

# Public Document Pack

## Officer Decisions

Friday, 9th October, 2020

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### AGENDA

1. **The provision of alterations & remedial repairs 14-20 Lord Street West, Blackburn**  
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2. **Classroom Extension, External Canopy and Internal Alterations, St Cuthberts Primary School, Darwen**  
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Date Published: 9<sup>th</sup> October 2020  
Denise Park, Chief Executive

# Agenda Item 1

## RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



**DELEGATED OFFICER DECISION** Director of Growth & Development  
**TAKEN BY:**  
**PORTFOLIO AREA:** Growth and Development

**SUBJECT:** The provision of alterations & remedial repairs 14-20 Lord Street West, Blackburn

### 1. DECISION

To appoint Rosslee Construction Ltd to undertake the alterations & remedial repairs 14-20 LSW.

### 2. REASON FOR DECISION

The tender specification for the provision of alterations & remedial repairs 14-20 LSW was advertised as an open Tender on the Chest procurement system.

Five compliant submissions and one non-compliant submission were received in response to the Invitation to Tender. These were evaluated on a 75% price and 20% quality basis and 5% social value, see table below.

Following an evaluation of the returned tenders, Rosslee Construction Ltd is the successful contractors.

Tender sum: £107.044.15

Contractor	Rosslee Construction	Contractor 2	Contractor 3	Contractor 4	Contractor 5	Contractor 6
Total Score %	87.5	86.12	75.28	35.43	13.54	Non-compliant
Ranking	1	2	3	4	5	-

### 3. BACKGROUND

The project falls as part of the Townscape Heritage Scheme with part funding from the National Lottery Heritage Grant Fund and part funding from the Corporate Property Investment Fund.

### 4. KEY ISSUES AND RISKS

Rental values in the short term are expected to be low – with the impacts of the Covid-19 induced

### 5. OPTIONS CONSIDERED AND REJECTED

Decision to award contract is based on the completed tender evaluation.

*Further information is available via the following link [ ] or from the report author*

**6. DECLARATION OF INTEREST**

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Andrew Davies</b>
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<b>DATE:</b>	03/09/2020
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<b>BACKGROUND DOCUMENTS:</b>	Tender evaluation
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Signed:



<b>Director Martin Kelly</b>	<b>Date: 1/10/2020</b>
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## RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	Director of Growth & Development
<b>PORTFOLIO AREA:</b>	Growth and Development

**SUBJECT:** Classroom Extension, External Canopy and Internal Alterations, St Cuthberts Primary School, Darwen

### 1. DECISION

To appoint Forrest Joinery and Construction Contracts Ltd to undertake the above mentioned work at St Cuthberts Primary School, Darwen

### 2. REASON FOR DECISION

The tender specification for the provision of the above works at St Cuthberts Primary School was advertised as an open Tender on the Chest procurement system.

Six compliant submissions were received in response to the Invitation to Tender. These were evaluated on a 70% price and 25% quality basis and 5% social value, see table below.

Following an evaluation of the returned tenders, Forrest Joinery and Construction Contracts Ltd are the successful contractors.

Contractor	Forrest Joinery	Contractor 2	Contractor 3	Contractor 4	Contractor 5
Total Score	84.44%	81.0%	79.48%	73.15%	56.23%
Ranking	1	2	3	4	5

Contractor 6			
46.07%			
6			

### 3. BACKGROUND

The project has been identified through the Special Provision Fund (SEND), creating additional SEND provision.

### 4. KEY ISSUES AND RISKS

Construction within an operational school will be managed within the constraints of the CDM regulations.

## 5. OPTIONS CONSIDERED AND REJECTED

Decision to award contract is based on the completed tender evaluation. The tender figure £235,767.60 falls within the allocated budget of £285,000 approved by the Executive Board on 10<sup>th</sup> September 2020.

*Further information is available via the following link [ S:\Building consultancy Projects\Planned works 2019-20\St Cuthberts SEN\8. Tender & Procurement] or from the report author*

## 6. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

**VERSION:** 1

<b>CONTACT OFFICER:</b>	Rashid Valli
<b>DATE:</b>	06/10/2020
<b>BACKGROUND DOCUMENTS:</b>	Tender evaluation

Signed:



**Director of Growth & Development**

**Date: 6<sup>th</sup> October 2020**

## RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	Director of Growth & Development
<b>PORTFOLIO AREA:</b>	Growth and Development

**SUBJECT: Specialist Plumbing Materials Framework for Disabled Facilities**

### 1. DECISION

To Appoint three Companies to the Specialist Plumbing Materials Framework for Disabled Facilities.

