

Public Document Pack

Executive Board

Thursday, 14 April 2022

Time: 6.00 pm

Venue: Meeting Room A

Address: Blackburn Town Hall

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**
Executive Board Minutes March 2022 **3 - 10**
3. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM **11**
4. **Equality Implications**
The Chair will ask Members to confirm that they have considered and understood any Equality Impact Assessments associated with reports on this agenda ahead of making any decisions.
5. **Public Forum**
To receive written questions or statements submitted by members of the public no later than 4pm on the day prior to the meeting.
6. **Questions by Non-Executive Members**
To receive written questions submitted by Non-Executive Members no later than 4pm on the day prior to the meeting.
7. **Youth MPs Update**
To receive an update from the Youth MPs along with any issues they would like to raise.
8. **Executive Member Reports**
Verbal updates may be given by each Executive Member.

Leader

Adult Services & Prevention

Children, Young People & Education

- 8.1 Update on Children's Services ILAC Inspection**
Update CS ILAC Inspection **12 - 27**
Appendix A - Ofsted

Environmental Services

Public Health & Wellbeing

Digital & Customer Services

Growth & Development

Finance & Governance

- 8.2 Household Support Fund**
Household Support Fund **28 - 31**

9. Corporate Issues

- 9.1 Growth Programme 2022/23**
Growth Programme **32 - 38**
Growth Programme Appendix 1

- 9.2 Land at Whalley Old Road, Blackburn**
P1 Land at Whalley Old Road, Blackburn **39 - 45**
Appendix A Ownership Plan Whalley Old Road

10. Matters referred to the Executive Board

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

- 11.1 Land at Whalley Old Road, Blackburn**
P2 Land at Whalley Old Road, Blackburn **46 - 51**

Date Published: Wednesday, 06 April 2022
Denise Park, Chief Executive

EXECUTIVE BOARD Thursday 10th March 2022

PRESENT

COUNCILLOR:

Councillor Vicky McGurk
Councillor Phil Riley
Councillor Damian Talbot
Councillor Quesir Mahmood
Councillor Jim Smith
Councillor Mustafa Desai

PORTFOLIO:

Finance and Governance
Growth and Development
Public Health and Wellbeing
Digital and Customer Services
Environmental Services
Adult Services and Prevention

EXECUTIVE MEMBER

Councillor John Slater

NON PORTFOLIO

Leader of the Conservative Group

ALL IN ATTENDANCE:

Muhammed Bapu
Hasti Jahanghiri
Isabelle Crawford

Youth MP
Deputy Youth MP
Deputy Youth MP

	Item	Action
1	<p><u>Welcome and Apologies</u></p> <p>The Deputy Leader of the Council, Councillor Phil Riley, welcomed all to the meeting. Apologies were received from the Leader, Councillor Mohammed Khan and Councillor Julie Gunn.</p> <p>Councillor Riley welcomed the newly elected Youth MP, Muhammed Bapu, who had been a Deputy Youth MP for the last two years, and the newly elected Deputy Youth MPs Hasti Jahanghiri and Isabelle Crawford.</p>	
2	<p><u>Minutes of the Previous Meeting</u></p> <p>The Minutes of the Meeting held on 10th February 2022 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 from members of the public had been received.</p>	

	Item	Action
6	<p><u>Questions by Non-Executive Members</u></p> <p>No questions from Non-Executive Members had been received.</p>	
7	<p><u>Youth MPs Update</u></p> <p>The Youth MP and Deputy Youth MPs verbally reported on recent events and activities including:</p> <ul style="list-style-type: none"> • An introduction about themselves and thanked the former Youth MP Zara Hyatt and the former Deputy Youth MP for all their work over the past two years. • Further development of the Young Inspectors Framework. • Progression of the Community Wellbeing Champions Project. • Make Your Mark voting locally and nationally, the top three issues for BwD were 1. Jobs, Money, Homes and Opportunities, 2. Education and Learning and 3. Health and Wellbeing. • Participation in a recent video for the NHS, encouraging vaccination and testing for young people. <p>Executive Board Members welcomed the Youth MPs and Deputy Youth MPs and invited them to visit their portfolio areas and offered shadowing opportunities and involvement in future events such as Blackburn Pride.</p> <p><u>Executive Member Reports.</u></p>	<p>Noted</p>
8.1	<p><u>Variation to the 2021/22 Schools Capital Programme</u></p> <p>Members received a report which presented for consideration and approval, variations to the 2021/22 schools capital programme and a request to enter into an extended premises lease arrangement with an Academy Trust.</p> <p>RESOLVED - That the Executive Board approves:</p> <p>1: The establishment of a project for a refurbishment at the former Stansfeld Centre for the purpose of creating additional alternative school provision capacity for pupils requiring a vocational based curriculum.</p> <p>2: A budget increase of £250,000 for the previously approved SEND project at Shadsworth Infant School.</p> <p>3: A realignment of the previously approved budget allocated for works associated to The Sunnyhurst Centre and the relocation of Crosshill School</p> <p>4: A budget increase of £165,000 for the previously approved</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

	Item	Action
	<p>relocation of Longshaw Nursery School.</p> <p>5: Approval from the Director of Children’s Services and the Director for Growth and Development, in consultation with the Executive Member for Children, Young People and Education, to agree for officers to progress works to extend the lease with The Champion Trust for the Sunnyhurst Centre from 30 years to 125 years in line with typical academy lease arrangements.</p>	<p>Approved</p>
<p>8.2</p>	<p><u>Procurement Process for the Concurrent Planning Service</u></p> <p>A report was submitted asking that Members note that the provision of the concurrent planning service would be retendered due to the current contract coming to an end. The concurrent planning service was a Blackburn with Darwen led regional commission on behalf of four Regional Adoption Agencies across the North West of England.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ul style="list-style-type: none"> • Approves the commencement of a tendering and procurement activity to offer this service to the wider market, with a contract start date of the 1st of June 2022. The contract will be awarded for 2 years with an option to extend for a further two years on a 1 + 1 year basis subject to satisfactory delivery which will be monitored via robust contract review processes. • Delegates authority to the Strategic Director Children’s and Education in consultation with the Executive Member for Children, Young People and Education to award the final contract following the procurement process. 	<p>Approved</p> <p>Approved</p>
<p>8.3</p>	<p><u>Alcohol Strategy</u></p> <p>A report was submitted outlining the updated and revised Alcohol Strategy, the intention of which was to explain and simplify the facts around the risks attached to all levels of alcohol use. The revised Strategy used less formal language and aimed to explain complex issues in plain language, and aimed to offer clear, non-judgemental, professional advice about use of alcohol and support available from the local Alcohol Service.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ul style="list-style-type: none"> • Approves and supports the Blackburn with Darwen Alcohol Strategy. Alcohol harms and alcohol misuse costs impact significantly upon our Borough and we have a duty of care to help our residents understand how to reduce the risks of alcohol harms. 	<p>Approved</p>

	Item	Action
	<ul style="list-style-type: none"> Executive Members also note that encouraging self-care among residents is important along with informed workforce development for the Council, partners and key stakeholders. 	Approved
	<p><u>Digital and Customer Services Verbal Update</u></p> <p>Councillor Quesir Mahmood verbally reported that the final Waste processes had now been successfully moved to the new Digital Customer Portal (DCP). The second phase of DCP was planned, which would continue the transformation and digitisation of processes and services.</p> <p>The Digital team were selected, alongside Cumbria County Council and Kent Fire & Rescue, as one of three national finalists for the IESE UK Public Sector Transformation Awards in the Customer Focus category. Recognised for work in Service Design and Customer Research, the entry demonstrated the Council's continued progress in delivering improved digital services for residents. Councillor Mahmood was pleased to announce that BwD picked up the Silver award. This was the second year running that the Digital Team have won a national IESE award, after collecting the Gold prize in 2021 for Digital Transformation.</p>	Noted
8.4	<p><u>Local Transport Plan 2022-23</u></p> <p>A report was submitted, seeking Executive Board approval for the detailed Local Transport Plan programme for the financial year 2022/23.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> 1) Approves the Local Transport Plan detailed programme for 2022/23; and 2) Delegates authority to the Strategic Director of Place, in consultation with the Executive Member for Growth and Development, to amend, seek and accept tenders subject to adequate budget provision. 	Approved Approved
8.5	<p><u>Funding of Flood Defence Grant in Aid (FDGiA) Projects</u></p> <p>Members were asked to approve the addition of the Flood Defence Grant in Aid projects to the Capital Programme.</p> <p>The Flood and Coastal Erosion Risk Management (FCERM) Investment Programme was a Defra capital investment plan to better protect homes and non-residential properties from flood risk and coastal erosion. The conditions of the Investment Programme were that overall schemes must attract at least 15% of partnership funding and deliver 10% efficiency saving on projects.</p> <p>Within Defra's FCERM 6 year programme (2021 to 2027), the</p>	

