

Public Document Pack

Executive Board

Thursday, 7 March 2024

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 Feb 2024 **4 - 12**
3. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM **13**
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 Social Care & Health

8.1	Community Day Support Services Community Day Support Services	14 - 18
-----	--	---------

Children, Young People & Education

8.2	Wrap Around Childcare Programme Wrap Around Childcare Programme	19 - 23
-----	--	---------

8.3	Quarter 3 Fostering Report Quarter 3 Fostering Report_v1 Appendix 1 for Quarter 3 Fostering Report	24 - 41
-----	--	---------

8.4	Uplift of Foster Carer Payments 24/25 Fostering Uplift	42 - 48
-----	---	---------

8.5	Variations to School Capital Programme Variations to School Capital Programme	49 - 52
-----	--	---------

Environment & Operations

Public Health, Prevention & Wellbeing

Digital & Customer Services

8.6	Microsoft Licence Agreement for server and database estate Microsoft Licence Agreement	53 - 55
-----	--	---------

Growth & Development

8.7	Highways Capital Programme 2024/25 Highways Capital Programme 2024 25 Appendix A Highways Capital Programme 2024 25 Part1 Appendix A Highways Capital Programme 2024 25 Part2	56 - 71
8.8	Biodiversity First Considerations Biodiversity First Considerations Report BP1 NERC First Consideration Report Jan2024	72 - 107
8.9	Biodiversity Net Gain Planning Advisory Note Biodiversity Net Gain Report BNG Advisory Note 15224	108 - 199

8.10	Update on District Wildlife Sites	
	District Wildlife Sites Update	200 -
	BP1 DWS Study Final Summary Report	220

Finance & Governance

8.11	Treasury Management Strategy 2024/25	
	Treasury Mgt Strategy Report	221 -
	Treasury Mgt Strategy 24 25 Appendix 1	239

9. Corporate Issues

9.1	Adult Social Care Provider Uplifts for 2024/25	
	Adult Social Care Provider Uplift	240 -
		249

9.2	Early Years Expanded Payments	
	Early Years Entitlements including expanded entitlements	250 -
	Appendix A Early Years 2024 25	255

9.3	Our Strategy to reduce Child Poverty 2024-2028	
	Blackburn with Darwen Our Strategy to Reduce the Impact of Child Poverty 2024-2028	256 -
	Appendix 1 for Blackburn with Darwen Our Strategy to Reduce the Impact of Child Poverty 2024-2028 Appendix 1	285

10. Matters referred to the Executive Board

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

Date Published: Wednesday, 28 February 2024
Denise Park, Chief Executive

EXECUTIVE BOARD Thursday 8th February 2024

PRESENT

COUNCILLOR:

Councillor Phil Riley
Councillor Julie Gunn
Councillor Mahfooz Hussain
Councillor Damian Talbot
Councillor Quesir Mahmood
Councillor Jackie Floyd
Councillor Vicky McGurk

PORTFOLIO:

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

ALSO PRESENT:

Fatima Asif

Member of the Blackburn with Darwen
Youth Forum

	Item	Action						
1	<p><u>Welcome and Apologies</u></p> <p>The Leader of the Council, Councillor Phil Riley, welcomed all to the meeting. Apologies were received from Councillors Jim Smith and John Slater.</p>							
2	<p><u>Minutes of the Previous Meeting</u></p> <p>The Minutes of the Meeting held on 11th January 2024 were agreed as a correct record.</p>	Agreed						
3	<p><u>Declarations of Interest</u></p> <p>No Declarations of Interest were received.</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>In accordance with Part 3 of the Executive Board Procedure Rules for questions/statements by members of the public, the following questions/statements have been received, details of which are set out below:-</p>							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;"><u>Name of Person asking the Question</u></th> <th style="width: 33%;"><u>Subject Area</u></th> <th style="width: 33%;"><u>Response by</u></th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">Page 4</td> <td></td> </tr> </tbody> </table>	<u>Name of Person asking the Question</u>	<u>Subject Area</u>	<u>Response by</u>		Page 4		
<u>Name of Person asking the Question</u>	<u>Subject Area</u>	<u>Response by</u>						
	Page 4							

	Item		Action
	Chris Walton	Demolition of the Fleece Inn	Councillor Quesir Mahmood, Growth & Deevlopment
	<p>Councillor Quesir Mahmood gave a response to Mr Walton’s questions relating to the planned demolition of the Fleece Inn, which had formerly been part of the regeneration plans for the town centre, but which had suffered a fire in 2022. Councillor Mahmood advised that a comprehensive fire inspection and an independent cost plan report have been undertaken. The cost of refurbishment was estimated as £1.2m. The Council’s insurance provider had been notified and a claim was progressing, however, a settlement had not been concluded. Unfortunately, there were no external funding opportunities, as the building was neither listed or in a conservation area, and therefore not a priority for funders.</p> <p>In response to a Supplementary Question from Mr Walton, Cllr Mahmood advised that even in the event of an insurance settlement, there would still be a significant funding gap, and therefore the decision to demolish the building would regretfully stand, but that any heritage items that were salvageable would be saved.</p>		
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>Fatima Asif gave an update on recent events and activities including:</p> <ul style="list-style-type: none"> • Preparations for the forthcoming Youth MP Elections, with 9 candidates standing, with the results being announced on 11th March 2024. • Attendance at a residential in January, the main theme was Democracy. • Involvement in consultation on the renewing of the Council’s Corporate Parenting Strategy. <p>Councillor Julie Gunn commended the ongoing work, stressing the importance of feedback and engagement with the Youth Forum.</p>		
8	<p><u>Leader’s Update</u></p> <p>Councillor Phil Riley verbally updated the Executive Board on the</p>		

Noted

	Item	Action
8.1	<p>latest position relating to Devolution in Lancashire, including attendance at a meeting earlier in the day at Preston North End FC, where attendees had been very supportive of the proposals.</p> <p><u>Procurement Process for Tier 4 Substance Misuse Services</u></p> <p>A report was submitted containing recommendations whilst also providing a summary of current and proposed arrangements with regards to the commissioning of Tier 4 substance misuse services.</p> <p>The provision of Tier 4 Substance Misuse services across Blackburn with Darwen would be retendered due to the current contracts via a Dynamic Purchasing System (DPS) and block commission coming to an end on the 31st May 2024. The current Tier 4 service provision incorporated a range of service contracts, covering inpatient detoxification (medically managed and medically monitored), residential rehabilitation placements and direct access support.</p> <p>The aim of the procurement process was to provide service users with appropriate placements to support their treatment and recovery from substance misuse whilst achieving value for money within a more efficient service offer and improved quality outcomes.</p> <p>RESOLVED:</p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> Note the commencement of a tendering exercise for the commissioning of Tier 4 substance misuse services. The Tier 4 substance misuse services will be commissioned as three Lots which include inpatient detoxification medically managed (Lot 1), Residential Rehabilitation (Lot 2) and crisis access beds (Lot 3). Existing direct access beds will be transformed to crisis bed access provision. Medically monitored inpatient detoxification will no longer be supported in the new service provision model. These services will be commissioned for male and female service users and market availability to respond to this will be tested through the procurement exercise. The Health Care Services (Provider Selection Regime) Regulations (The Health Care Services (Provider Selection Regime) Regulations 2023 (legislation.gov.uk)) came into force in 1st January 2024. The Provider Selection Regime (PSR) replaces the Public Contracts Regulations 2015 when procuring health care services and the National Health Service (Procurement, Patient Choice and Competition) Regulations 2013. The regulations apply when a relevant authority procures relevant healthcare services for the purpose of the health service. The Council is referred to as a relevant authority for these purposes and Tier 4 substance misuse services as local authority commissioned 	Noted
	<ol style="list-style-type: none"> Note the commencement of a tendering exercise for the commissioning of Tier 4 substance misuse services. The Tier 4 substance misuse services will be commissioned as three Lots which include inpatient detoxification medically managed (Lot 1), Residential Rehabilitation (Lot 2) and crisis access beds (Lot 3). Existing direct access beds will be transformed to crisis bed access provision. Medically monitored inpatient detoxification will no longer be supported in the new service provision model. These services will be commissioned for male and female service users and market availability to respond to this will be tested through the procurement exercise. The Health Care Services (Provider Selection Regime) Regulations (The Health Care Services (Provider Selection Regime) Regulations 2023 (legislation.gov.uk)) came into force in 1st January 2024. The Provider Selection Regime (PSR) replaces the Public Contracts Regulations 2015 when procuring health care services and the National Health Service (Procurement, Patient Choice and Competition) Regulations 2013. The regulations apply when a relevant authority procures relevant healthcare services for the purpose of the health service. The Council is referred to as a relevant authority for these purposes and Tier 4 substance misuse services as local authority commissioned 	Noted

	Item	Action
	<p>public health services fall within the new Provider Selection Regime (PSR) and therefore these new regulations will apply.</p> <p>3. Note that the current contracting arrangements are in place until 31st May 2024.</p> <p>4. Due to the introduction of these substantial procurement regulation changes to agree to a six month extension of waiver from the 31st May 2024, allowing sufficient time and capacity to complete the complex procurement process by 1st December 2024 through the assessment, application and guidance of the new Health Care Services (Provider Selection Regime) Regulations just introduced on 1st January 2024. The extension of the contract is permitted by regulation 13 of the Health Care Services (Provider Selection Regime) Regulations 2023 both by paragraph c and d (see section 7).</p> <p>5. Approve the following procurement and contracting methodologies for the new service model as follows:</p> <p>5.1 inpatient detoxification beds (Lot 1) and Residential Rehabilitation placements (Lot 2): these services are currently provided under a Dynamic Purchasing System (DPS). It is not possible to procure via a dynamic purchasing system under the new Provider Selection Regime, however frameworks can be procured with the option to open them again in the future. This will give a similar arrangement to the current Dynamic Purchasing System (DPS). A competitive open tender process will be used to procure the framework and successful providers will be awarded a contract on the framework with a term of four (4) years.</p> <p>5.2 Crisis access beds (Lot 3): currently these services are provided under a block commissioning arrangement with a local provider at Those At The Margins of Society (THOMAS) and are currently referred to as direct access beds. Under the Provider Selection Regime (PSR) the council will follow the 'Most Suitable Provider' option, and if at any point the council decides it can no longer identify the Most Suitable Provider, the procurement will default to a competitive open tender process. The contract will be awarded as a block commission with a term of 4 years (with an option of a further 1 year extension).</p> <p>6 Note the current funding envelope and cost of services of £537,171 and increased costs of new contract arrangements of £20,882 which will be contained with the Adults and Public Health budget.</p>	<p></p> <p>Noted</p> <p>Approved</p> <p>Approved</p> <p></p> <p>Noted</p>

	Item	Action
8.2	<p><u>Development and Procurement of Stop Smoking Service 2024</u></p> <p>Members received a report which advised that the government was investing an additional £70 million per year to support local authority led stop smoking services and support.</p> <p>This report set out proposals to utilise the additional Department of Health & Social Care (DHSC) Grant funding allocations announced in November 2023 by commissioning a comprehensive Stop Smoking Service for Blackburn with Darwen.</p> <p>The new service would be in addition to the pharmacy-led model of stop smoking support available to residents currently in place. Data drawn from the Local Tobacco Control Profiles (POF) that noted that smoking prevalence in Blackburn with Darwen rose to 19.4% in 2022 from 15.5% in 2021.</p> <p>RESOLVED –</p> <p>The Executive Board are asked to:</p> <ul style="list-style-type: none"> • Note the national allocation to Blackburn with Darwen of £237,341 per annum for a five year period from 2024/25 to 2028/29. • Approve commencement of a tender exercise for a new Community Stop Smoking Service within the financial envelope of the national allocation of £237,341 and existing £51,730 Public Health grant for community smoking cessation activities. • Approve continuation of the current pharmacy based Stop Smoking support offer via the Provider Selection Regime (PSR) direct award element for the Local Improvement Service contracts to local pharmacy providers to meet the condition of the new allocation that local authorities must maintain their existing spend on stop smoking services, based on the stop smoking service data they have submitted for the year 2022 to 2023. • Decision to award the contract for the new community Stop Smoking Service delegated to the Director of Public Health in consultation with the Executive Member for Public Health, Prevention and Wellbeing. 	<p></p> <p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
8.3	<p><u>Bus Service Improvement Plan</u></p> <p>A report was submitted, which advised that in October 2021 the Council's Bus Service Improvement Plan (BSIP) was approved securing circa £3.7million of funding for capital and revenue improvements to bus service provision across the Borough.</p> <p>As part of the Government's commitment to its National Bus Strategy, additional BSIP funding has been secured in a further 2</p>	

	Item	Action
	<p>rounds of awards: –</p> <p>BSIP+ - £370,171 allocation for both 2023/24 and 2024/25 Phase 3 BSIP - £880,000 for 2024/25.</p> <p>Both of these allocations were revenue funding and therefore had to be spent on bus service improvements rather than capital projects. All schemes and initiatives had to be approved by the Department of Transport (DfT) and monitored quarterly by them. Proposals had been drafted in partnership with the DfT and conversations were ongoing with bus operators through the Enhanced Partnership regarding the delivery of these service improvements.</p> <p>Ahead of moving the recommendations in the report, Councillor Quesir Mahmood advised that in terms of Proposal 2 – Further service improvements - (Page 41 of the Agenda) that the proposal referred to working in partnership with Travel Assist – Councillor Mahmood clarified that this didn't mean that Travel Assist was the chosen partner, the arrangement was in place to establish feasibility and costs of the proposal, and that any re-introduction of a service linking sheltered accommodation with Blackburn Town Centre would be subject to an open tendering process for any operator holding a Section 22 Licence.</p> <p>RESOLVED-</p> <p>That the Executive Board:</p> <ul style="list-style-type: none"> • Approves the spending of £370,171 grant funds awarded to the Council under BSIP+ in 2023/24 and 2024/25 on the improvements set out below; and, • Approves the spending of £880,000 grant funds awarded to the Council under Phase 3 BSIP (Network North) in 2024/25 on the improvements set out below; and, • Approves that, subject to compliance with the Council's Financial Procedure Rules, any future amendments to the BSIP programme of works are delegated to the Strategic Director of Environment and Operations in consultation with the Executive Member for Growth and Development. 	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
<p>8.4</p>	<p><u>Adoption of Climate Impact Frameworks SPD</u></p> <p>Members were reminded that the Council had declared a Climate Emergency, and the Council's Corporate Plan included a mission to 'deliver our climate emergency action plan' (CEAP). The CEAP included an action to ensure that plans and strategies addressed climate change objectives, and that 'sound decisions' were made, ensuring that the Council would account for emissions in all decision making.</p> <p>The Local Plan (2021-2037), Page 9 adopted by the Council on 25</p>	

	Item	Action
	<p>January 2024, included a specific policy, Policy CP5: Climate Change, which set out an expectation for new development to contribute to mitigating and adapting to climate change. To demonstrate the extent to which the design of new development addresses climatic (and other environmental) considerations, Policy CP5 confirmed a commitment to introduce a 'Climate Impacts Framework' (CIF) assessment tool which would act as both i) a design tool and ii) an assessment tool.</p> <p>As required by national legislation, and the Council's Statement of Community Involvement, the CIF SPD was publically consulted upon for four weeks between Thursday 26 October and Friday 24 November 2023. Through the consultation, the Council received a number of representations, which have been duly considered in preparing the final CIF SPD for Council adoption. The results of the consultation, and how they have shaped the CIF SPD, were summarised in this report and its appendices.</p> <p>The Local Plan confirmed that the CIF tool, and its accompanying guidance, would form the basis of a Supplementary Planning Document (SPD), which would carry material weight in decision making once adopted. The SPD did not introduce new policy, it just clarified the implementation of existing policy set out in the new Local Plan.</p> <p>The report sought approval to adopt the CIF SPD.</p> <p>RESOLVED:</p> <p>That the Executive Board:</p> <ul style="list-style-type: none"> • Notes the changes which have been made to the CIF SPD following consultation; • Adopts the Climate Impacts Framework Supplementary Planning Document (CIF SPD) for major applications; • Approves the introduction of a separate CIF assessment tool for minor applications involving new-build dwellings. The CIF assessment will not be mandatory for householder applications for extensions. • Grants delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, for minor, technical changes to be made to the CIF tools (and mapping) following adoption of the SPD; and • Grants delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to review the use of the CIF in conjunction with minor residential applications and take any necessary remedial actions <p>North East Blackburn Masterplan</p> <p>Members received a report outlining the outcome of the formal</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p>Noted</p> <p>Approved</p> <p>Approved</p> <p></p> <p>Approved</p> <p></p> <p>Approved</p>
8.5		

	Item	Action
	<p>tender exercise for the appointment of a masterplanner to bring forward a combined Masterplan, Design Code, and Infrastructure Delivery Plan for the newly allocated Northeast Blackburn Strategic Housing Site (SHS). The site had been allocated in the new Local Plan (2021-2037), formally adopted by the Council on the 25th January 2024, and was illustrated on the plan attached as Background Paper 1.</p> <p>RESOLVED:</p> <p>That the Executive Board:</p> <p>2.1 Approves appointment of the preferred consultants (Stantec) to undertake the Masterplan, Design Code, and Infrastructure Delivery Plan for the North East Blackburn Strategic Housing Site (SHS) allocation;</p> <p>2.2 Delegates authority to the Growth Programme Director and the Executive Member for Growth and Development, to approve and sign a new collaboration agreement with other landowners to cover the next phases of work on the SHS (masterplanning and preparation of an Outline Planning Permission);</p> <p>2.3 Authorises the Strategic Director of Growth and Development in consultation with the Executive Member for Growth and Development, to approve the procurement of consultants for the preparation of an Outline Planning Permission at an appropriate point later in 2024 once masterplanning is underway and relevant information requirements around Environmental Impact Assessment to support an application are understood;</p> <p>2.4 Approves spend of up to a maximum of £1m of capital funding for the period 2024/25, 2025/26 and 2026/27 to bring forward the Strategic Housing Site with work including, masterplanning, procurement of surveys, preparation and submission of the Outline Planning Permission for the site and any other design or commissioning works associated with site enabling infrastructure. These costs apply to all landowners across the site (not just the Council) and a mechanism for sharing costs or providing funding amongst all landowners will be agreed as part of the new collaboration agreement referenced under 2.2.</p> <p>2.5 Approves a virement of £1m from the budget for the MediPark Scheme in the Capital Programme to fund the expenditure in 2.4 above (noting that some of this expenditure will be recovered by way of the collaboration agreement referred to).</p> <p>2.6 Notes that a further report will come forward seeking approval of the Masterplan, Design Code and Infrastructure Delivery Plan once the design work is complete.</p>	<p></p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Noted</p>
<p>8.6</p>	<p><u>Revenue Budget Monitoring Report Quarter 3</u></p> <p>The Executive Board was provided with an update on the Council's Revenue Budget for 2023/24 on the basis of a budget monitoring exercise undertaken at the end of December 2023 (Quarter 3).</p> <p>RESOLVED:</p>	<p></p>

	Item	Action
	<p>It is recommended that Executive Board:-</p> <p>a) give approval to the Portfolio Cash Limit Adjustments as outlined in Appendix 1;</p> <p>b) note the General Fund Budget Summary position as at 31st December 2023;</p> <p>c) note the current forecast overspend of £932k at the end of Quarter 3 and request Portfolio Holders to continue reviewing their budgets for the remainder of 2023/24 with a view to identifying potential mitigating actions;</p> <p>d) note the Earmarked Reserves and General Fund Balance position as at 31st December 2023.</p>	<p>Approved</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>
8.7	<p><u>Corporate Capital Budget Monitoring Report Quarter 3</u></p> <p>The Executive Board received a report on the overall financial position of the Council in respect of the capital programme as at 31st December 2023, highlighting key issues and explaining variations in the first nine months of the year.</p> <p>RESOLVED:</p> <p>The Executive Board is asked;</p> <ul style="list-style-type: none"> • to approve the revised capital programme as per Appendix 1, • to approve the variations to the programme shown in Appendix 2 <p style="text-align: center;">Signed at a meeting of the Board</p> <p style="text-align: center;">on 7th March 2024</p> <p style="text-align: center;">(being the ensuing meeting on the Board)</p> <p style="text-align: center;">Chair of the meeting at which the Minutes were confirmed</p>	<p>Approved</p> <p>Approved</p>

DECLARATIONS OF INTEREST IN ITEMS ON THIS AGENDA

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

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

MEETING: **EXECUTIVE BOARD**

DATE: **7TH MARCH 2024**

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 Adults Social Care & Health
LEAD OFFICERS:	Strategic Director of Adults and Health
DATE:	7 th February 2024

PORTFOLIO/S AFFECTED:	Adults Social Care & Health
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Commission of Community Day Care Support Services

1. EXECUTIVE SUMMARY

This paper sets out a series of recommendations and provides a summary of current and proposed arrangements for the commissioning of Community Day Care Support.

The provision of Community Day Care Support services is to be commissioned with the intention to award a contract for a term of 2 years. The current contracts will expire on the 31st March 2024. To avoid any gaps in service whilst the procurement process takes place, the proposal is to extend the current contract for a period of six months (1st April 2024 to 30th September 2024) to ensure the completion of the procurement exercise and to commence the new service arrangement from the 1st October 2024.

2. RECOMMENDATIONS

That the Executive Board notes and approves the following recommendations:

- Waive the Council’s Contract Procurement Procedure rules to extend the current contract arrangements for 6 months to allow the procurement to take place without a gap in service.
- To procure commissioned day care services for a 2 year contract term. The proposed contract period will be 1st October 2024 until 30th September 2026. The procurement will include two Lots; one Lot for Blackburn and one Lot for Darwen. The procurement will take into account geographical location, transport arrangements and the number of day care places required to meet demand across the borough.

Members note that consideration and development is also required in the following areas:

- The current daycare commission is interdependent with the utilisation and review of community centres in Blackburn. Age UK are one of the current day care providers and the service is

delivered from Little Harwood, Accrington Road and Greenfields community centres. In the proposed new commission, the appointed provider will source their own venue/s.

- The development of a transport policy and an approach to managing non-attendance.
- The final tender will consider updated models of day support and reflect that linked transport services will be considered as part of the process.

3. BACKGROUND

Current Provision

Blackburn with Darwen Borough Council commission Day Care within a community-based service. This includes those of adult age (18 plus) who reside within Blackburn with Darwen Borough and who have an assessed need for commissioned care and support that can be met within the community-based day care support service.

Day care previously has been provided in house at Mill Hill, Tower View and Stansfeld. Mill Hill, Tower View closed leaving only Stansfeld which later transferred to Hopwood Court. Hopwood Court (in house BwD provision) provides support to those with complex learning disabilities and advanced dementia.

In 2019 a contract was awarded for lower-level day care provision for older people and those with mild learning disabilities. Age UK Blackburn with Darwen and Derwent Hall were awarded the contracts. Age UK BwD covered the Blackburn area with Derwent Hall covering Darwen.

The current day care services model was introduced in 2019 but due to covid, the model was not fully adopted or embedded until around 2020. Since 2020 the model has been embedded and strengthened further.

The criteria and model to access day care provision ensures that peoples' assessed need for daytime support is matched to the appropriate service whether it is a universal offer, a community-based offer where personal care is available from Derwent Hall or Age UK or specialist physical/learning disabilities or dementia provision at Hopwood Court.

Derwent Hall provide day care from their own building. A separate luncheon club not funded by BwD, is also offered. Age UK deliver day care from 3 of the local authority community centres at Accrington Road, Greenfields and Little Harwood. The Community Centre operating model is currently the subject of a separate review.

There is a day care panel which meets regularly to review requests. Other partners are present at the meeting to look at alternative ways of meeting people's needs rather than traditional type day support including community connectors. The criteria and model to access day care supports the process to match people to the right service. Clear communication and partnership working exists in decision making when referrals are received.

Scrutiny is applied to requests for arranged transport but there is no transport policy in place to support decisions made. A charge of £2 per trip is made for transport as well as a standard charge for meals and refreshments. Hopwood Court rely on the LA in-house fleet whilst Derwent Hall have a contract with Travel Assist and Age UK arrange their own transport. Charges relating to distance travelled have not applied.

