budget has not been increased this year which has put pressure on some budget lines and in particular the staffing budget lines.

At the end of the financial year however there was a surplus budget of £276,000. This included income generated of £166,000 and underspends due to staffing vacancies in business support and half a year where there was no commissioned birth parent service due to After Adoption ceasing to operate suddenly at the outset of the year.

There will be additional pressures on this budget in the coming year due to 'on costs' being charged by Bolton to support the hosting of the RAA and newly committed expenses. In addition it is expected that the RAA will need to move its hub and this may also incur new costs.

Unspent reserves brought forward were an additional £350,000.

There are costs associated with posts in the RAA that had no budget line to support them from the outset however, these are more than covered now by the income being generated and savings achieved from other budget lines as part of the economy of scale in bringing the six Local Authorities together.

A total of £... was spent on placing children with outside agencies this year (Adam to be confirmed if possible)

Team Development

A development plan exists within Adoption Now to ensure continuous improvements are made to the service. In addition this is informed by adopter surveys carried out at least annually. The last of these was at the end of March and over 120 people responded with ideas and suggestions – some of these were specifically related to the Covid 19 situation and the additional services that they required from the Covid 19 funding.

Staff training remains a priority with full staff teams being trained on such things as adopter assessments, Therapeutic life story work that was delivered to local authority staff as well as RAA staff, panel training and much more.

One of the biggest challenges we have is to be approving more adopters for a wider range of children. Whilst numbers approved are over 30% more than the combined LA's were approving prior to the RAA coming into existence this is still not sufficient. Another factor is also increasing numbers of children in care across the 6 LA's and certainly this year has seen an additional 20 children placed for adoption which may be what would be expected if a proportion of those additional children in care have an adoption plan.

Support for adopters continues to grow and develop with the introduction of therapeutic parenting programmes over the last year and the increased use of virtual reality which adopters are finding extremely helpful.

In the coming year the adoption mailbox will be centralised within Adoption Now which will be hugely beneficial for Blackburn with Darwen as this is managed by Business Support in the LA currently.

Covid 19 has generated a whole raft of new innovations including virtual adopter information events and virtual preparation groups and virtual adoption panels which had to be developed in less than a week in order to ensure adopters could still be approved in large numbers at the end of March. Additionally, a new therapeutic fortnightly newsletter out to adopters has been developed and a whole new range of services has been funded by the Adoption Support Fund to support families in this time of crisis. This has all taken a huge amount of organisation but staff have risen to the challenge admirably.

Karen Barrick
Head of Service, Adoption Now (RAA)



EXECUTIVE BOARD DECISION



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

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

LEAD OFFICERS: Director of Children's Services & Education

DATE: Thursday, 10 September 2020

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

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT:

Schools Capital Programme 2020-2021

1. EXECUTIVE SUMMARY

To present for consideration and approval the capital programme for Schools and Education for 2020-2021 academic year as detailed within this report.

2. RECOMMENDATIONS

That the Executive Board:

- 1: Approves the attached list of projects as detailed in Appendix 1 & 2 for inclusion in the 2020-2021 Schools and Education capital programme funded from Basic Need, School Condition Allocation, Devolved Formula Capital, Healthy Pupil Capital Fund and SEN Capital Fund.
- 2: Approves a change to the schools capital programme reporting in line with school academic year.
- 3: Authorises officers to procure works in accordance with the Contracts Procedure Rules as written in the Council's Constitution.
- 4: Approves expenditure to be incurred on individual projects, in line with the Council's Standing Financial Instructions.
- 5: Notes that reports will be provided for the Executive Member detailing any variations/amendments to programmes of work and seeking necessary approvals where these are required to ensure compliance with financial instructions and the Constitution.

3. BACKGROUND

Since 2002 - 2003 the Council has received a base line of capital funding from Government to meet the responsibilities placed upon it by the Education Acts and the School Standards and Framework Act.

Capital investment is targeted in the first instance at concerns relating to the condition of school buildings, as highlighted through individual schools asset management plans. Funding can however also be used to make environmental improvements that will enhance teaching and

learning spaces, and can also be used to address schools capacity issues. This base line investment has enabled the Council to meet its responsibilities and national and local priorities on a continuing basis and ensure schools remain fit for purpose and that there are enough places to meet demand.

4. KEY ISSUES & RISKS

Details of proposed capital programmes and associated costs for 2020-2021 academic year are contained in Appendix 2.

In respect of maintained local authority schools (Community & Voluntary Controlled Schools), the School Condition Allocation (SCA), Devolved Formula Capital (DFC) and Special Education Needs grant are £882,965, £214,891 and £166,667 respectively. In addition, a carry forward of £2,912,833 from the 2019 - 2020 financial period brings the total available budget to £4,177,356. The available budget will be directly managed through the Schools and Education portfolio. In addition the Local Authority has been allocated a further £2,831,625 for 2021/22 of Basic Need funding based on the requirement to increase the sufficiency of school places. Work within the Autumn term 2020, will determine the areas of the borough that require additional school places and how this funding should be used. Proposals for increasing school places will be reported through the Executive Board at a future date.

The Schools and Education capital programme is driven by capital priorities raised from the Condition, Suitability and Sufficiency sections of individual school's asset management plans (AMP's), which are inclusive of information derived from compliance condition/audit reports e.g. asbestos surveys, legionella reports. In addition, the boroughs information on pupil place sufficiency is used to understand the demand for any required school place growth.

The budgets which will be available in 2020 - 2021 academic year for capital improvement works in the authority's schools (Appendix 1), can be categorised into 2 areas:-

1. Directly Managed

Projects, irrespective of whether internally or externally funded, that are managed by officers from Blackburn with Darwen's Building Consultancy Team.

2. Indirectly Managed

In all cases, officers keep an overview on the individual projects in partnership with other parties i.e. Diocesan Authorities.

The proposed 2020/21 capital programme relates to the Council's responsibilities in community controlled and voluntary controlled schools as part of the Fair Funding of Schools Regulations. Within the context of these regulations, as set out in the authority's scheme of financial delegation for schools, the Council retains the responsibility for "capital" improvements valued over £10,000 in all schools. The programme to address this work is collectively known as the annual Planned Improvement Programme, (PIP).

The programme for the 2020/21 academic year includes a small number of new schemes alongside requests for variations on budgets for existing live schemes following feasibility works and in some cases changes to scopes of work.

From inception to completion the capital programme is closely monitored by officers from the Council's Building Consultancy Team, Finance Team and Schools and Education team against agreed key performance indicators (KPI's) representing measures of quality, cost and timescale. In previous years the schools capital programme has been presented to the Executive Board in the Spring term of each year, in preparation for commencement of the programme in the Summer

term. This timescale, given that many of the projects are high cost and require intense planning and preparation has proved challenging to execute. It is proposed that the reporting timescales are amended to fit more succinctly with the school's academic year. The benefits of this amendment include:

- Greater clarity on available budget (The budget allocation for the School Condition Grant is not informed to the LA until May of each year, and the budget for Devolved Formula Capital in July of each year).
- Longer lead in time to prepare for larger scale works that need to be undertaken in school summer holiday periods
- Improved procurement opportunities, with an ability to give longer tender timescales and potential to drive down/negotiate costs
- Increased potential to attract more contractors to tender for works (By Easter of each year, the majority of contractors available for work during the summer months have already been secured)

Schools Condition/Basic Need Funding

The capital programme compiled for 2020 - 2021 (Appendix 2) reflects needs in schools, which have been identified through each school's AMP (Asset Management Plan). By drawing the programme of works from the school's AMP's, we endeavour to adopt an equitable, transparent and fair approach to all. Officers from the Building Consultancy Team have visited schools to discuss priorities with schools and ensure AMP's accurately reflect the needs of the school.

The main priorities within the programme relate to:-

1. Compliance with legislation
2. Ensuring buildings are wind and water tight, and able to provide a safe, warm environment for pupils and staff.
3. Correction of suitability issues to provide a building which is fit for purpose.
4. Enhanced teaching and learning spaces
5. Provision of sufficient pupil places
6. Improving accessibility and choice

Where possible, schemes have been developed to manage a number of the above issues at the same time, so as to generate economies of scale and limit as far as possible disturbance for schools.

In line with previous years, schools benefiting from the programme will be expected to contribute to any capital works from either Devolved Formula Capital (DFC), or school reserves. A contribution is required to ensure that the School Condition Allocation funding is spread as far as possible and used in schools that have a commitment to working in partnership with the Council to improve their school buildings. Typically, schools are asked to contribute 10% of the total cost of the scheme. However, for those schemes that are of a high value (where a 10% contribution would be greater than the amount a school is able to retain and/or the school has no other means of funding), schools will be asked to contribute up to 3 years' worth of their allocated Devolved Formula Capital (DFC).

An allocation of £100k from the 2020/21 Schools Condition Allocation is proposed to address any unforeseen emergency works, including those that compromise health & safety and/or safeguarding regulations. Any works not on the initial planned programme that require urgent attention and funding through this contingency will be reported retrospectively to the Executive board. In 2019/20, £30k of the £100k contingency allocation was allocated to support an urgent project at Turncroft Nursery School (£30k – heating system).

Due to the number of larger school capital projects that are currently ongoing and the potential for other large scale projects to support school sufficiency going forward, the number of newly identified projects for the 2020/21 capital programme (Appendix 2) have been kept to those that

are required to fulfil health & safety compliance, safeguarding compliance, school sufficiency and/or the provision of disabled facilities.

SEND Capital

A further source of capital funding allocated to the Council is the Special Provision Capital Fund, which must be used to improve provision for children and young people with education, health and care plans (EHC plans). The capital funding guidance specifies that the allocation can only be used on physical infrastructure developments and that any expansion to existing provision must be at a setting that is rated good or outstanding by Ofsted.

An independent review of high needs education provision, commissioned by the Council, involved a programme of consultation with all key stakeholders including schools and families. A key focus of this consultation was how the Special Provision Capital Fund should be used. The consultation highlighted a significant need to increase provision for children with Social, Emotional and Mental Health needs (SEMH). It had previously been approved (Executive Board 2019/20) to use this funding to support expansions of specialist provision at both St Cuthbert's Primary School, Darwen and Blackburn Central High School with Crosshill Special School:

- The project at St Cuthberts will commence on site Summer 2020. Tender returns against the scheme require a budget increase of £105k (from £180k to £285k) £70k of this required increase will be funded from the SEND capital budget, with the remaining balance of £35k funded from the Schools Condition budget.
- The project at Crosshill School has been reviewed in light of a lease arrangement between the LA and The Champion Trust for the purpose of relocating Crosshill School from its existing location to The Sunnyhurst Centre, Darwen, pending refurbishment. This will provide for an increased number of specialist places at Crosshill whilst also enabling BCHS to expand provision into the existing Crosshill School accommodation providing an increased number of secondary school places, which are currently in great demand. The funding allocated to Crosshill School (£300k) requires an uplift of £58,837 which will be used to support refurbishment costs at The Sunnyhurst Centre alongside investment from The Champion Trust.

The feasibility of increasing specialist provision at a Blackburn based Primary school has also been considered and it is proposed to extend provision at Shadsworth Infant School for the purpose of providing increased specialist places for children aged 4 – 11 years. Early estimates suggest a required budget allocation of £260k, of which £240k will be ring-fenced from the SEND capital budget and the remainder of £20k funded from the Schools Condition grant.

5. POLICY IMPLICATIONS

National Policy Context

The Council has responsibility to ensure that all allocated funding for maintained sector schools is used in accordance with the associated grant terms and conditions.

Performance Implications

The capital programme, made up of individual projects, will be closely monitored against agreed performance indicators representing measures of quality, cost and timescale.

6. FINANCIAL IMPLICATIONS

In respect of the local authority maintained schools sector, 2020- 2021 capital funding is detailed in appendix 1.

The proposed capital programme for the Schools and Education portfolio is attached at Appendix 2.

7. LEGAL IMPLICATIONS

The report has been compiled with regard to the Council's Constitution, in particular the Financial Procedural Rules and the Contract Procedure Rules. All procurement and contract activity in connection with this programme must be carried out in accordance with the relevant parts of the constitution and legislation.

All contracts prepared in relation to the programme must be in conjunction with Legal Services/CAPS team.

8. RESOURCE IMPLICATIONS

Resource requirements for managing and coordinating the capital programme will be met from within the current Building Consultancy structure and Schools and Education leadership.

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

Officers from the Building Consultancy Team have visited schools to discuss priorities and ensure AMP's accurately reflect the needs of the school.

The Special Provision Capital Fund programme has been prepared in consultation with families, schools and broader education stakeholders.