	Item	Action
	<p>Council had a number of projects that had recently been approved for funding:</p> <p>In addition, the Council also had an under-spend of FDGiA grant amounting to £202,630 from the last FCERM programme cycle (2014 – 2020). Under the Ministry of Housing, Communities & Local Government (MHCLG) rules, as long as the grant was spent on capital projects the authority had flexibility for spend within the programme. It was proposed therefore that the under-spend would be allocated to urgent drainage/flood improvement works.</p> <p>RESOLVED – That the Executive Board:</p> <p>Approves the addition of the Flood Defence Grant in Aid projects to the Capital Programme.</p>	Approved
8.6	<p><u>Procurement Strategy and Social Value Strategy</u></p> <p>The Council had developed a new Procurement Strategy and Social Value Policy to ensure that every pound the Council spent maximised value for money for the Borough and helped to deliver the priorities of the Council. The Procurement Strategy and Social Value Policy provided the outline and framework for the Council's response to a number of issues and challenges.</p> <p>The Procurement Strategy set out the roles and responsibilities of different teams in departments in relation to procurement. This largely reflected roles and responsibilities currently set out but also sought to enhance the role of elected members in line with the feedback from a LGA assessment. The strategy then set out 5 priorities for procurement in the Council and an Action Plan to deliver those priorities.</p> <p>The Social Value Policy summarised the Council's approach to Social Value to date and the proposed policy going forward. The approach under the policy was different for high value contracts and low value contracts.</p> <p>RESOLVED -</p> <p>That the Executive Board:</p> <ul style="list-style-type: none"> - approves the Procurement Strategy and Social Value Policy - notes that the Social Value Policy will now be taken to Full Council for approval 	Approved Noted
8.7	<p><u>Treasury Management Strategy Report 2022/23</u></p> <p>The Council was required to approve a Treasury Management Strategy before the start of each financial year. It also needed to set Treasury and Prudential Indicators and a policy for determining a "prudent" level of Minimum Revenue Provision for repayment of debt, which was consistent with the Council's Medium Term Financial Plan (MTFP).</p>	

	Item	Action
9.1	<p>RESOLVED –</p> <p>It is recommended that the Executive Board:</p> <p>2.1 Approves the proposed Treasury Management Strategy for 2022/23, detailed in Appendix 1, including the proposed Treasury Management Indicators.</p>	<p>Approved</p>
	<p><u>Darwen Town Deal Board Update</u></p> <p>Members received a report providing an update on the Darwen Town Deal, including the development of the Town Deal Board’s Town Investment Plan (TIP), as agreed with Government, and the role and contribution of the Council in managing, co-investing and delivering agreed TIP priorities. The report also updated on the work and approvals needed by August 2022, including the completion of TIP project business cases and local assurance framework.</p> <p>RESOLVED -</p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> 1. Notes the update on the Darwen Town Deal, including the development and timescales for project business cases required by Government; 2. Notes the business case preparation underway for the 9 Town Deal funded projects confirmed by Government in December 2021, see Annex 1; 3. Notes the role of the Council, as accountable body for the Darwen Town Deal; in co-funding the Town Deal Investment Programme, as agreed at Finance Council on 28 February; and in providing programme and financial management for the 5-year delivery programme 4. Delegates authority to the Strategic Director of Place and the Director of Finance, in conjunction with the Executive Member for Growth and Development and the Executive Member for Finance and Governance, and in consultation with the Chair and Darwen Town Deal Board, to allocate and spend Government’s 5% advanced capital funding to support business case preparation, procurement of professional services and project delivery, as set out in Annex 2; and 5. Delegates authority to the Strategic Director of Place and Director of Finance, in conjunction with the Executive Member for Growth and Development and the Executive Member for Finance and Governance, and in consultation with the Chair of the Darwen Deal Board, to finalise the Town Deal’s local assurance framework. <p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING.</p> <p>Local Transport Plan 2022-23</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Approved</p> <p>Approved</p>

	Item	Action
11.1	<p>Further to the report submitted at Agenda Item 8.4, a further report was submitted containing commercially sensitive information.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> 1) Approves the Local Transport Plan detailed programme for 2022/23; and 2) Delegates authority to the Strategic Director of Place, in consultation with the Executive Member for Growth and Development, to amend, seek and accept tenders subject to adequate budget provision. <p style="text-align: center;">Signed at a meeting of the Board</p> <p style="text-align: center;">on 14th April 2022</p> <p style="text-align: center;">(being the ensuing meeting on the Board) Chair of the meeting at which the Minutes were confirmed</p>	<p>Approved</p> <p>Approved</p>

	Item	Action
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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: 14TH APRIL 2022

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 & Education
LEAD OFFICERS:	Strategic Director, Children's Services & Education
DATE:	14 th April 2022

PORTFOLIO/S AFFECTED:	Children, Young People & Education
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

SUBJECT: Update on Children's Services ILACS Inspection

1. EXECUTIVE SUMMARY

Blackburn with Darwen Children's Services received an Ofsted 'Inspection of Local Authority Children's Services' (ILCAS) across the three week period 24 January 2022 and 4 February 2022. The report was published on the Ofsted website on 18th March 2022 with confirmed judgements across four categories and recommendations for improvement.

2. RECOMMENDATIONS

That the Executive Board:

1. Notes the Ofsted report findings (Appendix A);
2. Acknowledges areas of good practice and areas for development;
3. Notes the development of the Action Plan in response to the Inspection findings and the establishment of a multi-agency partnership board to monitor improvements and build on existing strengths.
4. Notes that further updates will be provided on the financial implications and in year investment as the Action Plan is refined and finalised for submission to Ofsted.

3. BACKGROUND

The last full Safeguarding Inspection of Children's Services was in September 2017 under the previous Single Inspection Framework (SIF). Following this, the inspection framework changed to the 'Inspection of Local Authority Children's Services' (ILACS). In February 2020, Children's Services received an Ofsted Focused Visit, which was just before the start of the pandemic.

The structure of the Ofsted ILACS Inspection comprised one week of off-site activity to consider Blackburn with Darwen data, strategies and plans. Additionally the quality of audit activity and the impact of audits on practice and outcomes for children and young people was used to determine key lines of enquiry. This was followed by 2 weeks of onsite activity by a team of four Social Care Ofsted Inspectors, one Education Inspector and a Quality Assurance

Inspector. Additionally a virtual Regulatory Inspector considered Fostering and Adoption support and services.

The judgements across the 4 categories are:

- **The experiences and progress of children who need help and protection** – ‘requires improvement to be good’
- **The experiences and progress of children in care and care leavers** – ‘requires improvement to be good’
- **The impact of leaders on social work practice with children and families** – ‘requires improvement to be good’
- **Overall Effectiveness** – ‘requires improvement to be good’

The report is clear that the Council’s response is timely and appropriate when children are at immediate risk of significant harm. Inspectors confirmed that children who are in local authority care need to be in care, and that most children and their families receive early help and support when they need it.

Additional areas of strength highlighted include:

- **The relationship between the local authority and schools is strong** with effective and positive working relationships with social workers and the impact that this has for children
- **Caseloads have reduced-** children in need of help and protection benefit from social workers who have the time in getting to know them and ensuring that their needs are met
- **The response to risk outside the family home is strong** - children who are at risk from or who have experienced criminal or sexual exploitation receive an effective well-coordinated multi-agency response
- **Children in foster care have their needs met** and a good recruitment strategy is in place
- **Children benefit from effective early adoption planning**
- **Staff describe a supportive culture** - they are encouraged to learn and develop. “Staff feel that managers care about their well-being and have supported them to feel safe throughout the pandemic while they continued with ‘business as usual’ in their work with children.”

Areas of recommendation for improvement are:

- The multi-agency response to concerns that a child is suffering or is likely to suffer significant harm, particularly timely strategy discussions.
- Practice relating to securing or dispensing with parental consent during child protection investigations.
- The response to neglect and domestic abuse to ensure child-focused practice which measures impact through the difference made to children’s lives.
- The quality of planning for children and care leavers across the service.
- The quality of life-story work and direct work with children in care.
- The timeliness of the discharge of care orders for children living at home with their parents.

- The quality of support, advice and guidance offered to care leavers over the age of 18.
- The provision of information for care leavers about their entitlements and health histories.
- The range and impact of participation and advocacy opportunities for children and care leavers.
- The effectiveness and impact of internal auditing and monitoring processes.

4. KEY ISSUES & RISKS

Immediate actions have already been taken to address some of Ofsted's findings. Lancashire Constabulary have committed to providing resource to support timely strategy discussions and the management of the Leaving Care Team has been changed as of the 28 February. A post-inspection Action Plan will be submitted to Ofsted by 1st July 2022 which will continue to build on the Council's commitment to supporting the most vulnerable. The plan will address the key concerns around multi-agency strategy discussions, data and assurance, and our services and support for care leavers up to the age of 25.

The plan will be driven by a multi-agency 'Achieving Excellence' partnership board which will be chaired independently to oversee the delivery of the response and actions identified. The inaugural meeting of the Board is at the end of April.

The additional investment will cover improvement activity including:

- Working with high performing children's services teams learning from good and outstanding practices
- Investment in the Leaving Care Service and quality assurance activity
- Extra joint working for preparation for adulthood between children's and adult services
- Enhancing the Advanced Practitioner roles in Children in our Care and Safeguarding Teams
- Providing training for staff to improve practice in key areas including risk assessments and family meetings

Areas highlighted as strengths within the report and which will continue to be built on include:

- Response to Child Sexual Exploitation
- No young person in care living in an unregulated setting
- Children benefit from strong relationships with social workers who visit them regularly and who are passionate about improving children's lives
- Decisive action when neglect is identified, family and friend carers identified early and skilfully assessed.
- School leaders speak highly of the guidance that they receive
- Caseloads have significantly reduced since the introduction of children's advice and duty service (CADS)

5. POLICY IMPLICATIONS

Governance arrangements have been reviewed and a Children's Services Improvement Board will be established by the end of April 2022 with an independent Chair. This strategic board will oversee and drive the delivery of the actions in the Action Plan to address the recommendations in the Inspection report and improve the impact on outcomes for children and young people in the borough.