Expectations for proposed commission

There is an expectation that the relevant provider will adopt and further enhance the current philosophy and approach held by the Council and other partner organisations work together to provide

person centred, flexible, strength-based opportunities and services to people who have a range of needs, abilities, and aspirations.

This partnership has promoted and supported service delivery, sharing good practice, resources, and involvement in local networks. The aim being to provide an effective and efficient range of opportunities to people who currently access day care and those who are likely to require day care provision now and in the future.

4. KEY ISSUES & RISKS

The contracts for Community Day Care services which have been in place since 2019 end on the 31st March 2024.

- A waiver is requested to extend the current services by 6 months whilst a procurement exercise takes place. Current timeline provides a high risk of not being able to complete in advance of 31st March 2024 and as a result risk having a gap in service.
- The current daycare commission is interdependent with the utilisation of community centres in Blackburn (Little Harwood, Accrington Road and Greenfields). Age UK BwD are one of the daycare providers and the service is delivered from Little Harwood, Accrington Road and Greenfields community centres. In the proposed new commission, the appointed provider will source their own venue.
- The number of transport runs will reduce by one however still enable transport to day care pending the wider review of costs incurred.
- Direct Payments have not been considered as part of this review and many people with eligible needs choose to take a Direct Payment to arrange their own forms of respite and day-time activity. This will be further considered during the procurement period.

5. POLICY IMPLICATIONS

The Care Act 2014 sets out when the local authority has a responsibility to meet someone's care and support needs.

The Care Act 2014 also sets out the law around market development in adult social care. In relation to this, the local authority must facilitate a diverse, sustainable high-quality market for their whole local population.

6. FINANCIAL IMPLICATIONS

As Community Day Care is already a commissioned service, the budget for this service for 2023/24 is already within planned spend and is funded from within the portfolio's commissioning budget.

There is no allocation of a fixed budget/value attached to the day care procurement. However, efficiencies have been proposed for 2024/25, subject to agreement by Finance Council as part of the Council's budget setting process. As such the aim is to identify efficiencies from the existing commissioning budget. Currently, commissioned community day care provision is costing a total of £430,073 per annum (23/24) and the total cost of daycare (external commissioned and in-house net costs) is £1,205,746 (23/24).

7. LEGAL IMPLICATIONS

Section 5 of the Care Act 2014 requires local authorities to promote the efficient and effective operation of a market in services for meeting care and support needs in their area. This proposal will assist the Council's efforts to ensure that there is a stable market to provide for the care needs of the local community. This includes the requirement to ensure that providers can remain viable and can attract and retain staff to provide the care to the required standard. The key aim of day services is to enable people to access the community outside of home and also support unpaid Carers.

Current contractual arrangements are in place until 31st March 2024. A six month contract to extend current arrangements would normally need an open tender process under the Council Contract Procurement Procedure Rules unless a waiver is approved. The extension of these contracts is arguably permitted by regulation 72 1 (e) of the Public Contracts Regulations 2015. Promptly conducting the proposed procurement will reduce the risk of a legal challenge to these extensions.

The procurement of the day care services contracts will be in accordance with the Public Contracts Regulations 2015.

8. RESOURCE IMPLICATIONS

The resource implications of implementing these proposals will be absorbed by the Strategic Commissioning – People team with regards to contractual changes.

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

A consultation has taken place which included service users, carers, family members, staff, volunteers, managers, and staff across the Council.

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
-----------------	----------

CONTACT OFFICER:	Elizabeth Fleming, Head of Commissioning Paula Snow, Head of Service for Intermediate Tier
DATE:	7 February 2024
BACKGROUND PAPER:	

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	Thursday 7 th March 2024

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

SUBJECT: Wrap Around Childcare Programme

1. EXECUTIVE SUMMARY

To advise on Blackburn with Darwen’s delivery plan for the National Wrap Around Childcare Programme.

2. RECOMMENDATIONS

That the Executive Board:

- Notes the content of the report in relation to the Government’s National Wrap Around Childcare Programme
- Approves the delivery plan and use of associated funding for Blackburn with Darwen’s Wrap Around Childcare Programme

3. BACKGROUND

Wraparound childcare is childcare that ‘wraps around’ the conventional school day. It can also refer to provision in the school holidays. This provision can be offered by schools and private, voluntary and independent (PVI) providers (including childminders and early years settings) and can be run on a school site or at another setting in the area. It should not require parents to pick their children up from school and drop them off at another location.

Many schools already offer enrichment and extra-curricular activities before and after the school day. Whilst we would support and encourage schools to continue to deliver these activities themselves or in partnership, in many cases they will not currently be delivered in a way which meets the definition of wraparound childcare. The principal aim of the Wrap Around Childcare programme is to ensure childcare provision is regular, has longer hours and is more dependable for working parents.

Local authorities are responsible for delivering on the primary objective of the wraparound programme in their local area. That is, to increase parent/carer access to the labour market by increasing the number of wraparound childcare places for primary-aged children available and taken up between 8am and 6pm (or equivalent, depending on local labour market patterns). Local Authorities are tasked with using the funding available to them to create additional places and ensure existing places are available for the hours that are required, to: **Page 19**

- meet current demand – both in terms of number of places and hours available;
- ensure supply to build further demand; and
- where required, as traditional models of wraparound may not support sustainable provision, test new approaches to identify what works in their local area and identify the level of risk.

Each Local Authority has been allocated a capital and revenue resource to deliver this programme commencing September 2024. Funding allocations include:

Capacity funding: Funding for local authorities to use to build their internal capacity to deliver the programme, based on a maximum of 11% of the total revenue funding. This could include paying for a designated wraparound lead if one does not already exist.

Programme funding: Funding for local authorities to deliver programme objectives, including to distribute to providers to set up new provision or expand existing provision.

Capital funding: Funding for local authorities to support new/extended wraparound provision.

4. KEY ISSUES & RISKS

The national wraparound childcare programme is part of the childcare reforms announced at the 2023 Spring Budget. The ambition is that by 2026, all parents and carers of primary school-aged children who need it will be able to access term time childcare in their local area from 8am-6pm, so that parents can access employment and improve labour market participation.

The Government’s vision for delivery of the programme is:

- Local authority-led provision - building on the local authority’s existing duty to ensure that there is sufficient childcare in their local area, they will lead the strategy and delivery of the programme locally.
- School-centred - with provision delivered by a variety of childcare providers. Schools are uniquely placed to understand their communities and families. It is expected that the majority of parents will access childcare either through provision on a school site, or through the school signposting them to alternative local provision, for example PVIs and childminders. This approach reflects the diversity of delivery models for wraparound childcare and the need for coherence for parents.

The programme is to be delivered by Local Authorities and will be part of the existing statutory sufficiency duty. The Childcare Act 2006 places a duty on local authorities to **“make sure that there are enough childcare places within its locality for working parents or for parents who are studying or training for employment, for children aged 0 to 14 (or up to 18 for disabled children)”**. This programme’s specific focus is on children in reception to year 6 which fits within this age range.

There is funding for local authorities to build their internal capacity (‘local authority capacity funding’), but the majority of the funding will be for local authorities to work with providers to set up new provision or expand existing provision (‘programme funding’). The initial funding will ensure that local areas can increase the supply of wraparound places. Over time, it is expected that there will be an increase in the take-up of wraparound provision as parents are assured of the availability of places.

Schools are central to the delivery of the programme as they operate at the heart of the community, understand the needs of local families, and are usually the first port of call for parents for wraparound childcare. Wraparound provision should be set up around the needs of schools, given that it takes place directly before or after school hours, and should recognise the circumstances of each school. It is expected that the majority of parents will access childcare either through provision on a school site (either provided directly by the school or by an external provider), or through the school signposting them to alternative local provision, for example PVIs and childminders. Whilst schools are integral to

this programme, not all schools will provide wraparound childcare directly. For example, in some cases it may not be financially viable. However, all schools are expected to work collaboratively with their local authorities to ensure parents are, at a minimum, signposted to appropriate provision. This could be on or off school site (provided parents are not required to pick their children up from school and drop them off at another location or vice versa).

Local authorities may choose to deliver the additional places through working with local childminders, hubs/clusters, community-based provision, or adopt another delivery model, as well as more traditional schools-based models, whether run by schools directly or by PVI providers.

Blackburn with Darwen have undertaken an initial scoping exercise/consultation which informs:

- the provision for breakfast clubs across the vast majority of the borough is sufficient to meet demand, apart from provision for children with special educational needs and disabilities.
- whilst breakfast provision (before school) seems more plentiful, provision delivered on a school site and by schools is not always self-financing with some costs at some schools being met through the schools' budget.
- provision for after school wrap around childcare is less available, with the majority of provision that is offered up until 6pm being delivered by Ofsted registered private out of School Clubs and/or Ofsted registered childminders. Similar to breakfast clubs, provision for children with special educational needs and disabilities is minimal.

A more detailed survey/consultation is currently underway across the boroughs' primary schools to ascertain each school's position on delivering out of school childcare either directly, in partnership with a third-party provider and/or as a collaborative with other schools/providers in a local area. This will be followed by a consultation with families to assess demand.

Blackburn with Darwen's Delivery Plan

Schools will be asked to submit expressions of interest in delivering Wrap Around Provision (before school provision, after school provision or both), and/or expanding on existing provision. Expressions of interest will be in the form of an application and will require schools to provide a robust business plan that evidences the financial support (capital and/or revenue) that they require to set up and establish a business that as a minimum is cost neutral and sustainable.

Expressions of interest must evidence how each provision will operate, if the provision will be directly delivered or delivered on behalf of the school or cluster of schools by a third-party provider. If a school's proposed plan is to deliver Wrap Around Services for a cluster of local schools, the plan will need to evidence how the criteria set out in Government guidance will be met, in that, it should not require parents to pick their children up from school and drop them off at another location. In addition, if a third-party provider will be delivering the provision from a school site, schools will need to evidence what lease/licence arrangements are to be put in place alongside responsibilities for insurances.

Expressions of interest will be considered by a panel of professionals from across Education, Finance and Growth to determine validity of proposed business plans and approve bids that meet the set criteria for funding; that being:

- Applicants must be rated Good or Outstanding by Ofsted, and/or awaiting their first Ofsted inspection.
- Evidence of demand for Wrap Around Provision within the locality
- Capacity/space to deliver a Wrap Around Provision
- Finance plans that evidence longer term sustainability.
- Ability to meet the needs of children with special educational needs and disabilities.

Invitations for expressions of interest in delivering Wrap Around Provision will be communicated to Schools by the end of March. Information will also be sent to third party childcare providers (including childminders) currently operating across Blackburn with Darwen to advise of the proposed

programme and to ascertain if any providers would be interested in working with a school or cluster of schools to support Wrap Around Childcare delivery. The Local Authority will maintain a register of interested third party providers to share with schools should this be the schools' preferred delivery model.

Schools will be required to submit expressions of interest before the summer half term break with decisions regarding funding allocations to be made by mid-June 2024.

5. POLICY IMPLICATIONS

Future Childcare Sufficiency Assessments will include the supply, take up and demand for Wrap Around Childcare.

6. FINANCIAL IMPLICATIONS

Programme delivery funding of £1,400,352; allocated as follows:

- 23/24 - £15,292
- 24/25 - £943,478
- 25/26 (provisional) - £441,582

The programme funding aims to remove barriers to setting up new provision or expanding current provision, including removing the financial risk of setting up new provision when demand is not guaranteed. It is based on a 'pump prime' model, whereby relatively small amounts of government funds are provided to spur growth.

Capacity Funding is based on Local Authorities retaining a maximum of 11% of the Programme Delivery Fund (**£154,038**) to build capacity to deliver the programme. It is intended that this funding will be used primarily to increase staff capacity on a fixed term basis to deliver the programme alongside an allocation to support communications.

Capital Funding totals **£335,264** and is for use to deliver both the Wrap Around Pathfinder Programme and the Early Years Expanded Entitlement Programme where a capital project is required to deliver an increase in supply/provision. Capital grants will be for the purpose of smaller scale adaptations not for larger scale extensions or new builds.

7. LEGAL IMPLICATIONS

Implementing this programme will assist the Local Authority to fulfil its legal duties under the Childcare Act 2006, with regard to ensuring a sufficiency of childcare is available within the borough. This funding from the Government is subject to conditions (purpose of funding, delivery timescales, clawback if not spent etc) with which the Local Authority must comply. Therefore, grant funding (capital and revenue) will be allocated by a panel of professionals from Education, Finance and Growth, assessing expression of interests submitted by prospective providers and any funding awarded will be detailed in grant funding agreements/contracts that explicitly detail funding amounts, purpose of funding, intended outcomes, performance indicators, timescale for delivery and the provision for clawback. Legal input/support will be obtained as necessary in relation to these contracts.

8. RESOURCE IMPLICATIONS

Capacity funding will be used to support an increase in the staffing establishment in the Schools System Support Team to enable the Wrap around childcare programme to be led, managed and delivered within the required timeframe.

There will be a need to allocate some funding (capacity funding) circa £10k to support communications.

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

An initial scoping exercise in the form of a consultation with schools has taken place and a further detailed survey/consultation is currently underway.

Prospective providers will be required to submit evidence of consultation to prove demand as part of the proposed Expression of Interest process for funding applications.

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
-----------------	----------

CONTACT OFFICER:	Carol Grimshaw – Head of Service, Schools System Support
-------------------------	---

DATE:	14 February 2024
--------------	------------------

BACKGROUND PAPER:	
--------------------------	--

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	8 February 2024

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

SUBJECT: Quarter 3 Fostering Report

1. EXECUTIVE SUMMARY

This report provides information on the management and performance of the Local Authority's fostering service which is revised on a quarterly basis. This report, alongside Appendix 1, provides analysis of the period 1st October 2023 until the 31st December 2023 and reflects upon data and service development over this period and recommendations for the next three monthly period.

2. RECOMMENDATIONS

That the Executive Board notes the Fostering three monthly report for Quarter 3, alongside Appendix 1 which provides a service progress overview and summary of service development.

3. BACKGROUND

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

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

The report has been written to address the areas identified above. It will be taken into account by Ofsted when inspecting the service

4. KEY ISSUES & RISKS

4.1 It remains the case that the majority of children placed in foster placements are in our own, Blackburn with Darwen provision. However, the rate at which new foster carer applications are being received both locally and nationally, continues to remain an ongoing challenge. The Recruitment Hub is in the implementation stage, the hub will be focussed on the issues around foster carer recruitment with the aim of increasing recruitment activity across the cluster local authorities in the Northwest with a dedicated team who will offer a targeted marketing campaign and a timely response to fostering enquiries. It is hoped that that the hub will increase our overall recruitment activity in Blackburn with

Darwen, with an increase in assessment and approval of foster carers. The current trends for the largest cohort of placements are the same as in previous reports.

- Males aged 11 – 16 years – this also includes Children and Young People who are seeking unaccompanied asylum.
- Large sibling groups.
- Children with a Disability
- PACE/Remand Beds.

4.2 In relation to digital transformation. The focus has been on developing all forms for foster carers to be digital to provide a swift response and less delay for our foster carers. The Kinship Care Website is near completion and there is now a focus on developing the digital system and website for the Fostering Recruitment Hub. Carer assessment pathways through Liquid Logic are now being introduced which will create a more seamless assessment process for fostering applicants and will strengthen the case management system enabling analytical data to be produced and scrutinised to inform practice. Foster carer training will be a focus over the next quarter with the aim of reviewing and developing the training offer by co-producing this with our foster carers and our kinship carers.

4.3 Placement stability remains largely positive with less placement disruptions. The review of the disruption procedure will further strengthen the learning and support to our placements further increasing placement stability. However, there are no changes for the demand for placements for teenagers as well as large sibling groups.

4.4 It continues to remain the case that children with disabilities primarily are placed in residential settings as opposed to fostering. As such, there remains an ongoing campaign to try to recruit foster carers for children with special educational needs and disabilities (SEND) but this remains a local and national challenge.

4.5 The fostering service has now approved seven fostering households against the target of twelve in this financial year. There are 6 households currently in assessment, with a further 3 enquiries moving onto initial visits. The service remains focussed on meeting the target of 12 households, though it is recognised that this will be a challenge over the next quarter.

4.6 A new transitions process has been implemented for young people transitioning from the Children in Our Care service to the Leaving Care Service with the aim of proving a seamless transition for our young people with support identified and in place when they turn 18.

4.7 There has been several vacant posts recruited to across the fostering service demonstrating increasing stability across the workforce.

4.8 There has been an increase in the number of kinship placements and kinship assessments which reflects the number of children coming into care or at risk of coming into care. This has placed additional pressure on the Kinship Team, however, this is currently being managed across the service.

5. POLICY IMPLICATIONS

No policy implications have been identified

6. FINANCIAL IMPLICATIONS

The latest projections at quarter 3 predict an underspend on in-house foster care of £141,800. The projections for externally commissioned placements show a forecasted overspend of £1,500,000 at quarter 3.

7. LEGAL IMPLICATIONS

There are no legal implications

8. RESOURCE IMPLICATIONS

The resource implications continue to be in regards to the associated pressures of the Commissioning Budget.

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

NA

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
-----------------	----------

CONTACT OFFICER:	Louise Helm
-------------------------	--------------------

DATE:	31-01-2024
--------------	-------------------

BACKGROUND PAPER:	
--------------------------	--

Fostering Quarter 3 Report

October-December 2023

Executive Report



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

Introduction

Below outlines the continued development across the Fostering Service through the Fostering Service Transformation Plan. The plan includes,

1. **Digital Transformation Programme** - is ongoing. The referral form for all requests for fostering, short breaks and residential placements is near completion, providing a more seamless approach to searching for placements for our children and young people, reducing delay and duplication of work for practitioners. Foster carer recording logs are now digital, enabling logs to be stored securely and providing an easier way for foster carers to record the daily events in a child's life. All forms for foster carers are now digital and are easily accessed through a digital platform which foster carers can easily access. Foster carers report through feedback that they find the digital forms easy to use and reduce delay. The focus for the next quarter is implementing an update to Liquid Logic which will provide new assessment pathways for social workers and team managers when completing assessments, to reduce delay during this process and ensure data can be reported on more easily. There are also plans to work with the Digital Transformation Team to update the foster carer training. Two Meet and Greet events have taken place in December 2023 to gather feedback from foster carers and kinship carers on what they believe their training should include as well as access to training, to co-produce an updated training plan for 2024.

2. **Recruitment of Foster Carers and Links with Communication Team**- BWD is now the lead local authority in the Northwest Recruitment Hub with the other local authority's (LA's) being Lancashire County Council, Blackpool Council, Westmorland and Furness and Cumberland Council. The aim of the Recruitment Hub will be to undertake all recruitment activity across all the LA's and offer the seamless transition of those enquiries into respective LAs who will undertake the assessment of potential foster carers. The aim is to pool resources, reduce competition, encourage local homes for local children and young people and ensure that the recruitment of foster carers is a priority and is responsive to need. Staff will have the skills and resources across multiple roles offering a consistent, warm, and welcoming approach to the start of their journey. The Recruitment Hub is based on the Stable Homes Built on Love, Social Work Reform. With the DFE recognising the significant issues nationally around foster carer recruitment and retention.

Our Hub is currently in the implementation stage and working groups across the LA's are taking place to consider all areas to co-produce the development of the hub. The Programme Manager is in post and is working with the DFE Lead in these areas. Over the next quarter recruitment to the roles within the hub will take place and an implementation plan will be co-produced across all the LA's.

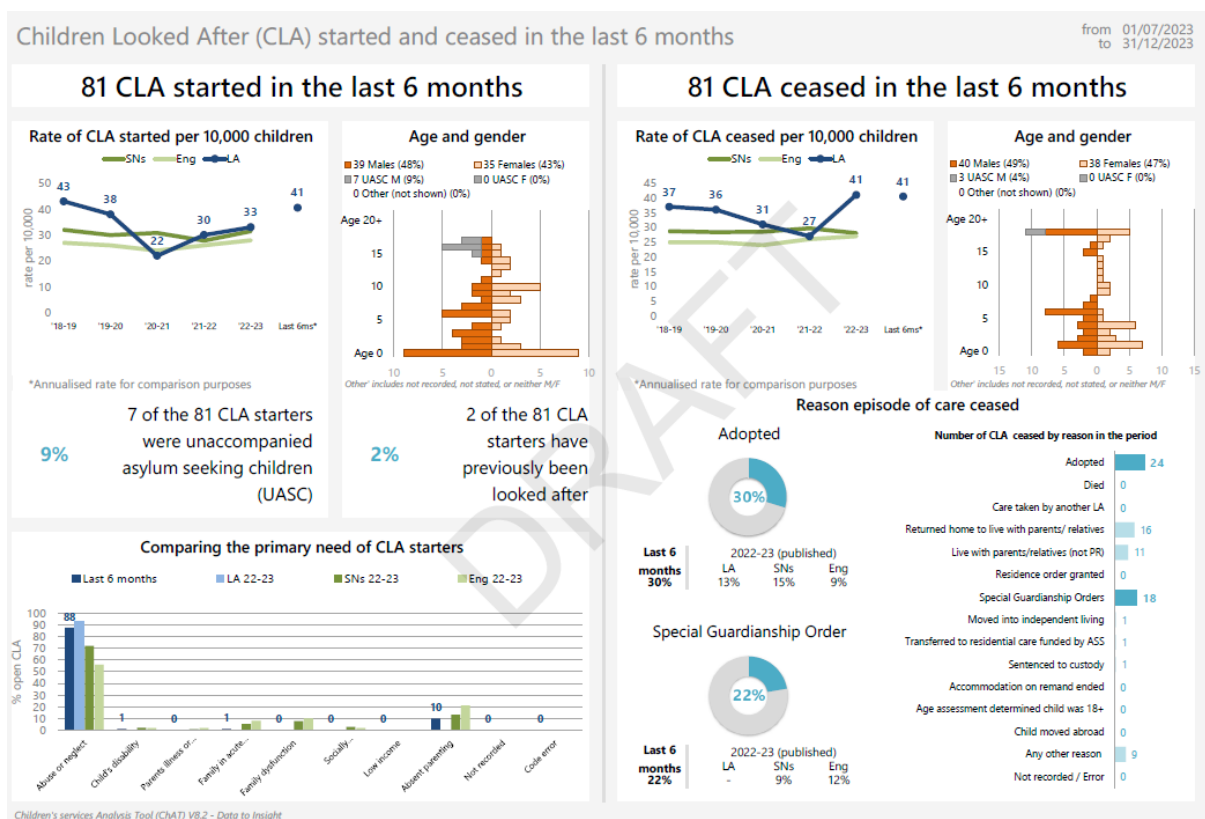
3. **Retention of Foster Carers/Allowances**- The government has just published guidance around national increases in foster carer allowances. During the next quarter work with our finance team will take place to consider this in line with our foster carer payments. There is currently a review of parent and child allowances being undertaken.

4. **Commissioning and Contract**- the Fostering Front Door's focus remains on ensuring that when we cannot place our children in in-house placements, that the BBCL (Blackpool, Blackburn, Westmorland and Furness and Cumberland, and Lancashire) Framework is utilised to ensure our children are placed locally and with placements that are identified early with foster carers that are experienced, meet the national minimum standards and can offer stability and permanence.

5. **Workforce Development-** There has been several recruitments to vacant posts over the last quarter which has provided more stability across the fostering service. TRACK values remain a priority with workforce development and retention.

Children in our Care and Fostering Overview:

In the last 6 months the number of children becoming cared for by the local authority is 81 however, we have seen 81 children leave the care of the Local authority. The number of children being cared for in Blackburn with Darwen is above the average nationally. The main reason for these children becoming looked after is due to abuse or neglect. There has been an increase in unaccompanied asylum-seeking young people.