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:	Robert Addison, Carol Grimshaw, , robert.addison@blackburn.gov.uk, carol.grimshaw@blackburn.gov.uk
DATE:	03 August 2020
BACKGROUND PAPER:	Appendix 1a– Schools and Education capital programme 2020 - 2021, budget allocations Appendix 1b – School and Education capital programme 2020 - 2021, existing live projects and new proposed projects

Schools and Education Capital Programme 2020 - 2021

LIVE PROJECTS

Project	Officer	Delivery	Description	Funding Source	Opening Spend Profile 2020-21						
					Basic Need	Schools	Healthy Pupil	Special Provision	Section 106	DFC/School Cont	Total
					£	£	£	£	£	£	
Audley (Infant & Junior Schools)	RV	Capita	New heating system	Basic Need	245,000						245,000
Avondale Primary School	RV	In House	Kitchen extension, remodel and refurbishment	SCA/DFC		90,500	7,300			15,000	112,800
Feniscowles Primary School (Junior Building)	RV	Capita	Heating scheme	SCA/DFC		86,400				9,600	96,000
Shadsworth Infant School	RN	In House	Heating scheme	SCA/DFC		90,000				10,000	100,000
Brookhouse Primary	RA	In House	Fire alarm upgrade	SCA/DFC		18,000				2,000	20,000
St Cuthberts Primary School	RV	In House	Extension and remodel (SEND)	SPF (SEND)				133,000			133,000
Audley Infant School	MO	In House	Remodel reception classes and outdoor provision	SCA/DFC		181,000				22,000	203,000
BCHS/Crosshill	School led	School led	Refurbishment of Sunnyhurst Centre (Phase 1)	SPF (SEND)				300,000			300,000
Turncroft Nursery School	RA	Capita	Heating system	SCA (allocated from contingency)		28,000					28,000
St Barnabas and St Pauls CE	WP	In House	New build and extension to provide extra places	Basic Need	232,000						232,000
Audley Junior School	AD	In House	Roofing repairs	Basic Need	34,000						34,000
Retentions held against completed schemes											
Roe Lee Primary School	RA	In House	Ventilation scheme	SCA		3,000					3,000
Belmont Primary School	RA	In House	Ramp	SCA		8,000					8,000
Belmont Primary School	RA	In House	Drainage and External Painting	SCA/DFC		7,000				2,000	9,000
Turton & Edgworth Primary School	RA	In House	Windows	SCA		1,000					1,000
Total					511,000	512,900	7,300	433,000	-	60,600	1,524,800

NEW PROJECTS

Project	Officer	Delivery	Description	Funding Source	Spend Profile 2020-2021						
					Basic Need	Schools	Healthy Pupil	Special Provision	Section 106	DFC/School Cont	Total
					£	£	£	£	£	£	
Lower Darwen Primary School	RN	In House	Disability Access adaptations	SCA		50,000					50,000
Avondale Primary School	RV	In House	Kitchen extension, remodel and refurbishment - variation on above detailed scheme	SCA/DFC		135,000				15,000	150,000
Brunel Nursery School	CA	In House	External fencing	SCA/DFC		27,000				3,000	30,000
Feniscowles Primary School (Junior Building)	MO	In House	Disability Access adaptations	SCA		150,000					150,000
Audley Infant & Junior Schools	RV	Capita	Heating Scheme - variation on above detailed scheme	SCA/DFC		244,000				0	244,000
Feniscowles Primary School (Junior Building)	RV	Capita	Heating Scheme - variation on above detailed scheme	SCA/DFC		85,500				9,500	95,000
Brookhouse Primary School	RA	In House	Fire Alarm - variation on above detailed scheme	SCA/DFC		9,000				1,000	10,000
St Cuthberts Primary School	RV	In House	Extension and remodel (SEND) - variation on above detailed scheme	SPF (SEND)/SCA		35,000		70,000			105,000
BCHS/Crosshill	School led	School led	Refurbishment of Sunnyhurst Centre (Phase 1) - variation on above detailed scheme	SPF (SEND)				58,700			58,700
Shadsworth Infant School	RN	In House	Extension and remodel (SEND)	SPF (SEND)/SCA		20,000		240,000			260,000
Turncroft Nursery School	RA	Capita	Heating system - variation on above detailed scheme	SCA		5,000					5,000
Additional School Places	RA		School Places	s106				500,000			500,000
Lammack Primary School	CA	In House	Extension and remodel (additional places in line with housing growth)	s106				740,000			740,000
Contingency budget	RA		For emergency H&S, Compliance and safeguarding works)	SCA		100,000					100,000
Project Management Fee				Various	25,000	25,000					50,000
					25,000	885,500	-	368,700	1,240,000	28,500	2,547,700
TOTAL UNALLOCATED GRANTS REMAINING					305,000	311,500	0	0	0	728,400	1,344,900
TOTAL 2020/2021 BUDGET					841,000	1,709,900	7,300	801,700	1,240,000	817,500	5,417,400

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Director of Growth and Development
(Please Select)

DATE: 10 September 2020

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Growth Programme 2020/21

1. EXECUTIVE SUMMARY

Blackburn with Darwen Borough Council has an economic Growth Programme to support the creation of jobs, housing and infrastructure within the Borough, delivering on the strategy set out in the adopted Local Plan. The Council's strategy has delivered significant growth since 2015 by securing the delivery of over **1300 new homes and 5000 new jobs** in the Borough.

To deliver this Growth Programme the Council continues to identify and build a pipeline of projects which currently comprises over 200 sites across the Borough with projects planned to be implemented over the short, medium and long term. These projects utilise private or public sector land and cover employment, housing and town centre developments.

Delivery of these private and public sector projects will generate many benefits to the Borough, including:-

- Additional tax revenues to support the Council's Medium Term Financial Strategy;
- Accelerating economic activity to create employment opportunities for residents;
- Supporting growth and vitality in the town centres of Blackburn and Darwen;
- Removing localised blight by bringing empty homes back into use;
- Generating financial benefits from strategic land receipts;
- Securing developer funding for essential infrastructure including roads, open spaces and schools; and
- Extending the choice and range of new family housing to attract and retain residents.

This report provides a summary of progress to date and outlines the programme of projects for 2020/21.

The report requests delegated authority to vary the Growth Programme for 2020/21 by adding or removing sites as required reflecting emerging priorities.

2. RECOMMENDATIONS

That the Executive Board:

- Approves the Growth Programme priority list to progress through to tender or procurement during 2020-21.

- Delegates authority to revise the Growth Programme for 2020/21 (by adding or removing sites) to the Growth Programme Director in consultation with the Executive Member for Growth & Development.

3. BACKGROUND

In order to deliver the Growth Programme the Council continually invests in a Growth Team, which promotes Council owned sites for development, works with the private sector in bringing forward private sector sites, maintains a pipeline of sites by ensuring an up-to-date Local Plan is produced, and pro-actively brings empty homes back into use. The Growth Team is led by a senior Council officer who is supported by a small multi-disciplined team of officers.

The Growth Team also leads on all strategic planning functions, on the initial engagement with developers for major applications and on the Section 106 process to secure developer funding for investment in local infrastructure.

A range of initiatives have been developed to support in delivering the Growth Programme, which include;

- a programme and pipeline dashboard with 14 key programmes of work covering 200 projects across employment, housing, infrastructure, empty homes and town centres;
- using a Growth Framework for selection of local contractors for delivering a variety of projects covering construction, civil engineering and developments;
- implementation of robust section 106 procedures to test developer's viability appraisals. This will ensure the Council receives the correct amount of funding to support infrastructure such as education, affordable homes, green infrastructure and highways;
- programme for disposing key strategic housing sites and employment land; and
- developing key infrastructure to support the delivery of Growth in the Borough, including education and highway schemes.

4. KEY ISSUES & RISKS

The progress of the Growth Programme to date is detailed below with updates on key sites and overall planned delivery numbers.

- The **14 key programmes** are divided into two programme themes; Place (9 programmes) and Thematic (5 programmes) across employment, housing and town centres' sectors.

- **Growth Programmes**

Place

- Blackburn Town Centre Developments
- Darwen East Development Corridor
- Darwen Town Centre Developments (now within the Darwen Town Fund Programme)
- Ewood Business Park
- Furthergate / Carl Fogarty Way Commercial Units
- North Blackburn Development Corridor
- South East Blackburn Growth Zone
- Wainwright Way Commercial Units
- West Blackburn Development Corridor

Thematic

- Affordable Housing

- Empty Homes
 - Infill Commercial Sites
 - Infill Housing Sites
 - Specialist Housing
- **A total of 301 housing completions for the year 2019/20** were recorded, comprising new build (282 units) and conversions (19 units). In addition, 559 long-term empty properties were brought back into use during the year. This includes any property which had been empty for at least 6 months.
 - **Housing schemes completed within 2019/20 include:**
 - 1) Parsonage Road (by Persimmon)
 - 2) Crossfield St (by Hearle Homes)
 - 3) Gib Lane Phase B (by Wainhomes)
 - 4) Eclipse Mill (by McDermott Homes)
 - 5) Waterfield Mill.
 - **Key Employment and Infrastructure schemes completed in 2019/20 include:**
 - 1) Ellison Fold Way – new highway link road open with housing land now being promoted
 - 2) Darwen Market Square – new public realm completed
 - 3) Carl Fogarty Way – new highway link road open with employment land now being promoted
 - 4) Hippo Motor service centre at Whitebirk Industrial Estate
 - 5) Pets Choice production building at Whitebirk Industrial Estate
 - 6) Harwoods Solicitors business centre at Freckleton Street
 - 7) New commercial units at M65 Junction 4 Services.
 - **Key Housing schemes on site which will yield 1,700 units upon completion.**
 - 1) Lammack Road, Blackburn – 50 units being promoted by Miller Homes
 - 2) Gib Lane, Blackburn – 350 dwellings being promoted by Kingswood Homes and Story Homes
 - 3) Albion Mill, Blackburn – 105 extra care and dementia homes being promoted by Verum Victum
 - 4) Whinney Lane, Blackburn - 270 dwellings being promoted by Wainhomes
 - 5) Cranberry Lane, Darwen - 135 dwellings being promoted by McDermott Homes
 - 6) Pole Lane, Darwen – 260 dwellings being promoted by Kier Living and Persimmon Homes
 - 7) Roe Lee, Blackburn – 156 dwellings being promoted by Persimmon Homes and 33 by Miller Homes
 - 8) Tower View, Darwen – 17 dwellings being promoted by Hearle Homes
 - 9) Tower Road, Fenisccliffe – 30 dwellings being promoted by Applethwaite Homes
 - 10) Alaska Street, Blackburn – 73 affordable homes being promoted by Places for People
 - 11) Griffin (Phase 1), Blackburn – 56 affordable homes being promoted by Seddon and Great Places
 - 12) Former SAPPI site (phase 1a) – enabling highway works on site for the initial phase of 96 dwellings
 - 13) Queen Victoria Street – 68 dwellings being promoted by Countryside Homes
 - 14) School Lane – 45 dwellings being promoted by Wainhomes.
 - **Key Employment schemes on site include:**
 - 1) Euro Garages Head Office, Haslingden Road
 - 2) Home Bargains store at Wainwright Way, Blackburn Town Centre
 - 3) Former Waves Site - new cinema, under-croft car park and leisure use development
 - 4) Lidl store at Furthergate, Blackburn
 - 5) Former Newmans site, Garden Street
 - 6) Units at Crabtree Street, Blackburn
 - 7) Commercial Road, Darwen
 - **Council owned key housing and commercial development sites coming forward in the next 12 to 24 months.**
 - 1) Millbank Business Park / Milking Lane – new link road and development plots promoted by Barnfield Blackburn Ltd
 - 2) Former Laneside Care Home, Shorrock Lane – new housing development by Great Places
 - 3) Carl Fogarty Way, Blackburn – development parcels being promoted by the Council
 - 4) Dock Street, Blackburn – new commercial units being promoted by Barnfield Construction Ltd
 - 5) Whitebirk Industrial Estate - Pets Choice Phase 2 manufacturing facility
 - 6) Wainwright Way (Phase 2), Maple Grove assessing schemes for remaining 2 plots

- 7) Salisbury Road, Darwen – Hearle Homes appointed to develop 12 new dwellings
- 8) Fishmoor Drive, Blackburn – major housing development of 386 dwellings being promoted by Together Housing and Countryside with a mix of affordable and private dwellings
- 9) Haslingden Road – new housing development offering a mix of 150 family homes and up to 150 key worker apartments to support employees of the East Lancs Health Trust
- 10) Lomond Gardens, Feniscowles – McDermott Homes appointed to bring forward a housing scheme for 29 new dwellings
- 11) Ellison Fold Way, Darwen – Opportunity for 320 new dwellings being promoted following the opening of Ellison Fold Way link road (mixture of Council and privately-owned land).