### 2. REASON FOR DECISION

The Tender specification for the required specialist plumbing materials framework for disabled facilities was advertised as an open tender on the Chest Procurement Portal.

Four compliant and one non-compliant submissions were received in response to the advertised Invitation to Tender. These were evaluated on a 60% Price 35% Quality and 5% Social Value basis. In line with the evaluation criteria, when ordering a product the Council will first always go to the supplier at position one, if they are unable to supply the goods then the next ranked Tenderer will be used

The three Contractors below submitted the most advantageous bids based on a basket of products.

Contractor	PROCare	AKW Medi-Care	Adaptation Supplies
Total Score	88.12%	72.95%	70.22%
Ranking	1	2	3

### 3. BACKGROUND

This Framework will replace the current arrangements for the purchase of plumbing supplies and consists of a two year multi-supplier, framework. The estimated value of the contract is approximately £600k over the two year period of the Framework. The new framework is expected to generate savings in the region of 35%.

The Corporate Building Team in conjunction with Independent Living services carry out on average two hundred Disabled Facility Grants a year throughout Blackburn and Darwen for both Elderly and young children clients both in private and public housing sector.

The new framework will facilitate and improve the living and independency of the service user.

### 4. KEY ISSUES AND RISKS

**5. OPTIONS CONSIDERED AND REJECTED**

Decision to award contract is based on the completed tender evaluation

**6. DECLARATION OF INTEREST**

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Kevin Corcoran</b>
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<b>DATE:</b>	15 <sup>th</sup> September 2020
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<b>BACKGROUND DOCUMENTS:</b>	
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Signed:



<b>Director of Growth &amp; Development</b>	<b>Date: 6<sup>th</sup> October 2020</b>
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## RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	Director of Growth & Development
<b>PORTFOLIO AREA:</b>	Growth & Development

**SUBJECT: Wainwright Way Bridge Maintenance and Re-painting Works**

### 1. DECISION

To appoint Coating Services Ltd. to undertake the repainting of Wainwright Way Railway Bridge.

### 2. REASON FOR DECISION

The tender specification for the repainting of Wainwright Way Railway Bridge was advertised on the Chest procurement system.

Four submissions were received in response to the Invitation to Tender. These were evaluated on a 100% price basis, please see the table below.

Following an evaluation of the returned tenders, Coating Services Ltd. are the successful contractors.

Contractor	Coating Services Ltd.	Contractor 2	Contractor 3	Contractor 4
Total Price	100%	83.89%	43.89%	26.44%
Ranking	1	2	3	4

### 3. BACKGROUND

Tenders were invited from the four contractors from Lot 3 of the Bridge Maintenance Framework Agreement. The contract covers:

All the temporary and permanent works associated with the maintenance painting of arches, hangers, longitudinal and cantilever beams, P5 and P6 parapets and pedestrian guardrails to Wainwright Way Railway Bridge.

The tender document required contractors to submit a priced Bill of Quantities to be used to price the works. It is intended that the Contract be awarded to the Contractor submitting the most economically advantageous tender based on a priced Bill of Quantities included within the Tender Documentation.



The cost of the works is to be met by funds held in a commuted sum available for the maintenance of Wainwright Way Railway Bridge.

#### 4. OPTIONS CONSIDERED AND REJECTED

Following inspection maintenance requirements and intervention are now due to prevent further deterioration occurring and the required maintenance works becoming more costly. Intervention now will also serve to protect and extend the lifespan of the structure as a whole.

The decision to award contract is based on the completed tender evaluation.

#### 5. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and any member who has been consulted, or note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Mark Berry</b>
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<b>DATE:</b>	12-08-2020
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<b>BACKGROUND DOCUMENTS:</b>	
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Signed:



<b>Director of Growth &amp; Development</b>	<b>Date: 6<sup>th</sup> October 2020</b>
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## RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY FROM EXECUTIVE/COUNCIL/COMMITTEE



<b>DELEGATED OFFICER</b>	<b>Martin Kelly</b>
<b>DECISION TAKEN BY:</b>	
<b>DELEGATED BY:</b>	Executive (date of delegation)
<b>IN CONSULTATION WITH:</b>	Executive Member
<b>PORTFOLIO AREA:</b>	Growth and Development

**SUBJECT: Appropriation of land in Griffin for Planning purposes and Disposal of Public Open Space**

### 1. DECISION

**1.1 To appropriate for planning purposes under section 122 of the Local Government Act 1972. The Council owned Land in the Griffin development area from the Environment & Leisure and Finance & Governance portfolios to facilitate the development of new family homes.**

**1.2 To dispose of public open space within the Griffin development area under section 123 of the Local Government Act 1972**

### 2. REASON FOR DECISION

During 2008, the Griffin housing area was identified for clearance and redevelopment. The site has been assembled for redevelopment purposes and a developer 'Seddon Construction' appointed to develop the site.