6. FINANCIAL IMPLICATIONS

The estimated cost of delivering the Action Plan is being developed in conjunction with the work to refine the actions required to deliver the necessary improvements in the service. Given this ongoing work, it is too early to say what the overall costs of delivering the improvements will be, suffice to say that the intention is any such investment will be contained within the budget (and related contingencies) set at Finance Council in February 2022.

In this context, it should be noted that some elements of the Action Plan comprise one-off measures to deal with acute matters arising from the Inspection (auditing of activity, training etc) and other longer term investments.

It is intended to fund the Action Plan to deliver all required improvements using part of a contingent amount of Social Care grant, of £1.0m held back in anticipation of demand pressures in Social Care during 2022/23 (and on an ongoing basis). This should be sufficient to fund the necessary investment in 2022/23 and on an ongoing basis without any additional drawdown from the Council's reserves. However, where this is not the case and to the extent that those demand pressures arise, the Council will need to consider what other measures may be necessary.

As indicated above, the Action Plan will be subject to further refinement as the financial year progresses acknowledging that the Council's response needs to be both immediate to deal with some of the issues raised in the Inspection and developed to ensure that the improvements in the service are sustained to deliver the best outcomes for Children in a way that remains affordable for the Council.

Finally, to ensure that the Executive Board is sighted on the outcomes being achieved by this investment, and aside from any updates provided on progress with the delivery of the Action Plan, this matter will be considered as part of the regular Budget Monitoring reports submitted to the Executive Board. Equally, the extent to which additional investment is sustained and any measures to mitigate the financial impact for the Council will be considered as part of the development of the Council's budget for 2023/24.

7.LEGAL IMPLICATIONS

The action plan has been drafted in compliance with The Education and Inspections Act 2006 (Inspection of Local Authorities Regulations 2007) following publication on 18th March 2022 by Ofsted of the report on their inspection into the effectiveness of Blackburn with Darwen Borough Council's Children's Services.

8. RESOURCE IMPLICATIONS

A benchmarking exercise has been undertaken to address areas for improvement.

Staffing levels and entitlement offers for young people have been reviewed. This includes staffing models and capacity and strengthened management oversight to improve the quality of practice and effectiveness of the service.

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.

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 Strategic Director of Children’s Services has engaged with Local Government Association Improvement Leads for Children’s Services in the North West. This consultation activity has supported with the strategic direction of the plan, which is to embed high standards of practice with a focus on quality, and the impact of the support to achieve improved outcomes for children, young people and their families. The views and experiences of children and families will be central to shaping the action plan, and focus groups are planned to explore key areas. This is in addition to routine participation activity delivered as part of the Children & Young People Participation Strategy (2021-2024).

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:	4
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CONTACT OFFICER:	Jayne Ivory, Justine Westwell
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DATE:	6 th April 2022
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BACKGROUND PAPER:	Appendix A Ofsted ILACS Report
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Inspection of Blackburn with Darwen local authority children's services

Inspection dates: 24 January to 4 February 2022

Lead inspector: Kathryn Grindrod, Her Majesty's Inspector

Judgement	Grade
The impact of leaders on social work practice with children and families	Requires improvement to be good
The experiences and progress of children who need help and protection	Requires improvement to be good
The experiences and progress of children in care and care leavers	Requires improvement to be good
Overall effectiveness	Requires improvement to be good

While the experiences of some children in Blackburn with Darwen have improved since a focused visit in February 2020, there has been an overall decline in the effectiveness of services for some children since the inspection in 2017, when services were judged to be good overall.

The local authority has had consistently high rates of COVID-19 infections throughout the pandemic. This has hindered some of the local authority's improvement plans, and also reduced the availability and engagement of police colleagues. The quality of immediate multi-agency responses to help and protect some children has deteriorated, as have services for care leavers. There remains more work to do to improve the quality of planning for children across the service and to develop the impact of advocacy and participation for children. The response to domestic abuse and neglect is not always sufficiently robust.

The local authority has prioritised areas for development identified through external reviews and inspections and this has led to improvements in the service and the quality of practice for some children in Blackburn with Darwen. The reduction in social worker caseloads in the systemic practice teams means that children in need of help and protection benefit from high-quality relationships with social workers, which is supporting an understanding of their experiences and enabling meaningful direct work. The quality of assessments for children in need of help and protection has generally improved, meaning children's experiences are better understood and

the support provided to them is appropriately focused. Children at risk of exploitation receive a well-coordinated response that helps them to be safer.

While local authority leaders have acted where issues had been identified by external reviews, they were not sighted on the impact of the shortfall found at this inspection relating to the immediate multi-agency response to safeguarding a small number of children. They were also unaware of the scale of poor practice across the care leavers service. The COVID-19 pandemic has had an impact on progress in embedding a sufficiently robust quality assurance framework to ensure continuous oversight of children's experiences and frontline practice.

What needs to improve?

- The multi-agency response to concerns that a child is suffering or is likely to suffer significant harm, particularly timely strategy discussions.
- Practice relating to securing or dispensing with parental consent during child protection investigations.
- The response to neglect and domestic abuse to ensure child-focused practice which measures impact through the difference made to children's lives.
- The quality of planning for children and care leavers across the service.
- The quality of life-story work and direct work with children in care.
- The timeliness of the discharge of care orders for children living at home with their parents.
- The quality of support, advice and guidance offered to care leavers over the age of 18.
- The provision of information for care leavers about their entitlements and health histories.
- The range and impact of participation and advocacy opportunities for children and care leavers.
- The effectiveness and impact of internal auditing and monitoring processes.

The experiences and progress of children who need help and protection: requires improvement to be good

1. Children and families benefit from a comprehensive range of early help support. Early help assessments are mostly timely and proportionate, leading to effective planning and support to meet children's needs. Thresholds between early help and children's social care are appropriately applied for almost all children. This means that children usually get the right help at the right time, from a wide range of partner agencies.
2. When concerns for children are referred to the Children's Advice and Duty Service (CADS), the response is timely and appropriate for most children. Careful consideration of children's histories, along with proportionate

information-gathering, means that most children get the right help at the earliest opportunity. Parental consent is usually sought by other agencies, when appropriate, prior to them contacting CADs. CADs overrides parental consent, if needed, in order to protect children.

3. Appropriate multi-agency planning does not take place for some children at risk of harm prior to action being taken. A lack of police availability means that strategy discussions are sometimes delayed, and as a result, actions are sometimes taken by children's social care before multi-agency strategy discussions take place. Consequently, parental consent is not always appropriately sought or dispensed with during these informal single-agency investigations. Children are sometimes questioned several times before agreement is reached about how they will be interviewed and by whom. Alleged perpetrators are sometimes interviewed before consideration is given to the impact and consequences for children of this taking place.
4. Although sometimes delayed, strategy discussions are well attended by partner agencies and are generally effective. Decisions to progress with child protection enquiries are appropriate. The actions agreed at strategy discussions sometimes lack specific detail about how enquiries are to proceed, and the agreed arrangements for multi-agency safety planning while enquiries are ongoing.
5. Most assessments of children in need of help or protection are thorough and analytical. They carefully consider information from a broad range of partners and provide a good sense of children's experiences. This ensures that children's needs and risks are well considered, and that they receive the right support to reduce risks and meet needs.
6. Children in need of help and protection have plans that are specific about what needs to change to meet their needs and reduce risks. However, some plans lack timescales, and most plans lack detail of contingency arrangements. This makes it more difficult to monitor progress within children's timescales and a small number of children experience drift in their plans as a result.
7. Plans are formally reviewed with active involvement of parents and professionals. Family group conferencing is regularly used, empowering families to create and tailor their plans to reduce risk and build resilience to support long-term change. Children are helped by a broad range of support services, and many families benefit from bespoke packages of support delivered by family support workers. This includes the commissioning of culturally sensitive support work about healthy relationships, for example. As a result, many children's situations improve.
8. Direct work with children in need of help and protection is a strength. Children benefit from strong relationships with social workers who visit them regularly and who are passionate about improving children's lives.
9. The response to children who experience domestic abuse is inconsistent. Over-optimism about parental capacity to change, along with a lack of understanding about the complexities of domestic abuse, leads to an over-reliance on written

agreements to manage risks. This leaves a small number of children exposed to ongoing repeated incidents of domestic abuse.

10. When children experience neglect, there is decisive action taken in most cases when their circumstances do not improve. This has been the result of a strengthened strategic response from partners, including, for example, better and more effective use of the graded care profile tool. In a small number of cases, children experienced neglect for too long and cases were not stepped up to the pre-proceedings or proceedings stages of the Public Law Outline when parents were not making the changes needed.
11. Children who are at risk from or who have experienced criminal or sexual exploitation receive an effective well-coordinated multi-agency response. Holistic assessments of children's needs and any risks they may face lead to targeted actions to reduce risks and meet their wider needs. Their plans are reviewed regularly to ensure continued effectiveness of multi-agency actions. Intelligence is used to disrupt and prevent exploitation of children.
12. Children who go missing from home or care, or are at risk of going missing, also receive the right support at the right time. Push and pull factors for individual children are identified through well-crafted return home interviews. As a result, children have the right support to help them not to go missing, and agencies know how to act in their best interests should they do so.
13. Children who live in private fostering arrangements are well supported and have their needs met. While there are some delays in securing Disclosure and Barring Service checks to complete assessments, children benefit from robust planning and are visited regularly to ensure that they feel safe and that their wishes are heard.
14. Children aged 16 and 17 who present as homeless are supported to secure somewhere to live, although they are not routinely informed of their right to come into the care of the local authority. This means they are not clear about all their entitlements to immediate and longer-term support.
15. Children who are missing from education and those children who are electively home educated benefit from robust monitoring systems. A joined-up and collaborative approach between schools and children's social care, which was further strengthened during the pandemic, ensures that these vulnerable children and young people are tracked and monitored, with swift actions taken if concerns arise.
16. Allegations against professionals are well managed. The response is swift and appropriate, ensuring that children are well protected in such circumstances. There is clear and strong tracking of allegations in place and the level of service offered is consistently proactive and effective.