Risk It should be acknowledged that the procurement and delivery stages for many of the housing, employment and strategic sites noted above have experienced some delay due to COVID-19. The scale of current and anticipated impacts of the pandemic and the related economic downturn on investor confidence, and, in turn, possible implications for our current delivery programme could be significant. Furthermore, there may be additional impacts as a result of Brexit. Despite this, the Borough remains committed to maintaining Growth momentum, with encouraging early signs from local developer presence and interest. The delivery programme will be continuously updated as the situation evolves, ensuring Growth Programme resources are always directed towards maximising development outcomes for the Borough.

Whilst the details are not yet known, it should also be noted that national economic recovery plans are expected to be revealed in the near future. This may enable the Council and its partners to bring forward strategic development opportunities and other stalled sites more quickly.

5. POLICY IMPLICATIONS

Blackburn with Darwen's Corporate Plan has a priority to accelerate the growth agenda, creating good quality jobs for the local population, providing necessary infrastructure and securing positive outcomes from capital investments. There is also a commitment to deliver the growth plan priorities for employment, town centres and housing.

The identified Growth Programme also supports delivery of the strategy and policies set out within the Council's adopted Local Plan, comprising the Core Strategy and the Local Plan Part 2. It ensures that the Council continues to meet its statutory obligations in terms of providing sufficient new homes and jobs for residents, maintaining a deliverable 5 Year Supply of housing sites and passing the Government's annual Housing Delivery Test.

6. FINANCIAL IMPLICATIONS

Whilst there may be financial implications for individual projects, which are reported separately, there are no financial implications for this progress update report.

7. LEGAL IMPLICATIONS

Whilst there may be legal implications for individual projects, which are reported separately, there are no legal implications for this progress update report.

8. RESOURCE IMPLICATIONS

Whilst there may be resource implications for individual projects, which are reported separately, there are no resource implications for this progress update report.

The Growth Team is working at full capacity, and therefore opportunities to fast-track business case work to support public investment submissions, which may be subject to national competition, may require additional

resourcing to enable the Council to access new growth funds. Such opportunities would be the subject of separate reports in due course.

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

Consultations undertaken for each scheme in accordance with the Council's constitution, the adopted Statement of Community Involvement and other statutory planning legislation.

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:	Final V1
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CONTACT OFFICER:	Simon Jones Growth Programme Director
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DATE:	Sept 2020
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BACKGROUND PAPER:	None
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Blackburn with Darwen Borough Council

Growth Programme

2020/2021

Council Sites (Feasibility & Procurement Stages)	Council Sites (Planning & Delivery Stages)
<ul style="list-style-type: none"> ▪ Housing Sites <ul style="list-style-type: none"> ○ Haslingden Road, South East Blackburn ○ Griffin (Phase 2 and 3), Blackburn ○ Ellison Fold Way, Darwen ○ Holden Fold, Darwen ○ Queens Park, Blackburn ○ Clarendon Road, Blackburn ○ Land at Branch Road, Mellor Brook ○ Whalley Old Road, Blackburn ▪ Employment Sites <ul style="list-style-type: none"> ○ Medi Park, South East Blackburn ○ Former Blackburn Markets Site ○ Wainwright Way (Phase 2) ○ Whitebirk (Pets Choice Phase 2) ○ Bridge House, Blackburn Town Centre ○ Blakey Moor Terrace, Blackburn Town Centre ○ Plot C, Shadsworth Industrial Estate (GAP) ○ Two Cathedral Square (Maple Grove) ▪ Strategic Sites <ul style="list-style-type: none"> ○ Blackamoor Strategic Development Site, South East Blackburn ○ Carl Fogarty Way – Commercial Development Plots ○ Blackburn Town Centre – Tower Block Development Proposals 	<ul style="list-style-type: none"> ▪ Housing Sites <ul style="list-style-type: none"> ○ Lomond Gardens, Feniscowles (McDermott Homes) ○ Griffin (Phase 1), Blackburn (Seddon and Great Places) ○ Fishmoor Drive, Blackburn (Together Housing / Countryside Homes) ○ Alaska Street, Blackburn (Places for People) ○ Salisbury Road, Darwen (Hearle Homes) ○ Tower View, Darwen (Hearle Homes) ○ Roe Lee, Blackburn (Persimmon) ○ Land at Tower Road, Fenisccliffe (Applethwaite) ○ Former Laneside Care Home, Shorrock Lane (Great Places) ▪ Employment Sites <ul style="list-style-type: none"> ○ Dock Street (Barnfield) ○ Blackburn Cinema, Under-croft Carpark & Jubilee Square (Barnfield) ○ Wainwright Way (Maple Grove Phase 1 – Home Bargains) ○ Chapels South, Darwen ▪ Strategic Sites <ul style="list-style-type: none"> ○ Millbank Business Park / Milking Lane Link Road

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth & Development
DATE:	Thursday, 10 September 2020

PORTFOLIO(S) AFFECTED:	Growth and Development
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT:
Update to S106 process & Infrastructure Funding Statement 2019/20

1. EXECUTIVE SUMMARY

The Infrastructure Funding Statement (IFS) is produced annually and provides a summary of financial contributions the Council has secured within the year via Section 106 agreements from new developments for off-site infrastructure works and affordable housing, in addition to highway works completed as part of new developments through Section 278 agreements. It also identifies the projects that have been delivered as a result of the contributions across the borough.

This report presents the 2019-20 IFS.

As allowed by the Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019, the Council will begin to add a monitoring fee to any s106 agreement associated with planning applications received from 1st October 2020. These fees will cover the costs involved in the monitoring and reporting on the delivery of these agreements. The IFS sets out these fees which will be reviewed as part of the annual update to the IFS. Future updates to the IFS will report on the amount of monitoring fees received each year.

2. RECOMMENDATIONS

That the Executive Board:
Approves an update to the Council's s106 procedure to introduce a monitoring fee to any s106 agreement associated with planning applications received from **1st October 2020** (as set out in the 2019-20 Infrastructure Funding Statement) and to note the 2019-20 Infrastructure Funding Statement.

3. BACKGROUND

Infrastructure Funding Statement 2019-20

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 now requires authorities (from December 2020) to prepare an Infrastructure Funding Statement (IFS) to set out their annual income and expenditure relating to section 106 agreements.

Blackburn with Darwen's 2019-20 IFS provides a summary of financial contributions the Council has secured through section 106 agreements from new developments for off-site infrastructure works and affordable housing, in addition to highway works completed as part of new developments through section 278 agreements within the 2019-20 monitoring period. It also includes information on the infrastructure works funded through s106 contributions.

In summary, the report provides:

- an overview of s106 and s278 agreements;
- the Council's internal process relating to s106 contributions;
- information on the introduction of monitoring fees;
- the s106 contributions paid to the Council in the 2019/20 monitoring period;
- s106 contributions and s278 works estimated for future years; and
- projects delivered in the Borough via s106 and s278 agreements in the 2019/20 monitoring period.

The information included in the report is updated annually and published on the Council's website. This will ensure the most up to date information on the amount of developer contributions received from new developments, in addition to information on where these monies have been spent is readily available to members of the public and other interested parties.

The report does not include information on the infrastructure delivered on site as part of new developments in the borough.

Introduction of monitoring fees to s106 agreements

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 also allows authorities to charge a monitoring fee through section 106 planning obligations to cover the cost of the monitoring and reporting on delivery of that section 106 obligation.

The approval of a fee schedule aims to enable the Council to recover its costs in monitoring future s106 agreements. In all cases, monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. The following monitoring fees are presented in the 2019-20 IFS and will be added to any s106 agreements associated with planning applications received **from 1st October 2020**. The fees set out below are considered to be proportionate and will contribute to the Council's reasonable costs of monitoring each obligation. The fees will be reviewed on an annual basis to reflect up to date costs and reported on through the Infrastructure Funding Statements.

Type of obligation	Monitoring fee	Comment
Commutated sum	1% of each payment instalment	To be included within each invoice sent to developers requesting payment at appropriate time.
Land Contribution	£1,000 per development site	Payment to be made at the time land transfer takes place.
On-site Affordable Housing	£1,000 per development site	Payment to be made on first occupation of affordable units.

4. KEY ISSUES & RISKS

There are no identified risks with the production of the Infrastructure Funding Statement. It presents a useful summary of the contributions the Council has received in the 2019-20 monitoring period and the infrastructure projects delivered as a result of s106 contributions across the borough. Its production on an annual basis meets the legal requirements set out in the Community Infrastructure Levy Regulations introduced in 2019.

The 2019-20 IFS introduces a new section setting out the monitoring fees that will be added to s106 agreements associated with planning applications received from 1st October 2020. These

fees are necessary to cover the resources required to cover the preparation, monitoring and reporting on s106 agreements. Not introducing these monitoring fees would mean that this work would have to be completed within existing budgets.

The monitoring fees set are proportionate and reasonable, reflecting the actual cost of monitoring and reporting on the agreements. The Council will report on the monitoring fees collected each year in the annual Infrastructure Funding Statement (IFS), in addition to annually reviewing the fees to ensure they remain proportionate and reasonable.

5. POLICY IMPLICATIONS

Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The reforms to the planning obligations process introduced by the Community Infrastructure Levy Regulations 2019 contain a number of key elements, which includes the ability for authorities to charge a monitoring fee and the requirement to prepare an annual Infrastructure Funding Statement (from December 2020).

The need to produce an Infrastructure Funding Statement has increased the substantial workload and cost the Council has to cover when producing, monitoring and reporting on s106 agreements, work which is currently unfunded by the developer. Introducing monitoring fees will help to offset these costs and are set at an amount which is proportionate and reasonable.

6. FINANCIAL IMPLICATIONS

The funding that can be collected to assist in the monitoring of s106 agreements will help to offset the resources required to carry out the Council's rigorous process of financial monitoring and management of s106 monies received and spent, in addition to the resources required to report on these contributions through the production of an Infrastructure Funding Statement. The monitoring fee will be added to the s106 requirements.

If the monitoring fee is not collected, this additional work would have to be completed within existing budgets. The fees will be reviewed each year to ensure they remain proportionate and reasonable.

7. LEGAL IMPLICATIONS

The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 now allow Local Authorities to charge a monitoring fee through section 106 planning obligations, to cover the cost of the monitoring and reporting on delivery of that section 106 obligation as described above. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. However, monitoring fees should not be sought retrospectively for historic agreements.

The Council will begin to add a monitoring fee to any s106 agreement associated with planning applications received from **1st October 2020**. These will cover the cost of the monitoring and reporting on delivery of the agreements, including the production of the IFS (which is a new requirement), on an annual basis. Fees will be reviewed on an annual basis to ensure they remain proportionate and reasonable.

The IFS will be used to report on the amount collected each year.

8. RESOURCE IMPLICATIONS

If the monitoring fee is not collected, this additional work would have to be completed within existing 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 Infrastructure Funding Statement 2019-20 will be available on the Council's website for members of the public and other interested parties to view and comment on if necessary.

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.

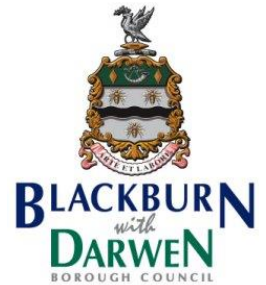
12. DECLARATION OF INTEREST

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:	Laura Ainscow-Gorst, laura.ainscow-gorst@blackburn.gov.uk
DATE:	27/07/2020
BACKGROUND PAPER:	

Blackburn with Darwen Infrastructure Funding Statement 2019/20

September 2020



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INTRODUCTION

1.1 This report provides a summary of financial contributions the Council has secured through section 106 agreements from new developments for off-site infrastructure works and affordable housing, in addition to highway works completed as part of new developments through section 278 agreements.

1.2 In summary, the report provides:

- an overview of s106 and s278 agreements;
- the Council's internal process relating to s106 contributions;
- the s106 contributions paid to the Council in the 2019/20 monitoring period;
- s106 contributions and s278 works estimated for future years; and
- projects delivered in the Borough via s106 and s278 agreements in the 2019/20 monitoring period.

1.3 The information included in the report will be updated annually and published on the Council's website. This will ensure the most up to date information on the amount of developer contributions received from new developments in addition to information on where these monies have been spent is readily available to members of the public and other interested parties.

1.4 The report does not include information on the infrastructure delivered on site as part of new developments in the borough.

1.5 Please note that data on developer contributions is imperfect because it represents estimates at a given point in time, and can be subject to change. However, the data reported within this document is the most robust available at the time of publication.



SECTION 106 OBLIGATIONS

2.1 Under section 106 (s106) of the Town and Country Planning Act 1990 a Local Planning Authority (LPA) can seek obligations, both physically on-site and contributions for off-site, when it is considered that a development will have negative impacts that cannot be dealt with through conditions in the planning permission.