The appropriation of land and public open space is for the purpose of enabling the construction of 141 new two, three and four bed family homes of mixed tenure.

Planning approval has been secured for phase 1 of the site to build 56 new affordable homes for rent and shared ownership. The developer is keen to start the building programme and plans to start on site in autumn.

A legal process to carry out the appropriation was undertaken in July 2020 along with notice of Council's intention to dispose of public open space.

During July, Statutory Notices were posted around the site and in the bulletin board of Blackburn Town Hall (copies attached) along with notices in the local, press advising of the appropriation and disposal of public open space within the site for planning purposes to commence development.

Press notices were as follows:

- 9<sup>th</sup> July 2020 Appropriation Notice – Lancashire Telegraph (Appendix A)
- 16<sup>th</sup> July 2020 Appropriation Notice– Lancashire Telegraph (Appendix B)
- 9<sup>th</sup> July 2020 Public Open Space Notice – Lancashire Telegraph (Appendix C)
- 16<sup>th</sup> July 2020 Public Open Space Notice– Lancashire Telegraph (Appendix D)

**The Council has received no objections or representations relating to these proposals.**

### **3. BACKGROUND**

The Council identified 165 sub-standard homes for clearance and the land to be redeveloped to provide new housing to meet the Borough's aspiration and need. 163 properties have been bought along with the decommissioned Griffin Inn public house which was also purchased and included in the land assembly

Properties bought for clearance have been demolished as full terraces had been assembled. The cleared sites were seeded to improve their visual impact across the neighbourhood

A procurement exercise was carried out in 2018 and Seddon Construction was chosen as the preferred developer for the clearance site. Seddon are currently finalising the scheme layout and plan to submit a planning application in November.

Since appointing the preferred developer, the Council has been considering the effect that the proposed development will have on residents who may have enjoyed the benefit of using the cleared site and treating the land as informal open space.

In order to implement the redevelopment proposals for the Griffin redevelopment site, the Council has carried out an exercise to appropriate the land for planning purposes. The Council has also declared its intention to dispose of any public open space within the site for development purposes.

A report titled '*Griffin Housing Site Appropriation (October 2019)*' was presented to the Executive Member for Growth and Development. The report secured approval to commence the appropriation and public open space disposal process for Council owned land in the Griffin redevelopment area for planning purposes

**The site for appropriation is in the Council's ownership**

### **4. OPTIONS CONSIDERED AND REJECTED**

*During 2008 the Council carried out a Neighbourhood Renewal Assessment of the Griffin area. This identified an area of around 165 properties for purchase and clearance with the site to be redeveloped for new housing.*

*Extensive public consultation was undertaken to prepare a Supplementary Planning Document for the area. This also determined the site as being suitable for new housing.*

*The Griffin SPD can be found at the link below:*

[www.blackburn.gov.uk/sites/default/files/media/pdfs/Griffin%20SPD\\_0.pdf](http://www.blackburn.gov.uk/sites/default/files/media/pdfs/Griffin%20SPD_0.pdf)

### **5. POLICY IMPLICATIONS**

The Council's Local Plan sets a housing requirement to meet over the 15-year Plan period.

Development of the site will contribute to meeting this target and assist in improving the quality of the Borough's housing offer. The Supplementary Planning Document (adopted 2017) has been developed in consultation with the community and outlines plans to redevelop the clearance site to provide new family housing.

### **6. FINANCIAL IMPLICATIONS**

Section 204 of the Housing and Planning Act 2016 provides that compensation will be payable to those parties whose interests have been affected by any appropriation.

This is generally based on a diminution of property value bases. The primary liability for the compensation is the party interfering with the right and the Council can decide to take on that limited risk or seek an indemnity from the successful bidder before enabling the development to proceed should appropriation be approved. **Page 11**

## 7. LEGAL IMPLICATIONS

Legal implications have been considered when carrying out the appropriation. Detail has been provided on the appropriation report: Griffin Housing Site Appropriation – dated October 2019

## 8. RESOURCE IMPLICATIONS

There are no new resource implications.

## 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

Extensive stakeholder consultations have been undertaken during the course of developing a Supplementary Planning Document for the Griffin area Further consultations have been carried out in line with statutory requirements during the Planning process for the development.

