

**EXECUTIVE BOARD**

**SUMMARY OF DECISIONS**

**THURSDAY, 7TH DECEMBER, 2023**

(Note: any verbal updates provided by Executive Members and the Youth MPs will be summarised in the Minutes of the meeting)

	<b>ITEM</b>	<b>RECOMMENDATION</b>	<b>Key Action</b>
<b>1</b>	<b>Minutes of the Previous Meeting</b>	The Minutes of Meeting held on 9 <sup>th</sup> November 2023 were agreed as a correct record.	Recommendations Approved
<b>Leader</b>			
<b>Adult Social Care &amp; Health</b>			
<b>Children, Young People &amp; Education</b>			
<b>8.1</b>	<b>Quarter 2 Fostering Report</b>	That the Executive Board notes the Fostering three monthly report for Quarter 2, alongside Appendix 1 which provides a service progress overview and summary of service development recommendations.	Recommendations Approved
<b>8.2</b>	<b>Early Years and Childcare Sufficiency</b>	That the Executive Board: Notes the content of the Childcare Sufficiency Assessment 2023.	Recommendations Approved
<b>Environment &amp; Operations</b>			
<b>Public Health, Prevention &amp; Wellbeing</b>			
<b>8.3</b>	<b>NHS Health Checks Tender 2024-2027 Award</b>	That the Executive Board: <ul style="list-style-type: none"><li>• Approves the award of the contract for the NHS Health Check Programme for a three year period with the option to extend</li></ul>	Recommendations Approved

		for a further two years to commence from the 1st April 2024.	
<b>8.4</b>	<b>IPC Collaborative Agreement</b>	<p>That the Executive Member:</p> <ul style="list-style-type: none"> <li>• Notes the contents of this report</li> <li>• Agrees for the Council to negotiate and enter into a collaborative agreement with Lancashire County Council to provide a shared, clinically-led Infection Prevention and Control service, for a term of 2 years, with the option to extend for a further 1 + 1 years</li> <li>• Delegates the signing of the collaborative agreement to the Director of Public Health in consultation with the Deputy Director, Legal and Governance.</li> </ul>	Recommendations Approved
<b>8.5</b>	<b>Refurbishment of football pitches and ancillary facilities at Green Lane, Blackburn</b>	<p>That the Executive Board:</p> <ul style="list-style-type: none"> <li>• Note the award of the Football Foundation capital grant offer of £249,121, towards the refurbishment of the grassed football pitches and ancillary facilities at Green Lane Blackburn.</li> <li>• Note that the total cost of the project is £317,900 and that the gap in funding between the capital grant and the total project cost will be met by funds provided by Mill Hill Juniors Football Club.</li> <li>• Agree that the Council will act as Accountable Body for the funding as set out in the report.</li> <li>• Give delegated authority to the Deputy Director, Legal and Governance to prepare and enter into an agreement with Mill Hill Juniors FC to ensure compliance with the relevant conditions of the grant that apply to the operation of the pitches and facilities.</li> <li>• Delegate authority to the Strategic Director of Environment and Operations in consultation with the Executive Member for Public</li> </ul>	Recommendations Approved

		Health, Prevention and Wellbeing to procure the works necessary to refurbish the grassed football pitches and ancillary facilities at Green Lane, Blackburn.	
<b>Digital &amp; Customer Services</b>			
<b>Growth &amp; Development</b>			
<b>8.6</b>	<b>Disposal of Land at Mellor Brook</b>	<p>That the Executive Board:</p> <ol style="list-style-type: none"> <li>1.1. Approves the appointment of <b>Prospect Homes</b> as Preferred Bidder for the Mellor Brook site;</li> <li>1.2. Approves the appointment of Bidder 2 and Bidder 3 as Reserve Bidders for the Mellor Brook site;</li> <li>1.3. Authorises the Growth Programme Director to finalise and complete the terms of the disposal, including the appointment of the Reserve Bidder should the Preferred Bidder withdraw from the process or is unable to finalise terms with the Council;</li> <li>1.4. Authorises the Deputy Director of Legal and Governance to complete the necessary legal formalities in the disposal process of the Council owned land;</li> <li>1.5. Authorise the Strategic Director of Growth &amp; Development to appropriate the land at Mellor Brook shown edged red on the attached plan, <b>Appendix 1</b> from the Finance and Governance and Growth &amp; Development portfolios for planning purposes pursuant to section 122 Local Government Act 1972;</li> <li>1.6. Notes the land is currently used for agricultural purposes and not used as open space. As such there is no need to advertise disposal of open space;</li> </ol>	Recommendations Approved

		<p>1.7. Notes that in authorising the commencement of the appropriation process of the Mellor Brook site, the Council has considered the provisions of the Equalities Act 2010 and the Human Rights Act 1998 as set out in this report;</p> <p>1.8. Delegates authority to the Strategic Director of Growth &amp; Development in consultation with the Executive Member for Growth &amp; Development to consider any objections to the appropriation proposal and, if no objections are received then for the appropriation to be deemed approved;</p> <p>1.9. Notes the Council's powers under section 203 – 206 of the Housing and Planning Act 2016 to override any third party rights and easements on the land once planning permission for the planning purpose has been obtained. Where necessary to enable the planning purpose to be achieved, authorise the Strategic Director of Growth &amp; Development to override any said third party rights or easements; and</p> <p>1.10. If the appropriation for planning purposes is approved and any third party rights and easements have been overridden, authorise the Strategic Director of Growth &amp; Development for the negotiation and payment of any compensation claims arising from overridden easements / other rights, under section 204 of the Housing and Planning Act 2016.</p>	
8.7	<b>Local Cycling and Walking Infrastructure</b>	<p>That the Executive Board:</p> <p>(i) Approves adoption of the LCWIP (Phase 3 report) as the strategic framework for developing future transport policy and programmes of investment around active travel infrastructure for Blackburn with Darwen;</p>	Recommendations Approved