Placement Stability

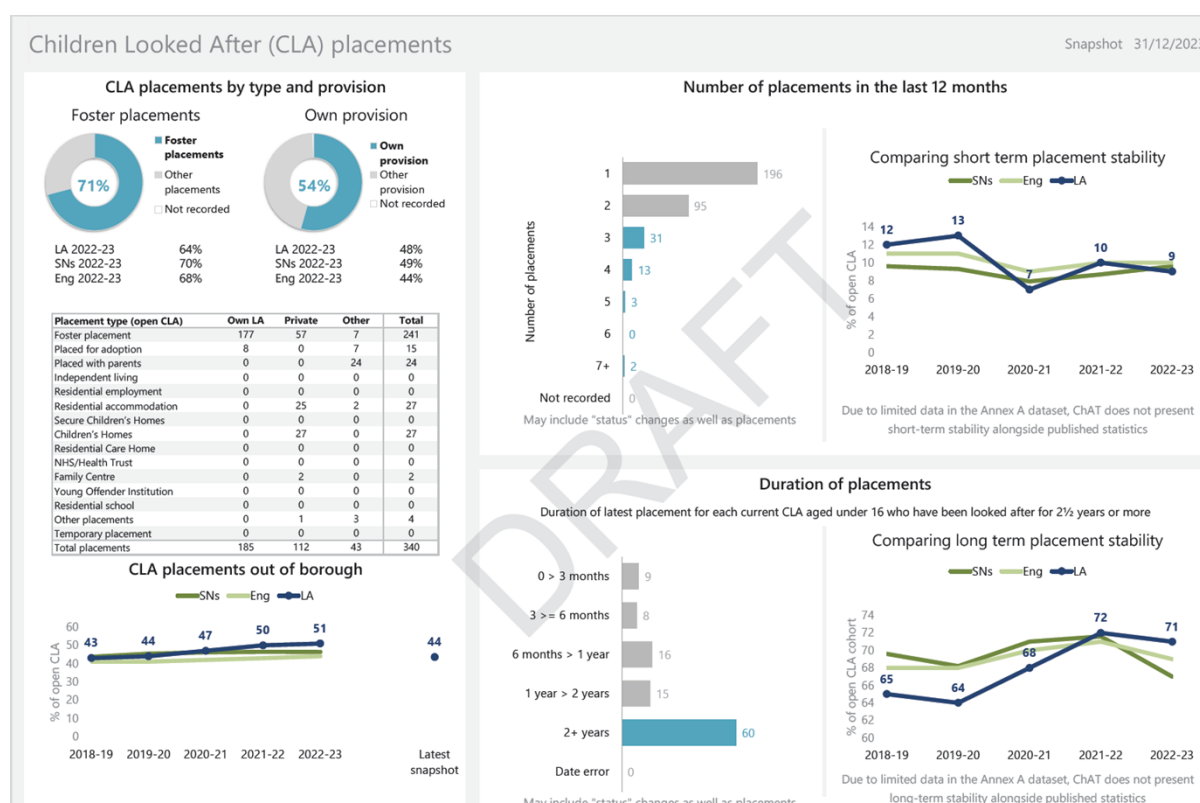
The Department uses a definition of placement stability based on 3 or more placements in a 12-month period that is calculated on a cumulative basis over the year.

Senior Managers meet with the Fostering Service to look at placement availability, data, vacancies and placement stability, utilising the Foster Carer Register which is produced weekly. The fostering service continues to utilise the 'Fostering Front Door' offer whereby an experienced Social Worker coordinates placement searches both in-house and on the BBCL framework. This model has been positive in that the Social Worker has a solid overview along with the Team Manager of the

placement vacancies in the team and will liaise directly with foster carers, offering at times an enhanced support offer to them at the point of placement.

Placement stability has increased during the past 12 months with a reduction in both planned and unplanned placement disruptions. Reasons for placement instability includes behaviours that can be displayed by teenagers which are significantly challenging for foster carers to manage as well as consistent missing from home episodes, which can impact on family life within the fostering household. We continue to place large sibling groups which places pressure on fostering households and placements however, we always endeavour to keep siblings placed together wherever possible.

It remains the case that babies and under 2's are placed in parent and child placements which include specialised fostering placements and assessment units, these are often for the duration of care proceedings whilst assessments of parents are ongoing.



Teenagers remain a high percentage group who have three or more placements, consistently due to a high level of needs through behaviours because of their life experiences. These needs remain a challenge for foster carers to manage in the longer term. Changes in educational placements also impact significantly upon placement stability, this is mainly due to the child investing in secure teacher and peer relationships and then suffering the loss of these. It can also be challenging for the young person to emotionally invest in further foster placements when the first has disrupted. Education needs are closely overseen as part of the care planning process with Individual support offered through the education service and through our in-house therapeutic service Revive.

The development around the process of Disruption Meetings has taken place and will be launched in the new year. The aim is to ensure there are consistent disruption meetings that are collaborative and follow the Systemic Model. The Independent Review Service will lead on this process with collaboration from the fostering service the Children in Our Care Service and other parties such as

family, foster carers, other professionals and children and young people where possible. The aim of this disruption process is to provide detailed analysis on placement disruptions across the service to inform future learning to prevent further placement disruptions. Disruption Meetings are planned to take place across all placements including short- and long-term foster placements, Kinship Care placements including SGO placements.

Engagement with Children and Young People

The VOICE group meet both in person and virtually with children in our care and care experienced young people to gather views, ideas, and feedback. Young people and care leavers are regularly involved in the recruitment to social care posts and consist of a panel which provides information to the interview and recruitment process. Young people are involved in the 'Journey to Foster' training. We have recruited a care experienced young person as a fostering panel member and have introduced a care experienced young person to the assessment process where they will visit potential foster carers with the social worker to provide insight and guidance on experiences of being in foster care. We have two designated Participation Champions from the Mainstream and Kinship Care Teams who attend the Voice Participation Group. We are currently in consultation with our young people around the co-production of the Corporate Parenting Strategy. During this quarter social workers and managers from both teams have attended the junior and senior weekly voice groups.

Feedback is gathered from children in our foster placements regularly as part of the foster carer annual review, and at other events. Feedback is gathered to support the co-design of service delivery and to ensure children and young people with lived experience help shape services now and, in the future, that services are fit for purpose and appropriately meet need.

Feedback from children and young people...

One child provided feedback that he felt happy in his foster placement and enjoyed taking the dog out for walks going out for days out. He stated that he will approach his foster carers for help, support and advice and does not want to live anywhere else.

A child aged 7 stated that his favourite activity is climbing trees, water fights and walking the dog, he knows that he may not be in this placement long term, but he is happy to live there for now.

One young person aged 17 has provided feedback on his long-term foster placement, stating that he enjoys the conversations he has with his foster carer, he feels well supported from everyone around him.

Feedback from Kinship Carers

The Kinship Care Support Group met on Wednesday 08/11/2023. Service Lead for Placements, Louise Helm and Deputy Director for Education, Michelle Holt attended. Carers in attendance discussed issues around education for children placed under SGO. We are currently pulling together our offer within SGO regarding education, working alongside the lead member on this. Feedback from this group was that carers found it helpful and valuable to have members of the senior Leadership Team attend as well as gaining advice around education.

The first Kinship Care Kinship Christmas party took place in December, this was very well attended by many Kinship Care families who provided very positive feedback on the event stating that this was very well organised, was a fantastic atmosphere which all the children enjoyed. It was also noted that Kinship Carers felt more recognised and valued in their own right.

Feedback from SGO carers has been positive in relation to the new contact arrangements where they can email direct and telephone direct to the Kinship Team to access support.

One Kinship Carer provided feedback on being frustrated around the court timescales in obtaining an SGO for the child in their care however, praised their Kinship Social Worker who they have found easy to contact and supportive in terms of advice and guidance through the process.

One Kinship Carer reported feeling well supported during their application to obtain an SGO for the child in their care and is very happy that her niece is now placed in her care permanently. This carer spoke very highly of all professionals involved.

Another Kinship Carer reported that they have felt supported during their journey and is happy that the SGO assessment has started.

Feedback from mainstream foster carers:

One Foster Carer spoke very highly of the Front Door Duty Worker, stating that he as a long-standing member of staff is always there if needed. The foster carer recognised that there has been changes in social workers on the fostering team and when needing any advice or support he is always available stating "he is a credit to fostering". The impact of this is around FC's feeling confident and reassured by the front door service, this will support in FC's accepting placements and developing relationships and confidence with duty.

Engagement with Foster Carers:

Blackburn with Darwen has a Foster Carer Association (FCA), they meet regularly. The Corporate Parenting Advisory Group and Board was under review and in the New Year, combined and became one partnership meeting. A member of FCA will be invited to attend.

In December 2023, two carer feedback events took place with the Fostering Service, the Digital Transformation Team, and carers to gather feedback on changes within the service, the digital transformation and feedback around foster carer training. The events were held in 2 of the new family hubs, as a way of introducing carers to the family hubs. The Events were well attended with the Strategic Director of Childrens Service and Education as well as members of the Senior Leadership Team participating. It has been agreed that these events will continue during 2024, as carers state they welcome and enjoy attending, as well as being a valuable way of gathering feedback and ensuring co production.

There continues to be ongoing user feedback regularly through the Digital Transformation Team who have been able to develop positive relationships with carers since the transformation work began. This involves exit interviews for carers who choose to leave, feedback during the recruitment process and ongoing feedback across the service.

An online, digital link has now been launched across the service which provides a simple and effective way for carers to provide feedback, this has been welcomed by carers who have utilised this service.

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

Letterbox Club has continued this quarter for all CIOC from Reception to Y6 to encourage reading at home. Books, games etc are sent out monthly which are age appropriate. Again, feedback has been

very encouraging from the children who have stated that they enjoy receiving their parcels and carers have stated that they are encouraging their children to read.

We have 22 children and young people attending the extra provision provided by Kip McGrath services.

Thanks to the efforts of our carers, attendance at school continues to be good for CIOC. Overall attendance last term was 93%.

The annual Celebration of Achievement Event took place at Ewood Park on the 22nd of November. Children and young people in care and care leavers who attended were nominated for awards by their carer's schools, and Children's Services staff in the categories of, academic achievement/progress, attendance, behaviour, sport, arts, resilience, and determination and making a positive contribution. In addition, there were several special awards for those who have particularly excelled in these areas. We also celebrated those who are now university students and those who have gained apprenticeships including within the council. The Premier Suite was full, comprising children and young people in care and care leavers, foster carers, parents, school staff, Executive Member for Children's Services, Chief Executive, Director of Children's Services, and a range of officers from Children's Services Department. Our special guest for the evening was singer Kiki Deville who presented the awards and provided some great entertainment. We were also treated to very special singing performances from 2 of our care experienced young people who have written and produced their own songs. The John Bury Trust kindly sponsored one of the special awards and all our award winners received a certificate and gift voucher.

There is a Designated Nurse, who takes an active role in following up health issues and assisting with health promotion work. Foster carers have a Health Passport for each child in their care, which is a record of all the child's health details. Foster carers are provided with the relevant training and support to meet the specific needs of the child in placement, and they can access support from the Children with Disabilities Team with aids and adaptations, Disability Links registration, information, and advice where needed.

In relation to emotional wellbeing, Children in our Care have access to Clinical Psychology and related services through REVIVE and the East Lancashire Child and Adolescent Service (ELCAS) also known as Children and Adolescent Mental Health Service (CAMHS). The REVIVE Service is a partnership between Blackburn with Darwen Borough Council's Children's Services and East Lancashire Hospital Trust to provide emotional health support for children known to the Local Authority and is based at Duke Street. REVIVE delivers consultation to Foster Carers, training and direct intervention on emotional health and well-being. The Team consists of Clinical Psychologists, a Play Therapist and Mental Health Practitioners. See information on the activity from Revive below,

Revive figures for Oct-Dec 2023

	Activity	Oct'23	Nov'23	Dec'23	Total for quarter
Children accessing therapeutic interventions	Referrals to the team	17	15	14	46
	Assessment sessions	3	4	2	9
Foster carers and parents having access to support through consultation, training and direct therapeutic work	Therapeutic intervention sessions with young people inc. play therapy)	45	46	43	134
	Carer/parent intervention sessions (therapeutic parenting)	26	17	21	64
Wider system staff having access to training and regular support, which can include consultation and supervision	Training sessions	3	0	0	3
	Consultations	15	18	11	44
	Drop ins for staff	3	4	2	9
	Revive practitioner attendance at multi agency meetings	15	15	13	43
	Case discussions with system staff	2	4	9	15
	Reflective practice group (YJS)	0	0	1	1
	Training (To social workers & FSW)	1	1	0	2

Transitions

We have 19 care experienced young people in Staying Put accommodation. We are looking to progress further placements in January 2024. There is a direct link with care leavers in Staying Put accommodation and their attendance at university. Out of the 19 care leavers in Staying Put placements, 10 are in university.

Transitions from the Children in Our Care (CIOC) team to the Leaving Care Service:

We have a new transition process with CIOC for children transitioning to the Leaving Care Team at 18yrs. From September to December 23 there have been 11 young people transitioned to the Leaving Care Service. We are working alongside Head of Service and Service Leads in Childrens Social Care with Head of Service and Service Leads in Adult Social Care to devise a transition process to adult social care. We are writing a Leaving Care Accommodation Framework with an aim of tackling placement sufficiency and to ensure we have accommodation that meets all our individual young people's needs.

The Fostering Service

Workforce

There has been some movement with the workforce across the fostering service over the past three months, with 2 new Supervising Social Worker's (SSW) joining the team. We have recruited to 1 full-time post and 1 post has been reduced from full-time to part-time 4 days. This will provide us with a full cohort of 6 SSWs on the team, however due to their ASYE status and the reduction in hours there will be less capacity within their caseloads. The agency SSW covering one of these posts has left in

December 2023. The vacant SGO Social Worker post has also been appointed, this has increased to a full-time position (37 hours), she is due to start on 08.02.2024.

The Fostering Support Officer and Social Work apprentice returned from her student placement in September however, she was successful in obtaining a social work post in Adult Services and left to begin this role on the 28.10.2023. This vacancy was appointed to subject to positive DBS and references, and was due to start in December 2023, however, the social worker withdrew. This post has again been appointed to and references and DBS checks commenced in January 2024. The Social Work apprentice began on the 04.12.2023. The SGO Support Worker has been successful in a position within the Engage service and is due to leave in February, this role is currently being recruited to.

Kinship Care

At the end of this quarter, there are 38 family and friend fostering households, 23 fully approved and a further 15 households approved under Regulation 24. This is only 2 more households in terms of figures from the last quarter however it has been a busy quarter, there has been plenty of movement across the service with new Regulation 24 assessment and kinship assessments.

There have been 5 new Regulation 24 households approved over the past three months, providing placements for an additional 6 children. Similarly, in total during this quarter, 4 households have ceased to be approved under Regulation 24; 2 of these placements experienced disruption, 1 child returned home, and 1 ceased due to SGO being granted. Additionally, 6 Regulation 24 carers have become fully approved family and friends fostering households.

There have been 52 referrals and initial assessments (IA) completed within this quarter, this is 5 more from quarter two, with much pressure on the need for Regulations 24 placements over IA's. 22 referrals have progressed to combined assessments, the same as quarter two. Assessments continue to take place all over the UK for e.g. Lancashire, Liverpool, Fylde, Bolton, Birmingham, and Manchester.

In total there have been a further 8 households where SGO's have been issued in relation to the children placed during this quarter, 3 from kinship fostering households, 1 from a Regulation 24 placement, 1 from a Section 38.6 placement, 1 from an IFA and 2 private law applications, providing permanence for 15 children.

SGO support – we have a RAG rating system in place, whereby cases that have the potential to breakdown are rated 'Red' those needing quite a bit of support 'Amber' and those rated lower are green. At the end of September, there were 17 open cases. We currently have no cases that are rag rated red which is positive and an improvement from previous quarters. There is an action plan in place to identify and pre-empt SGO disruptions. Part of the plan is the development of the SGO Support offer which includes, training, direct support, access to The Adoption Support Fund, escalation to other services and the development of the Kinship Care Support Group. These support groups are now in place and are taking place monthly. The attendance at these groups has been high with collaboration with attendees to develop the group going forward.

The SGO panel is held every fortnight to consider all assessments where the permanence plan is that of SGO. This includes assessments during care proceedings, the PLO (Public Law Outline) process and for children placed under a care order. The Kinship Care Team Manager's attend this panel and the Service Lead for Placements chairs the panel which is also made up of other professionals and partners including health and education, the IRO Service Manager and a legal representative.

Analysis of ethnic and religion breakdown of carers

Ethnicity of Fostering Households

83% of our fostering households are White British

17% of our fostering households are Asian (Indian, Pakistani, Asian, Other)

Religion of Fostering Households

13% of our foster carers are recorded as Muslim.

51% of our foster carers are recorded as Christian.

36% of our foster carers are recorded as undisclosed or not recorded.

92% of our fostering placements are culturally matched.

8% of our fostering households are transracial.

Focus on any issues that have arisen from ethnic matching.

During the matching process for our children to fostering households, consideration is given to individual cultural and religious needs. If we are not able to identify a cultural match and the Social Workers agreed, discussions are initiated to ensure that the Foster Carer understands and recognizes the importance of meeting the individual needs of the child. This may identify training that would be useful for the foster carer to complete alongside potential utilization of the support of a 'buddy' who has experience and a good understanding of a particular culture. It is positive that 92% of our placements are culturally matched and evidences the work undertaken within the matching process.

Foster Carer Recruitment and Assessment

Recruitment remains ongoing for foster carers to care for children with disabilities, who are primarily placed in residential settings as opposed to fostering. There is an ongoing campaign to try to recruit foster carers for children with Special Educational Need and Disability (SEND), but this remains a local and national challenge. The Fostering Team are working in collaboration with the Children with Disabilities Teams to be creative and solution focussed and to also look at how adaptations can be utilised to expand the choice of foster placements, for example for children with physical needs.

There is also ongoing recruitment of carers who wish to provide PACE (Police and Criminal Evidence) and Remand placements. This has been an area of significant struggle, which again is a challenge nationally and not specific to BWD. Despite these challenges, it remains positive that most of our children who are looked after in Blackburn with Darwen are placed in foster care locally.

	Month	Enquiries	ROI		IV		Approval
Q3	Oct-23	14	3	21%	2	14%	
	Nov-23	26	4	15%	3	12%	
	Dec-23	27	12	0%	4	0%	1

There is a concern over the number of enquiries that do not progress to initial visit or assessment. In speaking to other local authorities this is also a consistent theme in all areas and not specific to BWD. There is the concern that the uplift in spend by IFAs and other LAs in the region has impacted on our

recruitment of foster carers as we can evidence that our recruitment activity has been strong with a high level of activity within this quarter.

The Digital Transformation Team alongside the Fostering Service are currently undertaking a service user feedback task to attempt to understand the conversion rate and the challenges in this. It is hoped that the implementation of the Recruitment Hub will help to further understand the challenges around the conversion rates of recruitment and from a northwest perspective.

In terms of marketing, social media had a reach of 181,136 hits for quarter 3. Although engagement was positive, the conversation to conversion was challenging. Information evenings have been well attended over the quarter with 1 household from these events going forward to assessment which is positive. Facebook saw a boost in December with the Opening Doors to Fostering campaign. We saw a total reach of 19,118 on Facebook and 22,185 on Instagram over the quarter with the majority of these coming in December. These posts had 239 clicks and we had 629 minutes of viewed video. The campaign was branded BwD Lets Foster, and the videos received positive feedback. 24 local authorities across the country came together to share a video we could all use each day to showcase what our foster carers do to make Christmas special for the children and young people in their care.

There was attendance at BWD staff briefings to engage with our workforce for potential fostering applicants.

Adverts also ran over this quarter in The Pigeon Carrier, focusing on Teenagers. Adverts were also in 1Voice magazine focusing on family. New artwork highlighting Let's Foster is now in place at Blackburn Hawks, this includes large format banner in the rink and is also being advertised at Blackburn Rovers where Let's Foster for Blackburn with Darwen has taken over the family stand. All the advertising boards in that area are now exclusive to BWD Let's Foster. We also have large format advertising on their big screen during the games.

Fostering Panel

The Service coordinates two fostering panels, the main fostering panel, and the annual review panel. The 4 Team Managers across the service act as Panel Advisor and maintain the panel members list along with panel members training and appraisals. The two panels are independently chaired. Feedback and evaluation are collated from both panels to inform service delivery, there has recently been a focus on obtaining feedback from attendees at panel. Feedback forms are sent to all attendees including the child's social worker, the assessing social worker, as well as the applicants attending panel. Since the focus on obtaining feedback, we have seen the return rate improving with the feedback being overall positive. Panel members continue to provide positive feedback regarding the quality of assessments and verbal presentation of the social workers. Meetings are now taking place regularly with the Independent Panel Chairs, Panel Administration, Team Managers and the Service Lead for Placements to inform learning and development for the panels and the Fostering Service.

During this quarter, 2 households were presented to panel with a recommendation for approval as family and friends' carers. There have been 14 fostering households presented to panel for annual review. There have been 2 mainstream fostering households resign, a foster carer has moved overseas to join her husband and the second household resigned as they were granted an SGO for 3 children they care for providing positive permanence outcomes for those children.

Training for Foster Carers:

During this Quarter period, our carers continue to access the online training offer through Me-Learning, The Scils and Eils online training continues to be offered, along with mandatory safeguarding training. The Essentials of Fostering training was delivered to 24 foster carers. Health colleagues delivered Promoting the Health and Wellbeing of Looked after Children on Thursday 28th September and attendance was particularly good. (25 carers)

In the new year, the training offer for all carers including foster carers, kinship carers and parent and child carers is being reviewed with the support of the digital transformation team. From the carer feedback sessions undertaken in December 2023, carers provided feedback around what they would like in the new training offer and how they would like training to be undertaken. This feedback included a variety of suggestions for training not currently offered, training specific to kinship carers, training specific to parent and child carers and suggestions on how to provide mandatory training which can often feel repetitive. Feedback was significant in stating that carers would prefer face to face training as well as the option of online training with the need to ensure that training is offered in a way that is practical and meets all needs of carers, in relation to digital skills and childcare. This feedback will inform the reviewed training offer for all carers which will be developed and launched in 2024.

Complaints

There has been one new complaint during this quarter, the carer was frustrated at a perceived delay in progressing an SGO assessment, this has now been resolved.

Compliments

The service has received 4 compliments during this quarter from in-house foster carers regarding the quality of the support they have received from the Fostering Service.

Allegations

There have been 3 allegations during this quarter,

- 1, The allegation was investigated through the allegation's procedure with the outcome of the investigation and decision from the LADO being substantiated.
- 2, The allegation was investigated through the allegations procedure and the LADO found the allegation was unsubstantiated and no further action was taken.
- 3, This allegation was investigated through the allegation's procedure and the outcome of the LADO was substantiated.

Specific Incidents and Restraints

There have been 2 specific incidents, both incidents have been managed appropriately through the service.

Bullying Reports

There have been no reports of bullying during this quarter.

Serious illness and accidents

There has been no serious illnesses or accidents during this quarter.

Exemptions

During this quarter we have 1 fostering household with an ongoing exemption, this will cease in January 2024. We have 2 foster homes with a new exemption.

Short Break Placements

There are currently 9 approved short break households. During this quarter we have had 11 children accessing short breaks.

Commissioned Placements and Budget

All children and young people placed in commissioned placements are part of the Case Tracking and Commissioning Panel which continues to have strategic oversight and monitoring of placements. This panel also provides oversight and planning to ensure that there are robust plans for those children and young people that could be brought back to in-house provision, as well as ensuring timely decision making to achieve permanence.

There continues to be significant pressures due to challenge of recruiting and securing placements for teenagers and large sibling groups both in fostering and residential placements. The financial position across both areas is closely monitored throughout the year.

The local authority continues to take its quota of unaccompanied asylum-seeking children (UASC) (0.1% of the population). There are referrals at least bi-weekly, via the Northwest Regional Strategic Migration Partnership. We currently have 22 UASC cases open to Children in Our Care (CIOC), all who are living in appropriate accommodation. These children are placed with IFA and residential placements due to there not being enough foster care placements in house. Although the local authority receives funding for UASC, this does not necessarily cover the weekly costings of their placements and places additional financial pressure on the commissioning budget.

Total number of commissioned foster placements used in this period – 68.

40 x Non long term matched including: -

- o **7 x** Where children are placed under Interim Care Orders's including 3 sibling pairs, and 1 parent/child placement which ended with the child moving to an inhouse foster placement.
- o **1 x** placement where the child seeking asylum who was placed under Section 20 of the Children Act 1989.
- o **4 x** Placements where children are placed under Placement Orders including:
 - **1** single child awaiting adoption panel match.
 - **1** single child awaiting adoption placement but possibility of long-term fostering due to needs.
 - Sibling pair awaiting an adoption placement being identified.