2.2 For example, new residential developments place additional pressure on existing social, physical and economic infrastructure in the surrounding area. Planning obligations aim to balance this extra pressure with improvements to the surrounding area to ensure that a development makes a positive contribution to the local area.

2.3 The obligations may be provided by the developers “in kind” - that is, where the developer builds or provides directly the matters necessary to fulfil the obligation. This might be to build a certain number of affordable homes on-site, for example. Alternatively, planning obligations can be met in the form of financial payments to the Council to provide off-site infrastructure works or contributions towards providing affordable housing elsewhere in the Borough. In some cases, it can be a combination of both on-site provision and off-site financial contributions.

2.4 Regulations state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

2.5 The Council cannot ask for contributions via section 106 planning obligations in certain circumstances:

“Planning obligations for affordable housing should only be sought for residential developments that are major developments...For residential development, major development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000 square metres or more, or a site of 1 hectare or more...Planning obligations should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.”

Planning Practice Guidance 2019 Paragraph 023 ‘Planning Obligations’ <https://www.gov.uk/guidance/planning-obligations>





S106 highway contributions have been received from the new Kingswood Homes development at Gib Lane, Blackburn

The Council's S106 Process for Off-Site Financial Contributions

2.6 Where it is determined that on-site infrastructure and/or affordable housing required by policy is not appropriate, the Council will request from developers a financial contribution to meet these needs outside of the development site through a s106 obligation.

2.7 The financial contribution requirement for off-site green infrastructure provision is set via the Green Infrastructure & Ecological Networks Supplementary Planning Document (SPD) and the Affordable Housing Developers Guide sets the tariff for off-site affordable housing contributions. These documents can be accessed on the Council's planning website at:

www.blackburn.gov.uk/planning/planning-policies-strategies-and-guides

2.8 Contributions toward required highway works as a result of new development is agreed on a case by case basis, evidenced by an assessment of the impact the development will have on the local highways and mitigation works required to minimise this impact.

2.9 Once the s106 has been signed, it is an obligation, but it will only be realised if the planning permission is implemented and reaches the trigger point for payment such as commencement or prior to occupation. When the planning permission is granted, the s106 obligation is registered as a land charge which stays with the land, obligating any future owners until the terms are met.

2.10 The Planning Strategy & Development Manager works with case officers, developers and the Council's legal department to instruct new s106 agreements. The flow chart overleaf summarises the Council's internal s106 procedure from requesting payments from the developer through to the spending of these monies by designated Council officers.



Public open space s106 contributions have been spent on new 3G pitches at Witton in the 2019-20 monitoring period

2.11 Any commuted sums received by the Council, but not spent within the timeframes set out in the s106 agreement, will be identified during quarterly monitoring and will be refunded in accordance with the details set out in the specific agreement.

Requesting Payments

Monitoring Officer / Case Officer become aware of payment due via commencements data, discharge of conditions or other information

Planning Strategy & Development Manager requests invoice

Send invoice to developer

Monthly check of payments received by Commercial Manager

Receiving Payments

Payments received into finance, receipted against the invoice

Payments received into planning, forward to finance officer with the relevant invoice number, cost code and application number

Monthly check on payments received / outstanding by Commercial Manager

Monitoring Officer notifies Case Officers to chase outstanding payments

Budget Holder / Finance Officer requests cash limit adjustment to move money from commuted sums to relevant Portfolio for spending payments

Spending

Highway works / Transport Initiatives

Commercial Manager notifies Strategic Transport Manager (STM) that monies received. STM allocates to relevant code and instructs work.

Public Open Space

Commercial Manager notifies Environment Manager that monies received, for allocation to relevant code, and completion of works

Education

Commercial Manager notifies Education Team that monies received, for allocation to relevant code, and spend.

Monitoring Fees

- 2.11 The Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 now allow Local Authorities to charge a monitoring fee through section 106 planning obligations, to cover the cost of the monitoring and reporting on delivery of that section 106 obligation as described above. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. However, monitoring fees should not be sought retrospectively for historic agreements.
- 2.12 The regulations allow monitoring fees to be either a fixed percentage of the total value of the section 106 agreement or individual obligation; or could be a fixed monetary amount per agreement obligation; or Authorities may decide to set fees using other methods. However, in all cases, monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring.
- 2.13 Authorities must report on monitoring fees in their infrastructure funding statements.
- 2.14 Therefore, the following monitoring fees will be added to any s106 agreements associated with planning applications received from **1st October 2020**. The fees set out below are considered to be proportionate and will contribute to the Council's reasonable costs of monitoring each obligation.
- 2.15 Monitoring fees will be reviewed annually to reflect up-to-date costs. To clarify, the fee will be added to the s106 requirements.

Type of Obligation	Monitoring Fee	Comment
Commuted Sum	1% of each payment instalment	To be included within each invoice sent to developers requesting payment at appropriate time.
Land Contribution	£1,000 per development site	Payment to be made at the time land transfer takes place.
On-site Affordable Housing	£1,000 per development site	Payment to be made on first occupation of affordable units.

S106 contributions summary

2.16 The tables below highlight that as at March 2020, a net s106 total of £1,068,079 was available to fund public open space, education, highways and affordable housing projects in the Borough.

2.17 Looking at s106 activity in 2019/20, the Council received a total of £1,181,701 in s106 contributions, with £1,046,391 being spent within this period. This consists of £575,888 funding highway works in the Borough, £385,503 spent on improving existing or creating new open spaces, £75,000 on affordable housing and £10,000 contribution towards additional primary school places in the borough.

S106 Monies Received as at 31st March 2019 (net)

Infrastructure type	S106 monies available (£)
Public open space	263,723
Affordable housing	349,158
Highways	269,888
Education	50,000
TOTAL	932,769

S106 Contributions Received in 2019/20

Infrastructure type	S106 contributions received (£)
Public open space	461,151
Affordable housing	158,550
Highways	562,000
TOTAL	1,181,701

S106 Contributions Spent in 2019/20

Infrastructure type	S106 contributions spent (£)
Public open space	385,503
Highways	575,888
Affordable Housing	75,000
Education	10,000
TOTAL	1,046,391

2.18 In summary therefore, as at 31st March 2020, there is a net total of £1,068,079.46 in s106 contributions available to spend on affordable housing, public open space, education and highway projects in the Borough.

Total S106 (net) Amount Available to Spend as at March 2020 (£)

Net total as of March 2019	932,769
s106 income received 2019/20	1,181,701
Total	2,114,470
Minus monies spent 2019/20	-1,046,391
TOTAL	1,068,079

S106 Contributions Received in 2019/20

2.19 As highlighted in the table on the previous page, a total of £1,181,701 has been received in s106 contributions in the 2019/20 monitoring period. The following

tables provide information on which developments these contributions have been received from:

	Development site	S106 contributions received (£)
Public open space	Planning app Ref: 10/09/0629 Tewkesbury Street, Blackburn	33,600
	Planning app Ref: 10/12/0714 Victoria Mill, Station Road, Chapeltown	2,300
	Planning app Ref: 10/16/0077 Old Blackburnians, Lammack Road, Blackburn	263,219
	Planning app Ref: 10/17/1425 Former Waterfield Mill, Balmoral Road, Darwen	37,962
	Planning app Ref: 10/05/1118 Palm Street, Blackburn	10,800
	Planning app Ref: 10/19/0520 School Lane, Guide	63,270
	Planning app Ref: 10/18/1048 Tower View, Darwen	20,000
	Planning app Ref: 10/19/0677 Land at Tower Road, Blackburn	30,000
	TOTAL	461,151



	Development site	S106 contributions received (£)
Affordable Housing	Planning app. Ref: 10/14/0547 Parsonage Road, Blackburn	80,800
	Planning app. Ref: 10/16/0838 Beechwood Garden Centre, Blackburn	38,250
	Planning app. Ref: 10/18/0396 Billinge End Road, Blackburn	12,500
	Planning app. Ref: 10/19/0677 Land at Tower Road, Blackburn	27,000
	TOTAL	158,550

	Development site	S106 contributions received (£)
Highways	Planning app. Ref: 10/17/0211 Gib Lane Phase C, Blackburn	20,000
	Planning app. Ref: 10/19/0412 Cranberry Lane, Darwen	156,000
	Planning app. Ref: 10/19/0520 School Lane, Guide	36,000
	Planning app. Ref: 10/18/0895 Land at Roe Lee, Blackburn	350,000
	TOTAL	562,000



Projects Delivered Off Site by S106 Contributions 2019/20

2.15 As well as reporting on the total amount of contributions the Council has received through s106 obligations, it is also useful to include information on the

projects delivered as a result of these monies across the Borough in 2019/20. These are listed below:

	Development site	S106 contributions spent (£)	Project delivered
Highways	Planning app. Ref: 10/16/1132 Land at Gib Lane, Blackburn	36,000	New junction arrangements at Livesey Branch Road/Moorland Drive to access housing site, a raised junction table with resin bonded surface dressing, footway widening and carriageway narrowing at Moorland Drive, new pedestrian refuge adjacent to Old Gates Drive and repositioning of a BT manhole chamber and cabinets.
	Planning app. Ref: 10/19/0412 Land at Cranberry Lane, Darwen	156,000	Contribution towards Ellison Fold Way major transport scheme including compact roundabout at Sough Road / Grimshaw Street, mini roundabout at Pole Lane / Priory Drive, traffic calming (cushions) on Priory Drive and mini roundabout at Priory Drive / Marsh House Lane.
	Planning app. Ref:10/18/0895 Land at Roe Lee, Blackburn	350,000	Contribution to the North Blackburn major transport scheme including junction and signals upgrade of the Brownhill Roundabout and Pleckgate Road junctions.



	Development site	S106 contributions spent (£)	Project delivered
Public open space	Planning app. Ref: 10/08/0339 Greenfield Farm, Cranberry Lane, Darwen	500	Total of £17,884 received in contributions which were spent on Darwen Market Square improvements
	Planning app. Ref: 10/04/1396 Belgrave Mill, Bolton Rd, Darwen	984	
	Planning app. Ref: 10/06/0985 Former Darwen Health Centre, Union Street, Darwen	800	
	Planning app. Ref: 10/07/1294 Land at end of Granville Road, Darwen	1,200	
	Planning app. Ref: 10/12/0923 Land at Salisbury Road, Darwen	500	
	Planning app. Ref: 10/12/1079 Land fronting Spring Vale Village, Darwen	1,500	
	Planning app. Ref: 10/15/0494 Punch Bowl, Roman Road, Blackburn	300	
	Planning app. Ref: 10/15/1418 60 Milking Lane, Lower Darwen	500	
	Planning app. Ref: 10/13/0416 Adj. 37 Gordon Street	500	
	Planning app. Ref: 10/11/0199 Heightside Farm, Bury Fold Lane, Darwen	1,200	
	Planning app. Ref: 10/11/0704 Former Darwen Moorland Art School	6,500	
	Planning app. Ref: 10/10/0077 Land at Halley Road, Darwen	2,400	
	Planning app. Ref: 10/13/0094 Former Cemetery Public House	1,000	
Planning app. Ref: 10/16/0077 Old Blackburnians Memorial Ground, Lammack Road, Blackburn	123,203	Contribution towards Pavilion refurbishment at Woolridge – including 2 new FA approved changing rooms, DDA facilities and 10 upgraded children changing rooms and washroom facilities.	

Planning app. Ref: 10/16/0077 Old Blackburnians Memorial Ground, Lammack Road, Blackburn	30,277	Lammack Juniors pitch replacement & re-orientation.
Planning app. Ref: 10/16/0077 Old Blackburnians Memorial Ground, Lammack Road, Blackburn	109,739	Contribution towards Old College playing field replacement – 2 new pitches created with drainage.
Planning app. Ref: 10/09/0629 Tewkesbury Street, Blackburn plus various historic reserves	41,900	Green Lane Multi-Use Games Area (MUGA).
Planning app. Ref: 10/11/0704 Former Darwen Moorland Art School	7,500	Bold Venture Park green space works.
Planning app. Ref: 10/18/1048 Tower View, Darwen	15,000	Improvements to sports facilities at Square Meadow, Darwen.
Planning app. Ref: 10/14/0828 Meins Road, Blackburn	40,000	Witton Park 3G sports pitches



Public open space contributions funded the renovated Green Lane Multi-Use Games Area (MUGA) in Blackburn



Public open space contributions have also been spent on the new 3G pitches at Witton

	Development site	S106 contributions spent (£)	Project delivered
Affordable housing	Planning app. Ref: 10/14/0547 Land at Parsonage Road, Blackburn	74,000	Purchase of the Blackmoor Pub, Roman Road, Blackburn.
	Planning app. Ref: 10/12/1103 Beechwood, Rivington Road, Belmont	1,000	

	Development site	S106 contributions spent (£)	Project delivered
Education	Planning app. Ref: 10/17/0578 Land of Yew Tree Drive/Whinney Lane, Blackburn	10,000	Contribution towards the extension of Lammack Primary School, Lammack Road, Blackburn to provide additional primary school places in north Blackburn.