The experiences and progress of children in care and care leavers: requires improvement to be good

17. Most children in care live in stable placements that meet their needs. Sensitive pathway planning helps children in care to prepare for adulthood and to leave care at a time that is right for them. When children turn 18, the quality of the support they receive deteriorates significantly and there is much to do to ensure that care leavers receive a similarly effective response.
18. Children who are in local authority care need to be in care. Senior managers have oversight of decisions about children entering care. As a result of careful matching, most children in care live in stable placements that meet their needs. Early consideration of permanence, along with parallel planning, prevents delays in progressing long-term plans for most children.
19. Children in care live with their brothers and sisters if it is appropriate for them to do so. They are helped and supported to spend time with people who are important to them. Children return home to their parents from care at a time when it is in their best interests for this to happen.
20. Potential family and friend carers are usually identified early and skilfully assessed. This means children are supported to live within their extended family when it is in their best interests. The timely use of family group conferences has improved practice in this regard. Children progress well in the care of family and friends carers, and careful planning ensures that special guardianship orders are usually secured in a timely way where appropriate.
21. Immediate risks to children in care are recognised and social workers take prompt action to secure children's wishes and explore risks to them. However, they do not consider the need for strategy discussions prior to taking action and interviewing children and adults. As with children in need of help and protection, this means decisions about immediate risks to some children are being made without access to full multi-agency information and planning.
22. Most children make positive progress while in care. Written care plans for children are too often out of date and they do not sufficiently detail children's wishes and feelings. A lack of clear timescales in care plans means that managers and independent reviewing officers (IROs) find it difficult to monitor and track progress for children. This contributes to drift in permanence being secured for a small number of children, for example those placed with their parents who remain subject to care orders at home for too long.
23. The circumstances of children in care are reviewed regularly and IROs ensure that the wishes and feelings of children are sought. Consideration is routinely given to children attending their meetings and contributing directly to discussions about them. The achievements of children in care are celebrated by the local authority.
24. IROs escalate concerns urgently and effectively when risks to children in care are not reducing or being well managed. When issues are less urgent, IRO

escalation is sometimes absent or ineffective. This lessens the impact IROs have on improving the quality of social work practice with children.

25. Most children in care are seen regularly by their social workers. The local authority's model of practice is less well embedded in this part of the service, and coupled with higher caseloads, this has a negative impact on the quality of relationships that social workers have with children. Direct work and life-story work with children often lacks purpose and does not help children to understand their lives and histories. This was an area for improvement in the inspection in 2017.
26. Children in care in Blackburn have access to an advocacy service but this is not often used, due to lack of awareness among children and professionals. As a result, children do not routinely benefit from the support of an advocate. A small number of children in care and care leavers are members of the local authority's Voice groups. These groups offer consultation to professionals about issues that affect children in care. The members of these groups are enthusiastic and committed to making changes that benefit children in care. While these groups are impactful, only a small number of children in care are able to contribute to service development.
27. Too many children wait too long to see a dentist in Blackburn with Darwen. While COVID-19 contributed to these delays, this is a long-standing issue for children in the area, and strategic plans to address the issue are only very recently starting to have an impact. Children have most of their other physical and emotional health needs met despite the challenges of COVID-19. This includes children placed outside the local authority area.
28. The virtual school team knows the needs of its children well. School leaders in and beyond the local authority boundaries speak highly of the guidance that they receive from the virtual school. They particularly value the support from the educational psychologist and the help provided to complete personal education plans (PEPs). Despite this support, the quality of PEPs remains inconsistent. In most plans, the agreed targets are too broad and vague. This means that the impact of these plans on improving children's education and achievement is not as effective as it could be.
29. Most children in care live within or close to Blackburn with Darwen in high-quality placements that meet their needs. Those living out of area have their needs well met. It is positive that no children in the care of Blackburn with Darwen currently live in unregistered children's homes. The use of unregulated provision for 16- to 17-year-olds is appropriate and meets their needs.
30. Children are cared for by foster carers who are appropriately skilled and supported to meet their needs. The foster carer recruitment strategy is comprehensive and creative. Foster carers are well supported through consistent supervising social workers and a comprehensive training offer. Foster panel arrangements are effective and child-focused.
31. Children benefit from effective planning of early permanence when adoption is in their best interests. The local authority holds the regional adoption agency,

Adoption Now, to account effectively. The recruitment of prospective adopters is appropriately informed and targeted by the specific needs of children. Prospective adopters are well prepared and supported. Adoption panel arrangements are effective. The number of children who are being adopted has increased slightly in recent times, and early parallel planning ensures that this happens quickly when it is appropriate for children.

32. Most children in care are supported to prepare for adulthood at a pace appropriate to their individual needs, although they do not always receive the identity documents and health histories they need. Social workers and personal advisers work well together to help and support children and to build their resilience as they approach the age of 18. Although still small in number, more children are being encouraged and supported to stay put with their foster carers. Pathway planning for these children is effective and meets their needs.
33. The service for care leavers aged 18 and over has deteriorated significantly since the last inspection and the quality of service they receive is poor.
34. The published offer for care leavers is not up to date. As a result, care leavers are not clear about their rights and entitlements, and personal advisers cannot always offer clarity. This means some young people do not receive the financial and practical support they are entitled to, such as help to pay for a driving licence.
35. Young people's relationships with their personal advisers are adversely affected by them having to change worker at 18. This means care leavers do not have enduring relationships with the people supporting them at this critical time in their lives and as they become more independent. At 21 years of age, most care leavers no longer have an allocated personal adviser, and have to go through a duty system to seek advice and support. The local authority removed these personal adviser transfer points as a result of feedback from inspectors and care leavers during this inspection.
36. Pathway planning for the majority of young people aged 18 to 21 is poor and ineffective. Agreed actions to support young people are too vague and lack ambition and aspiration. Young people often have to seek out and secure support from other professionals without the assistance of personal advisers. For those young people less able to do so, they risk becoming more isolated and not knowing who to approach when they need support.
37. Care leavers aged 18 to 21 are not usually actively supported and encouraged by their personal advisers to continue their education and training. Personal advisers do not always know the ambitions of care leavers and cannot therefore help them to achieve their potential. Some care leavers are left to attend university open days on their own, for example. Many care leavers do not progress well in their chosen studies or employment as a result of this lack of support and ambition.
38. Most care leavers are living in suitable accommodation that meets their needs when they turn 18. If their living arrangements change after they turn 18, they sometimes have to make accommodation arrangements without the practical

and emotional support of a personal adviser. This leaves some care leavers moving several times before they can settle somewhere permanent, and some care leavers move home with their belongings in bin bags. This shows a lack of care and respect for care leavers.

39. The majority of care leavers over the age of 21 receive reactive support from personal advisers through a request-based duty system. The local authority does not keep in touch with all of these care leavers routinely and to remind them of available support. The local authority does not have accurate data about the suitability of accommodation for care leavers aged 21 and over. This means the number of young people who are living in unsuitable arrangements is not known and they cannot therefore be supported to secure more suitable accommodation.

The impact of leaders on social work practice with children and families: requires improvement to be good

40. The local authority has shown commitment to children through financial investment to support the improvement of services for children following the focused visit in 2020. Although senior leaders and strategic partners seek to reassure themselves about the quality of services for children, they have not had a clear enough understanding about the overall experiences of some children in Blackburn with Darwen. While leaders and managers are responsive to external reviews and feedback, and tangible improvements have been made in some areas, internal quality assurance is not sufficiently embedded to ensure continuous oversight of frontline practice. Progress and development of internal mechanisms for assuring quality have been affected by COVID-19. As a result, there has been a significant deterioration in the quality of support for care leavers and leaders were not aware of the poor practice at the 'front door' when children are at risk of significant harm.
41. Blackburn with Darwen has a clear and aspirational corporate parenting strategy for 2021 to 2024 which has been co-produced with the children in care groups. The impact of this for children and families is limited so far. Corporate parenting responsibilities are not well met in relation to care leavers, and current participation arrangements do not enable care leavers to express their voice strongly enough for corporate parents to understand their experiences.
42. The local authority has a broad range of quality assurance, auditing and monitoring processes. However, these mechanisms do not always focus on children's experiences. As a result, social workers and managers are not always clear about what needs to change to improve outcomes for children and there is not a shared understanding across the service of what good practice looks like for children. In addition, inaccurate data about care leavers, as a result of electronic recording systems not being kept up to date, is providing false assurance about key performance indicators. These issues limit the impact of quality assurance and monitoring activity for individual children and service development.