28 x Placements where children are cared for under Care Orders's, including:

- o 14 children with a plan to be matched long term in their fostering placement.
- o 2 children seeking asylum (uncle/nephew)
- o 3 siblings who were placed with father, but issues led to move to foster care.
- o 1 parent and child placement where long-term permanence plan yet to be determined.
- o Sibling group of 4 with potential rehabilitation plan to return to parents' care.
- o Sibling pair awaiting SGO with their carer which was granted in mid-November 2023.
- o Sibling pair who moved to an inhouse foster placement in Nov.

Number of new commissioned foster placements made in this period – 5.

- o Sibling group of 3 – placed under Care Orders who moved from care of father.

- o Sibling pair – placed under Interim Care Orders who moved from a family assessment unit with Mother.

Number of ended commissioned foster placements in Q3 – 5

- o 1 long term matched placement ended due to young person turning 18. This placement converted to Staying Put in October 2023 and will be in place until mid-2024 whilst she completes her studies.
- o 1 child whose foster carers who moved from an Independent Fostering Agency to be approved as BWD Foster Carers in November 2023.
- o Sibling pair fostering placement ended due to SGO's being granted.
- o Single child under Interim Care Oder in parent/child placement
- o Sibling pair under Care Orders's

Number of long-term matched commissioned foster placements used in Q3 – 28

- o There were 2 new long-term matches made within this period for a sibling pair.
- o 1 long term matched placement, converted to Staying Put in October.
- o 1 child whose foster carers who moved from an Independent Fostering Agency to be approved as BWD Foster Carers in November 2023.

There were **35** ongoing non-long-term matched placements at the end of Q3:

- o 24 x placements under Care Orders's
- o 6 x placements under Interim Care Orders
- o 4 x placements under Placement Order's
- o 1 x placement under Section 20

There are **26** FCO's in long term matched placements at the end of Q3.

Service Priorities for the Next Quarter. These priorities remain the same as the previous quarter.

1. The management team will continue to monitor compliance with Fostering Regulations and National Minimum Standards and will increase the number of case file audits completed each month.
2. The transformation plan for the fostering service remains a priority. This plan and the key priorities will drive forward placement sufficiency and stability as well as recruitment and quality assurance.
3. Placement sufficiency and stability will continue to be a key area of focus. The relationships with independent fostering providers are the key element which will be the area of development in the next quarter to ensure that we are able to provide local placements to our children and young people within this framework.
4. Recruitment will focus upon our offer to potential foster carers for us to be competitive. The recruitment drive will focus on foster carers who can support teenagers, to respond to the increasing demand for urgent placements. This will also enable a support package of short breaks to be

considered for those young people who are more challenging to place and/or in fragile placements currently and will seek to assist with placement stability alongside our Revive offer.

5. Our Fostering Hub to continue to prioritise coproduction with our partners, foster carers and young people. Job adverts to be marketed to attract the right candidates with the right skills.

6. Collaborative working with the coach from Foster Carer Network and the Service Lead and Team Managers from Fostering will begin the implementation stage of the Mockingbird Model.

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	Thursday, 7 March 2024

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

SUBJECT: Uplift of Foster Carer payments 24/25

Annual Foster Carer Allowance uplift. To include allowances relating to Special Guardianship Orders and placements for Parent and Child, Staying Put and Short Breaks.

1. EXECUTIVE SUMMARY

An annual payment review has considered the ongoing Local Authority challenges in terms of the recruitment and retention of foster carers. It continues to consider allowances from competitors in neighbouring Authorities, moreover this year as a regional cluster is formed of a brand new, fostering recruitment and retention hub. The DfE has funded and awarded a twelve-month pilot for BwD (as lead), Lancashire County Council (LCC), Blackpool, West Morland and Furness and Cumberland Councils to come together and deliver a collaborative recruitment service. The hub aims to launch in May 2024 and is based on the premise that it regionally supports the increase from enquiry to approval of foster carers. To add to this, consideration has also been given to Independent Fostering Agencies in terms of rates of pay.

To support ongoing recruitment and retention, the payment rates awarded need to try to be competitive and well promoted to attract prospective foster carers whilst alongside this, the service equally provides a strong and supportive package offer. It is paramount that not only efforts are made to increase fostering enquiries, but retaining the existing cohort of foster carers remains a priority for the stability and permanence options for children who are in care.

To support this, the DfE have also awarded BwD the support of Fostering network to introduce the Mockingbird Model into the fostering service. The Mockingbird aims to deliver sustainable foster care through an evidence-based model that is structured around the support and relationships an extended family provides. The model nurtures the relationships between children, young people, and foster families, supporting them to build a resilient and caring community and it is due to launch in October 2024.

To achieve all of this, the Council's medium term financial plan has allocated an additional £300,000 to the various payment's budgets in 2024/2025.

It is necessary to present an annual payments paper to Executive Board decision making this year 2024 – 25, to offer financial support to foster carers, but also take into account Kinship Foster Carers, Special Guardianship Carers, Short Break Carers, Parent and Child Carers and foster carers who continue to care for young adults on a 'Staying Put' arrangement.

2. RECOMMENDATIONS

That the Executive Board agrees to uplift foster carer allowances so that they are in line with the new national minimum allowances for 2024/25.

Considers and agrees the proposed uplift for Parent and Child to a competitive one-off payment of £850 weekly plus additional child feed as outlined, as well as the Short Break carers uplift and the payment for 'Staying Put' which is proposed at 6.88% in line with national minimum allowances.

In 2023 – 2024, foster carer allowances aligned with the national minimum allowances so that foster carers were paid as governed nationally, this increased the child fee payments for band 2 and band 3 giving further recognition for each additional child placed. In addition, band 1 for Kinship Carers became slightly higher following the uplift and remained the same for older children so that no one was to detriment. Aligning in this way, enabled the Local Authority to match the annual % uplift given nationally which is in this proposal. To add to this, agreement was reached in 2023 – 2024 to significantly increase the payment by 20% to Short-Break Carers who had not had any uplift for many years. Despite these uplifts, there remains disparity between neighbouring Authorities as well as with Independent Fostering Providers and harmonisation of fees seems a long way off if ever possible.

It remains the case that it is increasingly challenging for Local Authorities nationally to attract potential foster carers, including short break and parent and child carers to the role, more so due to the current climate of the cost of living. Following the Independent Review of Children’s Social Care and recommendations taken forward by the government to boost foster care sufficiency, the DfE has pledged £27m to increase numbers of foster carers via a recruitment campaign and the developments of regional hubs. The development of the Fostering Recruitment Hub with BwD as lead, offers the Local Authority an opportunity to increase our pool of foster carers by taking a regional approach, providing local homes for local children. However, for a small Authority like BwD, there remains risk of both recruiting new foster carers but also retaining them, particularly if they live in BwD but bordering authorities who continue to pay higher. As such, there is a greater need to remain as competitive as possible within the authority’s financial plan.

Current 2023 – 2024 Foster Care Allowances

The current offer to in-house foster carers, kinship, and Special Guardians (SGO) carers is set out in the table below. Kinship carers remain band 1, with mainstream foster carers at band 2 or band 3 depending on the age of the child (child fee). Specialist and Discretionary Payments are also outlined and are awarded to foster carers who care for those children and young people who are assessed as requiring the highest level of care. These payments are only agreed through a Payment Panel process and are reviewed annually.

		Weekly rate	Additional fee per child			Supplementary Allowances		
			1st	2nd	3rd +	Holiday	Birthday	Christmas / Eid
Band 1	0-2	154				308	154	154
	3-4	159				318	159	159
	5-10	175				350	175	175
	11-15	199				398	199	199
	16+	250.28				500.56	250.28	250.28
Band 2	0-2	154	85	85	85	308	154	154
	3-4	159	85	85	85	318	159	159
	5-10	175	85	85	85	350	175	175
	11-15	199	85	85	85	398	199	199
	16+	250.28	85	85	85	500.56	250.28	250.28
Band 3	0-2	154	195	195	195	308	154	154
	3-4	159	195	195	195	318	159	159
	5-10	175	195	195	195	350	175	175
	11-15	199	195	195	195	398	199	199
	16+	250.28	195	195	195	500.56	250.28	250.28

Current 2023 – 2024 Short-Break Allowances

The current offer to Short-Break carers is outlined in the table below (please note a short-break payment does not supersede 7 days).

Morning: Between 10am and 2pm for up to 4 hours	Afternoon: Between 2pm and 6pm for up to 4 hours	Day care should commence at 10am and end at 6pm. - Max hours per day	Overnight payment
Payment @ £9.60 per hour = £38.40 (maximum)	Payment @ £9.60 per hour = £38.40 (maximum)	Payment of £76.80 (maximum)	£60

Current Parent and Child Allowances

1 parent and 1 child - £850

1 parent and 2 children (as above but with an additional second payment based on the eldest child's age and in line with our current foster care payments). See below.

Age of Child	Weekly Payment
0-2	154
3-4	159
5-10	175
11-15	199
16+	250.28

2 parents and 1 child - £850 plus the 16+ payment of £250.28

2 parents and 2 children – as above plus the age-related child fee for the eldest child.

If the parent is also a Looked After Child, which means that the foster carer has additional responsibilities, the payments are as follows:

1 Parent and 1 child - £850 (already includes a 16 plus payment) plus a discretionary payment of the child's age as per the table above.

Current 2023 – 2024 Staying Put Allowances

In 2023 – 2024 the payment for foster carers to continue caring for a cared experienced young adult, named 'Staying Put' from the 2023 date ONLY, is:

Weekly Maintenance Allowance	Rent to FC by young adult	Young Adult Contribution - weekly	Total to FC - Weekly
£86.52	£64.25	£15.00	£165.77

The Proposed Allowances for 2024 - 2025

Foster Care 2024 – 2025 Allowances

The proposal for the foster carer allowances, aligned with the national minimum payment/rate (NMR), is to provide a 6.88% uplift to the child fee/weekly rate only and continue to pay the same fee for each additional child or young person. The below table outlines the new allowances. (To note: 16+ remains the same as it still exceeds NMR).

		Weekly rate	Additional fee per child			Supplementary Allowances		
			1st	2nd	3rd +	Holiday	Birthday	Christmas / Eid
Band 1	0-2	164.20				329.19	164.20	164.20
	3-4	169.94				339.88	169.94	169.94
	5-10	187.04				374.08	187.04	187.04
	11-15	212.69				425.38	212.69	212.69
	16+	250.28				500.56	250.28	250.28
Band 2	0-2	164.20	85	85	85	329.19	164.20	164.20
	3-4	169.94	85	85	85	339.88	169.94	169.94
	5-10	187.04	85	85	85	374.08	187.04	187.04
	11-15	212.69	85	85	85	425.38	212.69	212.69
	16+	250.28	85	85	85	500.56	250.28	250.28
Band 3	0-2	164.20	195	195	195	329.19	164.20	164.20
	3-4	169.94	195	195	195	339.88	169.94	169.94
	5-10	187.04	195	195	195	374.08	187.04	187.04
	11-15	212.69	195	195	195	425.38	212.69	212.69
	16+	250.28	195	195	195	500.56	250.28	250.28

Short-Break 2024 – 2025 Allowances

The same national 6.88% uplift is being proposed for short-break allowances as outlined below.

Morning: Between 10am and 2pm for up to 4 hours	Afternoon: Between 2pm and 6pm for up to 4 hours	Day care should commence at 10am and end at 6pm. - Max hours per day	Overnight payment
Payment @ £10.26 per hour = £41.04 (maximum)	Payment @ £10.26 per hour = £41.04 (maximum)	Payment of £82.08 (maximum)	£64.13

Parent and Child 2024 – 2025 Allowances

1 parent and 1 child - £850 – This remains unchanged as the 16+ rate has not increased.

1 parent and 2 children (as above but with an additional second payment based on the eldest child's age and in line with the uplifted foster care payments). See below.

Age of Child	Weekly Payment
0-2	164.60
3-4	169.94
5-10	187.04
11-15	212.69
16+	250.28

2 parents and 1 child - £850 plus the 16+ payment of £250.28

2 parents and 2 children – as above plus the age-related child fee for the eldest child.

If the parent is also a Looked After Child, which means that the foster carer has additional responsibilities, the proposal would be:

1 Parent and 1 child - £850 (already includes a 16 plus payment) plus a discretionary payment of the child's age as per the table above.

'Staying Put' 2024 – 2025 Allowance.

The same national 6.88% uplift is being proposed for the Staying Put allowance as outlined below.

Weekly Maintenance Allowance	Rent to FC by young adult	Young Adult Contribution - weekly	Total to FC - Weekly
£95.25	£67.08	£15.00	£177.33

4. KEY ISSUES & RISKS

The proposal in this paper is to uplift our foster carer allowances, which are based on the national minimum allowances. Although this proposal supports a fair increase, there remains widespread challenge nationally with the recruitment and retention of foster carers and the current market remains increasingly competitive. As a small Local Authority, the aim is always to remain attractive to potential carers and the more appealing our pay and recruitment drive, with the additional package offer of support, the more foster carers will choose to do the role for BwD. This will not only provide better outcomes for our cared for children and young people, with local, loving homes for them, but will also enable a reduction in the budget for more expensive commissioned placements that are often not located locally.

Placement sufficiency is a key issue for the service, and it is envisaged that the launch of Fostering Recruitment Hub will strengthen our ambition to increase our in-house fostering provision.

5. POLICY IMPLICATIONS

The Foster Carer Payment Policy and subsequent Guidance will be revised following decision making from this paper.

6. FINANCIAL IMPLICATIONS

The Council's medium term financial plan allocated an additional £300,000 to the various placement budgets for 2024/25 to enhance the current offer and make it more attractive to potential new carers and retain those foster carers already executing their caring role.

As illustrated in the table below, the proposals in this report would remain within the available budget based on the current numbers of carers.

	Total cost 2024/25	Total cost 2024/25	Budget Pressure
	0% uplift	6.88% NFM	
SGOs	3,031,336.52	3,214,920.32	183,583.81
Approved Foster Carers	2,772,579.08	2,816,210.87	43,631.80
Friends and Family	607,101.05	634,929.88	27,828.82
Unapproved FC	95,054.70	100,446.55	5,391.85
Short Breaks	110,287.21	117,874.97	7,587.76
Staying Put	317,326.83	317,929.60	602.77
	6,933,685.39	7,202,312.19	260,436.28

7. LEGAL IMPLICATIONS

'The proposed revised offer to foster carers is in line with the minimum rate of allowances for 2024 /25 and ensures compliance with the Council's obligations under the Care Standards Act 2000 and the expectation that foster carers should not be financially disadvantaged because of the fostering role'.

8. RESOURCE IMPLICATIONS

None arising other than those referred to elsewhere in this report.

9. EQUALITY AND HEALTH IMPLICATIONS

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

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

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

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

10. CONSULTATIONS

Strategic Director of Childrens and Education.
Strategic Director of Finance and Resources

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
-----------------	----------

CONTACT OFFICER:	Amy Brooks, Suzanne Kinder
-------------------------	-----------------------------------

DATE:	20 th February 2024
--------------	--------------------------------

BACKGROUND PAPER:	
--------------------------	--

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	Thursday, 7 March 2024

PORTFOLIO/S AFFECTED:	Children, Young People and Education
WARD/S AFFECTED:	Billinge and Beardwood; West Pennine; Mill Hill & Moorgate; Blackburn South & Lower Darwen;
KEY DECISION:	Y

SUBJECT: Variation to the Schools Capital Programme

1. EXECUTIVE SUMMARY

To present for consideration and approval variations to the 2023/24 schools' capital programme.

2. RECOMMENDATIONS

That the Executive Board approves:

- a new scheme to the value of £390,000 at Turton and Belmont Primary School
- a budget increase of £95,000 for the expansion at Witton Academy
- variations to a number of smaller schemes to the value of £12,500

3. BACKGROUND

Turton and Belmont Primary School is a small rural school with an admission number of 98. The school is a traditional stone built village school built in 1898. The school has 4 classrooms, one small multiuse space (typically used for music, drama, professional meetings) and operates mixed age range teaching. The school has benefitted from some expansion and refurbishment over the years to make best use of the available space for pupils, however some challenges do remain.

Witton Academy are expanding the capacity of the school from an admission number of 240 to 270 per year group to support the boroughs increased secondary school place pressures. An initial grant of £650k was approved by the Councils Executive board in March 2023 for the refurbishment of the former Witton City Learning Centre, alongside approval to enter into a 125-academy style lease.

Other variations to the total value of £12,500, including:

- Meadowhead Junior replacement doors and shutters, requires a budget uplift of £9,000 due to additional asbestos works and the tender value return being greater than the initial estimate.
- Lower Darwen Primary School Heating Scheme requires a budget uplift of £1,100 due to required changes to the scope of works.
- Meadowhead Infant Schools Drainage installations requires a budget uplift of £2,400 due to additional collapsed drains.

4. KEY ISSUES & RISKS

Turton and Belmont Primary School is a small rural school that serves the areas of Turton and Belmont. The School is full to its current capacity of 98 pupils.

Turton and Belmont is an area cited for significant housing growth. One of the proposed housing developments (Springside Works), if progressed is forecasted to produce an increased pupil yield of 9 primary aged pupils, with the nearest school to this housing development being Turton and Belmont Primary School. There is capacity to extend and remodel the school to create additional space to accommodate this forecasted increase at a cost circa of £190k.

The school (similar to other schools) is experiencing higher numbers of its existing pupil cohort requiring additional support and pupil forecasts suggest this demand will increase in future years. The current space requires some internal remodelling to create 2 smaller intervention spaces for the provision of specialist support which is a priority need.

In addition to the above, space for staff is also compromised, with the only available staff space being in the eaves of the attic with access being via a very small, narrow and steep staircase to a staff room that at best can accommodate 8 staff. Access to staff washroom facilities is at the opposite side of the building and again access is via a very small, narrow and steep stairwell. The current staffing establishment is 20 (not including facilities staff). It is estimated that a further £200k would be required to remodel the internal space to create 2 smaller intervention spaces and extend to the rear of the premises to create improved staff facilities.

Whilst the school is not required to increase its admission numbers at this time and the progression of the proposed housing development at Springside Works is yet to be confirmed, financially and logistically it would prove sensible to undertake one capital programme to both expand the school and undertake internal remodelling within the same scheme, estimated at £390k.

Witton Park Academy have committed to providing increased capacity moving from an admission number of 240 pupils per year group to 270 pupils per year group as part of the boroughs Secondary school capital expansion programme agreed in March 2023. During the programme of refurbishment, issues have presented in relation to fire compartmentalisation and additional work of circa £95,000 has been required to ensure that this Council premises is fit for future purpose. This accommodation is essential to the school delivering the additional capacity of places needed to support secondary school place pressures.

5. POLICY IMPLICATIONS

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

Performance Indicators – The Capital programme, will be closely monitored against agreed performance indicators representing measures of quality, cost and timescales.

6. FINANCIAL IMPLICATIONS

Funding for the proposed schemes is through a combination of funding sources including Schools Basic Need, Schools Condition and Schools Devolved Formula Capital. The proposed variations for the Schools and Education portfolio are attached at Appendix 1.

It is expected that the proposed housing development at the former Springside Works will result in demand for additional primary school places and as such a request for s.106 funding to the sum of £169,488 has been detailed. It is intended to use the Schools Basic Need funding stream to cashflow the place creation element of the proposed capital programme (190k) at Turton and Belmont Primary pending the progression of the claim for s.106 funding in relation to the housing development at the former Springside works. Any receipt of s.106 funding will reduce the amount of Basic Need Grant utilised.

7. LEGAL IMPLICATIONS

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

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

8. RESOURCE IMPLICATIONS

Resource requirements for managing and coordinating the capital programme will be met from within the current Schools and Education team and the Councils Growth Team.

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

Schools are consulted annually as to estate needs and submit an annual asset management plan that supports the detailing of each school's capital programme. Where there have been changes to a scope of works, officers have discussed these changes and any impact of them with the relevant schools.

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
-----------------	----------

CONTACT OFFICER:	Carol Grimshaw , Head of Service, Schools System Support
-------------------------	---

DATE:	12 February 2024
--------------	------------------

BACKGROUND PAPER:	Appendix 1 – Education Capital Programme 2023/24 Variation Report
--------------------------	---

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Digital and Customer Services
LEAD OFFICERS:	Director, Chief Executive
DATE:	Thursday, 7 March 2024

PORTFOLIO/S AFFECTED:	Digital and Customer Services
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Microsoft licence agreement for the Councils server and database estate

1. EXECUTIVE SUMMARY

This report seeks approval to enter into a new 3 year contract for Microsoft server and database licences along with the associated financial implications.

2. RECOMMENDATIONS

That the Executive Board:

1. Approves the award of the contract to Phoenix software through the KCS framework.
2. Approves a supplementary capital estimate of £308k to fund the agreement.
3. Approves a virement of £210k (over 3 years) from the Corporate ICT Investment budget.

3. BACKGROUND

The Council entered into an agreement previously with Microsoft in 2021. The SCE (Server and Cloud Enrolment scheme) is the most cost-effective way to cover the Councils requirement for licences on its SQL estate (database environment) and server estate. This agreement was for a three-year period and is due to end on the 31st of March 2024, in order to retain the software assurance on these products a new agreement is required. Pricing for the new agreement is set by government with Microsoft, the department is planning to execute the agreement with Phoenix Software Limited through the KCS framework with the supplier providing the licences at cost.

4. KEY ISSUES & RISKS

If the Council does not renew these agreements, then we will be in breach of Microsoft licencing terms as software assurance is required to run the software in the current format. The Council periodically has audits from Microsoft which would pick up any licencing shortfall and would result in the Council incurring additional costs.

The new agreement will allow the Council to deploy any new versions of the software released over the term of the agreement allowing us to keep up to date with the latest software available. The agreement will fix the price of the agreement for the next three years.

5. POLICY IMPLICATIONS

The new agreement will help deliver a fit for purpose organisation by allowing the Council to deploy the latest version of any software release over the term of the agreement.

6. FINANCIAL IMPLICATIONS

Costs for the renewal are £391,522 which will be split into 3 equal payments of £130,507. The licence cost are split between capital and revenue this is due to the Council having a mix of perpetual and subscription licences and are outlined below:

	Annual Price	Contract Cost
Capital Costs		
Database Licences	£56,111	£168,333
Server Licences	£43,219	£129,658
Total	£99,330	£297,991
Upgrade of Memory		£10,000
Total Estimated Capital Costs		£307,991
Revenue Costs		
Server Licences	£31,176.96	£93,530.88

In addition to the above there will be a one off capital cost of £10k to upgrade the memory in the Councils existing database servers. The department is consolidating its existing database estate onto fewer servers which will save the Council £190,736 over the term of the contract.

The department currently holds an annual revenue budget of £63,840 for Microsoft licences, therefore the additional £32,663 annual budget will form an annual revenue contribution to capital (totalling £97,989 over the three years) towards the capital costs of this proposal.

The remaining £210,002 will be funded from the Corporate ICT Investment budget over the three years of the contract.

7. LEGAL IMPLICATIONS

The procurement process used under the KCS framework complies with the requirements of the Council's Contract and Procurement rules and the Public Contracts Regulations 2015.

8. RESOURCE IMPLICATIONS

There are no resource implications associated with this decision.

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

No public consultation has taken place.

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

CONTACT OFFICER:	Peter Hughes
DATE:	12/02/2024
BACKGROUND PAPER:	None

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Growth & Development
LEAD OFFICERS:	Strategic Director for Environment and Operations
DATE:	7 March 2024

PORTFOLIO/S AFFECTED:	Growth and Development
WARD/S AFFECTED:	All Wards
KEY DECISION:	Yes

SUBJECT: Highways Capital Programme 2024/25

1. EXECUTIVE SUMMARY
To seek the Executive Board’s approval for the allocation of funds detailed in the Highways Capital Programme for the financial year 2024/25.

2. RECOMMENDATIONS
That the Executive Board:

- 1) Approves the Highways Capital Programme for 2024/25
- 2) Delegates authority to the Strategic Director of Environment and Operations, in consultation with the Executive Member for Growth and Development, to amend, seek and accept tenders subject to adequate budget provision.