		<p>(ii) Notes the outcomes for the prioritisation of the further development of active travel schemes in the Borough, as set out in the Phase 3: Prioritisation report;</p> <p>(iii) Support further investigations/feasibility and design work to be undertaken, as and when resources and budgets allow, to ensure that a pipeline of schemes is developed to a stage ready for any funding applications that may arise; and</p> <p>(iv) Delegate authority to the Strategic Director of Growth and Development, following consultation with the Executive Member for Growth and Development, to submit any future active travel funding applications for developments in line with the LCWIP.</p>	
8.8	<b>South East Blackburn LUF Scheme</b>	<p>That the Executive Board:-</p> <ol style="list-style-type: none"> <li>1. Notes the award of £20m Levelling-Up Funding ('LUF') to deliver the Blackburn Growth Axis Transport Package (South East) and the £10.5m upfront payment to date by Department for Levelling-Up, Housing and Communities;</li> <li>2. Notes the progress of the two projects, listed below, comprising the Blackburn Growth Axis Transport Package (South East) LUF scheme:- <ul style="list-style-type: none"> <li>• Project 1 – South East Blackburn Active Travel (Walking and Cycling) Network</li> <li>• Project 2 – M65 Junction 5 Improvement Scheme;</li> </ul> </li> <li>3. Notes the appointment of Ramboll engineering consultants by Balfour Beatty following a competitive tendering exercise to support Project 2;</li> <li>4. Approves the appointment of WSP to provide Technical Advisory</li> </ol>	Recommendations Approved

Support in administering the contract with Balfour Beatty, provide general technical assurance support and assistance in validating technical proposals for future adoption by the Council as Local Highway Authority;

5. Approves a capital budget of £0.75m for Project 1 and £3.25m for Project 2 to cover all pre-construction activities including fees, surveys, site investigations, approvals, service diversions, third party payments and other enabling costs necessary during the pre-construction stage. Note £500k of capital funding is already profiled in the 2023/24 capital programme and therefore an additional £3.5m is now required to cover the pre-construction stage during with £0.7m of this additional funding required in year;
6. Authorises the Growth Programme Director in liaison with the Deputy Director of Legal and Governance to finalise any contract terms of the consultant and contractor appointments for Projects 1 and 2 accordingly;
7. Authorises the Growth Programme Director to issue contract instructions on behalf of the Council in administering the NEC Professional Services Contracts for Project 2 - M65 J5 Highway Improvement Scheme;
8. Authorises the Growth Programme Director in liaison with the Deputy Director of Legal and Governance to finalise the terms of acquisition for any third party land required to deliver the scheme;
9. Authorises the Deputy Director of Legal and Governance in liaison with the Growth Programme Director to finalise the terms of the agreement with National Highways for approval to work on their motorway network; and
10. Notes further report will be prepared for approval during 2024 to progress schemes to construction once final designs, approvals and construction costs have been finalised.

8.9	<b>New Building Control Regime</b>	That the Executive Board:  2.1 Notes the impacts of the Building Safety Act and associated regulations on Blackburn with Darwen Borough Council.	Recommendations Approved
8.10	<b>Infrastructure Funding Statement</b>	That the Executive Board:  <ul style="list-style-type: none"> <li>• Approves the publication of the Infrastructure Funding Statement (IFS) for the 2022/23 monitoring period.</li> </ul>	Recommendations Approved
<b>Finance &amp; Governance</b>			
8.11	<b>Contract Award for the Revenues and Benefits System</b>	That the Executive Board:  <ul style="list-style-type: none"> <li>• Approves the award of the contract for a Revenues and Benefits IT system for a five year period to NEC Software Solutions UK Ltd.</li> </ul>	Recommendations Approved
9.1	<b>Youth Investment Fund</b>	That the Executive Board:  <ul style="list-style-type: none"> <li>• Note the Council's success in competitively securing YIF funding support for Darwen Youth Centre and Audley and Queen's Park Children Centre, with the Council acting as the accountable body for this grant funding;</li> <li>• Agree a supplementary capital estimate of £4.583m for the delivery of the projects outlined in the report (funded wholly from the grant provided by the YIF);</li> <li>• Delegate approval to the Strategic Director of Growth and Development to allocate spend of up to 15% of the grant award on costs associated to feasibility and design of the YIF funded projects; and</li> <li>• Delegate responsibility to the Strategic Director for Growth and Development, in consultation with the Executive Member for</li> </ul>	Recommendations Approved

		Growth and Development, to appoint a contractor (subject to a formal procurement process) to support construction programme, as set out in this report.	
<b>9.2</b>	<b>Business Rates &amp; Sundry Debt Write Offs</b>	That the Executive Board:  Approves the write off of: 1. £214,532.48 in respect of Business Rates 2. £71,197.99 in respect of Sundry Debts	Recommendations Approved
<b>PART 2</b>			
<b>11.1</b>	<b>Disposal of Land at Mellor Brook</b>	See recommendations at 8.6.	Recommendations Approved
<b>11.2</b>	<b>South East Blackburn LUF Scheme</b>	See recommendations at 8.8.	Recommendations Approved
<b>11.3</b>	<b>Business Rates and Sundry Debt Write Offs</b>	See recommendations at 9.2.	Recommendations Approved

Reports for the meeting can be accessed via the following link:

[Agenda for Executive Board on Thursday, 7th December, 2023, 6.00 pm \(moderngov.co.uk\)](https://www.moderngov.co.uk/agenda/2023/12/07/7th-december-2023-6-00-pm)