43. Blackburn with Darwen children's services uses feedback regularly and invites external scrutiny and challenge of practice. The commissioning of external scrutiny has been a purposeful strategy during the pandemic to reduce workload pressures for frontline managers. For example, a peer review in 2021 led to improvements in pathway planning for 16- to 18-year-old children in care, helping them to better prepare for adulthood. While discrete areas for improvement have been identified and addressed through this process, it is not leading to a sufficiently detailed understanding of the whole service.
44. COVID-19 has affected the availability and engagement from some partners. The local authority has not challenged effectively the lack of police availability for strategy discussions. The local authority escalated two cases of concern to the police in July and October 2021. The local authority understood these to be isolated cases; however, the inspection has highlighted further examples of strategy discussions not taking place when required over the last six months. Senior leaders in the local authority were not aware of the prevalence of this practice and took immediate action as a result of these inspection findings, liaising with their counterparts in the police and also amending the role of CADS in responding to referrals about immediate risk to children.
45. The local authority's relationships with schools are strong, and school leaders greatly value the advice from the CADs service. School leaders report effective working relationships with social workers and were positive about the impact this has for children. There is positive engagement with health partners, although insufficient progress has been made in relation to children's access to dental services. The Children and Family Court Advisory and Support Service (Cafcass) and the judiciary value the contribution senior leaders make to the local family justice board, and report leaders to be accessible and responsive.
46. Despite the impact of COVID-19, some improvements have been made since the focused visit in February 2020. The creation of deputy director posts has created the additional capacity needed to facilitate a greater internal focus on the quality of practice. Caseloads have significantly reduced following the introduction of CADS and there is a more determined focus on early help support for families. The impact of this has been significant for children in need of help and protection, who benefit from social workers who have the time to spend getting to know them and ensuring that their needs are met. The impact for staff has also been positive, with staff describing significant improvements in relation to being able to undertake meaningful work with children.
47. The implementation of the local authority's practice model is starting to improve the quality and consistency of social work practice for children. However, systemic thinking is not fully embedded into practice. There is more to do to improve consistency in planning for children and young people across the service. The response to neglect is better informed and timelier than it was at the last inspection for most, but not all, children.
48. Social workers benefit from an extensive training offer which supports their work with children. Newly qualified social workers receive appropriate support, advice and guidance to develop their skills and practice at an appropriate pace

for them and the children they work with. Social workers demonstrate commitment to their learning and improving their practice, and they value opportunities to develop their knowledge and skills through reflective supervision and learning circles. The career pathways and development opportunities afforded to social workers, along with recent changes and management support, are helping to retain social workers.

49. Management oversight of frontline practice has improved overall since the focused visit in 2020. However, where practice is not as strong as it needs to be, managers and IROs do not always challenge and address this. This means some children do not have good-quality assessments which can then lead to well-informed and effective plans. It also means a small number of children have experienced neglect or domestic abuse for too long without effective intervention.
50. Social workers receive regular supervision, which they describe as helpful in deciding how best to support and protect children. This can sometimes, but not always, be seen in written records of supervision sessions. Where social work or personal adviser practice is not strong, there is limited evidence to show how managers are guiding and supporting improvements. The recorded minutes of supervision lack reflection at times, and some are overly focused on compliance at the expense of considering children's experiences.
51. Staff report that senior leaders are visible, kind and accessible. They appreciate regular and informative sessions with heads of service. They describe a supportive culture, and one where they are encouraged to learn and develop. Staff feel that managers care about their well-being and have supported them to feel safe throughout the pandemic while they continued with 'business as usual' in their work with children. Staff enjoy working for Blackburn with Darwen and this is contributing to a reducing staff turnover rate.

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EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Finance and Governance

LEAD OFFICER: Director of Finance

DATE: 14th April 2022

PORTFOLIOS AFFECTED: All

WARDS AFFECTED: All

KEY DECISION: Y

TITLE OF REPORT: Household Support Fund Round 2

1. PURPOSE

1.1 The purpose of this report is to seek agreement from the Executive Board to the proposed distribution of the Household Support Fund (HSF2) Round 2.

2. RECOMMENDATIONS

2.1 It is recommended that the Executive Board agree to the distribution of the Household Support Fund Round 2 as set out in the report.

3. BACKGROUND

3.1 At the beginning of October 2021, the Government announced that a new HSF worth over £500m would be made available to Upper Tier Local Authorities to support those households most in need over the winter period to March 2022.

3.2 Details of the grant allocations and supporting information on how the grant should be used were released to Councils on 7th October 2021 and a report on this matter was considered by the Executive in November 2022 where the distribution of the fund was agreed. Blackburn with Darwen Council received £1.619m and at the closure of the Scheme on 31st March 2022, all of the funding had been used as planned.

3.3 As part of the recent Spring Statement 2022, the Government announced an extension to the HSF by providing a further £500m for the Scheme as part of a package of measures to support those affected by the rising cost of living. The Council's share of this additional funding is £1.619m and the grant funding must be used by 30th September 2022 (although, as with Round 1, there is an implicit acknowledgement from DWP that funds committed by that date can be defrayed after the end of the financial year should that be necessary).

4. RATIONALE

4.1 The distribution of the Household Support Fund is intended to provide much needed support to those households most in need.

5. KEY ISSUES

5.1 Guidance on the use of the Housing Support Fund Round 2 was with the grant allocations on 1st April 2022. The original objective of the Fund was to provide support to vulnerable households in most need of support over the winter period as the economy recovers. In doing so, Councils were required to develop a 'local eligibility framework and approach' to enable the distribution that ensures at least 50% of the funding is for vulnerable households with children. The remainder of the funding was available for vulnerable households without children (including individuals).

5.2 For Round 2, there has been a change in how the fund is to be targeted. At least one third of the total funding will be ring-fenced to support households with children, at least one third of the total funding will be ring fenced to support pensioners with up to one third of the total funding to other households genuinely in need of support. This may include households not currently in receipt of DWP welfare benefits.

5.3 Within the context of this overriding objective, when administering the Scheme, Councils are encouraged to adopt the following principles (which are broadly similar to those that applied to Round 1):

- use discretion on how to identify and support those most in need, taking into account a wide range of information;
- use the funding from 1st April 2022 to 30th September 2022 to meet immediate needs and help those who are struggling to afford energy, food and water bills, and other related essentials. It can also be used to support households who are struggling to afford wider essentials;
- in exceptional cases of genuine emergency, it can additionally be used to support housing costs where existing housing support schemes do not meet this exceptional need;
- this includes payments made, or committed to, by the Authority or any person acting on behalf of the Authority, from 1st April 2022 to 30th September 2022. For example, this would allow any vouchers issued before the end of the funding period to be redeemed in October 2022. All authorities are encouraged to ensure that any vouchers issued are redeemed before the end of the scheme, or shortly thereafter, or consider recycling unused vouchers;
- Councils have the flexibility to work with multiple organisations to provide a local delivery network that supports vulnerable households with a broad range of support;
- Council can claim for reasonable administrative costs incurred in administering the Scheme;

- 5.4 In relation to the use of the fund for housing costs, Councils must establish whether other forms of support are available to the household, such as Discretionary Housing Payments (DHP). In this respect, however, it is worthwhile noting that the Council's allocation of DHP funding for 2022/23 has been reduced by 30% when compared to 2021/22 (the Council will receive £321k for DHPs in 2022/23, a reduction of £98k when compared to 2021/22). It is expected that this may result in more claims for support to the HSF Round 2 than would have been the case otherwise.
- 5.5 The Council has a demonstrable track record of developing and implementing welfare support schemes and the delivery of Round 1 of the HSF is an illustration of this. Around 15,000 residents have been supported through a range of measures including, for example, support with energy bills, Council Tax, provision of food and, as part of the wraparound service, advice and guidance in areas such as debt management.
- 5.6 Building on the frameworks that have been used for both the delivery of HSF Round 1 but recognising that the rising costs of energy is likely to be the most acute pressure faced by local residents over the next six months, it is proposed to use the HSF in the following way:-

Area of Support	£m
Support for Energy Bills	1.118
Crisis Food Providers	0.150
Housing Need Community Care Grant	0.025
White Goods Provision	0.150
Contributions to Voluntary, Community and Faith Sector (BwDHL, Age UK and BwD Carers)	0.030
Community Centres	0.070
Costs of Administering the Scheme	0.076
Total Household Support Fund Round 2	1.619

- 5.7 Again, as with HSF Round 1, by taking this whole systems, partnership and strength based approach with the HSF2, the Council will have the opportunity to reach some of the most vulnerable households in the community thereby complying with the objectives of the Scheme.
- 5.8 As ever with these types of grant allocations, the Council is required to provide the DWP with statements on the use of the grant and arrangements are in place to satisfy this requirement.

6. POLICY IMPLICATIONS

6.1 There are no policy implications arising directly from this report.

7. FINANCIAL IMPLICATIONS

7.1 The Council will receive a grant of £1.619m from the Household Support Fund. Details of the proposed distribution of the funding are as set out in the report.

8. LEGAL IMPLICATIONS

8.1 Although there are no legal implications arising directly from the contents of this report, there will need to be adequate systems in place to record decision making and allocations to ensure that funds are distributed in accordance with the funding criteria to avoid any claw back.

9. RESOURCE IMPLICATIONS

9.1 There are no other resources implications arising from the contents of this report.

10. EQUALITY AND HEALTH IMPLICATIONS

10.1 There are no equality and health implications arising from the contents of this report.

11. CONSULTATIONS

11.1 None arising from the contents of this report.

12. STATEMENT OF COMPLIANCE

12.1 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 equality analysis and impact assessment have previously been considered for the Scheme. The recommendations reflect the core principles of good governance as they are set out in the Council's Code of Corporate Governance.