3. BACKGROUND
The Council approved its Local Transport Plan 3 (LTP3) in April 2011 with the following goals, to:

- Support the economy
- Tackle climate change
- Increase safety and security
- Promote equality of opportunity
- Promote quality of life, health and the natural environment
- Promote the management of the Council’s transport assets.

These goals are aligned to our overall corporate priorities as outlined below:

- A more prosperous borough where no one is left behind
- Every child and young person to have opportunities to fulfil their potential

- Deliver our climate emergency action plan
- Build happier, healthier and safer communities

The proposed schemes and projects that form the 2024/25 programme are aimed at achieving our overall corporate priorities along with our statutory obligations to maintain the highway network in the most cost-efficient way based upon the Council's overall asset management strategy.

The programme aims to provide a good, safe and resilient road network that supports communities and businesses across the borough to access employment, leisure, retail and education. The programme also promotes growth and development with section 106 monies being used to support highways improvement schemes to attract business development opportunities.

Maintaining a good road network also supports quality of life, health, safety and security by offering improvements to the built and natural environments encouraging the use of open spaces and active travel with up to 15% of the funding allocated to supporting our active travel aspirations in line with Active Travel England's recommendations.

Reduction in carbon usage and environmental impact is to be achieved through design and the use of innovative solutions where possible with materials, equipment and resources selected to reduce the impact of the proposed schemes as much as is practicable.

The carbon impact of schemes on this capital programme is to be captured where achievable and the data used to inform future decisions to progressively plan and reduce emissions of carbon dioxide and other greenhouse gases generated by highway maintenance activities.

The Council's Climate Emergency Action Plan has guided the production of the Highways Decarbonation Policy. As such a further action plan is currently in development to undertake a carbon benchmarking exercise to better inform choices and outcomes. The first stage of which is to capture and quantify carbon usage to evaluate areas where future reductions can be made. Through asset management and lifecycle planning the most efficient ways of reducing carbon long term can be considered

The recently approved Transport Decarbonisation Policy will also serve to offer guidance and inform decision to further reduce carbon usage.

Funding:

On the 28th February 2022 the Department for Transport (DfT) confirmed details of future Integrated Transport Block, Local Highways Maintenance Block, Pot Hole Funding and Incentive Funding stream allocations for 2022-2025. In addition to these funding streams the DfT have recently announced and confirmed by letter in December 2023 an additional amount of funding available for the 2023 and 2024 periods termed "Network North Plan funding".

It is also anticipated that this additional funding will be received over the next 11 years. The 2023/24 allocation has been confirmed with values from 2024 onward to be announced in due course by the DfT.

Integrated Transport Block (ITB) provides funding support to Local Authorities for transport capital improvement schemes worth less than £5 million. This funding is to be spent at the discretion of the local authority on small transport schemes, such as road safety, active travel and congestion alleviation schemes.

Highways Maintenance Block (HMB) provides funding to maintain highway assets including carriageways, footways, bridges, highway structures, drainage along with street lighting and traffic signal schemes.

HMB incentive element represents additional funding to maintain highway assets secured by maintaining a band 3 status through the DfT's self-assessment questionnaire.

Pothole funding allocation is part of 5 yearly instalments allocated to run alongside other funding streams between 2021/2025. The funding is to go towards ensuring potholes and other road maintenance issues are rectified.

Network North Plan funding is the first instalment of an anticipated 11 year funding model allocated to run alongside other funding streams from 2023/2034. Amounts for years 2023 and 2024 have been confirmed with amounts anticipated in subsequent years from 2025 to 2034 to be confirmed in due course by the DfT. This funding is to be used for local highways maintenance, particularly for the re-surfacing of carriageways, cycleways and footways to prevent potholes and other road defects occurring, as well as tackling other asset management priorities, such as keeping local bridges and other highway structures open and safe.

It is a condition of this funding (to 2024) that it is for additionality and that existing funding is not to be re-allocated for purposes other than highways maintenance. A further condition is that all local authorities receiving this funding should publish, by March 2024, a summary of the additional resurfacing work they will deliver with the new funding over the next 2 years.

Formal confirmation of the 2023 allowance was received in November 2023. As such and due to procurement timescales and weather constraints this allocation is to be utilised in the 2024/25 programme as distributed below.

The total DfT allocations for 2024/25 is £5,163,900.

The Highways Capital Programme is detailed in Appendix A.

Any further additional funding received from the DfT or through Section 106 contributions within the 2024/25 period will be reported as soon as confirmed and a further report will be brought forward.

In the event of additional funding being received schemes will be added to this programme to demonstrate the most economical and valuable use of the funding received in line with our corporate policies and asset management lifecycle planning programme.

4. KEY ISSUES & RISKS

Scheme Selection

The schemes put forward for capital funding have been selected using a complex set of parameters specific to each asset group. At a high level these include the needs of the local community, the availability of funding, and the priorities of the local council. The overarching principle when investing funds into highway assets is to improve the overall condition and community value whilst implementing the most cost-effective maintenance treatments based on the whole life of the assets. This aligns with our current asset management principals, corporate missions and values.

Proposals

This report details the allocation of available highway funding to deliver maintenance activities and improvement programmes on the public highway aligned with our asset management policy along with contributing to the councils overall corporate priorities.

Due to the responsive nature of the service to many variable and unknown outside factors the schemes and budgetary allowances presented cannot operate as fixed budgets but form the basis of our plan for the start of the 2024 financial year. Every effort will be made to adhere to these proposed schemes and budgets as planned. Further updates on progress and the delivery of schemes will be made and any emerging issues or pressures arising due to network demands which may call for changes or amendments to be made will be discussed.

Carry Forward

Given the nature of construction works it is inevitable that the progress of some schemes is delayed through issues such as detailed design periods and consultation, approvals being sought, land issues and the availability and escalating costs of materials alongside severe and recently unpredictable weather events.

Consequently some schemes are not able to be progressed and delivered within the timescales initially envisaged. Such delays have led to an underspend on the 2023/24 programme. This has resulted in a carry forward of this funding into the 2024/25 programme to allow for the completion of these existing schemes and commitments.

Carry forward figures stated in this report are calculated using the current financial standing of each scheme and the anticipated expenditure forecast up to the end of the fiscal year. As such, the carry forward figures stated may be subject to change once actual expenditures are known at and following year end proceedings.

Following receipt of the year-end financial statement accurate carry forward figures are to be reported on and, if significantly different from those anticipated, schemes are to be adjusted accordingly and this report updated to incorporate any amendments and re-published for review.

Any changes to the approved 2024/25 programme will be reported via the Council's Executive Member for Growth and Development later in 2024. Changes to the Highways Capital programme as detailed within this report will be resourced from within the programme, and as such there will be no additional impact on Council finances. The equality impacts of each scheme are considered and assessed at the scheme design stage.

5. POLICY IMPLICATIONS

All schemes proposed directly accord with the Local Transport Plan 3 Strategy, and support the

balanced growth which is identified within the adopted Local Plan to 2037 for Blackburn with Darwen.

Climate Emergency Action Plan: The proposed capital programme will have a negative effect on carbon usage which is currently difficult to quantify. This impact is inevitable given the construction activities and materials required to maintain our existing infrastructure this is also recognised as an industry wide challenge. Whilst there will be an impact from construction activities, carbon usage will be kept to a minimum through design and material choices. An action plan is being developed alongside the Council's Climate Emergency Action Plan 2023/24 to undertake a data gathering exercise to understand our current carbon usage and inform our choices for next year's programme. New and innovative solutions along with technological advancements are being sought and investigated alongside other highway authorities working collaboratively on solutions through the Local Council Roads Innovation Group (LCRIG).

6. FINANCIAL IMPLICATIONS

Funding sources are identified within section 3 of this report. The programme will be closely monitored to ensure full spend and any further variations or amendments will be reported via the Executive Member for Growth and Development.

7. LEGAL IMPLICATIONS

The Council has a statutory duty under Sections 108 and 109 of the Transport Act 2000 ("the Act") (as amended by the Local Transport Act 2008) as local transport authority to ensure that the Council has up to date policies for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within their area. Each local transport authority must prepare a document to be known as the local transport plan ("LTP") containing its policies for the purposes above and its proposals for the implementation of those policies. The Council is currently working alongside Lancashire County Council and Blackpool Borough Council to ensure that a new joint LTP (LTP4) is prepared in line with any relevant timescales, and in accordance with any government guidance issued by the Department for Transport.

All schemes within the programme will be designed and implemented in accordance with relevant highway, transport, traffic and equality legislation; and will need to be procured in accordance with the Council's constitution, procurement law and; where relevant, European directives; and any grant conditions.

The Council will need to comply with the grant conditions and ensure that the tendering and contract award is in accordance with the Council's Contract & Procurement Procedure Rules and the Financial Procedure Rules

8. RESOURCE IMPLICATIONS

All professional fees will be met from allocations detailed, and staff time met from existing resources. External contractors will be procured to deliver schemes that cannot be delivered by internal resources. Procurement will be in line with current best practices identified by HMEP standards.

9. EQUALITY AND HEALTH IMPLICATIONS

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

Page 60

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

All schemes will be the subject of detailed individual consultations with the emergency services, stakeholders and the wider community.

The proposed works have been informed by the options expressed in the most recent National Highways and Transport Public Satisfaction Survey.

Residents and stakeholders will be informed prior to the start of the proposed works in respect to the nature of the scheme and their anticipated duration. This will be communicated via the Council's website, social media channels, leaflets and letters as appropriate. Customer feedback will be actively sought on completion of each scheme, with feedback analysed and used to improve the service in the future.

In accordance with the requirements of the Network North Plan Funding details of the additional resurfacing and other highway maintenance works to be delivered for this funding within the 2024/25 period will also be published and made available on the Council's website.

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

VERSION:	1
-----------------	----------

CONTACT OFFICER:	Carmel Foster-Devine, Mark Berry and Paul Fletcher
-------------------------	---

DATE:	
--------------	--

**BACKGROUND
PAPER:**

Appendix A - Highways Capital Programme 2024/25 Part 1 (Published with No Finances)

Appendix A - Highways Capital Programme 2024/25 Part 2

Appendix A - Highways Capital Programme 2024/25

Part 1 - Schemes

DfT ITB (Integrated Transport Block) incl. Traffic Signal Grant
Destination Darwen
Highway and PROW Improvements
Active Travel
Public Rights of Way Improvement Plan
School Route Infrastructure Improvements
Accessibility Improvements
A666 Highfield - Pedestrian Crossing
Daisy Field Community School Crossing Infrastructure
Re:Fresh Community Projects
Road Safety
Rivington Road Safety Scheme
Local Road Safety Schemes
Ward Casualty Reduction Investigation and Works
Traffic Signal Obsolescence Grant
5033 - Blackburn Road / Hollins Road Traffic Signal Obsolescence
5032 - Blackburn Road / Cavendish Street Traffic Signal Obsolescence
5004 - Shadsworth Road / Dunoon Road Traffic Signal Obsolescence
14 - Preston New Road / Montague Street Traffic Signal Obsolescence
Traffic Signals
Belisha Beacon LED Upgrade
VAS Audit and Replacement Programme
Hollins Grove Junction Modelling and Option Assessment
Growth Development Schemes
Yew Tree Drive Corridor Works
Holden Fold / Moor Lane Junction Improvements and New Access
Haslingden Road New Access and Widening (Dependent on Land Transfer)
Stopes Brow Roman Road Alterations
Bog Height Road Link Road
Growth Deal 3 - South East Blackburn Retention

DfT HMB (Highways Maintenance Block)
Surface Dressing
Egerton Road Corridor, West Pennine
Resurfacing
Troy Street, Blackburn
Road Markings
Road Markings Maintenance

Appendix A - Highways Capital Programme 2024/25

Part 1 - Schemes

Capital Drainage Schemes

Highway Drainage Improvement Works

Bridges and Structures

Grange Brook Retaining Wall

Broadhead Road Retaining Wall subsidence

Fort Street Railway remediation of bridge drainage

Eagly Brook footbridge Scour repair

Bennington Street Canal Wall Repairs

Principal Bridge Inspections

Bridge Inspections

Patching

Owlet Hall Road, Darwen

Prospect Avenue, Darwen

Pre-Patching & Emerging Priorities

Street Lighting

Street Lighting Maintenance Works

Traffic Control

UTC Signal and detection upgrades

DfT Incentive Fund

Resurfacing

Accrington Road, Blackburn

Billinge End Road, Blackburn

Livingstone Road, Blackburn

Sough Road, Darwen

Vale Street, Darwen

DfT Pothole Funding

Resurfacing

Amber Avenue, Blackburn

Beryl Avenue, Blackburn

Bolton Road, Edgworth

Harwood Street, Darwen

Lammack Road, Blackburn

Walker Road, Blackburn

Defect Areas

Targeting Defect Areas

Appendix A - Highways Capital Programme 2024/25

Part 1 - Schemes

DfT BSIP (Bus Service Improvement Fund)
BSIP Infrastructure Schemes
Townsmoor Gyratory
Accrington Road/Audley Range
Bolton Road/Aqueduct Road
A666 Larkhill/Barbara Castleway
King Street/Montague Street
Lower Audley/Bennington Street
Yew Tree Drive/Lammack Road
Audley Range/Queen's Park
St Paul's Street/Montague Street
Shadsworth / Old Bank Lane

DfT Network North Plan
Footway Treatment Works
Mill Hill & Moorgate
Roe Lee
Shear Brow & Corporation Park
Surface Dressing
Long Lane, Billinge & Beardwood
Resurfacing
Alderman Arthur Townsend Way, Blackburn
Kelsall Avenue, Blackburn
Greenhead Avenue, Blackburn
Retexturing/Preservation
A666 Darwen - Falcon Avenue to Birch Hall Avenue
Rivington Road, Belmont

S106 Development Schemes
22/0722 Whalley Old Road - Roundabout Bellmouth Junction
22/0722 Whalley Old Road - Sustainable Transport and Cycle Storage
22/0517 Land off Philips Road - Philips Road Pedestrian/Cycle Improvements
17/0578 Blackburn North Yew Tree Drive (Wainhomes) - Highway Works & Sustainable Transport
18/0895 Roe Lee (Persimmon Homes) - Highway Works & Sustainable Transport
20/0265 Blackburn North, Ramsgreave Drive (McDermott Homes) - Toucan Crossings, TROs (Speed Reduction), Signage and Lining, Sustainable Transport Measures
21/0636 Land to the north of Ramsgreave Drive/Applethwaite Homes - Toucan Crossings, and Sustainable Transport Measures

Appendix A - Highways Capital Programme 2024/25

Part 1 - Schemes

16/1132 Gib Lane Phase A (Kingswood Homes) - Finnington Lane/Moulden Brow Junction
--

17/0211 Gib Lane Phase C (Story Homes) - Sustainable Transport
--

16/0789 (17/1523) Pole Lane North Darwen (Kier Living) - Pedestrian Crossing, Bus Stop Upgrades and Resurfacing

(21/0122) (19/0317) (17/1523) Darwen East Development Corridor
--

19/0520 (18/0075) School Lane (Wainhomes) - School Lane Travel Planning, Slow Markings/VAS Signage
--

Appendix A - Highways Capital Programme 2024/25
Part 2 - Funding

2024/25 DfT Funding	£
DfT ITB (Integrated Transport Block) incl. Traffic Signal Grant	1,489,900
DfT HMB (Highways Maintenance Block)	1,070,000
DfT Incentive Fund	268,000
DfT Pothole Funding	1,535,000
DfT BSIP (Bus Service Improvement Plan)	495,000
DfT Network North Plan	306,000
Total available funding	5,163,900

2023/24 DfT Funding Carry Forward	£
2023/24 DfT ITB (Integrated Transport Block)	2,231,000
2023/24 DfT HMB (Highways Maintenance Block)	656,000
2023/24 DfT Incentive Fund	75,500
2023/24 DfT Pothole Fund	134,000
2023/24 DfT BSIP (Bus Service Improvement Plan)	1,665,500
2023/24 DfT Network North Plan	306,000
Total available funding	5,068,000

Total DfT Funding Available for 2024/25	10,231,900
--	-------------------

2023/24 S106 Funding Carry Forward	£
2023/24 S106 Cash Reserves	2,327,740
Total available funding	2,327,740

Appendix A - Highways Capital Programme 2024/25

Part 2 - Schemes

DfT ITB (Integrated Transport Block) incl. Traffic Signal Grant	£
2024/25 Allowance	1,435,000
2024/25 Traffic Signal Obsolescence Grant	54,900
2023/24 Carry Forward	2,231,000
Total available funding	3,720,900
Destination Darwen	
Highway and PROW Improvements	1,000,000
Active Travel	
Public Rights of Way Improvement Plan	10,000
School Route Infrastructure Improvements	100,000
Accessibility Improvements	20,000
A666 Highfield - Pedestrian Crossing	90,000
Daisy Field Community School Crossing Infrastructure	40,000
Re:Fresh Community Projects	20,000
Road Safety	
Rivington Road Safety Scheme	18,000
Local Road Safety Schemes	135,000
Ward Casualty Reduction Investigation and Works	65,000
Traffic Signal Obsolescence Grant	
5033 - Blackburn Road / Hollins Road Traffic Signal Obsolescence	20,175
5032 - Blackburn Road / Cavendish Street Traffic Signal Obsolescence	13,575
5004 - Shadsworth Road / Dunoon Road Traffic Signal Obsolescence	11,895
14 - Preston New Road / Montague Street Traffic Signal Obsolescence	9,255
Traffic Signals	
Belisha Beacon LED Upgrade	75,000
VAS Audit and Replacement Programme	50,000
Hollins Grove Junction Modelling and Option Assessment	90,000
Growth Development Schemes	
Yew Tree Drive Corridor Works	372,000
Holden Fold / Moor Lane Junction Improvements and New Access	204,000
Haslingden Road New Access and Widening (Dependent on Land Transfer)	600,000
Stopes Brow Roman Road Alterations	150,000
Bog Height Road Link Road	144,000
Growth Deal 3 - South East Blackburn Retention	483,000
Total funding allocated	£3,720,900

Appendix A - Highways Capital Programme 2024/25

Part 2 - Schemes

DfT HMB (Highways Maintenance Block)	£
2024/25 Allowance	1,070,000
2023/24 Carry Forward	656,000
Total available funding	1,726,000
Surface Dressing	
Egerton Road Corridor, West Pennine	340,000
Resurfacing	
Troy Street, Blackburn	50,000
Road Markings	
Road Markings Maintenance	90,000
Capital Drainage Schemes	
Highway Drainage Improvement Works	60,000
Bridges and Structures	
Grange Brook Retaining Wall	388,500
Broadhead Road Retaining Wall subsidence	180,000
Fort Street Railway remediation of bridge drainage	8,000
Eagly Brook footbridge Scour repair	20,000
Bennington Street Canal Wall Repairs	20,000
Principal Bridge Inspections	40,000
Bridge Inspections	90,000
Patching	
Owlet Hall Road, Darwen	12,000
Prospect Avenue, Darwen	12,000
Pre-Patching & Emerging Priorities	48,500
Street Lighting	
Street Lighting Maintenance Works	115,000
Traffic Control	
UTC Signal and detection upgrades	252,000
Total	£1,726,000

DfT Incentive Fund	£
2024/25 Allowance	268,000
2023/24 Carry Forward	75,500
Total available funding	343,500
Resurfacing	
Accrington Road, Blackburn	75,500
Billinge End Road, Blackburn	27,500
Livingstone Road, Blackburn	100,000
Sough Road, Darwen	68,000
Vale Street, Darwen	72,500
Total	£343,500

Appendix A - Highways Capital Programme 2024/25

Part 2 - Schemes

DfT Pothole Funding	£
2024/25 Allowance	1,535,000
2023/24 Carry Forward	134,000
Total available funding	1,669,000
Resurfacing	
Amber Avenue, Blackburn	23,000
Beryl Avenue, Blackburn	23,000
Bolton Road, Edgworth	325,000
Harwood Street, Darwen	38,000
Lammack Road, Blackburn	57,000
Walker Road, Blackburn	238,000
Defect Areas	
Targeting Defect Areas	965,000
Total	£1,669,000

DfT BSIP (Bus Service Improvement Plan)	£
2024/25 Allowance	495,000
2023/24 Carry Forward	1,665,500
Total available funding	2,160,500
BSIP Infrastructure Schemes	
Townsmoor Gyratory	279,000
Accrington Road/Audley Range	283,000
Bolton Road/Aqueduct Road	76,500
A666 Larkhill/Barbara Castleway	718,000
King Street/Montague Street	49,000
Lower Audley/Bennington Street	110,000
Yew Tree Drive/Lammack Road	40,000
Audley Range/Queen's Park	75,000
St Paul's Street/Montague Street	35,000
Shadsworth / Old Bank Lane	495,000
Total	£2,160,500

DfT Network North Plan	£
2024/25 Allowance	306,000
2023/24 Carry Forward	306,000
Total available funding	612,000
Footway Treatment Works	
Mill Hill & Moorgate	64,000
Roe Lee	35,000
Shear Brow & Corporation Park	31,000
Surface Dressing	
Long Lane, Billinge & Beardwood	120,000

Appendix A - Highways Capital Programme 2024/25

Part 2 - Schemes

Resurfacing	
Alderman Arthur Townsend Way, Blackburn	25,000
Kelsall Avenue, Blackburn	47,000
Greenhead Avenue, Blackburn	28,000
Retexturing/Preservation	
A666 Darwen - Falcon Avenue to Birch Hall Avenue	100,000
Rivington Road, Belmont	162,000
Total	£612,000

S106 Development Schemes	£
2023/24 S106 Cash Reserves	2,327,740
Total available funding	2,327,740
S106 Development Schemes	
22/0722 Whalley Old Road - Roundabout Bellmouth Junction	62,500
22/0722 Whalley Old Road - Sustainable Transport and Cycle Storage	82,500
22/0517 Land off Philips Road - Philips Road Pedestrian/Cycle Improvements	50,000
17/0578 Blackburn North Yew Tree Drive (Wainhomes) - Highway Works & Sustainable Transport	237,779
18/0895 Roe Lee (Persimmon Homes) - Highway Works & Sustainable Transport	150,000
20/0265 Blackburn North, Ramsgreave Drive (McDermott Homes) - Toucan Crossings, TROs (Speed Reduction), Signage and Lining, Sustainable Transport Measures	130,000
21/0636 Land to the north of Ramsgreave Drive/Applethwaite Homes - Toucan Crossings, and Sustainable Transport Measures	95,598
16/1132 Gib Lane Phase A (Kingswood Homes) - Finnington Lane/Moulden Brow Junction	161,810
17/0211 Gib Lane Phase C (Story Homes) - Sustainable Transport	20,000
16/0789 (17/1523) Pole Lane North Darwen (Kier Living) - Pedestrian Crossing, Bus Stop Upgrades and Resurfacing	140,000
(21/0122) (19/0317) (17/1523) Darwen East Development Corridor	992,574
19/0520 (18/0075) School Lane (Wainhomes) - School Lane Travel Planning, Slow Markings/VAS Signage	5,722
Total	£2,128,483

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Growth & Development

DATE: Thursday, 7 March 2024

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT: 'First Considerations' towards the Council's Biodiversity Duty

1. EXECUTIVE SUMMARY

1.1 In response to the ecological emergency, the Government have introduced legislation, guidance and new duties to help drive the recovery of nature. Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) introduced a legal duty for Councils to conserve and enhance nature. The Environment Act 2021 has since strengthened that responsibility so that Councils must now identify the objectives and actions they will take to meet that duty, and prepare regular reports on how they are meeting those actions. This report seeks approval of the 'first considerations' document which sets out the Council's objectives, policies and actions identified to meet the general biodiversity duty.

2. RECOMMENDATIONS

That the Executive Board approve the 'First Considerations' Report setting out how the Council is fulfilling the biodiversity duty.

3. BACKGROUND

3.1 In response to the current ecological crisis, national Government set out a 25-year Environment Plan, with an ambition "to leave our environment in a better state than we found it", and a wider commitment to protect 30% of land and seas by 2030 ("30x30"). The interventions the Government plans to take to improve the environment have been set out through legislation and guidance, including the Natural Environment and Rural Communities Act 2006 (NERC), the Environment Act 2021 and Environmental Improvement Plan (EIP) 2023.