Previous consultation has also been undertaken in the development of the Council's Local Plan and Strategic Housing Market Assessment (SHMA)

## 11. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the Member who has been consulted, and note of any dispensation granted should be recorded below:

Non declared

**VERSION:** 1

<b>CONTACT OFFICER:</b>	<b>Subhan Ali, Strategic Development Manager (Housing)</b>
<b>DATE:</b>	25 <sup>th</sup> August 2020
<b>BACKGROUND DOCUMENTS:</b>	Local Plan part 1 (2015), Griffin Supplementary Document (2017) Griffin Housing Site Appropriation (October 2019)

DIRECTORS - has legal and finance advice been considered?

YES

NO

Blackburn with Darwen Borough Council

LOCAL GOVERNMENT ACT 1972 SECTION 122

**LAND AT GRIFFIN, BLACKBURN**

Notice is hereby given under Section 122 of the Local Government Act 1972 that Blackburn with Darwen Borough Council intends to appropriate the following land from housing purposes to planning purposes to enable the site to be developed

- (1) From the Environment and Leisure portfolio, an area of land approximately 1.15 hectares or thereabouts on East St, and Hancock Street, Blackburn which consists of open land and
- (2) From the Finance and Governance portfolio, an area of land approximately 2.61 hectares or thereabouts on Hancock St, Stansfeld St, East St, Bombay St and Witton Parade, Blackburn which consists of the footprint of the former Griffin clearance area.

A plan showing the area of the land intended to be appropriated may be inspected at the Public Notice Board in front of the Old Town Hall building, King William Street Blackburn BB1 7DY

Objections to the intended disposal must be made in writing and addressed to: Mr. Asad Laher, *Head of Legal Services Blackburn with Darwen Borough Council, Town Hall, Blackburn, BB1 7DY* by no later than 24<sup>th</sup> July 2020

Dated 9<sup>th</sup> July 2020

Asad Laher  
Head of Legal Services  
Blackburn with Darwen Borough Council  
Town Hall, Blackburn, BB1 7DY

Blackburn with Darwen Borough Council

LOCAL GOVERNMENT ACT 1972 SECTION 122

**LAND AT GRIFFIN, BLACKBURN**

Notice is hereby given under Section 122 of the Local Government Act 1972 that Blackburn with Darwen Borough Council intends to appropriate the following land from housing purposes to planning purposes to enable the site to be developed

- (1) From the Environment and Leisure portfolio, an area of land approximately 1.15 hectares or thereabouts on East St, and Hancock Street, Blackburn which consists of open land and
- (2) From the Finance and Governance portfolio, an area of land approximately 2.61 hectares or thereabouts on Hancock St, Stansfeld St, East St, Bombay St and Witton Parade, Blackburn which consists of the footprint of the former Griffin clearance area.

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Dated 16<sup>th</sup> July 2020

Asad Laher  
Head of Legal Services  
Blackburn with Darwen Borough Council  
Town Hall, Blackburn, BB1 7DY

Blackburn with Darwen Borough Council

Advertisement relating to the disposal of open space

LOCAL GOVERNMENT ACT 1972 SECTION 123(1),2A

**LAND AT GRIFFIN, BLACKBURN**

Notice is hereby given that Blackburn with Darwen Borough Council intends to dispose of land having an area of 1.15 hectares at East St, and Hancock Street, Blackburn which forms part of an open space to Seddon RDP Limited for inclusion in the new housing development proposed for the Griffin clearance site

A plan showing the area of the land intended to be appropriated may be inspected at the Public Notice Board in front of the Old Town Hall building, King William Street Blackburn BB1 7DY

Objections to the intended disposal must be made in writing and addressed to:

*Mr. Asad Laher, Head of Legal Services, Blackburn with Darwen Borough Council, Town Hall, Blackburn, BB1 7DY* by no later than 24<sup>th</sup> July 2020

Dated 9th July 2020

Asad Laher

Head of Legal Services

Blackburn with Darwen Borough Council

Town Hall, Blackburn, BB1 7DY

Blackburn with Darwen Borough Council

Advertisement relating to the disposal of open space

LOCAL GOVERNMENT ACT 1972 SECTION 123(1), 2A

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*Mr. Asad Laher, Head of Legal Services, Blackburn with Darwen Borough Council, Town Hall, Blackburn, BB1 7DY by no later than 24<sup>th</sup> July 2020*

Dated 16<sup>th</sup> July 2020

Asad Laher

Head of Legal Services

Blackburn with Darwen Borough Council

Town Hall, Blackburn, BB1 7DY