VERSION:	1
CONTACT OFFICER:	Beth Wolfenden – Public Health Specialist
DATE:	6 th April 2022
BACKGROUND PAPERS:	None

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth & Development
DATE:	April 2022

PORTFOLIO/S AFFECTED:	Growth & Development
WARD/S AFFECTED:	All
KEY DECISION:	YES

SUBJECT: Growth Programme 2022/23

1. EXECUTIVE SUMMARY

Blackburn with Darwen Borough Council has an **on-going economic Growth Programme** to support the creation of jobs, housing and infrastructure within the Borough and delivering on the strategy set out in the adopted Local Plan. The Council’s strategy, including the Growth Programme, has helped to deliver strategic **growth since the current Local Plan was adopted in 2015**, by securing the delivery of new homes, jobs and infrastructure in the Borough. In the 5 years leading up to the pandemic, the Borough’s growth trajectory improved significantly **with an additional 5,000 new jobs in the Borough**, including 2,000 manufacturing jobs.

To deliver the Growth Programme the Council continues to identify and manage a pipeline of projects which are planned to be implemented over the short, medium and longer term. These projects are delivered using a combination of private or public sector land and cover employment, housing and town centre developments in Blackburn and Darwen.

The Growth Programme is also focused on maximising public investment opportunities from new national programmes, including the Government’s Levelling Up and UK Shared Prosperity Funds and Homes England’s new housing delivery initiatives and officers are in continuous dialogue with Homes England and other government agencies and departments.

The Council’s Growth & Development Team is progressing with a new Local Plan. Once adopted, the new Local Plan, will introduce **‘a balanced growth strategy’**, ensuring the project pipeline is developed along with supporting infrastructure and environmental improvements. This will further support the latest update to the **Council’s Climate Emergency Action Plan (CEAP)** which was approved by Executive Board in December 2021 and includes projects aimed at progressing towards the achievement of being a carbon neutral Council by 2030.

- Delivery of the Growth Programme will **generate many benefits** for the Borough, including:-
- Accelerating economic activity to create employment opportunities for residents;
 - Supporting growth and vitality in the town centres of Blackburn and Darwen;
 - Additional Council and Business tax revenues to support the Council’s Medium Term Financial Plan;
 - Removing localised blight by bringing empty and homes or properties back into use;
 - Generating financial benefits from strategic land disposals;
 - Securing essential infrastructure, open space and biodiversity improvements; and
 - Extending the choice, tenure and range of new family housing to attract and retain residents.

This report provides a summary of progress on growth projects to date and outlines the **Growth Programme for 2022/23**, which is attached as Annex A.

2. RECOMMENDATIONS

That the Executive Board:

1. Notes the continued good progress made by the Growth & Development Team during 2021-22;
2. Notes the good progress made by Barnfield Blackburn Ltd and Maple Grove Blackburn Ltd – the Council's two joint venture development companies with Barnfield and Eric Wright respectively;
3. Approves the Growth Programme for 2022-23 for officers to progress projects from feasibility stage through to procurement and tender stage as required by project timelines and delivery;
4. Subject to compliance with Financial and Contract Procedure Rules, delegates authority to revise the Growth Programme for 2022/23 (by adding, removing or prioritising sites) to the Growth Director in consultation with the Executive Member for Growth & Development and Executive Member for Finance and Governance; and
5. Delegates authority to the Growth Director to proceed to procurement for partners to support in the development of a business case for a new Local Housing Company.

3. BACKGROUND

In order to deliver the Growth Programme the Council continually invests in a Growth & Development Team, which together promote Council-owned sites for development, work with the private sector to develop new housing and employment schemes and work with Registered Providers to develop much needed affordable homes for rent or shared ownership.

The Team also maintains a pipeline of sites by ensuring an up-to-date Local Plan is produced, manage the Council's Climate Emergency Action Plan, assess planning and building control applications, secure developer funding towards infrastructure, planning and delivery of strategic transport schemes, manage the Council's land and property holdings, and pro-actively bring empty homes and other properties back into use.

Our **growth success to date** can be evidenced with reference to some recent statistics, such as:

- Latest Housing Delivery Test results, announced in Jan 2022, **place Blackburn with Darwen in the top 10% of English local authorities**, whereas in 2018 the Borough was listed in the bottom 20%;
- Estimated housing completions for 2021/22 is expected to be circa 450, with 417 having been completed during the first 11 months of the monitoring year up to the end of February 2022;
- Since 2015/16 there have been over 1,700 new homes built across the Borough, **with around 400 of those new homes being affordable**, which is above our 20% target;
- **Over 65% of the 1,700 new homes have been constructed on brownfield land;**
- The draft new Local Plan identifies a pipeline of circa 7,000 homes over the next 15 years, **with around 50% of the homes already benefiting from planning permission;**
- The number of annual empty properties brought back into use across the Borough has increased from 167 in 2016/17 to 653 in 2020/21;
- The number of long-term empty properties (over 6 months) **is now below 1,000 for the first time since 2004**, which is approximately 1.5% of housing stock, **representing a reduction of 0.5% since 2015;**
- The Council was successful in securing a derelict property at Cobden Street, Darwen, which was acquired by a Compulsory Purchase Order (CPO). The Public Inquiry for this CPO was the first conducted online for the Council due to restrictions brought in by the pandemic.
- During 2021/22, 6 long term empty properties were approved for Compulsory Purchase Order (CPO). From those 6 properties; 2 were successfully CPO'd, 2 were bought by agreement and the remaining 2 are being fully refurbished for occupation by their owners.

Programme Successes

The **programme success are due to a range of initiatives** and enhanced services which have been implemented to support and accelerate delivery and include:

- Creation of our first joint venture partnership with Barnfield, incorporated as Barnfield Blackburn Ltd, which acquired the former Lower Darwen Paper Mill site in 2018. Work has progressed since 2018 with the construction of a new link road, Millbank Road, which opened during the summer of 2021. Construction of industrial units at Plots 1,2 and 3 commenced in 2022 with plot 4 to follow. Elan homes has secured the two residential plots from Barnfield Blackburn Ltd and are due to commence on site summer 2022. The Council is pleased to see its first joint venture development performing so well, especially given the significant sites challenges delivering much needed new employment space for our business community.
- Creation of our second joint venture partnership with Maple Grove (part of the Eric Wright Group) and incorporated as Maple Grove Blackburn Ltd. The joint venture acquired the former Thwaites brewery site in 2021 and has since been supporting the Council developing plans for a new masterplan for Blackburn Town Centre.
- Extending our Growth Framework (additional 2 years to 2024) to use for delivering variety of projects covering construction, civil engineering and developments;
- Implementation of robust monitoring of the Council's section 106 procedures to test developer's viability appraisals to ensure the Council receives the correct amount of funding to support infrastructure such as education, affordable homes, green infrastructure and highways;
- A programme for disposing key strategic sites for housing and employment uses;
- Applying for public sector grants through preparing business cases and funding bids; 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 **key programmes** are divided into two programme themes; Place and Thematic across employment, housing and town centres' sectors. These include:

Place

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

Thematic

- Affordable Housing
- Empty Homes (including proposals for a new Local Housing Company)
- Infill Commercial Sites
- Infill Housing Sites

Key Housing schemes on site or completed in 2021/22:

- 1) Lammack Road, Blackburn – 50 dwellings being promoted by Miller Homes

- 2) Gib Lane, Blackburn – 800 dwellings being promoted by Kingswood Homes and Story Homes
- 3) Albion Mill, Blackburn –105 extra care and dementia homes by Verum Victum
- 4) Whinney Lane / Yew Tree Drive, 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
- 8) Tower View, Darwen – 17 dwellings being promoted by Hearle Homes
- 9) Tower Road, Fenisccliffe – 30 dwellings by Applethwaite Homes
- 10) Alaska Street, Blackburn – 73 affordable homes, including adapted homes, 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) – 450 dwellings being promoted by Blackburn Waterside
- 13) School Lane – 45 dwellings being promoted by Wainhomes
- 14) Former Beechwood Garden Centre – 14 dwellings by Silverchic Developments.
- 15) Land off New Wellington St – 42 affordable homes promoted by Great Places.
- 16) Bowen St, Blackburn – 24 affordable homes promoted by Great Places.
- 17) Former Laneside Care Home, Blackburn – 16 affordable homes promoted by Great Places.
- 18) Ellison Fold Way – 343 dwellings being promoted by McDermott Homes, including 67 affordable homes.
- 19) Lomond Gardens – 30 dwellings being promoted by McDermott Homes.
- 20) Ramsgreave Drive – 110 dwellings being promoted by Applethwaite Homes and McDermott Homes.
- 21) Fishmoor Drive – 383 dwellings being promoted by Countryside and Together Housing.

- **Key Employment schemes on site or completed in 2021/22:**

- 1) Former Newmans site, Garden Street
- 2) Units at Bruce St / Gladstone St, Blackburn
- 3) Units at Commercial Road, Darwen
- 4) Units at Canterbury St, Blackburn
- 5) Units at Millbank Business Park (former Lower Darwen Paper Mill)
- 6) Units at Plot 1, Wainwright Way, Blackburn
- 7) Units at Plot 1,4 and 6 at Carl Fogarty Way, Blackburn

- **Council owned key housing and commercial development sites coming forward in the next 12 to 24 months, subject to necessary approvals.**

- 1) Millbank Business Park / Milking Lane – commercial plots promoted by Barnfield Blackburn Ltd Joint Venture Company and residential plots promoted by Elan Homes
- 2) Carl Fogarty Way, Blackburn – Plots 3 (Plot 2 on hold)
- 3) Whalley Old Road – new housing development for up to 135 homes
- 4) Dock Street, Blackburn – new commercial units being promoted by Barnfield Construction
- 5) Holden Fold, Darwen – new housing development for circa 445 homes
- 6) Whitebirk Industrial Estate - Pets Choice Phase 2 manufacturing facility
- 7) Wainwright Way (Phase 2) – Plots 3
- 8) Salisbury Road, Darwen – Hearle Homes appointed to develop 12 new dwellings
- 9) Issa Way – over 250,000 sqft of new commercial units
- 10) Haslingden Road – new housing development offering a mix of 150 family homes and 150 key worker and affordable apartments
- 11) Former Thwaites and markets site, Blackburn – Council moving forward with plans for comprehensive redevelopment as part of the Maple Grove Blackburn Ltd Joint Venture Company
- 12) Comprehensive restoration of St John’s Church to create new workspace and innovation hub
- 13) Refurbishment of the Fleece Pub, Blackburn
- 14) Restoration and re-purposing of the former Griffin Lodge to create modern health facilities
- 15) Chapels Park South – new commercial site being promoted by Barnfield Blackburn Ltd and Perspex as part of the Darwen Town Deal programme.