3.2 The EIP sets out the Government's plan to deliver environmental improvements, committing to, by 2042, increase species abundance by at least 10% from 2030 levels, restoring or creating at least 500,000 hectares of habitats and restoring 75% of 1 million hectares of protected sites to favourable condition. It introduces 10 goals, with the apex goal of halting (and reversing) the decline in biodiversity.

- 3.3 To support this apex goal, Section 40 of the NERC Act places a legal duty on Councils to further the 'general biodiversity objective' – that is, to conserve and enhance biodiversity. Section 102 of the Environment Act 2021 has since strengthened that duty further so that Councils must identify the actions they can take to strengthen local biodiversity and then produce regular reports on that activity.
- 3.4 The first report, the 'First Consideration' of the actions the Council can take, must happen by 1 January 2024, and the Council must determine the policies and objectives for taking action 'as soon as practicable' after that consideration. The Council must consider how its services, strategies, policies and decision-making can better support the recovery of nature within the borough by identifying a series of objectives (what we want to achieve) and policies and actions (what we will do to achieve them). This must be undertaken with regard to other relevant strategies, including the Local Nature Recovery Strategy (LNRS). Such actions should be Council-wide and may cover a wide range of services. Actions may include improvements to existing, or the creation of new, habitats that can support a variety of flora and fauna, but activity may also extend to areas such as public education and engagement. The 'First Consideration' then provides the basis for the first Biodiversity Report, which is due by 1 January 2026
- 3.5 Strategic Planning have led the preparation of the 'First Consideration' report, working in consultation with other Council services, including Environment, Highways and Drainage and Public Health teams, to identify an initial series of objectives, policies and actions that the Council could pursue to help conserve and enhance nature within the Borough. This includes implementation of a series of planning-based, mandatory requirements stemming from the NERC Act and the Environment Act, including Biodiversity Net Gain and the LNRS, as well as a number of more locally identified actions.
- 3.6 The 'First Considerations' report, title *Biodiversity: Supporting the Recovery of Nature in Blackburn with Darwen* was completed in December 2023 and is attached as Background Paper 1.

4. KEY ISSUES & RISKS

- 4.1 This report recommends that the NERC First Consideration Report is endorsed/approved. The First Considerations report is Background Paper 1 to this report. Failure to produce and approve a report would result in the Council failing to meet their duties under the NERC Act 2006 and the Environment Act 2021. In preparing the first considerations report, the Council have accorded with the timeframes set through the legislation. There is no requirement for the report to be formally published, but it may be made available through the Council website as part of the wider suite of information on biodiversity.
- 4.2 The First Considerations report will be a live document, and it is intended that the objectives, policies and actions identified in it can be updated internally at any time. However, the report acknowledges that Council budgets and resources are often limited, and we may not be able to deliver on every identified action or objective presented through the First Consideration, and so some actions are identified as 'opportunities' rather than commitments. The First Consideration report serves to provide our initial objectives and actions. Changes from that initial position and our overall progress since the first considerations report will be reviewed in our first Biodiversity Report in 2026 and any appropriate clarification or justification will be reported at that time.

5. POLICY IMPLICATIONS

- 5.1 The requirement to produce a 'First Considerations' report, and subsequent Biodiversity Reports, is set through national legislation. As the 'First Considerations' report sets out, the Council have

undertaken a review of existing and proposed policies which may support and/or tie into the biodiversity duty, including the recently adopted Local Plan (2021-2037) and associated supplementary planning documents, the Climate Emergency Action Plan, Health and Wellbeing Strategies, and the Tree and Woodland Strategy.

- 5.2 The 'First Considerations' report identifies opportunities for additional policies or strategies to be developed, namely a Biodiversity Strategy for the Borough. This, however, remains subject to Council impetus and the availability of external ecological expertise.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising from the preparation of the first considerations report, as this has formed part of the existing resource within Strategic Planning. However, the 'First Consideration' report identifies a series of opportunities across Council services to help meet the biodiversity duty, some of which may require additional resources and funding to action. It will be for the Council to determine the weight of importance that the biodiversity emergency should command, and what resources are ultimately assigned to it (for example, an ecologist resource to lead the response). Officers will pursue all available options for additional funding to support new burdens and/or opportunities. The recent award of Planning Skills Delivery Fund grant for specialist ecologist expertise over the coming 18 months will contribute to this work.
- 6.2 However, whilst there may be financial costs borne from responding to the Council's biodiversity obligations, it is important to balance these against the opportunities that such actions to enhance nature can generate, including delivering improvements to health opportunities, increasing resilience to climate change, mitigating flood risk, and making our Borough a more attractive, healthier place to live. For example, recent studies into health have shown for every £1 invested into nature recovery, there is £2.16 of additional benefits in terms of reduced costs to the NHS¹. Interventions can also be combined with existing actions, for example designing habitats into flood mitigation measures, such as swales and sustainable drainage systems (SuDS). Responding to the biodiversity crisis can help meet our Corporate Plan objectives to improve our residents' quality of life; including building happier, healthier and safer communities and delivering our Climate Emergency Action Plan.
- 6.3 In the event additional resources are required over and above those currently available, approval for such resources will be sought in line with the Council's Financial Procedure Rules.

7. LEGAL IMPLICATIONS

- 7.1 The Council have fulfilled their legal duty thus far to both the NERC Act 2006 (s40A) and the Environment Act 2021 (s.103) by preparing the 'first consideration' report. The first considerations report notes our future reporting obligations under the NERC Act 2006.

8. RESOURCE IMPLICATIONS

- 8.1 As part of any recommendations for improvement opportunities, through this study or future studies, there may be additional burdens placed on the resources of other Council areas to manage/deliver those actions, for example creating or enhancing habitats, tree planting, etc.

¹ [New report proves nature-based health projects save time and money | The Wildlife Trusts](#)

However, other opportunities may result in a reduction to resource pressures, for example reducing grass cutting.

8.2 There are also opportunities to engage and involve the community in delivering some of the enhancement measures, drawing upon existing community groups such as the CVS Climate Action Fund and People's Jury. A number of groups have already expressed interest in local-level climate/nature conservation work, and this resource could be drawn upon.

8.3 The full range of actions the Council can take will be wholly dependent on the availability of resources (and funding) and the weight of focus the Council wishes to give to restoring the natural environment and addressing the biodiversity crisis (alongside the twinned climate emergency). In addressing the biodiversity crisis, there are real opportunities to deliver meaningful benefits to nature, the climate, our communities, and our economy.

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

10.1 None required.

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
CONTACT OFFICER:	PMO Growth
DATE:	February 2024
BACKGROUND PAPER:	1. Biodiversity: Supporting the Recovery of Nature in Blackburn with Darwen (First Considerations Report under the NERC Act (2006))

BIODIVERSITY

SUPPORTING THE
RECOVERY OF NATURE IN
BLACKBURN WITH DARWEN



**FIRST
CONSIDERATIONS**

DECEMBER 2023

Contents

1.0	PURPOSE OF THIS REPORT	3
2.0	INTRODUCTION	4
3.0	CONSIDERATION OF EXISTING RELEVANT STRATEGIES	8
4.0	CURRENT BASELINE / DATA / MAPPING	14
5.0	POLICIES, OBJECTIVES, ACTIONS	20
6.0	FUTURE ACTIONS	23
	APPENDIX A: OBJECTIVES AND ACTION PLAN	24

1.0 PURPOSE OF THIS REPORT

- 1.1 The Natural Environment and Rural Communities Act 2006 (NERC Act), and the Environment Act 2021, have set specific legal duties for Councils to conserve and enhance nature, and to report on how they are meeting those duties. We must complete our first consideration of the actions we can take to support biodiversity by 1 January 2024, and agree our policies and objectives as soon as possible after this. We must then reconsider the actions we can take within 5 years of the previous consideration, although we can do this more often should we choose to.
- 1.2 As a public authority (Council), we must:
- Consider what we can do to conserve and enhance biodiversity
 - Agree policies and specific objectives based on our consideration
 - Act to deliver our policies and achieve our objectives
- 1.3 This report therefore:
- Identifies and considers existing relevant strategies;
 - Outlines the current baseline position and available data;
 - Identifies a series of objectives and policies to conserve and enhance biodiversity within Blackburn with Darwen, and sets this out within an action plan;
- 1.4 This report has been prepared with the input of various council departments, including Planning, Environment, Health, Highways and Drainage teams.
- 1.5 To produce any meaningful benefits to nature, these objectives and actions cannot be tokenistic and simply serve to 'tick a box'. We must ensure that the actions we identify are actioned, and that, across the Council, we seize all opportunities to conserve and enhance biodiversity.
- 1.6 However, Council budgets and resources are very restricted and we may not be able to deliver on every identified action or objective. Crucially, the Council do not have any 'in-house' ecological expertise, and must outsource priority work to consultants (e.g. BNG statutory requirements). Some of the actions identified in Appendix A of this report are dependent on new funding or resources, e.g the appointment of an ecologist, to deliver. Where these additional resources cannot be sourced, then it will be more difficult to deliver those identified actions. For this reason, the actions table distinguishes between actions we are committed to (will take), for example those required under legislative duties, strategies or plans, and the opportunities we could take (subject to other priorities and resources).
- 1.7 There may also be opportunities to expand resources by involving local people in conservation and enhancement, for example, new planting schemes. Such interventions can help give local people 'ownership' of their area, promote community, foster new relationships, and improve health and wellbeing.

2.0 INTRODUCTION

The importance of biodiversity

- 2.1 Biodiversity describes all living plants and animals, which live within many different habitats and function within delicately balanced eco-systems. Biodiversity is the foundation of our society and provides many of our basic needs such as oxygen, water and food alongside many other benefits including medicines and protection against floods.
- 2.2 However, the UK is now one of the most nature-depleted countries in the world. The latest State of Nature Report (2023), shows a continuing, significant loss in biodiversity. The main causes of the decline in biodiversity relate to how we manage our land for agriculture, the effects of climate change and pollution, and habitat loss from new development.
- 2.3 The loss of nature will have significant impacts on how we live. For example, approximately three-quarters of all crop types grown by humans require pollination by insects; without them, we would struggle to feed ourselves. Each year, around the world, insects pollinate over £690 million worth of crops. Without these insects, it would cost us both time and £1.8 billion every year to do the same job¹. Globally, however, we have lost 76% of insects since 1970², including many of our UK species. The loss of biodiversity is a grave concern and, like the climate emergency, a threat to our very existence.
- 2.4 To date, the general approach has relied on ensuring no net loss to biodiversity by protecting designated sites and priority species from harmful development. Whilst this works to avoid the most severe impacts on biodiversity and wildlife, it works less well to manage the gradual erosion of lower value and more common habitats which benefit a wide range of flora and fauna. Cumulatively, the loss of habitat adds up to significant rates of biodiversity loss.
- 2.5 The scale and the pace of biodiversity loss, both worldwide and in the UK, is continuing³ and it needs urgent action to address and reverse the trend.

Reversing the decline in nature loss

- 2.6 The Global Biodiversity Framework guides worldwide actions to 2030 to preserve and protect nature and its essential services to people. Over 100 countries, including the UK, have committed to protect 30% of their land and seas by 2030 (30 x 30).
- 2.7 At a national level, the Government have set out their commitment to help the natural world regain and retain good health, and have introduced a series of plans and legislation to improve nature. The 25 Year Environment Plan (25YEP) (2018) sets out their vision for a 25-year plan of action, with a commitment to refresh the plan every 5 years.

¹ [Save bees and pollinators | The Wildlife Trusts](#)

² Hallan et al (2017). More than 75% decline over 27 years in total flying insect biomass in protected areas

³ [TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf \(stateofnature.org.uk\)](#)

2.8 The first review, the Environmental Improvement Plan (EIP) (2023), reinforces the 25YEP framework, with a plan to deliver it. By 2042, the Government have committed to increasing species abundance by at least 10% from 2030 levels, restoring or creating at least 500,000ha of habitats and restoring 75% of 1 million hectares of protected sites to favourable condition. The EIP introduces 10 goals, with the apex goal of halting the decline in biodiversity.

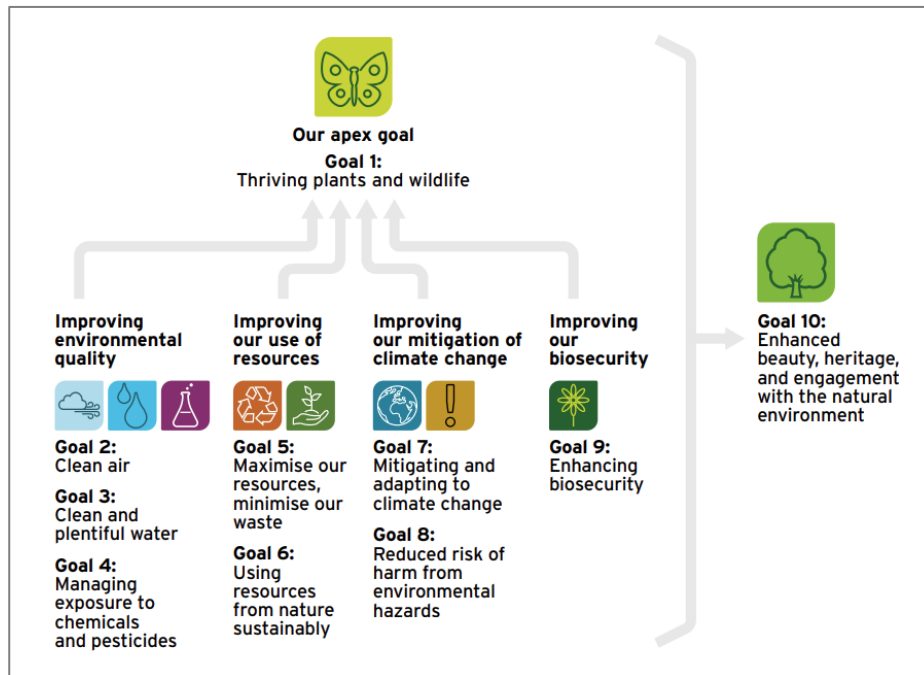


Figure 1: 10 goals of halting the decline in biodiversity; Source: EIP 2023

2.9 As the EIP goals illustrate, biodiversity provides a range of environmental, social and economic benefits. Rather than seeing net gain requirements as an extra cost or burden within new development, there are real opportunities to benefit from the natural capital it can bring. For example, prescribing access to nature can help improve mental and physical health, in turn reducing the cost burdens of those associated illnesses on the health service.

The Joint Climate Emergency

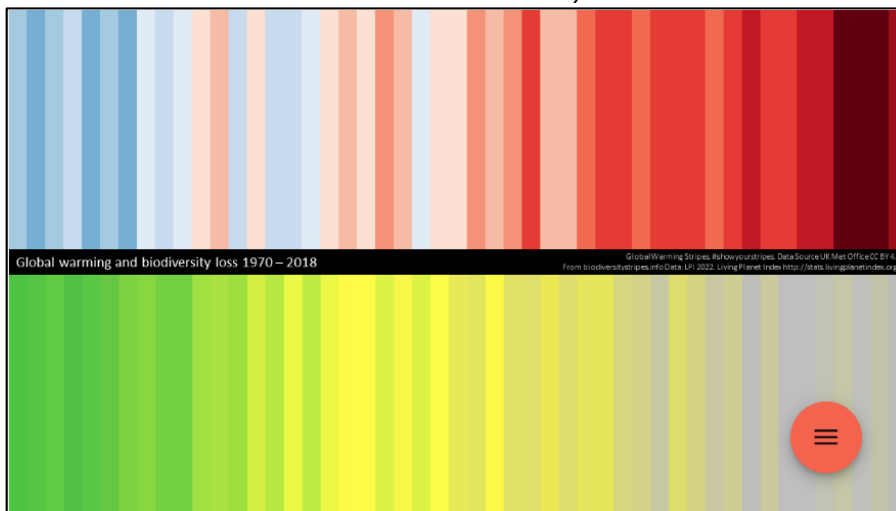
2.10 The Biodiversity Emergency and Climate Emergency are inextricably linked – effectively, they are two sides of the same coin. Climate change is exacerbating nature’s decline, and the loss of wildlife and wild places leaves us ill-equipped to reduce carbon emissions and adapt to change. One crisis cannot be solved without addressing the other.

2.11 Multi-functional improvements are critical to effectively addressing both emergencies. For example, restoring peatland habitat can also help slow the flow of water into river systems to reduce the risk of flooding, whilst planting native trees can help sequester (store) carbon, improve air quality, provide habitat, improve drainage to mitigate flood risk and improve the attractiveness of place with benefits to health and wellbeing.

2.12 The Council have declared a Climate Emergency and delivering the Climate Emergency Action Plan (CEAP) is one of the Council's four core missions to deliver its corporate vision. The CEAP contains a range of actions to help mitigate emissions and adapt to climate change. Many of these actions, for example, tree planting, will also help to respond the biodiversity emergency. In fact, improving biodiversity within the borough will help to deliver a range of multi-functional benefits, including improving health opportunities, making our area more attractive to live, and reducing the risk of flooding.

Figure 2: Global warming and biodiversity loss 1970-2018

The top row shows the increase in global temperatures over time, with the bottom row showing the loss in global biodiversity over the same time period. Biodiversity is declining as temperatures increase, showing the two crises are closely linked.



Source: Miles Richardson / University of Derby: Biodiversitystripes.info

The Council's legal duty to conserve and enhance biodiversity.

- 2.13 The Government have committed to halting biodiversity loss through legislation. Section 40 of the Natural Environment and Rural Communities Act (NERC) (2006) (as amended), places a legal duty for all public authorities (including Councils) to further the “general biodiversity objective” – that is, to conserve and enhance biodiversity. Section 102 of the Environment Act 2021 strengthens that duty further, so that public authorities must periodically consider what action they can take to conserve and enhance biodiversity and then take that action.
- 2.14 Essentially, this means we must think about how we can conserve and enhance habitats and wildlife within Blackburn with Darwen, by identifying a series of objectives (what we want to achieve), policies and actions (what we will do to achieve them).
- 2.15 The “first consideration” of the actions the Council can take must happen within one year of Section 102 coming into force, and the determination of policies and objectives for taking action must be made ‘as soon as practicable’ after that consideration. In doing so, authorities must have regard to any other relevant strategies, including the Local Nature Recovery Strategy, and any relevant Species Conservation Strategy or Protected Site Strategy

2.16 Section 102 of the Environment Act 2021 came into force on 1 January 2023, and therefore the first consideration must be taken by 1 January 2024.

The Council's legal duty to report on the conservation and enhancement of biodiversity.

2.17 Section 103 of the Environment Act 2021, and Section 40A of the NERC, requires local authorities, and local planning authorities (LPA), to publish *Biodiversity Reports*. These reports must contain a summary of the action that the authority has taken over the past reporting period and plans for action over the subsequent period, alongside any other information the authority considers it appropriate to include in the report. The LPA must also report on a summary of actions in relation to biodiversity net gain (which commences in January 2024).

2.18 The NERC requires that the first Biodiversity Report must cover a period chosen by the authority which is no longer than 3 years from the date on which the duty first applies. As the Environment Act came into force on 1 January 2023, the first Biodiversity Report is due 1 January 2026. Subsequent biodiversity reports must then cover a period chosen by the authority which is no longer than 5 years from the date of its most recent biodiversity report.

2.19 Table 1 sets out the timescales for the different requirements.

Table 1: Timetable for various requirements

	Environment Act duty takes effect	1 January 2023
→	First consideration	1 January 2024
	Biodiversity Report 1	1 January 2026
	Biodiversity Report 2	1 January 2031
	Subsequent Biodiversity Reports	Every 5 years from 2031

2.20 The “first consideration” therefore provides the basis for the first biodiversity report – i.e. it sets out the actions we intend to take now, and then our first biodiversity report will assess whether we have taken the actions we have first identified, along with any other actions we’ve taken, or plan to take in the future.

2.21 It should be remembered that reversing the decline in nature will take time, and we are still at the start of our journey. New requirements, like biodiversity net gain, and the local nature recovery strategies, are still at the very early stages of their implementation (or, at time of writing this report, not yet in effect) and will be a learning process for everyone involved. Some of the actions identified in this report will therefore evolve and change over the reporting interval, as we evaluate guidance, information and resources. The actions table will be a live document, which we may update at any time.

2.22 The Government have produced [guidance on complying with the strengthened Biodiversity Duty](#). This includes a suggested format for [reporting on biodiversity duty actions](#). This format will be used when the Council prepare their first Biodiversity Report.

3.0 CONSIDERATION OF EXISTING RELEVANT STRATEGIES

- 3.1 In considering what we can do to conserve and enhance biodiversity, we need to take account of existing strategies that we can ‘tap into’ and/or connect so that all opportunities can be maximised. These may be dedicated biodiversity strategies, but may also include related strategies, for example, strategies or action plans to address the twinned climate emergency. There are a number of strategies which will shape and guide our duties to nature, and influence our policies, objectives and actions, and these are outlined below.

Local Nature Recovery Strategy (LNRS)

- 3.2 The Environment Act has introduced a new requirement for a national network of wildlife-rich places, to address biodiversity loss, climate change and wellbeing. The national network will be comprised of a mandatory network of 48 spatial strategies for nature, known as ‘Local Nature Recovery Strategies’ (LNRS). Each LNRS will be prepared by [a responsible authority](#) – typically, the county council or a combined authority. The Lancashire LNRS will be prepared by Lancashire County Council (LCC) working with district authorities and upper tier authorities, including Blackburn with Darwen Borough Council.
- 3.3 Each LNRS will map out the action needed to restore nature, and agree the priorities for nature’s recovery, map the most valuable existing areas for nature and map specific proposals for creating or improving habitats for nature and wider environmental goals. They will help support nature and ‘nature-based solutions’ by drawing together and coordinating actions from existing plans and strategies, and proposing what more should be done. They will help provide a common focus for action across the public, private and voluntary sectors, including biodiversity net gain (BNG), duty on public authorities, integrating opportunities for nature recovery into the planning system, public funding and private green finance and voluntary action. They will also propose action, focus delivery, and be reviewed and updated every 3-10 years.
- 3.4 The LNRS will recognise areas as being of particular importance for biodiversity (nationally designated sites, local nature reserves (LNRs), local, or district, wildlife sites (DWS) and irreplaceable habitats (IHs). Irreplaceable habitats are based on those habitats the land-use planning system in England recognises through the NPPF. Priority habitat does not have this level of protection even though it is recognised as ‘habitat of principle importance’ through the NERC. LNRS do not confer new protections upon areas, but instead utilise the existing system of habitat protections.
- 3.5 LCC have commenced preparatory works on the LNRS, beginning with the collection of key data relating to existing wildlife-designated sites in each of the Lancashire local authority areas (Autumn 2023). However, it is expected that the production of the LNRS will take 12-18 months, and so a final LNRS is only expected from 2024/25.
- 3.6 Once the Lancashire LNRS is finalised, the Council will use this to assess the ‘strategic significance’ of off-site biodiversity net gain delivery.

Biodiversity Net Gain (BNG)

- 3.7 BNG is a new requirement, from January 2024, for most new development to deliver a minimum of 10% biodiversity net gains on the pre-development baseline. It is designed to ensure that new development contributes to the recovery of nature. When measuring the gains that a development will deliver, the calculations take into account whether the proposed habitats accord with any local planning strategies – the ‘strategic significance’. Those habitat enhancements proposed within strategic areas, will be scored more favourably through the calculation metrics. The strategic areas will be guided by the LNRS. However, in the interim, strategic significance, as explained in the BNG Planning Advisory Note, will be informed by the current Green Infrastructure and Ecological Network SPD.
- 3.8 At present, the Council are working with LCC to prepare a LNRS, but it remains in a relatively early stage of preparation and therefore cannot be considered in this report in any level of detail. However, the Council remain committed to supporting its development.