S106 Contributions Secured for Future Years

2.16 The Council has also secured s106 contributions from the following development sites with planning permission which will be paid in future years should the developments progress as planned. These contributions will be paid by the developers either

once development has commenced on site or once a specified number of homes has been delivered on the site.

	Development site	S106 amount (£)	Proposed s106 works to be delivered
Education	Planning app. Ref:10/18/0895 Land at Roe Lee, Blackburn	500,000	Provision of additional primary school places in North Blackburn.
	Planning app. Ref:10/17/0578 Land at Yew Tree Drive , Blackburn	760,000	
	Planning app. Ref:10/20/0265 Land at Ramsgreave Drive, Blackburn	200,000	
	Planning app. Ref: 10/18/1116 Brokenstone Road, Blackburn	2,480,000	Provision of additional primary school places in West Blackburn.
	Planning app. Ref: 10/19/0662 Land off Moorland Drive, Blackburn	850,000	
	Planning app. Ref: 10/19/0371 Land at Spring Meadows, Dawen	1,500,000	Provision of additional primary school places in East Darwen.
Highways	Planning app. Ref: 10/17/0578 Land at Yew Tree Drive, Blackburn	690,000	Toucan crossings at Lammack Road, Pleckgate Road, Whinney Lane; improvements to Brownhill junction, Yew Tree Drive and sustainable transport measures.
	Planning app. Ref: 10/17/0211 Land at Gib Lane, Blackburn Phase C	260,000	£260,000 for improved access to A666 via Bog Height Road.
	Planning app. Ref: 10/16/1132 Land at Gib Lane, Blackburn Phase A	221,000	Due on completion of 115 th dwelling for enhancements to Finnington Lane/Moulden Brow junction.
	Planning app. Ref: 10/16/0789 Land at Pole Lane North, Darwen	170,000	£100,000 top course southern footway, £30,000 for traffic management and road safety initiatives around Darwen East Distributor Corridor (DEDC) and £40,000 due on completion of 63 rd unit.
	Planning app Ref 10/19/0520 Land at School Lane, Blackburn	4,500	For travel planning on completion of 20 th unit.
	Planning app. Ref: 10/19/0317 Land at Spring Meadows, Darwen	200,000	Contribution towards DEDC highway improvements.
	Planning app. Ref: 10/18/0895 Land at Roe Lee, Blackburn	150,000	Contribution towards gateway features in North Blackburn, markings, signage as required, promotion of the required TRO to reduce speeds; removal of the crash barriers and reinstatement of central reservation; and Contingency/Associated works such as TRO's, signage and lining associated with all of the above.
	Planning app. Ref: 10/20/0265 Land at Ramsgreave Drive, Blackburn	130,000	
Planning app. Ref: 10/18/1116 Brokenstone Road, Blackburn	26,000	Contribution towards road safety improvements on Stockclough Lane.	

	Development site	S106 amount (£)	Proposed s106 works to be delivered
Public open space	Planning app. Ref: 10/19/0807 Former Victoria Buildings, Waterside, Darwen	14,060	Towards improvements to open space in the locality of the site.
	Planning app. Ref: 10/18/1116 Brokenstone Road, Blackburn	350,000	Green Infrastructure/Public Open Space and associated community facilities within the West Blackburn area.
	Planning app. Ref: 10/14/0440 Springside Works, Belmont	10,000	To control invasive plant species around the site.
	Planning app. Ref: 10/1 Land at Fountain Street, Darwen	14,060	Towards casual children's play space in the locality.
	Planning app. Ref: 10/15/1081 Land at Ellerslie House, Bury Fold Lane, Darwen	25,308	Towards open space in the locality.
	Planning app. Ref: 10/19/0371 New Telegraph House, Blackburn	18,278	Towards green infrastructure within the town centre.
	Planning app. Ref: 10/18/0740 Land at former Sappi Paper Mill, Blackburn	710,000	£350,000 to Feniscliffe Club and £360,000 towards Witton Sports Turf.

	Development site	S106 amount (£)	Proposed s106 works to be delivered
Affordable housing	Planning app. Ref: 10/18/0740 Former Sappi Paper Mill, Blackburn	94,500	All contributions received will be used to provide off-site affordable housing within the Borough.
	Planning app. Ref: 10/20/0265 Land at Ramsgreave Drive, Blackburn	120,000	
	Planning app. Ref: 10/17/1313 Planning Land at Cranberry Lane, Darwen	138,000	
	Planning app. Ref: 10/17/0578 Land at Yew Tree Drive, Blackburn	100,000	
	Planning app. Ref: 10/17/0211 Land at Gib Lane, Phase C	210,000	
	Planning app. Ref: 10/18/0075 Land at School Lane, Guide	96,230	
	Planning app. Ref: 10/15/1343 Cathedral Court, Blackburn	30,000	
	Planning app. Ref: 10/18/0895 Land at Roe Lee, Blackburn	181,000	
	Planning app. Ref: 10/18/1116 Brokenstone Road, Blackburn	750,000	
	Planning app. Ref: 10/19/0677 Land at Tower Road, Blackburn	228,000	
	Planning app. Ref: 10/19/0807 Former Victoria Buildings, Waterside Darwen	25,000	
	Planning app. Ref: 10/19/0317 Land at Spring Meadows	100,000	
	Planning app. Ref: 10/16/0077 Old Blackburnians, Lammack Road, Blackburn	701,250	
	Planning app. Ref: 10/14/0440 Springside Works, Belmont	50,000	
Planning app. Ref: 10/19/0113 Land at Fountain Street, Darwen	25,000		

SECTION 278 AGREEMENTS

3.1 Section 278 agreements (s278) under the Highways Act 1980 are legally binding agreements between the Local Highway Authority (Blackburn with Darwen BC) and the developer to ensure delivery of necessary highway works as a result of new development.

3.2 It may allow for items such as:

- Roundabouts;
- Priority junctions;
- Junctions with traffic lights;
- Right turn lanes;
- Improved facilities for pedestrians and cyclists;
- Improvements to existing junctions;
- Traffic calming measures.

S278 Projects in 2019/20

3.3 The following table sets out the works carried out in the Borough under s278 agreements in the current year 2019/20:

Development site	Type of use	Summary of S278 works	Cost (£)
Planning app. Ref: 10/17/0578 Land off Yew Tree Drive & Whinney Lane, Blackburn	Residential	New footway along Whinney Lane, new site access off Whinney Lane & Yew Tree Drive.	£102,945
Planning app. Ref: 10/18/0279 Home Bargain Store, Byrom Street, Blackburn	Retail	Pedestrian and traffic adjustments and realignments.	£25,000

Committed S278 Projects for Future Years

3.4 The following table sets out the s278 highway works to be delivered as part of future developments in the borough which will be implemented should the developments progress as planned.

Development site	Type of use	S278 requirements	Cost (£)
Planning app. Ref: 10/17/1313 Land at Cranberry Lane, Darwen	Residential	New footpath along the site frontage with street lighting and associated drainage. New site access.	Estimated £150,000
Planning app. Ref: 10/15/0496 Former Sappi Paper Mill, Blackburn	Residential	Signalised junction at Moulden Brow and junction improvements at Livesey Branch Road.	Estimated £600,000
Planning app. Ref: 10/19/0056 Land off Queen Victoria Street, Blackburn	Residential	New crossing on New Chapel Street, Blackburn.	Estimated £30,000
Planning app. Ref: 10/18/1094 Lidl Store, St Clements Street, Blackburn	Food store	Widening of St Clements Street, Blackburn.	Estimated £90,000
Planning app. Ref: 10/19/0495 Suez Recycling & Recovery UK Ltd Lower Eccleshill Road, Darwen	Recycling Centre	Signalised junction Goose House Lane/Hollins Grove Street, Darwen	Estimated £700,000

Planning app. Ref: 10/18/0270 Alaska Street, Blackburn	Residential	Removal of roundabout at Moseley Street & Grimshaw Park junction and junction improvements at Highfield Road & Moseley Street	£40,000
Planning app. Ref: 10/18/0326 Albert Street, Hoddlesden	Residential	Junction improvements and realignments	£15,000
Planning app. Ref: 10/17/0079 Land at Charles Street, Blackburn	Residential	Bringing up section of Hollins Grove Street to acceptable standards	Estimated £60,000
Planning app. Ref: 10/16/0077 Old Blackburnians, Lammack Road, Blackburn	Residential	New bus stops/formation of access and pedestrian improvements	£35,000
Planning app. Ref: 10/19/0371 Land at Spring Meadows, Darwen	Residential	Realigning Spring Meadows	Estimated £200,000
Planning app. Ref: 10/20/0265 Land off Ramsgreave Drive, Blackburn	Residential	Creating a junction out onto Yew Tree Drive	Estimated £200,000



New site access at Whinney Lane has been delivered through s278 works as part of the new Wainhomes housing development



EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Finance and Governance

LEAD OFFICERS: Director of Finance and Customer Services

DATE: 10th September 2020

PORTFOLIO/S AFFECTED: All

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: CORPORATE REVENUE BUDGET MONITORING REPORT QUARTER 1 - 2020/21

1. EXECUTIVE SUMMARY

To report the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the first quarter of the financial year.

2. RECOMMENDATIONS

The Executive Board is asked to approve:

- the portfolio cash limit adjustments outlined in Appendix 1.
- the Earmarked reserves position shown in Appendix 2
- the variations to revenue expenditure, as listed in Section 6, giving rise to a balance of £7.689 million in the unallocated General Fund revenue reserve.

3. BACKGROUND

All portfolios are required to examine their revenue budget position on a monthly basis. Regular reports are submitted to Executive Board for review along with a final report, detailing the financial outturn position.

4. KEY ISSUES & RISKS

a) Actual revenue expenditure at 30th June 2020 in relation to controllable budgets across all portfolios was £29.271 million, which is 18.01% of the current budget. Further details relating to the financial position of each portfolio are outlined in Section 6.

b) Subject to Executive Board approval of the proposed adjustments, General Fund unallocated reserves are £7.689 million at 30th June 2020 compared to the minimum level of unallocated reserves agreed at Finance Council in February 2020 of £4.0 million.

c) Based on the information currently available, Earmarked Reserves available for discretionary use within the Council are £34.586 million at 30th June 2020 compared with a balance of £19.152 million at 31st March 2020, with a further £9.479 million of 'Other Reserves' held mainly in relation to schools.

5. POLICY IMPLICATIONS

The information contained within the report accords with the three year budget forecast within the Medium Term Financial Strategy 2020-23, as approved at Finance Council on 24th February 2020.

6. FINANCIAL IMPLICATIONS

6.1 CASH LIMITS AND REVENUE EXPENDITURE

6.1.1 Revenue Budget Overview

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 made at that time. Since then, the Covid-19 pandemic has created a significant shock to the economy and resulted in significant, unplanned expenditure and income losses for the Council, as set out in previous reports to the Executive Board and Council Forum.

Work will continue over the coming months to monitor and forecast the costs and savings associated with both the pandemic and any other emerging budget pressures. In the meantime, arrangements are in place to scrutinise all existing expenditure plans and Executive Members and their Directors are working to develop potential savings options for consideration.

6.1.2 Performance Against Controllable Budgets

Appendix 1 details the portfolio controllable budgets approved by the Executive Board in February 2020 together with the details of the adjustments recommended to the Board for approval in this report. These include:

- transfers (budget virements) between portfolios
- transfers from Unallocated reserves to support budget pressures
- transfers from contingencies
- transfers from Earmarked reserves in respect of grants / contributions and other budgets approved for carry forward from 2019/20

The principle issues for each portfolio at the end of the first quarter of the year are summarised below:

Summary

Portfolio	Total Forecast (Under) / Over spend 2020/21	Less: Overspend due to Covid-19 related costs/loss of income	Underlying position (Under) / Over spend 2020/21
	£mill	£mill	£mill
Adults & Prevention Services	4.264	(4.901)	(0.637)
Public Health & Wellbeing	2.521	(4.021)	(1.500)
Children, Young People & Education	4.030	(1.180)	2.850
Schools & Education (DSG)	0.000	(0.000)	0.000
Environmental Services	2.258	(1.580)	0.678

Growth & Development	2.000	(1.500)	0.500
Digital & Customer Services	0.232	(0.232)	0.000
Finance & Governance	6.570	(6.570)	0.000
Cross Portfolio pressures	3.946	(3.946)	0.000
TOTAL	25.821	(23.930)	1.891

Covid-19

As stated above, the Covid-19 pandemic has resulted in significant unplanned expenditure and income losses. Following work to refine both the actual costs incurred and income lost due to Covid-19 during the period 1st April to 31st July 2020, and in reviewing and refining assumptions on which the forecasts for these are based for the remainder of the financial year, the fourth COVID-19 Financial Management Return was submitted to MHCLG on 31st July 2020. The return includes the following key figures:

	Covid-19 Impact Full year forecast 2020/21
Additional expenditure	14.00
Income losses – commercial sales, fees and charges	11.30
Total losses due to Covid-19	25.30
Less: funding for Test and Trace	(1.37)
Portfolio losses due to Covid-19	23.93
Less: General Covid-19 grant funding	(10.90)
Portfolio gap	13.03

Note: These figures do not include income losses in respect of Business Rates and Council Tax which are covered in section 6.4 below.