Market Risk

It should be acknowledged that the procurement and delivery stages for many of the housing, employment and strategic sites noted above continue to experience delay following the pandemic, the impacts of Brexit and increasing construction and development inflation cost increases. Despite this, the Borough remains committed to maintaining our growth momentum, with very encouraging signs from continued local developer presence and interest together with new high quality entrants to the market.

The delivery programme will be continuously updated, ensuring Growth Programme resources are always directed towards maximising outcomes for the Borough.

It should also be noted that levelling up plans may provide an opportunity for the Council and its partners to seek funding towards strategic development opportunities and other stalled sites.

5. POLICY IMPLICATIONS

Blackburn with Darwen's Corporate Plan has a priority to accelerate the growth agenda, creating good quality jobs and homes 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, infrastructure and the environment.

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 & Development Team is working at capacity, and therefore opportunities to fast-track business casework 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:	1
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CONTACT OFFICER:	PMO Growth
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DATE:	March 2022
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BACKGROUND PAPER:	None
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Blackburn with Darwen Borough Council

Growth Programme

2022/2023

Council Sites (Feasibility & Procurement Stages)	Council Sites (Planning & Delivery Stages)
<ul style="list-style-type: none"> ▪ Housing Sites <ul style="list-style-type: none"> ○ Griffin (Phase 2), Blackburn ○ Holden Fold, Darwen ○ Queens Park Road, Blackburn ○ Borrowdale Drive, Blackburn ○ Clarendon Road, Blackburn ○ Land at Branch Road, Mellor Brook ○ Local Housing Company ▪ Employment / Commercial Sites <ul style="list-style-type: none"> ○ Carl Fogarty Way – Development Plot 3 ○ St Johns Church – Redevelopment Proposals ○ Fleece Pub – Refurbishment Proposals ○ Medi Park Development Site, South East Blackburn ○ Wainwright Way – Development Plot 3 ○ Bridge House, Blackburn Town Centre ○ Blakey Moor Building, (Barnfield Blackburn Ltd) ▪ Strategic Sites <ul style="list-style-type: none"> ○ Former Thwaites and Markets Sites (Maple Grove Blackburn Ltd) ○ Issa Way Development Site, South East Blackburn ○ North East Blackburn Strategic Housing Site ○ Blackburn Town Centre – Tower Block Proposals 	<ul style="list-style-type: none"> ▪ Housing Sites <ul style="list-style-type: none"> ○ Ellison Fold Way, Darwen (McDermott Homes) ○ Lomond Gardens, Feniscowles (McDermott Homes) ○ Griffin (Phase 1), Blackburn (Seddon and Great Places) ○ Fishmoor Drive, Blackburn (Together Housing / Countryside Homes) ○ Salisbury Road, Darwen (Hearle Homes) ○ Tower View, Darwen (Hearle Homes) ○ Roe Lee, Blackburn (Persimmon) ○ Former Laneside Care Home, Shorrock Lane (Great Places) ○ Haslingden Road, South East Blackburn (Keepmoat) ○ Whalley Old Road, Blackburn ▪ Employment / Commercial Sites <ul style="list-style-type: none"> ○ Dock Street (Barnfield Construction) ○ Blakey Moor Terrace, Blackburn Town Centre (Forrest Construction) ○ Carl Fogarty Way – Development Plot 1 (Rocstar), 4 (Inceptum) and 6 (Rocstar) ○ Wainwright Way – Development Plot 1 (Wainwright Estates NW Ltd) ○ Griffin Lodge (Phase 1) & Coach House (Phase 2) – Health Centre Redevelopment Proposals ○ Whitebirk Development Site - Phase 2 (Pets Choice) ▪ Strategic Sites <ul style="list-style-type: none"> ○ Millbank Business Park (Barnfield Blackburn Ltd) ○ Chapels South, Darwen (Barnfield Blackburn Ltd)

EXECUTIVE BOARD DECISION



REPORT OF: Executive member for Finance and Governance
Executive Member for Growth and Development

LEAD OFFICERS: Director for Growth & Development

DATE: April 2022

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: Little Harwood & Whitebirk

KEY DECISION: **YES**

SUBJECT: EB Land at Whalley Old Road, Blackburn

1. EXECUTIVE SUMMARY

- 1.1 This report outlines the outcome of the informal tender exercise for land at Whalley Old Road, Blackburn (“the Site”) as illustrated on the plan attached at Annex A.
- 1.2 This report seeks approval to dispose of the Site for housing development to the recommended preferred bidder.
- 1.3 To note that Blackburn with Darwen Council and Lea Hough & Co, representing the two private landowners, have jointly brought forward this development opportunity through an informal tender process administered by Council officers.
- 1.4 To note that Outline planning consent with all matters reserved for residential development of up to 165 dwellings with reference 10/20/0716 was granted by Blackburn with Darwen Council on 18 February 2021.
- 1.5 This report outlines the process for the disposal of ‘open space’ and requests delegated authority for the consideration of any objections and approval for the disposal of ‘open space’ to the Growth Director.

2. RECOMMENDATIONS

That the Executive Board:

- 2.1 Approves the sale of the Council owned land to Bidder A for the agreed purchase price and part deferred payment profile.
- 2.2 Notes that Lea Hough & Co, representing the two private landowners, are in agreement to appoint Bidder A.
- 2.3 Notes that the land conveyancing process will be coordinated by an external solicitor acting on behalf of all the landowners, including the Council

- 2.4 Authorises the Strategic Head of Service for Legal and Governance to complete the necessary legal formalities in the disposal process.
- 2.5 Authorises the Growth Director to finalise and complete the terms of the disposal.
- 2.6 Delegates authority to the Growth Director, in consultation with the Executive Member for Growth & Development to:
- a) Consider any objections to the proposed disposal of 'open space' at Whalley Old Road; and if appropriate
 - b) Approve the proposed disposal of 'open space' at Whalley Old Road.

3. BACKGROUND

3.1 The Site comprises three parcels as illustrated on the plan attached at Annex A with a total site area of 7.994 ha.

- Parcel A Anglo Eastern Trust Ltd (2.851 ha)
- Parcel B Sheila Jacques (0.863 ha)
- Parcel C Blackburn with Darwen Borough Council (4.280 ha)

3.2 The Site was marketed for sale by informal tender.

3.3 A 'Data Room' was set up on the Council's website, which contained all tender information. A technical pack comprising reports and surveys commissioned for the Site was also available upon request and accessible via a unique web link, which was issued by the Growth Team. A total of 21 potential bidders requested and were issued with the link.

3.4 The two-stage tender period was undertaken on the dates specified below.

- Stage 1 (Open Informal Tender) 18th October 2021 to 17th December 2021
- Stage 2 (Best and Final Offer) 21st January 2022 to 7th February 2022

3.5 The joint marketing strategy with Lea Hough & Co included:

- targeted electronic mailshot to over 100 developers;
- promotion on the Council website;
- promotion on the Lea Hough & Co website; and
- telephone discussions and meetings with potential bidders.

3.6 The informal tender form required interested parties to:

- Make an offer for the housing development site using the technical surveys provided whilst still undertaking their own due diligence;
- Make an offer conditional on planning;
- Offer to include the requested s106 contributions as determined by the Local Planning Authority (£580K for highways and sustainable transport, plus monitoring fee of £5,800);
- Provide the proposed design layouts, house types, tenure and numbers;
- Demonstrate previous housing development experience;
- Demonstrate financial resources and source of finance; and
- Outline timeframe for development.

3.7 The tenders have been evaluated in accordance with the criteria referred to under 3.6 above.

4. KEY ISSUES & RISKS

4.1 The Council received 12 informal tenders at Stage 1 as detailed in Table A below

TABLE A			
Bidder Reference	No Units	Mix of Units	No. of Affordable Units
Bidder 1	165	2,3,4,5	33
Bidder 2	147	2,3,4	29
Bidder 3	155	2,3,4	31
Bidder 4	165	2,3,4	33
Bidder 5	170	2,3,4	34
Bidder 6	161	2,3,4	32
Bidder 7	165	2,3,4	33
Bidder 8	164	2,3,4	33
Bidder 9	165	2,3,4	33
Bidder 10	163	2,3,4	33
Bidder 11	165	2,3,4	33
Bidder 12	160	2,3,4,5	32

4.2 The Council invited the top 3 bids to submit final offers and to answer clarification questions raised by Council Officers and Lea Hough & Co. Table B below details the bids received following the Stage 2 process.