Identified Action:

- To co-operate and support the production of the Lancashire LNRS

Local Plan 2021-2037

- 3.9 The Council are in the final stages of preparing a new Local Plan, which will guide development within the borough. The Plan contains a number of strategic planning policies including CP6: The Natural Environment, which guides that ecological networks should be strengthened and better-connected to stem the loss of nature and deliver biodiversity net gains. In advance of an LNRS, it confirms that consideration should be given to existing biodiversity strategies, including the Green Infrastructure and Ecological Networks SPD (see below), Environmental Opportunity Areas (Policy DM14), and potential enhancements to existing wildlife habitat sites (Policy DM15).
- 3.10 Environmental Opportunity Areas (EOAs) are areas of land which have been identified through the Council’s Climate Change and Natural Capital Study (2021) as having the potential to deliver enhancements to habitats, to store and manage carbon and to mitigate flood risk. Policy DM14 of the Local Plan identifies that these sites may be used for carbon or biodiversity offsetting schemes, and may be linked to statutory and non-statutory designated sites and form part of nature recovery networks. The use of EOA’s remains subject to further consultation with relevant partner and delivery agencies, as well as landowners.
- 3.11 In 2023, the Council commissioned ecological studies of a number of Council-owned sites, including District Wildlife Sites, and some EOAs to understand the current habitats and their ecological condition, and identify the interventions that may be possible to enhance their ecological status. The study results will be used to inform whether any sites can be used to support the delivery of off-site biodiversity net gain. Biodiversity Units (the costs associated with enhancing existing or creating new habitats) can then be sold to developers to provide off-site BNG. The delivery of off-site BNG can then help improve the ecological condition of identified habitats within the borough.

- 3.12 Whilst the responsibility to identify off-site BNG lies with the developer, the Council expect that few privately owned sites will be available in the early period of BNG's implementation. Therefore, the Council expect that there will be a significant reliance on the public-sector to identify opportunities for BNG. Whilst not obligated to do so, the Council will continue to seek to identify opportunities for BNG on council-owned sites, which will i) allow the council to generate funding to support interventions for the conservation and enhancement of biodiversity within the borough; and ii) prevent development in the borough from being stymied by an insufficient supply of off-site BNG opportunities. However, it should be noted that the Council cannot direct developers to our own sites in preference of other sites, unless there is clear ecological justification to do so. The Council have appointed ecologists to assess the potential of some council-owned sites for off-site BNG. Most of the shortlisted sites are on 'strategically significant' sites, and so, should they be taken forward, this provides an 'ecological justification' to encourage developers to purchase biodiversity units from council-owned sites.
- 3.13 The Council will also continue to monitor opportunities for additional green finance and promote these with developers as appropriate. Any known details of available opportunities will be published on the BNG webpages of the Council website.
- 3.14 A *Natural Environment Supplementary Planning Document (SPD)* will be prepared to provide further guidance on relevant environmental aspects of the Plan. It is intended the SPD will reflect the completed LNRS. In the interim, a Planning Advisory Note (PAN) will guide BNG.

BNG Planning Advisory Note / Green Infrastructure and Ecological Networks SPD

- 3.15 In advance of the Natural Environment SPD (and LNRS), the Council have prepared a BNG Planning Advisory Note (PAN) to provide guidance on how biodiversity should be considered within development proposals, in accordance with the requirements of the Environment Act (2021) and associated legislation, National Planning Policy Framework (NPPF) and the Blackburn with Darwen Local Plan (2021-2037).
- 3.16 It confirms the strategic context for delivering off-site BNG within the Borough, in advance of the LNRS, drawing upon the Lancashire Ecological Networks (LEN) previously identified and detailed within the Green Infrastructure and Ecological Networks SPD (2015). It also outlines how Environmental Opportunity Areas and green and blue infrastructure also fit in with biodiversity considerations.
- 3.17 The areas identified in policies and strategies as being of strategic significance are provided as an [interactive online map](#), and will be used to shape development of the LNRS. It is anticipated that Council owned off-site BNG opportunity sites will also be shown on the map.

Identified Actions:

- ➔ To finalise the BNG Planning Advisory Note to provide BNG guidance
- ➔ To prepare a Natural Environment SPD, providing detailed guidance on planning requirements relating to nature, including its conservation and enhancement

- ➔ To develop publicly-available interactive online mapping to inform biodiversity strategies
- ➔ To continue to explore the use of council-owned sites to deliver improvements to ecological habitats (where relevant, alongside other multi-functional benefits), including the commission of studies to support BNG opportunities on council-owned land, identify biodiversity unit values and promote the sale/use of these units to deliver BNG
- ➔ To monitor opportunities for additional green finance and pursue/promote these as appropriate

Protected Site Strategies (PSS)

- 3.18 There are a number of different types of Protected Sites, which are sites typically established for nature conservation. Protected sites include internationally or European protected sites such as Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar wetland; nationally protected sites including Sites of Special Scientific Interest (SSSI) and locally protected sites (LNRs, DWS). There are no international or European protected sites within the Borough, but the Borough does contain an SSSI (West Pennine Moors) and some sites with local wildlife protections.
- 3.19 Established by the Environment Act 2021, Protected Site Strategies aim to bring together key stakeholders to address on and off-site pressures on protected sites to help restore important habitats, species and geodiversity. They will support the delivery of other Environment Act policies, including LNRs, and opportunities for BNG.
- 3.20 In 2022, the Government announced 5 PSS pilot projects, though none of them were in Lancashire. At present, there are no PSS to consider.

Species Conservation Strategies (SCS)

- 3.21 Established by the Environment Act 2021, Species Conservation Strategies aim to safeguard the future of the species that are at greatest risk. The strategies will find better ways to comply with existing legal obligations to protect species at risk and to improve their conservation status.
- 3.22 There have been 3 national SCS pilots, none of which are in Lancashire. At present, there are no SCS to consider.
- 3.23 There are no relevant Protected Sites Strategies or Species Conservation Strategies to consider, at this time. The Council will continue to monitor this.

Identified Actions:

- ➔ To continue to monitor the announcement of any future Protected Site or Species Conservation Strategies that are relevant to Blackburn with Darwen, or the LNRs

Climate Emergency Action Plan (2023)

- 3.24 The Council have declared a Climate Emergency, and have adopted a [Climate Emergency Action Plan \(CEAP\)](#) which has been developed to steer action across Blackburn with Darwen and deliver on our corporate plan objective to reduce our carbon footprint.
- 3.25 The CEAP sets out the actions that the Council and others will take to work towards becoming a carbon neutral borough by 2030, including planting more trees to capture carbon and commissioning studies to examine natural flood management. These 'natural-solution' interventions, identified to address the climate emergency, also help to protect and provide habitat, further supporting the conservation and enhancement of biodiversity within the borough. There are clear opportunities to combine our responses to the climate and biodiversity emergencies.

Tree and Woodland Strategy (TAWS) (2023)

- 3.26 This strategy (currently at draft stage) sets out a vision for how trees and woodland in the borough are to be managed, now and in the future, and introduces a series of objectives to achieve that vision, with those objectives then supported by a series of identified actions. The TAWS provides the strategic framework for the management of our current and future tree stock, including how to minimise the avoidable loss of trees and the identification of new planting and woodland management opportunities. The Strategy will be used across the Council to provide information to guide tree, woodland and hedgerow management and maintenance, and new planting.

Identified Actions:

- ➔ To holistically consider how our responses to the twin climate and biodiversity emergencies can bring positive, multi-functional benefits.
- ➔ To incorporate climate actions, and woodland management / tree planting within the biodiversity actions

Drainage and Flood Risk Management

- 3.27 [The Drainage Planning Guidance \(2020\) document](#) provides technical guidance for developers on flood risk, sustainable urban drainage systems and the discharge of surface water. As part of future updates, guidance could be updated to better explain how natural solutions can be used, and integrated within, flood mitigation.
- 3.28 Similarly, the [Lancashire Local Flood Risk Management Strategy 2021-27](#) has been produced by Lancashire's Lead Local Flood Authorities (LLFAs). It provides a context, identifies the local flood risks, challenges and opportunities; sets out how and when measures will be implemented to address flood risk, and how the strategy will be monitored and reviewed. Again, there are opportunities to expand how natural solutions can be used in increasing flood resilience.

Identified Actions:

- To consider how biodiversity, and natural solutions, can be integrated within flood mitigation solutions when the technical guidance documents are next reviewed.

2.29 Collectively, these strategies have been used to inform the development of the objectives and action to meet our biodiversity duties.

4.0 CURRENT BASELINE / DATA / MAPPING

Borough Overview

- 4.1 The borough is a mix of urban and rural areas, featuring a diverse variety of habitats across grasslands, parks and open spaces, woodlands and moorland as well as reservoirs, canals and rivers.
- 4.2 The Council's [Climate Change and Natural Capital Study](#) (2021) provided an assessment of habitats found within the borough, and deemed the most extensive habitats types to be: improved grassland, suburban and urban areas, heather grassland and heather, acid grassland, bog, broadleaved and coniferous woodland and freshwater, distributed across lowlands and uplands. There are a number of priority habitats present across the borough, including blanket bog (223ha), deciduous woodland (785ha), lowland fens (194ha), upland heathland (105ha) and semi improved grassland (145ha). The borough's habitats serve a range of purposes, including habitats, pollination, food, timber, water supply, carbon sequestration and storage, flood protection, water quality, and cultural services.
- 4.3 In terms of water habitat, the Borough contains the Leeds-Liverpool canal (running west-east through Blackburn), the River Darwen, and River Blakewater. Reservoirs are widespread across the borough, principally along the River Roddlesworth and Bradshaw Brook. The borough also contains a mix of other watercourses, including ponds, weirs, sluices, culverts and streams.
- 4.4 Whilst the study identified many of the key habitats within the borough, it did not provide any detail as to their general condition as typically this information can be challenging to obtain, without the commissioning of detailed surveys. However, the study identified a series of key opportunities for the borough's habitats, including managing sensitive habitats, enhancing and connecting existing habitats, and creating new habitats. It also identified opportunities to tie in habitat interventions with other multi-functional benefits, including carbon management and flood management.
- 4.5 Some of the habitats within the borough are designated as sites of biodiversity importance. The types of designations found within the borough are set out below.

Biodiversity Site Designations

- 4.6 Sites can be identified for their environmental importance at a local, national or international levels. Different organisations are responsible for identifying and managing the sites. The borough does not have any national or internationally important wildlife sites. Instead, our sites have a regional or local importance.

Local Nature Reserves (LNRs)

- 4.7 LNRs are a statutory designation. Local authorities (County or District/Borough level) can create Local Nature Reserves (LNRs). The local authority must control the LNR land – either through a lease or an agreement with the landowner. The land must be

cared for and its natural features protected, and must be made accessible for any visitors. Typically, LNRs are natural green space with wildlife interest.

- 4.8 The following BwD designated LNRs can be found within Blackburn with Darwen:
- Pleasington Old Hall, Blackburn
 - River Darwen Parkway
 - Arran Trail
 - Sunnyhurst Wood

- 4.9 No data is held on the current ecological condition of these sites.

Local Sites

- 4.10 Local sites do not have a statutory status, and there is no single national system for identifying local sites. In Lancashire, Local Sites comprise: Biological Heritage Sites, local geodiversity sites and District Wildlife Sites.

Biological Heritage Sites

- 4.11 Biological Heritage Sites (BHSs) are 'local wildlife sites' in Lancashire, and are identified using a set of published guidelines. Sites are identified based on the significant contribution they make to the biological diversity of Lancashire. Any losses of these sites would be regarded as significant beyond the immediate locality, and it would be difficult or impossible to make good for all practical purposes. BHSs should support habitats or species which are threatened or rare nationally or regionally, and reflect the variety of habitat types of nature-conservation importance in Lancashire.
- 4.12 There are a number of BHSs in Blackburn with Darwen. BHSs are the responsibility of Lancashire Biodiversity Partnership (LBP). The LBP, and Lancashire County Council, hold the current data on BHSs but it is dated and so LBP/LCC are undertaking new ecological assessments of all BHSs across Lancashire over the next 10 years. Results will be used to update held information.

District (Local) Wildlife Sites

- 4.13 District Wildlife Sites (DWSs) are areas of land which have been identified as being of local importance in providing habitat for wildlife. The original designations of DWSs were made in 2011, based on surveys undertaken in 1991 and partially updated in 2005. In June 2022, Blackburn with Darwen Borough Council (BwD) commissioned ecologists to undertake updated surveys of each of the borough's DWSs. 37 DWSs were assessed for the habitats present, their condition, and the types of interventions that are required to conserve and enhance nature on those sites.
- 4.14 This information will be used in the Council's duties to biodiversity, and to support the delivery of BNG. Further, more detailed studies have been commissioned, in 2023, on selected sites to refine the interventions that need to be taken and inform the costing of biodiversity units (for off-site BNG delivery).
- 4.15 The BHS, LNRs, and DWSs can be viewed on the [Council's Biodiversity Interactive mapping](#) (or through the Local Plan mapping).

- 4.16 These locally important wildlife sites, including BHSs and LNRs, are protected through Local Plan Policy DM15: Protection and Enhancement of Wildlife Habitats.

Irreplaceable habitats

- 4.17 Irreplaceable habitats recognise and protect England's most valuable habitats, which have high biodiversity value and are have significant protection in the NPPF from development. Within Blackburn with Darwen, they include the following designated areas:

Ancient woodlands

- 4.18 Ancient woodland takes hundreds of years to establish and is defined as irreplaceable habitat. It is important for many things, including wildlife. It refers to any area that has been continuously wooded since 1600, and has protection, as irreplaceable habitats, in the NPPF. The borough has several areas of ancient woodland.

Sites of Special Scientific Interest (SSSI)

- 4.19 SSSIs are areas of land designated for their importance in supporting plants and animals that find it difficult to survive elsewhere in the countryside, and are protected under the Wildlife and Countryside Act 1981. Within Blackburn with Darwen, the SSSI relates to the West Pennine Moors. The moors contain irreplaceable habitats such as blanket bog.

Available Data

- 4.20 We can use existing data to try to understand the current biodiversity 'baseline' in the borough. This is outlined below. However, we are aware that much of the data is out-of-date, and ecological conditions are continuously changing. Undertaking ecological surveys of land is costly, time-consuming and resource intensive at a time when council resources and funds are stretched across many competing priorities. We will, of course, seek to build an accurate data picture as is possible, including the commissioning of new studies as appropriate, and compiling information from third party studies, but this will be a gradual process over time. New, emerging technologies, for example, citizen science and artificial intelligence, may assist with improving the collection of data.

Local Sites in positive management (ENV10)

- 4.21 Local Sites are sites designated locally for their substantive nature conservation importance, either for wildlife or geology. Sites in positive conservation management are defined as those sites which are being managed to conserve their nature conservation interest. Assessing the extent of positive management can help to identify sites where positive management is lacking and will help to focus the efforts of Local Site Partnerships (LSPs) in ensuring local sites are managed and their nature conservation value is maintained or enhanced.
- 4.22 Local Sites include Biological Heritage Sites, Local (District) Wildlife Sites and Local (County) Wildlife Sites ([Defra 2006](#)).

- 4.23 The Government collect data on the number / percentage of local sites in positive conservation management. However, due to the resources needed to assess sites regularly, the last available data for Blackburn with Darwen is for 2009/10 when 5% of the total number of sites in the borough were in positive management. This compares with a national proportion figure of 0.3% for 2008/09 and 0.39% for 2009/10, indicating that the borough's local sites were above the national average. However, over a decade has passed since local sites were formally assessed, and so their conservation status is in need of update. It is anticipated that BNG, and other ecological work, will help provide some new information to update this data set.
- 4.24 This absence of data is not unusual. [The Wildlife Trust](#) believe that there is only information about the condition of 15% of local wildlife sites in England, largely due to insufficient resources to survey and record the remaining 85% of sites.
- 4.25 As part of statutory requirements for BNG, developers / landowners of off-site habitats will be required to monitor and report on BNG delivery, including the condition of those habitats. This will help to monitor where positive conservation is being taken on local sites, for example, where off-site BNG is delivered on Council owned DWSs.

Table 2: Nature conservation: Local sites in positive conservation management in England

Blackburn with Darwen	2008/09	2009/10	2010/11	2021/22
Total number of sites	104	99	No report	
% of sites in positive management	10%	5%	No report	

Source: [Defra 2023](#)

Sites of Special Scientific Interest (SSSIs)

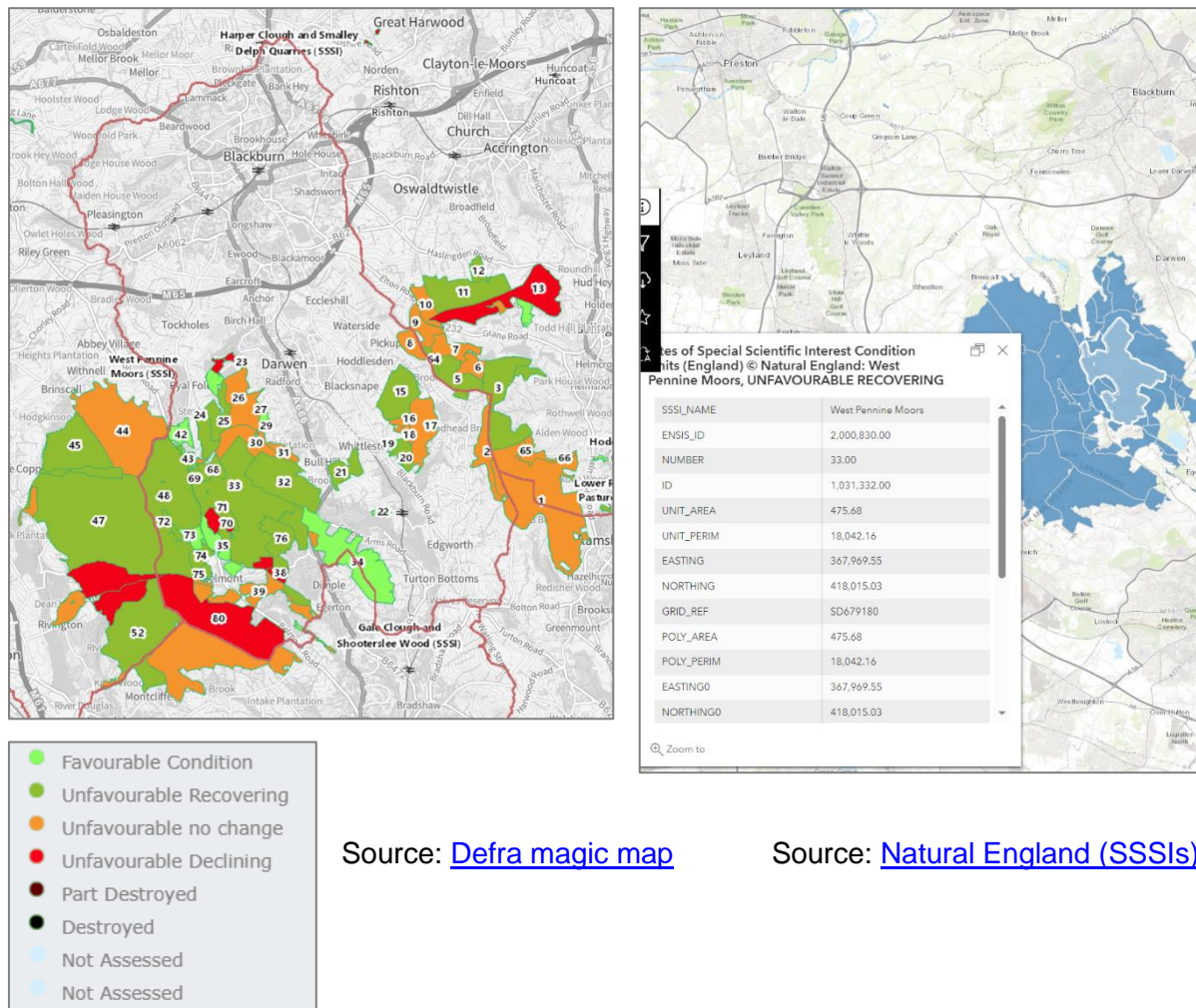
- 4.26 Natural England are responsible for safeguarding and assessing the condition of SSSIs – examining whether they are in favourable or recovering condition. The Government, in its EIP, has committed to restoring 75% of SSSIs to favourable condition by 2042, securing their wildlife value for the long term. Landowners are responsible for the management of SSSI land, including grazing, controlling water levels and clearing scrub.
- 4.27 SSSI features (the species or habitats for which the sites have been designated) have been assessed by Natural England since 2003 and the latest data available is to March 2022 – however, not all areas are assessed at the same time. Since 2013, Natural England has adopted a risk based approach to the frequency of monitoring sites, which varies according to a range of factors such as risk to the site and the stability of its ecology. Natural England continues to support and encourage its partners and major owners of SSSIs in the work they do on monitoring. Natural England is also developing its approach to the monitoring of SSSIs, including use of new technologies such as remote sensing and greater partnership involvement.
- 4.28 Parts of the West Pennine Moors were designated a SSSI in 2017, recognising the national importance of the area's upland habitats, moorland fridge grasslands and woodlands, which support breeding birds. SSSIs carry greater significance, and protection, than some other wildlife area designations. In achieving its SSSI designation, some areas of land that were Biological Heritage Sites were subsumed

by the SSSI designation, thereby seemingly reducing the area of BHS within the borough although in actual fact achieving a greater level of environmental protection.

4.29 The designated SSSI within Blackburn with Darwen therefore relates to the West Pennine Moors (WPM), and its various sub-areas (shown in Figure 3) were last assessed in 2013. A relatively small number of those sites were, in 2013, assessed as being in favourable condition, with a larger proportion in unfavourable [but] recovering condition. There are, however, a number of sites shown as unfavourable or unfavourable declining.

4.30 There are a series of projects planned, including Peatland Landscape Recovery, and flood alleviation proposals, that are within, or relate to, the WPM. The hills provide a catchment land for water, providing clean drinking water for households, and their ability to store water provides a vital role in reducing flood risk in urban areas downstream. These interventions can also help to conserve and enhance nature.

Figure 3: Defra/Natural England datasets on SSSI condition



Source: [Defra magic map](#)

Source: [Natural England \(SSSIs\)](#)

Expenditure on biodiversity (ENV26)

- 4.31 Until 2010/11, the Government recorded data on the amount spent by the public sector on biodiversity as one way of assessing the priority that government gives to biodiversity. Only biodiversity related grant money and programme expenditure was included and figures do not include associated operational costs. In 2010/11, UK public sector spending on biodiversity stood at £458.9million and 0.031% of GDP (Source: [Defra Biodiversity expenditure datasets](#)). In 2020/21, public sector biodiversity expenditure stood at £464 million (Source: [Defra funding for biodiversity](#)). Data is not available at local authority level.
- 4.32 With the Government's commitment to the biodiversity objectives, it would be expected that the proportion of national expenditure on biodiversity will now increase. Within BwD, the amount of money collected for BNG will be reported (whether through Biodiversity Reports, the Annual Monitoring Report (AMR) and/or Infrastructure Funding Statement (IFS)) in accordance with our reporting obligations.