The government has announced additional financial support for councils to meet a proportion of their losses in respect of Sales, Fees and Charges. The extent of this is dependent on the application of detailed guidance and on the returns to be completed over the remainder of the financial year; the first of the returns will be completed in September and will be reported to the Executive Board as part of the Quarter 2 Corporate Revenue Monitoring Report.

Portfolio positions

The underlying budget issues for each portfolio at the end of the first quarter of the year are as follows:

Adults & Prevention Services

At this relatively early stage in the year, on the basis of current levels of demand and information available, the portfolio is predicting an underspend, excluding the costs associated with Covid-19, of £637k for 2020/21.

There are however pressures within the Adults Commissioning budget but the forecast reflects a net underspend across the portfolio due to the changes made through the hospital discharge guidance issued during the Covid-19 pandemic whereby all care costs attributed to hospital discharge, or hospital admission avoidance, are now being paid directly by the NHS. Recently however, this guidance has changed and from September only the first six weeks after discharge will be funded by the NHS. As such, the portfolio is anticipating a significant increase in referrals and in care costs over the coming months. The impact of this, together with the impact of Covid-19 and winter pressures in adult social care, is likely to result in escalating costs over the next few months, however a more accurate estimate

of costs is hard to determine at this stage; we expect to have a more refined forecast available at Quarter 2 monitoring.

The Neighbourhoods and Prevention department within the portfolio has identified pressures of £168k but are forecasting to manage these down to a breakeven position by the end of the financial year.

Public Health & Wellbeing

The Public Health department is currently predicting to overspend by around £21k in 2020/21, in respect of Covid-19.

At this relatively early stage in the year, due to the fact that leisure facilities, museum and venues have not been able to operate due to lockdown restrictions, the Leisure and Culture department is forecasting an overspend in the region of £2.5m.

This figure is net of the forecast loss of income due to Covid-19 of approximately £4.0m for although service provision mainly shifted to on-line and digital platforms as part of the Council's pandemic response in supporting the health and wellbeing of both staff, there was an immediate and absolute loss of all income streams across the portfolio. The net loss of income is offset to an extent by reduced expenditure against budget, e.g. cost of events, of approximately £1.5m.

Children, Young People & Education

The portfolio is currently forecasting an overspend of £2.85m against their controllable budgets, of which £1.8m relates to Placement cost pressures. This £1.8m overspend is based on the estimated full year costs of current placements and also includes an estimate for the cost of additional placements that may be made over the course of the year, based on an average of actual numbers and the spend profile over the past few years.

Placements costs are monitored throughout the year and individual placements are regularly reviewed. The department is exploring all options in order to mitigate rising demand and will ensure that we maximise the use of all sources of external grant funding.

Covid-19 related costs are associated with building adaptations to the Limes, Whalley New Road and Apple Trees, as well as additional workforce and residential care pressures.

Dedicated Schools Grant / Schools Block

Services in Schools & Education (DSG) are currently forecast to spend the funding available in 2020/21 through the DSG and Pupil Premium.

Schools and Education funding from DSG is monitored by the Schools Forum and reports are considered on a regular basis.

Environmental Services

The portfolio has identified non-Covid-19 related pressures in respect of recycling and waste disposal services amounting to £516k; in addition, they have identified unbudgeted pressures in respect of the costs of re-lining the cremators of £120k and in Pest Control services of £42k.

Covid-19 income losses within the portfolio include taxi licensing, trade waste, parking services and at the motor vehicle service station (i.e. for MOTs for taxis and HGV testing) which amount to approximately £1.580m

Growth & Development

The portfolio is currently forecasting a non-Covid19 related overspend of £500k which is mainly in respect of the Highways budgets and ongoing pressures on the planned and reactive maintenance budgets, in particular.

In addition to this Covid-19 pressures of £1.5m have also been identified arising from losses of income across the portfolio.

Digital & Customer Services

The portfolio is currently predicted to break even over the course of the financial year excluding £232k of Covid-19 related income losses across Registrars, Customer Services and a reduction in the capitalisation of IT staffing costs, as planned IT projects have had to be deferred in order to accommodate the immediate priorities and resource pressures arising from the pandemic.

Finance & Governance

The portfolio has identified cost pressures of £3.87m and income losses of £2.7m solely due to Covid-19. The significant pressures and losses included within this are;

- purchases of personal protective equipment for use by all departments across the Council and by adult social care providers (£1.77m),
- the costs of establishing and operating a Food Hub which has supported the most vulnerable of the Borough's residents during the lockdown (£1.502m),
- forecast income losses from commercial rents including Cathedral Quarter and the Council's income share from the Mall.

6.2 General Fund Unallocated Reserves

Summary of movement	£million
Unallocated reserves as per the 2019/20 Outturn Executive Board Report	7.173
Transfers (from) Unallocated reserves	
Increased net costs in respect of interest and debt repayment (Note 1)	(0.176)
Increase in Strengthening Communities Volunteering in Lancashire (SCVL) Earmarked Reserve – adjustment to carry forward from 2019/20	(0.023)
Transfers to Unallocated reserves	
Increase in reserve agreed as part of 2020-21 budget strategy	0.500
Increase in non-ringfenced grant income:	
Housing Benefit Administration Grant	0.106
Extended Rights to Free Travel Grant	0.031
Social Care Support Grant	0.019
Adjustment re reduction in contribution to Greater Lancashire Plan via NNDR 75% Pilot Pool	0.059
Balance on Unallocated General Fund reserves at 30 June 2020	7.689

Note 1 – The amount of £176k above comprises:

- Interest and dividends foregone as part of the agreement to sell the Council's shares in the Local Education Partnership (LEP) - £100k
- An increase in MRP as a result of lower capital receipts received in 2019/20 - £76k

6.3 Earmarked reserves

Taking account of the adjustments highlighted at Appendix 2, the level of Earmarked reserves held for discretionary use by the Council at 30th June 2020 will increase to £34.586 million compared with a balance of £19.152 million as at 31st March 2020.

Summary of movement	£million
Balance of reserves at 31 st March 2020 (as reported to Executive Board in June 2020)	19.152
Use of reserves to support the 2019-20 budget strategy (Note 1)	(0.370)
Release to portfolios of grants and budgets carried forward from 2019/20 into 2020/21 (incl in Appendix 1)	(1.892)
Use of Developers contributions (Section 106) Reserve to finance capital expenditure	(2.536)
Use of Future Maintenance of Wainwright Bridge reserve to finance capital expenditure	(0.200)
Creation of reserve for Compensation for lost Business Rates income (Note 2)	16.324
Increase in COVID-19 Reserve (2nd tranche of grant)	4.085
Increase in Strengthening Communities Volunteering in Lancashire (SCVL) Reserve (to adjust outturn position)	0.023
Balance on Earmarked reserves at 30 June 2020	34.586

Note 1 - The amount of £370k above comprises:

- Transfer from the Office Accommodation and Property Improvements reserve to finance capital expenditure on Griffin Lodge - £300k
- Transfer from the Improvement to Support Business Rates Growth reserve to fund the Local Plan - £150k
- Transfer to earmarked reserves for Future Maintenance of Witton Park 3G Pitches (£50k) and for "pay back" of leisure equipment (£30)

Note 2 - A new reserve has been created from government funding to reimburse the Council for the loss of business rates income due to the award of the Expanded Business Rates Retail Discount and a new Business Rates Nursery Discount in response to the coronavirus pandemic. The impact of the lost business rates income will be carried forward into the 2021/22 budget as a deficit on the Collection Fund. The new earmarked reserve above will then be utilised to offset the Collection Fund deficit and to support the 2021/22 budget process.

Other Earmarked reserves, held largely in respect of schools, are £9.479 million.

Details of the requested applications of reserves are outlined in the Appendices to this report.

6.4 Collection Fund

Business Rates

In the 2020 Budget, and in subsequent announcements throughout March, the government has gradually increased the Retail and Rural Businesses discounts with 100% relief applying to occupied retail, leisure and hospitality properties in the year 2020/21, with no limit on the rateable value to which this applies or in the application of the State Aid limit on the amount of relief given. A new Nursery (Childcare) Discount 2020/21 has also been introduced. None of the eligible properties covered by the reliefs will pay business rates in 2020/21.

Central government have allocated funds to fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). In addition, as additional reliefs have been introduced after the NNDR1 (initial Business Rates estimate return) has been submitted, the s31 grant allocations are based on the full Collection Fund impact, to cover the “overpayment” of central share and preceptor instalments as fixed by the NNDR1.

An initial allocation of £16.324 million has been made to the Council however we will be asked to provide outturn data on the total “actual” cost of providing the reliefs, as per the usual process, i.e. via the NNDR3 forms for 2020/21, when reconciliations will be completed between the figures. The regulatory framework for business rates requires that the section 31 grants must be credited to the General Fund, which will initially cause a surplus in 2020/21 as the Council is compensated for the lost business rates income; this will ultimately be reflected in the distribution of the Business Rates Collection Fund deficit in 2021/22.

The Business Rates Collection Fund budget has been re-profiled to reflect the impact of the changes in the various discounts given on the amount of income due. The current rate of collection for business rates is, however, below that normally expected at this point in the year mainly due to the deferment of collecting direct debt payments during the period April to June. The Council has also only recently recommenced recovery action and so it is envisaged that a more accurate position will be evident as the year progresses. Due to the changes in recovery process arising from Covid-19 (i.e. application of discounts/reliefs from the government and deferrals in collections) comparison with previous years is very difficult to undertake.

The current projected year end position for the Business Rates Collection Fund is a deficit carried forward into 2021/22 of £16.6 million, comprising:

	£million
Increase in reliefs compensated by s31 grant (largely Retail Discount)	17.100
Assumed reduction in collection	1.400
Projected in year deficit 2020/21	18.500
Less: a larger than anticipated surplus carried forward from 2019/20	(1.900)
Projected deficit carried forward 31/03/2021	16.600

Blackburn with Darwen’s share of this deficit is £7.68 million.

We await the guidance from central government, due in the autumn, in respect of the option to spread the Collection Fund deficit over 3 years and/or to utilise the reserve established from the £16m section 31 grant received during 2020/21.

Council Tax

As part of its response to Covid-19, the Government has provided local authorities in England with £500 million of new Council Tax Hardship Grant funding. The purpose of the grant is to compensate billing authorities in England for the council tax foregone in 2020-21 due to additional council tax reliefs provided to working age recipients of local council tax support during the Covid-19 emergency. Blackburn with Darwen Borough Council’s allocation amounted to £2,194,182 and was received in April 2020. Due to the different regulatory framework for Council Tax, this grant must be credited to the Collection Fund to directly offset the reduced income.

The Council’s current rate of collection for council tax is around 0.82% below expectations. This is largely due to agreed deferrals in instalments for April, May and June, for example due to customers having reduced levels of income if they have been furloughed. The Council has now recommenced its collection and recovery processes, the impact of which will hopefully be seen in an improvement in the overall collection rate over the coming months. However, it is anticipated that the number of local council

tax support claimants will increase further following the phasing out of the job retention scheme, which will in turn reduce income further and possibly impact on collection rates.

Taking all these factors into account, the current projected year end position for the Council Tax Collection Fund is a deficit carried forward into 2021/22 of £1.4 million, made up of:

	£million
A lower than anticipated growth in chargeable properties	0.200
An assumed increase in local council tax support claimants	0.800
An assumed reduction in the collection rate from 97.5% to 97.0%	0.400
Projected deficit carried forward 31/03/2021	1.400

Blackburn with Darwen's share of this deficit is £1.2 million, which would be a pressure on the 2021/22 budget.

As for business rates, we await the guidance from central government, due in the autumn, in respect of the option to spread the Collection Fund deficit over 3 years rather than in the following financial year (i.e. in 2021/22), as is the current requirement

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

Not applicable.