TABLE B				
Bidder Reference	Tenure	No Units	Mix of Units	Proposed Payment Terms
Bidder 1	80% Open Market & 20% Affordable	165	2,3,4,5	50% on completion of site disposal + 50% after 12 months with deposit
Bidder 2	80% Open Market & 20% Affordable	157	2,3,4	50% on completion of site disposal + 50% after 12 months with deposit
Bidder 3	80% Open Market & 20% Affordable	167	2,3,4	50% on completion of site disposal + 50% after 12 months with deposit

4.3 Analysis of recent land sales in the Borough of similar development size and density highlights the offer by Bidder 1 represents a significant bid for the land and demonstrates the Council will have achieved best consideration by disposing of the Site for the offered amount.

4.4 Bidder 1 is identified as Vistry Partnerships Ltd (“Vistry”).

4.5 Vistry provided a thorough understanding of the site constraints, accurate interpretation of local market requirements, a good level of detail showing an appropriate scheme layout and indicative design, with significant previous experience of high quality housing delivery and open space proposals.

4.6 Vistry Group is a leading house-building company and is listed on the London Stock Exchange and is a constituent of the FTSE 250 Index. Vistry Group was created in January 2020 following the merger between Bovis Homes, Linden Homes and Galliford Try Partnerships. The Vistry Group immediately became one of the top five housebuilders in the UK by volume.

- 4.7 For the reasons outlined above it is recommended the Council accepts the bid from Vistry and appoints the company as preferred bidder.
- 4.7 Lea Hough & Co has confirmed the two private landowners are in agreement to appoint Vistry.
- 4.8 Vistry has provisionally accepted the conditions of sale and Heads of Terms as set out in the tender documentation.

4.9 The main heads of terms are as follows:

Vendors

Blackburn with Darwen Borough Council, Anglo Eastern Trust Ltd and Sheila Jacques.

Purchaser

Vistry Partnerships Ltd

Description

Land South of Whalley Old Road, Blackburn (see attached plan Annex A)

Method of Disposal

Freehold subject to planning approval.

Costs

The purchaser will be responsible for the vendors' legal costs.

Purchase Price

The purchase price will be split pro-rata to land area to each of the landowners.

Payment Terms

Purchase price will be paid in two instalments with 50% paid on legal completion of the land sale and 50% paid 12 months following legal completion. A legal charge will be placed on the land in favour of the vendors requiring payment of the remaining balance as agreed.

Section 106

The purchaser will pay all section 106 infrastructure costs (£585,800) and provide affordable housing and open space on site.

Section 278 highway works

The purchaser will pay for all section 278 highway works as required.

Vendors Solicitor Details

WHN Solicitors, 1A Strawberry Bank, Blackburn BB2 6AA

Risk

The sale will be subject to reserve matters planning approval.

4.10 Disposal of Open Space

As the land at Whalley Old Road (excluding the private land) to be disposed of has some unfenced areas that the public can access and is of an open nature and so for full compliance reasons it is considered to be 'open space' then section 123(2A) of the Local Government Act 1972 applies. This requires the Council to advertise the proposal twice over two consecutive weeks in a newspaper circulating in the area in which the land is situated, erect site notices,

and consider any objections to the proposed disposal which may be made to them. The advertisement is to take place once a developer has been appointed and a scheme proposed.

4.11 It is recommended that the Council delegates authority to the Growth Director in consultation with the Executive Member for Growth & Development, to consider any objections or comments raised to the proposed disposal of 'open space' at Whalley Old Road and if appropriate approve the proposed disposal of 'open space' at Whalley Old Road for the proposed housing development.

5. POLICY IMPLICATIONS

The disposal method accords with the Council's approved policy for disposal of Council land.

6. FINANCIAL IMPLICATIONS

6.1 The purchase price is net of section 106 contributions and therefore each party will receive a capital receipt pro-rata to land area equating to:

6.1.1 Anglo Eastern Trust Limited land parcel A equates to 35.66% of the area.

6.1.2 Sheila Jacques land parcel B equates to 10.80% of the area.

6.1.3 Council land parcel C equates to 53.54% of the area.

6.2 The payment will be paid in two instalments with 50% paid on legal completion of the land sale and 50% paid 12 months following legal completion.

6.3 The Council will receive a section 106 contribution of £585,800, which includes £330,000 for sustainable transport, £250,000 for highways and £5,800 monitoring fee, which will be paid in 4 instalments after development commencement. The details of the contribution were provided by the Council's planning team and were notified to all bidders in the tender documents to ensure the land offer was net of these contributions. Affordable housing and public open space will be provided on site and therefore no contributions towards off-site provision were sought when outline planning permission was granted.

6.4 The development will support future increases in Council Tax income as well as New Homes Bonus.

6.5 The legal costs for the jointly appointed solicitors will represent cost efficiencies and ensure both parties are represented with consistency. The purchaser will contribute towards these costs.

7. LEGAL IMPLICATIONS

7.1 The disposal method complies with the Council's legal obligations for such transactions and with the Council's Disposal Policy 2019.

7.2 As the proposed disposal is for the freehold of the land, then various aspects of S123 of the Local Government Act 1972 are considered to apply.

8. RESOURCE IMPLICATIONS

8.1 The disposal will be managed by existing resources within the Growth & Development team.

8.2 The jointly appointed solicitors will be required to complete all the legal formalities relating to the freehold disposal and will interface with the Council's legal team on matters relating to formal execution.

9. EQUALITY AND HEALTH IMPLICATIONS

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

Option 1 X 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

Public consultations took place as part of the outline planning application process. Further statutory stakeholder and public consultations will be undertaken during the detailed reserved matters planning application process.

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.

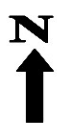
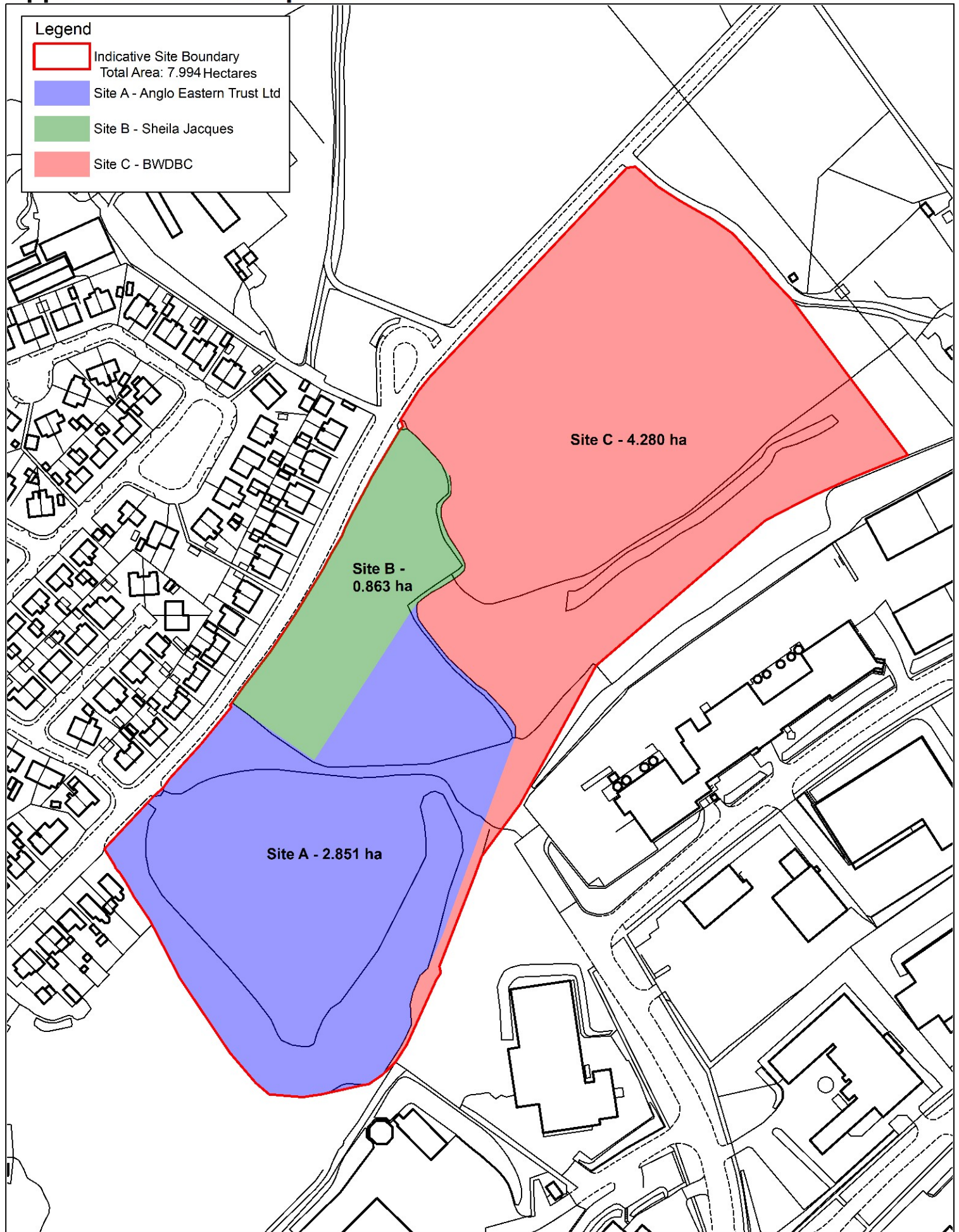
12. DECLARATION OF INTEREST

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:	1
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CONTACT OFFICER:	Simon Jones, Growth Director, Department of Growth & Development PMO Growth
DATE:	March 2022
BACKGROUND PAPER:	None

Appendix A Ownership Plan



1: 2500 @ A4

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