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: V3

CONTACT OFFICER:	Julie Jewson Senior Finance Manager Tel 585893
DATE:	1st September 2020
BACKGROUND PAPER:	N/A

	Adults and Prevention Services	Public Health & Wellbeing	Children, Young People & Education	Environmental Services	Growth & Development	Digital & Customer Services	Finance & Governance	Schools & Education (DSG)	TOTAL
	£	£	£	£	£	£	£	£	£
Controllable Budget approved at Finance Council February 2020	50,853,816	2,154,048	29,801,972	8,948,036	7,849,921	5,364,852	9,815,466	(941,000)	113,847,111
Transfers between portfolios									
Portfolio change adjustment						260,000	(260,000)		0
Workforce Development Support	(40,000)						40,000		0
Budget transfer in respect of two surveyor posts to Aids & Adaptations	82,032			(82,032)					0
Transfer of budget in relation to Traded Services			(16,500)				16,500		0
Restructure of Financial Services team	311,300						(311,300)		0
Additional Solicitor post to support higher case loads	(50,000)						50,000		0
Transfers (to)/from contingency									
Provision for increases in National Living Wage for Provider Fees	1,250,000								1,250,000
									0
Carry forward of grants, contributions and other budgets from 2019/20									
Stay Safe monies	9,339								9,339
Accommodation Based Support Grant	10,811								10,811
Home Office monies (Dovetail)	13,128								13,128
Youth Endowment Fund	21,145								21,145
Talk English monies	20,604								20,604
Social Integration funding	536,621								536,621
Communities Fund/Localities	14,000								14,000
Better Care Fund	103,300								103,300
Community Support Unit	35,700								35,700
Public Health England Grant to earmarked reserve (funds required in 2020-21 for delivery of Public Health service)		422,105							422,105
Arts Council		28,800							28,800
Museum & Arts Project		20,000							20,000
Museum & Schools Grant		17,300							17,300
Carry forward Library Resource Fund		9,500							9,500
Troubled Families / Targetted Youth Support Reserve			40,000						40,000
Troubled Families Reserve			93,792						93,792
Virtual School reserve			47,800						47,800
Practitioner Training Grant			3,249						3,249
Schools Linking Network			10,000						10,000
Early Years carry forward due to fund delayed maintenance			14,300						14,300
Engage Funding			39,000						39,000
Community Hygiene - income from Land Charges				4,089					4,089
S278 contributions					216,000				216,000
Capacity Funding Grant Darwen Town Centre					162,000				162,000
									0
Other transfers (to)/from earmarked reserves									
									0
Transfers (to)/from unallocated reserves									
Adjustment re contribution to Greater Lancashire Plan via NNDR 75% Pilot Pool							(59,000)		(59,000)
Other budget adjustments									
									0
Revised Controllable Budget as at 30th June 2020	53,171,796	2,651,753	30,033,613	8,870,093	8,227,921	5,624,852	9,291,666	(941,000)	116,930,694

DETAILS OF GENERAL FUND EARMARKED RESERVES FOR USE BY THE COUNCIL

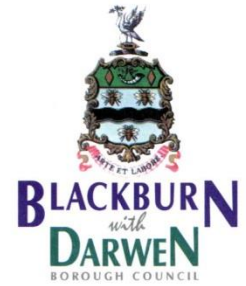
	Balance at 1 April 2020	Requested Transfers to/(from) earmarked reserves in Qtr 1		Balance at 30 June 2020
	Outturn position for 2019/20 - As reported to Exec Board June 2020	Release of grants and contributions b/wd from 2019/20	Other transfer to/(from) reserves	Q1
	£000	£000	£000	£000
Welfare, council tax and business rates reforms				
Welfare and council tax reforms	163			163
Section 31 Grant - Compensation for lost Business Rates income	0		16,324	16,324
Brexit Preparation				
Brexit Preparation Funding	315			315
Investment in assets and infrastructure				
Office Accommodation and property improvements	798		(300)	498
Highways winter maintenance	95			95
Support for the Local Plan	105			105
Flood Defence	77			77
Support for Other Resources and Transformation projects				
Legal Advice Reserve	105			105
Partnerships & Transformation	78			78
Insurance risk investment fund	43			43
Support for People Services				
Schools Improvement (SSIF)	236			236
Troubled Families / Targetted Youth Support	134	(134)		0
YOT partnership	291	(39)		252
Music Services	117			117
Disabled Facilities Grants	289			289
Future Demand Pressures	1,799			1,799
Better Care Fund	475	(103)		372
Support for Place Services				
Investment to support business rates growth	320		(150)	170
Place Shaping Investment Reserve	250			250
Contingent sums to support future downsizing and transformation programmes				
Support for future redundancy costs	535			535
Support for part year effect of future savings plans	1,187			1,187
Digital Programme	882			882
Amounts b/wd from previous year(s) in respect of unspent grants and contributions				
Transformation Challenge Award	64			64
SEN / SEND Reform Grant /SEND Prep for Empl	41			41
Public Health Grant	422	(422)		0
Transforming Lives	37			37
One Public Estate grant	474			474
Electoral Grant	57			57
DCLG Transparency Code New Burdens	13			13
Adult PSS - Local Reform and Community Voices	108			108
Adult PSS - War Pensions Disregard	30			30
Flexible Housing Support Grant (FHSG)	38			38
FHSG Top-up	15			15
Homelessness Reduction Act New Burdens Funding	67			67
Social Integration funding	807	(537)		270
NHS Funding for LPRES integration with Mosaic and spine mini services	29			29
S278 contributions	216	(216)		0
Capacity Funding Grant Darwen Town Centre	162	(162)		0
COVID-19 Funding from MHCLG	5,151		4,085	9,236
Combined Authority Grant	48			48
Arts Council	29	(29)		0
Museum & Arts Project	20	(20)		0
Museum & Schools Grant	17	(17)		0
Stay Safe Grant	9	(9)		0
Accommodation Based Support Grant	11	(11)		0
Home Office monies (Dovetail)	13	(13)		0
Youth Endowment Fund	21	(21)		0
Talk English Grant	21	(21)		0
Communities Fund/Localities	14	(14)		0
Burdens Fund monies	2			2
Practitioner Training Grant	3	(3)		0
Linking Network	10	(10)		0
Custom build Grant	15			15

DETAILS OF GENERAL FUND EARMARKED RESERVES FOR USE BY THE COUNCIL

	Balance at 1 April 2020	Requested Transfers to/(from) earmarked reserves in Qtr 1		Balance at 30 June 2020
	Outturn position for 2019/20 - As reported to Exec Board June 2020	Release of grants and contributions b fwd from 2019/20	Other transfer to/(from) reserves	Q1
	£000	£000	£000	£000
Amounts committed in future year budgets/MTFS				
Budget carry over for implementation of Concerto (Property system)	20			20
Budget carry over for Intack Depot driveway	10			10
CCTV Hub carry forward	106			106
Development Investment Fund (Capital)	1			1
Underspend on PFI codes	0			0
Strengthening Communities Volunteering in Lancashire (SCVL)	97		23	120
Carry over for Virtual School	48	(48)		0
Carry forward Library Resource Fund	9	(9)		0
Community Support Unit - request to carry forward underspend - business case SO	36	(36)		0
Early Years request for carry forward due to COVID-19 halt on maintenance	14	(14)		0
Community Hygiene - request carry forward income from Land Charges	4	(4)		0
Reserves held for specified purposes				
Developers Contributions (S106 Income) *	1,069		(2,536)	(1,467)
Future Maintenance of Wainwright Bridge	468		(200)	268
Future Maintenance of Witton Park 3G Pitches	25		50	75
Leisure Equipment Pay-back	0		30	30
Future remediation costs in respect of former landfill sites	400			400
Highways claims anticipated for years up to current year but not yet received	300			300
Art Acquisitions Fund	17			17
W. Ferrier Bequest (for museum re Kathleen Ferrier)	20			20
Allowance for contingent liabilities (e.g. MMI)	250			250
TOTAL EARMARKED RESERVES FOR DISCRETIONARY USE	19,152	(1,892)	17,326	34,586
'Other Earmarked' Reserves				
Reserves held in respect of joint arrangements and charitable bodies				
Darwen Market Traders Association	2			2
Joint Building Control Account	162			162
Turton Tower Charity	66			66
LSCB Safeguarding Partners Fund	135			135
Reserves held in relation to schools				
Dedicated Schools Grant - Surplus	3,840			3,840
LMS Schools Balances	5,274			5,274
TOTAL 'OTHER EARMARKED' RESERVES	9,479	0	0	9,479
TOTAL EARMARKED RESERVES	28,631	(1,892)	17,326	44,065
UNALLOCATED RESERVES	7,173		516	7,689

* Developers Contributions (S106 Income) - this reserve appears above in a negative position. This is due to the fact that income received during 2020/21 will only be reflected in the reserve once the year end outturn entries have been completed, as is the normal practice.

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth & Development
DATE:	Thursday, 10 September 2020

PORTFOLIO(S) AFFECTED:	Growth and Development
WARD/S AFFECTED:	Billinge and Beardwood;
KEY DECISION:	N

SUBJECT:
 Petition regarding the use of No.8 Eden Park, Blackburn, to provide care and support for no more than three children and two adult carers resident at the property at any time.

1. EXECUTIVE SUMMARY
 This report has been prepared to inform the Board that a petition has been received from residents of Larmenier Village off Eden Park in relation to the proposed use of No.8 Eden Park, as a home to provide support for no more than three children.

2. RECOMMENDATIONS
 That the Executive Board:
 1. Notes the petition.
 2. Agree to a process whereby any commissioning department within the Council require any commissioning applicant intending to use non-Council owned property to provide a declaration from the applicant's legal representatives confirming that there are no restrictions or covenants on the proposed property that could affect the commissioned service.

3. BACKGROUND
 On the 26th March 2020, a Lawful Development Certificate application was submitted by Nurture Childcare Services Ltd in relation to the proposed use of No.8 Eden Park, Blackburn as " a home to provide care and support (Use Class C2) for no more than three children and two adult carers resident at the property at any time."

Lawful development certificates are certificates issued by local planning authorities, which certify that a proposed or existing development is lawful in accordance with Section 192 of the 1990 Town and Country Planning Act. A Certificate of Lawfulness of Proposed Use or Development ("CLOPUD") is used to certify that a proposed use of buildings or land, or any proposed operations to be carried out in, on, over or under the land is lawful. In determining a CLOPUD application, the local planning authority must issue the CLOPUD if it is satisfied that the answer to the following question is 'Yes':

If this proposed change of use had occurred, or if this proposed operation had commenced, on the [CLOPUD] application date, would it have been lawful for planning purposes?

Answering this question will involve the local planning authority considering:

Whether the proposal would involve development requiring an application for planning permission. Whether it would involve a breach of any existing condition or limitation imposed on a grant of an implemented planning permission.

The legal way of expressing the effect that the grant of a CLOPUD has is that the :

"Use or operations for which a CLOPUD is in force shall be conclusively presumed unless there is a material change, before the use is implemented or the operations are begun in any of the matters relevant to determining such lawfulness".

A CLOPUD application is required to be supported by information/evidence that demonstrates the proposed use is lawful.

The supporting statement on behalf of Nature Childcare Services states; emotional, behavioural and social difficulties. In the context of assessing the proposed use, the term is not considered to materially differ from the term; learning disabilities or sensory impairment. The facility may cater for children and young adults who may have learning disabilities, and sensory impairments. There would be a communal lounge with dining area, kitchen and staff office/sleep in room with staff bathroom.

The local planning authority were satisfied that the proposal included sufficient information to understand what is involved (i.e. the care of no more than three children between the age of 8 and 19, by no more than two adult carers present at any one time, plus a visiting manager once a day during standard working hours). The precise nature of the use is considered lawful as described in the First Schedule of the Certificate. As such, the lawful development certificate was granted on the 28th April 2020 (ref: 10/20/0194).

A petition submitted by the Eden Park-Beardwood & Lammack Action Group on behalf of the Larmenier Village residents containing 14 signatures, with supporting document, was received on 17th June 2020 in relation to the site. The petition requests that all activity at the site is suspended and the local planning authority revoke the issuing of the lawful development certificate

Residents have set out why they believe all activities should cease, and the decision be revoked (see Appendix 1).

At the time of the Petition Report being prepared, the property is not yet occupied by the applicants (Nurture Childcare Services Ltd), as the owner of the property is seeking their own independent legal advice with regards the restrictive covenants placed on the property. In addition, the Council is also seeking to clarify the ownership position with the applicants, and what this means with regards to the Lawful Development Certificate application. A notice has been served under Article 39(15) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 on the 3rd August 2020, on the applicants and the owners of No.8 Eden Park, with regards the Council's proposal to revoke the Certificate. The notice invites the applicants to submit written representations within 14 days, which will be considered by the Council in assessing whether revocation of the Certificate is appropriate in this instance.

4. KEY ISSUES & RISKS

There are two fundamental issues raised by the Action Group as part of the petition. Firstly, there can no breach of any restrictive covenant placed on the property, and secondly, there is no difference between this residential institution and a normal domestic and family setting.

Breach of restrictive covenant to number 8 Eden Park.

The restrictive covenant states:

No building now or at any time in the future to be built on any part of the property shall be used other than as a private dwellinghouse (together with associated garage, greenhouse and garden shed) in the occupation of one family.

The Council has considered the title to the property and although there is the restrictive covenant, as the Action Group suggests it is a private legal matter between the applicant/property owner and the persons who have the benefit of the covenant, who may choose to take enforcement action. The Action Group and the residents on the estate may choose to pursue a private course of action with reference to the intention of an alleged business use of the property, in breach of the covenant, and would need to seek their own independent legal advice in this regard.

The Council's Strategic Commissioning Service is a 'People' wide service covering Adults, Children's and PH. The Council's Head of Strategic Commissioning who reports to the Director of Adults Social Services and Prevention, has confirmed the Service has not commissioned the proposed facility at Eden Park through Placement North West, and the applicants have confirmed the placement has been commissioned through Lancashire County Council.

Because restrictive covenants and so forth are not material planning considerations, they cannot be asked to form part of applications for a CLOPUD. However, it is recommended that any commissioning department within the Council require any applicant intending to use non-Council owned property for the provision of the commissioned service provide information and where appropriate provide a declaration from the applicant's legal representatives confirming that there are no restrictions or encumbrances that would could potentially affect the commissioned service. This proposal will need further discussion and agreement with the relevant departments and commissioning officers before it can be implemented.

There is no difference between this residential institution and a normal domestic and family setting:

The Action Group are claiming that the proposed use is in direct breach of the restrictive covenant that exists, in that a home for the children (ages 8 to 19) occupied on shift patterns by carers cannot fall within Use Class C3(b) of the Town & Country Planning Use Classes Order 2015(as amended) i.e. not occupation of a house by a single person or residents living together as a family.

The applicant proposes to use the premises for the care of children, with a maximum number of 5 residents living as one single household, comprising 3 children (aged 8 – 19) and two adult carers at any one time. Care needs would typically relate to learning difficulties and sensory impairments.

The supporting statement on behalf of Nature Childcare Services states; emotional, behavioural and social difficulties. In the context of assessing the proposed use, the term is not considered to materially differ from the term; learning disabilities or sensory impairment. Notwithstanding this, the precise definition of care / residents needs is not material to the outcome of the lawful development certificate application – only the requirement for care needs to be stated.

The Action Group contend that there has been a change of use in relation to the proposed use notwithstanding the restrictive covenant placed on the property, and as such, they argue the lawful development certificate should not have been granted, and as such be revoked. With reference to determination of the application, it is the considered view of the local planning authority that the change of use of the property from a C3 Use (Single Dwelling) to a C2 Use (Residential Institution) is not material. This is very much a site specific conclusion based on the size of the property and its ability to accommodate adequate off-street parking, together with the number of children / carers that will be present at the property. In this particular case there will be no more than three children and two adult carers in the property at any one time. It is considered that the activities associated with the proposed use would not be materially different from those typically associated

with a large family dwelling. This position is supported by relevant Case Law and examples of lawful development certificates granted by other Local Authorities for the same use.

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

Part 7 of the Council's Constitution relates to Petitions. This is considered to be an 'ordinary' petition as it is signed by at least 6 local people. This Part also sets out the general parameters of the potential responses or feedback formats that the Council ought to consider in response. This report's recommendation is considered under Part 7 to be an appropriate form of response to formally consider the substantive application.

8. RESOURCE IMPLICATIONS

None

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

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:	Gavin Prescott, Planning Manager (Development Management)
DATE:	4 th August 2020
BACKGROUND PAPER:	Appendix 1 – copy of petition and covering letter.

Eden Park- Beardwood & Lammack Action Group

Email: [REDACTED]

Date: Wednesday 17th June 2020

FAO: Martin Kelly, Kate Hollern, Jackie Floyd, Tasleem Afzal, Mohammed Khan, Sayyed Osman, Phil Riley and Asad Laher.

We understand that Nurture Childcare Services Ltd have provided you with a response to our petition and supporting letter and that they have also published this response on a public forum. We understand that they continue with their plans despite our immediate calls for all activities to be suspended.

As we await your response, we feel compelled to provide an immediate riposte so that the inaccuracies in their statement do not mislead. Please also find attached a copy of the physical petition from Larmenier Village for those residents unable to participate via the electronic petition. Due to social distancing rules, some residents have been unable to participate in either. We have the overwhelming support of the residents on Eden Park with not a single expression of support for Nurture Childcare Services Ltd to proceed.

Claim 1: There can be no breach of any restrictive covenant.

They justify this with the following:

“An application for Lawful Development was submitted along with all supporting documentation and granted by the LPA, which confirms there has been no material change of use from a C3 use i.e. a dwelling, therefore, there can be no breach of any restrictive covenant.”

The award of a Lawful Development Certificate (LDC) or even planning permission for that matter **does not** quash or override a covenant. This is a very basic error in their understanding and one that their legal team should have made them aware of.

Claim 2: There is no difference between this residential institution and a normal domestic & family setting.

In their very own supporting statement for the LDC, the legal representatives to Nurture Childcare Services Ltd reference the following case law:

*“5.11 It is important to state the North Devon District Council v Secretary of State [2003] EWHC 157 which judged that children cannot look after themselves as a single household. Carers must also be living full time on the premises. A children’s home run on shift patterns cannot therefore be considered to fall within C3(b) use class, as this is **not occupation of a house by a single person or a residents living together as a family.**”*

This clearly demonstrates that the proposed use of 8 Eden Park, BB2 7HJ by Nurture Childcare Services Ltd is in direct breach of the restrictive covenant that exists, namely that the **property shall not be used for other than a private dwelling house in the occupation of one family.**

Perhaps most objectionable is the cynical way in which Nurture Childcare Services Ltd have publicised the unsavoury comments of an unknown signatory to the public petition in order to discredit and dismiss the genuine concerns of the residents *en masse*. They egregiously attribute this comment to an unidentified “group” and by extension to all those who object to their plans. By putting this comment in the public domain they have shown an utter disregard for the feelings and sensibilities of the very children they seek to house.

It is worth re-iterating here that Nurture Childcare Services Ltd is not a charity, but a business with a profit motive. Their claims are not backed up by any long term commitment or accountability because the Director is looking to sell the business. We call out this virtue signalling and will not allow our community to be maligned. The petition on change.org is open to members of the public to sign and comment upon. It stands at over 260 signatures at the time of writing. Comments can be made by any of the signatories including those seeking to discredit the petition. The comment they have referenced was deleted as soon as it came to the attention of Action Group Eden which was well in advance of Nurture Childcare Services Ltd public letter.

They go on to suggest that the petition is discriminatory. If by suggesting this they mean to prevent the good people of our community from exercising their right to voice their concerns, it has failed. Perhaps this comment on the online petition from a resident at Larmenier Retirement Village will help underscore this point.

“I’m signing this petition because I and my husband are residents of Larmenier Retirement Village and I am concerned over the safety and welfare of not just ourselves but for all the vulnerable people who live at this village which borders on to this house”

Finally, it has not escaped our attention that the Local Planning Authority (LPA), has taken the highly unusual step of allowing the change in use from a dwellinghouse (Class C3) to a Residential Institution (Class C2) without planning approval. They have taken the judgment that there has been no material change in use. Whilst the LPA have acted within their narrow definitions and rules, they cannot distance themselves from the fact that their actions have led to a destabilising effect on the neighbourhood. They have paid no due regard to the restrictive covenants that aim to preserve the nature and character of the area or indeed the wishes of the residents directly affected.

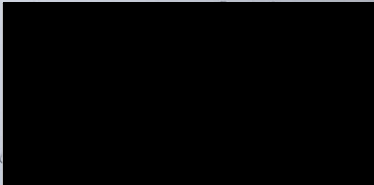
Please be informed that we have raised this matter to the legal department within the Council for review and await legal advice.

We once again call for the revocation of the LDC and an immediate cessation of activities by Nurture Childcare Services Ltd as they pertain to 8 Eden Park, BB2 7HJ.

Action Group Eden Park, Beardwood and Lammack

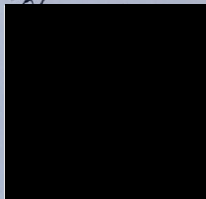
Larmerier village communication from concerned residents to their head office & Petition.

11th P. Scandrett.



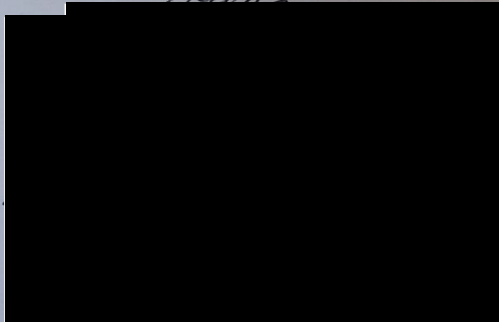
17th June 2020

Dear 11th Scandrett
Many thanks for
Carri. (You were
incorrect add^r
The closing dat
problem with
weekend so
the Council.
In the mean,
information
Thank you
in hand.
Mavis.



17th June 2020
To the Eden Park Action Group.
Thank you for your efforts to
secure our safety within the
village next to Eden Park.

John Scarb




A PETITION REGARDING 8 EDEN PARK:
CONVERSION INTO A HALFWAY HOUSE

NAME:	ADDRESS:	EMAIL (IF YOU HAVE ONE):
[REDACTED]	30 Southwaite House	/
[REDACTED]	8 ARROWSMITH HOUSE	/
[REDACTED]	14 Arrowsmith-	/
[REDACTED]	4 ARROWSMITH HOUSE	[REDACTED]
[REDACTED]	"	[REDACTED]
[REDACTED]	3 Woodcock House	
[REDACTED]	15 WH	
[REDACTED]	1 Whitaker Gdns.	
[REDACTED]	16 Woodcock House	
[REDACTED]	9 Arrowsmith House.	
[REDACTED]	"	

See below for screenshot from the online petition & comments.

A house within Beardwood has been granted permission to be used as a halfway house

Details Page for Planning Application - 10/20/0194	
Site Address	8 Eden Park Blackburn BB2 7HJ
Application Progress Summary	
Application Registered	27-03-2020
Decision	Grant 28-04-2020
Comments Until	17-04-2020
Date of Committee	

 Eden Park Beardwood & Lammack Action group started this petition to Safeguard our neighbourhood!

A house within Beardwood has been granted permission to be used as a halfway house for teenagers that may have:

- Sexually harmful behaviour
- Substance abuse
- Offending behaviours

These behaviours are clearly listed on the website for the company that has received the approval.

The planning document says

"Care needs would typically relate to learning difficulties and sensory impairments."

However, a **letter from the company** to some residents has stated specifically that this will **NOT** be the case. Instead they write:


" The home will accommodate up to 3 young people with emotional, behavioural and social difficulties." (EBD)


The Council have been misled on the purpose of the house & neighbours to the house were not consulted prior to the application.

Support this petition to voice your concern as we discuss this further with the Council. Thank you


264 have signed. Let's get to 500!




 A house within Beardwood has been granted permission to be...

 Share on Facebook

 Send a Facebook message

 Send an email to friends

 Tweet to your followers

 Copy link

Show this petition to more potential supporters

Promote this petition

Reasons for signing

See why other supporters are signing, why this petition is important to them, and share your reason for signing (this will mean a lot to the starter of the petition).

 [Redacted] 6 days ago


I'm signing this petition because I and my husband are residents at Larmenier Retirement Village and I am concerned over the safety and welfare of not just ourselves but for all the vulnerable people who live at this village which borders on to this house

♡ 0 


 [Redacted] 1 week ago


Neighbourhood concern

♡ 0 


 [Redacted] 1 week ago


Wrong place and will attract anti social behaviour into an area which currently has low anti social behaviour incidents.

♡ 0 


 [Redacted] 1 week ago


Beardwood is definitely not an appropriate place for half way house. Statics show that crime rates increase in the neighbourhood from such initiatives and ultimately impacts on the social fabric of the whole community.

♡ 0 


 [Redacted] 2 weeks ago


This is a street of family households with young children. It would drive the families away opening this halfway house.

♡ 1 

 [Redacted] 2 weeks ago

Its an important issue that should be given more attention

♡ 0 

 [Redacted] 2 weeks ago

Council should consult and explain to the local residents now not later when the problems get out of hand and people get angry.

♡ 0 