Identified Actions:

- ➔ To continue working towards gathering up-to-date data on the biodiversity within the borough, including the condition of its habitats.
- ➔ To work with partners to establish a more thorough and detailed evidence base of the biodiversity in the borough
- ➔ To use available data to form a baseline position, against which improvements can be made.
- ➔ To increase the number of local sites in positive conservation management in the borough, which may include the need to undertake further assessments, and to monitor the delivery of habitat enhancements through BNG

5.0 POLICIES, OBJECTIVES, ACTIONS

- 5.1 This report has reviewed existing relevant strategies, and available data, to identify a series of gaps, weaknesses, strengths and opportunities for actions to help nature to recover. Through this 'first consideration', we can also begin to identify objectives and policy approaches.
- 5.2 We have proposed a number of objectives, policies and actions to meet our biodiversity duty, which are set out in an initial Action Plan (Appendix 1). Some of these have been identified through the review of strategies and data presented through this report. Others have been collated from suggestions of interventions and measures that could be taken across a range of Council services, subject to resources and funding.
- 5.3 The Action Plan has sought to identify the actions we will take, and the opportunities we could take. The actions we will take are largely tied to existing legal duties, for example biodiversity net gain, and existing commitments and strategies, for example, the Local Plan and Climate Emergency Action Plan. There are additional opportunities identified – these are aspirational and are subject to other council priorities and available resources. For example, if the Council are to decide that biodiversity needs to have an increased corporate focus, then it will likely necessitate a dedicated ecologist post that can provide the necessary expertise and steer.
- 5.4 The Action Plan identifies a number of objectives and then the policies and actions to help meet each objective. Those objectives are:

Objective	Sub-category
Embedding biodiversity within our Leadership and Decision Making	<ul style="list-style-type: none"> • <i>Embedding biodiversity in our corporate approach</i> • <i>Development of Policy, Strategy and Guidance</i>
Improving our evidence base	<ul style="list-style-type: none"> • <i>Improving our evidence base and monitoring</i> • <i>Understanding the availability of land for nature conservation and enhancement</i>
Measurably increasing biodiversity	<ul style="list-style-type: none"> • <i>Support the delivery of BNG as part of new development</i> • <i>Delivery of new and enhanced habitats</i> • <i>Council-owned land / buildings / assets</i>
Promoting education and awareness of biodiversity	<ul style="list-style-type: none"> • <i>Within the Council</i> • <i>For Communities</i>
Promoting the importance of biodiversity for health and wellbeing	<ul style="list-style-type: none"> • <i>Integrate biodiversity within Health and wellbeing</i>

- 5.5 Biodiversity is, or can potentially be, included within a series of strategies, including:
- Local Plan 2021-2037
 - Natural Environment Supplementary Planning Document
 - Climate Impact Framework Supplementary Planning Document
 - Lancashire Local Nature Recovery Strategy
 - Climate Emergency Action Plan

- Tree and Woodland Strategy
 - Health and Wellbeing Strategy
 - Drainage Guidance
- 5.6 To meet our duties to nature, the Council would benefit from the introduction of a Biodiversity Strategy that can look across all services to provide a holistic approach to conserving and enhancing nature within the borough, and to optimise all the social, environmental and economic benefits it can provide in return.
- 5.7 The Action Plan will be a live document that is updated as progress is made, further evidence comes to light, and new opportunities arise. Whilst there are a number of actions that require specialist expertise, and/or detailed studies, it is also expected that there will be many biodiversity improvements which could be made for little or no cost by making small changes in working practices, for example to planting, mowing, or general maintenance of council owned land.

Statutory requirements

- 5.8 In addition to the actions and objectives identified, the Council have existing obligations with regard the following statutory requirements.

Strategic Environmental Assessment and Sustainability Appraisal

- 5.9 A Sustainability Appraisal (SA) is a process that must be carried out during the preparation of Local Plan and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. An SA must be undertaken at each of the plan's preparation stages.
- 5.10 SAs incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (typically referred to as the Strategic Environmental Assessment (SEA) Regulations). SEAs consider only the environmental effects of a plan, whereas an SA considers social, economic and environmental impacts. SEAs alone can be required in some limited situations where an SA is not needed. However, in most cases, the SA will cover that required by an SEA.
- 5.11 Further information on SA/SEA can be found from [DLUHC](#).
- 5.12 In October 2023, the Government passed the Levelling-Up and Regeneration Act which commits the Council to the introduction of Environmental Outcome Reports (EORs). These will ultimately replace SA and SEA. More detail is awaited.

Habitat Regulations

- 5.13 European sites (of wildlife importance) are protected by the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the Habitats Regulations). A Habitat Regulation Assessment (HRA) must be carried out to test if a plan or project proposal could significantly harm the designated features of a European site (including Special Areas of Conservation, Special Protection Areas or Ramsar sites).

5.14 As there are no European sites within the borough, or within reasonable distance, it is unlikely that proposals will have any significant impacts on a site. However, HRAs are still required where there is the potential to have an impact – including new strategic plans (like the Local Plan). The HRA for the Local Plan 2021-2037 confirmed no significant impacts on any HRAs were expected.

5.15 Further details on HRA requirements can be found from [Defra](#).

5.16 Details of any SAs, SEAs, or HRAs will be provided by the Council alongside the relevant plan or strategy.

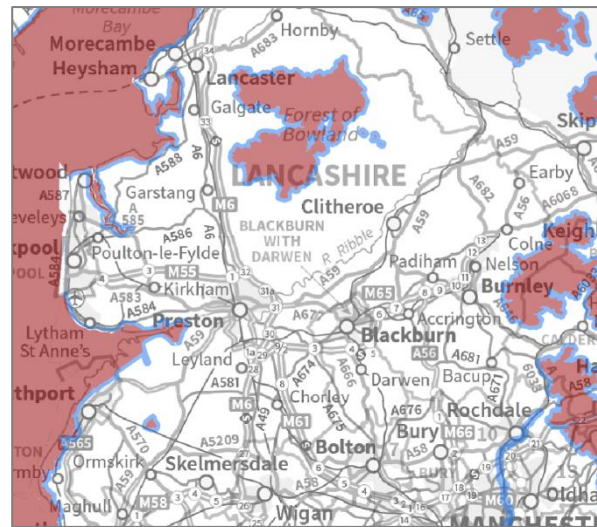


Figure 4: European Sites (May 2021) / Source: Defra, 2021 ([link](#))

Biodiversity Net Gain

5.17 The Environment Act introduces a mandatory requirement, from January 2024, for most new development to deliver a minimum of 10% biodiversity net gain. This is reflected in Policy CP6: Natural Environment of the Council’s Local Plan.

5.18 Details of BNG secured, and delivered, will be reported through our Biodiversity Reports, and the Annual Monitoring Report.

5.19 The Council have a range of land and buildings in their ownership, and there are opportunities to enhance biodiversity on these sites. The Council are currently exploring the use of certain District Wildlife Sites, Environmental Opportunity Areas and Green Infrastructure sites to support the delivery of off-site BNG. Further opportunities may be presented through the Estates team, Property Management, Environment team, as well as Education and Public Health services.

6.0 FUTURE ACTIONS

- 6.1 The actions and objectives in this “first consideration” will be used in the preparation of the Council’s first biodiversity report, due January 2026. The identified actions and objectives are, however, intended to be a live document, able to be updated at any time and so may change in advance of the first biodiversity report in 2026. Future biodiversity reports will therefore draw upon the latest available list of identified actions.
- 6.2 The Government have produced [guidance](#) on how to structure the biodiversity report. It must contain three sections detailing policies and objectives set, and actions completed, other strategies, and future actions. It must also contain information on BNG. There are further five optional sections that can also be provided. This information will be provided in the Council’s first biodiversity report in 2026.

APPENDIX A: OBJECTIVES AND ACTION PLAN

OBJECTIVE 1: Embed biodiversity in leadership and decision making.

We will:

Theme	Actions	Relevant Strategy	Lead Service	Timescales
Develop Policy, Strategy and Guidance on Biodiversity	Adopt and implement the new Local Plan, which includes policies relating to BNG, habitat protections, and access to nature	Local Plan 2021-2037	Growth & Development	January 2024
	Prepare and publish a BNG Planning Advisory Note, providing guidance for planning applicants on BNG	Biodiversity Net Gain Planning Advisory Note	Growth & Development	February 2024
	Prepare and publish the Climate Impact Framework SPD, and include guidance on designing biodiversity in reference to climate mitigation and adaptation	Climate Impact Framework SPD	Growth & Development	February 2024
	Prepare and publish a Natural Environment SPD, providing detailed guidance on planning requirements relating to nature, including its conservation and enhancement	Natural Environment SPD	Growth & Development	2024
	Actively engage with LCC to support the production of the Lancashire LNRS	Lancashire Local Nature Recovery Strategy	Growth & Development	2024/2025
	Prepare and publish the Tree and Woodland Strategy	Tree and Woodland Strategy (TAWs)	Environment	2024
	Include guidance on how to integrate biodiversity into flood mitigation solutions	Drainage Guidance	Highways & Drainage	At review point

	Prepare and publish the Low Carbon and Renewable Energy SPD, including guidance on how schemes can integrate with biodiversity enhancements	Low Carbon and Renewable Energy SPD	Growth & Development	2025
	Reflect importance of access to nature in health strategies, including the Mental Health Strategy and Health and Wellbeing Strategy	Mental Health Strategy Health & Wellbeing Strategy	Health	At review points
	Undertake a Natural Flood Management Study	Climate Emergency Action Plan	River Ribbles Trust Drainage	March 2025

There are opportunities to:

Theme	Actions	Comments
Establish a corporate approach to enhancing biodiversity within the borough	Declare a Biodiversity Emergency to give the biodiversity duties an enhanced focus within the Council	The Council have a legal duty to conserve and enhance nature, set within the context of a national biodiversity emergency. The biodiversity emergency is closely linked to the climate emergency, which the Council are already committed to addressing through the Climate Emergency Action Plan and corporate strategy. Measures such as declaring a biodiversity emergency, could help support the council's commitments to carbon neutrality by 2030. Devising a clear vision and strategy to lead the recovery of nature within the borough, can help deliver positive environmental and climatic change. However, this is largely dependent on Council priorities and resources. Development of such key strategies would, for example, need a dedicated ecological resource.
	Appoint a Member Champion for Biodiversity	
	Develop a Vision for a nature positive borough by 2030 / 2042, accompanied by a Council-wide strategy for the conservation and enhancement of nature to deliver the Vision	

OBJECTIVE 2: Improve our evidence base.

We will:

Theme	Actions	Relevant Strategy	Lead Service	Timescales
Improve our evidence base and monitoring	Develop publicly available interactive mapping to inform biodiversity strategies.	BNG PAN LNRS	Growth & Development	February 2024 / Ongoing
	Work with partners to establish a more thorough and detailed evidence base of the biodiversity in the borough, including habitats. Where appropriate, map this to other data, for example deprivation data, to identify priority intervention areas.	All	Growth & Development External Partners	Ongoing
	Monitor changes to tree canopy cover, in line with the TAWS Action Plan	Tree and Woodland Strategy	Environment	Ongoing
	Procure bespoke systems to record and monitor BNG delivery from new developments	BNG	Growth & Development	Spring / Summer 2024
Understand the availability and suitability of Council owned land for nature conservation and enhancement	Commission studies to assess the potential for identified council-owned sites to deliver improvements to ecological habitats, including their use for off-site BNG opportunities (sale of units).	Off-site BNG	Growth & Development	Studies commenced Autumn 2024; results expected Spring 2025 Ongoing

OBJECTIVE 3: Measurably increase biodiversity and the extent of land and water in positive management.

We will:

Theme	Actions	Relevant Strategy	Lead Service	Timescales
Support the delivery of BNG as part of new development	Ensure every relevant planning application delivers BNG	Requirement of the Environment Act 2021	Growth & Development	Ongoing
	Monitor and report on the delivery of BNG	Requirement of the Environment Act 2021	Growth & Development	Ongoing
	In making any public land available for off-site BNG opportunities, prioritise this to DWS sites at risk of de-designation	BNG Off-site	Growth & Development	Ongoing
	Explore mechanisms for BNG delivery on council-owned sites – e.g., specialist vehicles and habitat banks	BNG Off-site	Growth & Development	Ongoing
	Monitor opportunities for additional green finance and pursue/promote these as appropriate	BNG Off-site	Growth & Development	Ongoing
Work to deliver new habitats and enhance existing habitats	Plant new trees, woodland and hedgerows in line with the targets set through the CEAP	Climate Emergency Action Plan	Growth & Development Environment	Ongoing
	Pursue funding to support the LCC 'Treescapes' team, who assist in the identification and delivery of sites for tree planting	Climate Emergency Action Plan Tree and Woodland Strategy	Growth & Development Environment	2024

	Manage tree disease	Tree and Woodland Strategy	Environment	Ongoing
	Develop management plans for woodlands within the borough	Tree and Woodland Strategy	Environment	Ongoing
	Draw up and implement peatland restoration schemes for Darwen Moor and Aushaw Moss	Climate Emergency Action Plan	Lancashire Peat Partnership Growth & Development Environment Drainage	2024 onwards
	Work to increase the number of local sites in positive conservation management in the borough	National Indicator	Growth & Development Environment External Partners	Ongoing
Consider how Council owned land and buildings can better support biodiversity	Adjust cutting regimes of highway verges where there is scope for the improvement and management of nature	-	Environment	Ongoing
	Phase out the use of peat compost in Council planting schemes	-	Environment	Ongoing
	Where appropriate, plant a diverse range of native plant species on council land.	-	Environment	Ongoing

There are opportunities to:

Theme	Actions	Comments
Consider how Council owned land and buildings can better support biodiversity	Produce a toolkit of ecological interventions for highways, infrastructure and regeneration projects that are easy to deliver and low cost	These actions are largely dependent on Council resources.
	Consider what biodiversity features can be included in existing Council buildings - e.g. bat and bird boxes	
	Consider how any Council developed solar farms can deliver bio-solar farms (biodiversity alongside PV panels)	

OBJECTIVE 4: Promote Education and Awareness.

There are opportunities to:

Theme	Actions	Comments
Within the Council	Develop officer and member training on the biodiversity emergency and steps that can be taken to support nature and its recovery	These actions are largely dependent on Council resources. Development of these suggested actions would, for example, need a dedicated ecological expertise to prepare and disseminate guidance, and to actively work with communities.
	Use the intranet to communicate actions that can be taken to support biodiversity	
Within our communities	Expand adult learning courses to include gardening for biodiversity	Community involvement offers the Council key opportunities to provide voluntary (unpaid) resources for litter picking, controlling invasive species, maintaining sites and tree-planting. It may also support citizen science, for example species counts.
	Provide opportunities to improve knowledge and awareness of biodiversity within the communities – for example by making information available on the Intranet and through social media campaigns	
	Identify and support opportunities for community involvement - e.g. litter picking, 'balsam bashing', tree-planting	
	Use 'citizen science' to collect data and monitor interventions	
	Develop and enhance interpretative materials for nature sites – eg DWSs	
	Plan annual biodiversity campaigns / 'themes' - eg supporting pollinators	
	Work with schools to promote the development of 'wild areas for biodiversity'	
	Pilot 'Natural Paths' environmental resilience programme	

OBJECTIVE 5: Promote the importance of biodiversity to Health and Wellbeing

There are opportunities to:

Theme	Actions	Comments
Integrate biodiversity within health and wellbeing strategies	Maximise opportunities to prescribing social access to nature / nature based solutions	These actions are largely dependent on Council resources, and external support, such as that from the Food Resilience Alliance.
	Encourage food producing tree planting	
	Consider nature within the food growing alliance / sustainable food	

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Growth & Development

DATE: Thursday, 7 March 2024

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT: Biodiversity Net Gain (BNG) Planning Advisory Note

1. EXECUTIVE SUMMARY

1.1 The Environment Act 2021 has introduced mandatory requirements relating to Biodiversity Net Gain (BNG), which require all new developments (unless exempted) to deliver a minimum of 10% measurable net gains to biodiversity. Requirements surrounding BNG are complex and technical and so the Council have prepared a BNG Planning Advisory Note (PAN) to provide developers with the necessary guidance. This report seeks endorsement of the PAN and its approval for publication on the Council website.

2. RECOMMENDATIONS

That the Executive Board:

- endorse the Biodiversity Net Gain Planning Advisory Note (attached as Appendix 1) and approve it, and the associated online mapping, for publication (see Background Paper section for link to the associated online mapping site); and
- grant delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to update the BNG applicant checklists as BNG information requirements change.

3. BACKGROUND

3.1 Nationally from February 2024, under the Environment Act 2021, all new developments (unless exempted) will be legally required to deliver 10% gains to biodiversity (known as Biodiversity Net Gain, or BNG). BNG uses habitats as a proxy for biodiversity. This means the development must seek to avoid or mitigate damage to existing habitats, but, where this cannot be achieved, they must compensate for the loss of habitats on a like-for-like basis, and then must deliver 10% net gains by creating or enhancing habitats in association with the development. These improvements must be measured and assessed using a national Defra metric, and the

management of significant habitat enhancements must be secured for a minimum of 30 years. BNG aims to ensure that nature is in a better state post-development than it was pre-development to help address the current ecological crisis.

- 3.2 In addition to these national requirements, the Council's adopted Local Plan 2021-2037, Policy CP6: The Natural Environment, sets its own local requirement for developments to deliver 10% BNG, which must be evidenced through the submission of the latest relevant Defra metrics. This took effect from the Plan's adoption, on 25 January 2024. However, the national, mandatory BNG requirements take precedence over local policy requirements.
- 3.3 BNG is therefore a local policy requirement, and a national legislative requirement, and all new (non-exempted) development must deliver the prescribed level of net gains. Legislation, guidance and requirements relating to BNG are extensive, technical and complex. Therefore, to help provide guidance for applicants and developers, a BNG Planning Advisory Note (PAN) has been prepared to explain requirements and expectations. The PAN is supported by online mapping to help illustrate those local areas that can be considered to be 'strategically significant' within the metric calculations. The BNG PAN is attached as Appendix 1 to this decision paper and the link to the associated mapping is found in the Background Paper section in this report.
- 3.4 The PAN also contains a series of checklists for applicants (Appendix E in the PAN), detailing the types of information the Council will require at the different stages of the planning process, and is drawn from various Defra guidance documents, and identified local requirements. The Council's Local Validation list refers applicants to these BNG checklists. Planning applications will not be validated where the stipulated BNG information is not provided. It is intended that these checklists will be published on the Council website (on the dedicated BNG webpage) to guide planning applicants.
- 3.5 The Planning and Highways Committee has considered the PAN, with any comments received having been incorporated into the attached document.
- 3.6 The Council published its latest Local Development Scheme (LDS) in September 2023 confirming its intention to prepare this PAN, and incorporate it into a Natural Environment Supplementary Planning Document (SPD) later in 2024. The scope of the SPD will cover a wider range of issues beyond BNG that are referenced in the new Local Plan and are relevant to the Natural Environment. For example, Local Nature Recovery Strategies, Environmental Opportunity Areas, Trees and Woodlands. The SPD will be brought to a future Executive Board meeting for approval.

4. KEY ISSUES & RISKS

- 4.1 BNG is still in its relative infancy and Government legislation and guidance is expected to change over time as its working practicalities are better understood. For this reason, the guidance in the PAN may become out of date, and so the PAN makes clear that developers should always consult the latest national planning practice guidance, and wider BNG guidance, for the latest position.
- 4.2 The PAN includes applicant checklists, but the Council recognise that these are likely to also change as the full requirements of BNG are better understood. Therefore, this report recommends, at Section 2, that delegated authority is granted to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to update the BNG applicant checklists as any information requirements change.
- 4.3 BNG is preferably to be delivered on the development site, but, where this is not possible, it may be delivered off-site or through a combination of on- and off-site. The PAN also sets out that

BNG should be delivered within the borough, not outside it, so that the local area benefits from new development, not other areas. It is the developer's responsibility to identify off-site sites for BNG, but, at least in the interim, it is thought a local, private off-site market will take time to establish. To ensure that a lack of off-site land does not stymie development (planning permission cannot be granted where developments cannot demonstrate they will achieve mandatory 10% BNG), the Council are proposing to make suitable areas of council-owned land available for BNG. The Council have identified a shortlist of potentially suitable sites and have commissioned ecological studies to inform their suitability for off-site BNG. The PAN confirms that, once finalised, details of available off-site opportunities will be made available. Therefore, whilst the lack of local off-site supply is a risk to the wider strategy and delivery of BNG, the Council are taking steps to try and address this issue at a local level.

5. POLICY IMPLICATIONS

- 5.1 Mandatory BNG requirements are set out through legislation, national planning policy and planning practice guidance. At a local level, BNG requirements are set within the Local Plan (2021-2037). The BNG PAN provides the relevant local guidance to support national requirements, and local policy, including clarifying the areas of strategic significance and spatial risk.
- 5.2 A Natural Environment Supplementary Planning Document (SPD) will be prepared in 2024 to provide additional guidance to support the policies of the Local Plan, including that relating to the Local Nature Recovery Strategy (once finalised) and green infrastructure.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising from the preparation of the PAN, as this forms part of the existing resources within Strategic Planning.

7. LEGAL IMPLICATIONS

- 7.1 There are no legal implications arising from the preparation of the PAN. The PAN has been prepared to help developers navigate a complex BNG system but confirms that the latest national legislation and guidance should always be referred to.

8. RESOURCE IMPLICATIONS

- 8.1 There are no resource implications arising from the preparation of the PAN, as this forms part of the existing resources within Strategic Planning.

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

10.1 None required.

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.

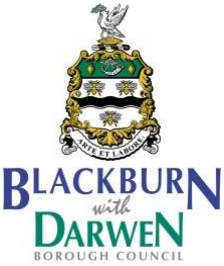
VERSION:	1
-----------------	----------

CONTACT OFFICER:	PMO Growth
-------------------------	-------------------

DATE:	February 2024
--------------	---------------

BACKGROUND PAPER:	Biodiversity Net Gain Planning Advisory Note (Appendix 1) and accompanying mapping (accessible via this link)
--------------------------	---

BIODIVERSITY NET GAIN PLANNING ADVISORY NOTE



MARCH 2024

Contents

1.0	Executive Summary.....	5
	What is Biodiversity Net Gain (BNG)?.....	5
	BNG Planning Advisory Note (PAN)	5
2.0	Purpose of this Planning Advisory Note.....	7
3.0	The Importance of Biodiversity Net Gain.....	9
	The Twinned Climate Emergency	10
	Benefits of biodiversity	11
4.0	Key Policy & Legislation	12
5.0	Key Principles of Biodiversity Net Gain	15
6.0	Design Guidance	22
7.0	BNG and New Development	25
	Types of development BNG will apply to.....	25
	Planning Applications.....	26
	Calculating measurable net gains	27
	Habitat degradation.....	28
	Red Boundaries	29
	What happens to BNG after the 30 years?	29
	All development should be providing net gains	30
8.0	BNG and the Planning Application Process.....	31
	A. Pre-application.....	31
	B. Submission - Validation requirements.....	32
	C. Determination and Decision-making	34
	D. Discharging the Planning Condition	37
	E. Post-construction.....	42
9.0	BNG Spatial Hierarchy (On-Site or Off-site?)	44
	On-site BNG.....	44
	Off-Site BNG.....	46
	National Statutory Credit System	48
	Viability	50
10.0	BNG Metric Calculations	51
	Metric Types	51
	Who metrics must be completed by.....	51
	Habitat Types	52
	Metrics and the Mitigation Hierarchy.....	52

Metric Assessment Values	53
Trading Rules.....	54
When to undertake ecological surveys.....	54
Residential gardens within the metric.....	54
Types of Interventions	54
11.0 'Spatial risk' in the metric calculations	56
Area and Linear Habitats.....	56
Watercourse habitats	56
12.0 'Strategic Significance' in the metric calculations.....	58
Defining 'Strategic significance'	58
13.0 Priority / Habitat Types	61
14.0 Other Considerations	62
Additionality and Stacking	62
15.0 Council-owned sites available for BNG	63
16.0 Council Reporting of BNG	65
APPENDIX A: Useful links	66
Appendix B: Legislative & Policy Context	67
Appendix C: Justification for 'strategic significance'.....	71
Appendix D: Planning Application Process Flowchart	78
APPENDIX E: Submission Checklists	79
For pre-application.....	81
For Submission of the planning application.....	82
For the Post-Approval Discharge of the Biodiversity Condition	83

Acronyms used within this note

AMR	Annual Monitoring Report
BGP	Biodiversity Gain Plan
BHS	Biological Heritage Sites
BM	Biodiversity Metric
BNG	Biodiversity Net Gain
BU	Biodiversity Units
BwD	Blackburn with Darwen
BwDBC	Blackburn with Darwen Borough Council
CC	Conservation Covenant
CCNCS	Climate Change and Natural Capital Study
CIF	Climate Impact Framework
Defra	Department for Food and Rural Affairs
DLUHC	Department for Levelling Up, Housing and Communities
DWS	District Wildlife Sites
EOA	Environmental Opportunity Areas
GI / GBI	Green Infrastructure / Green and Blue Infrastructure (used interchangeably)
HBV	Habitat Banking Vehicle
HMMP	Habitat Management and Monitoring Plan
LEN	Lancashire Ecological Network
LNR	Local Nature Reserve
LNRS	Local Nature Recovery Strategy
LP	Local Plan 2021-2037
LPA	Local Planning Authority
MH	Mitigation Hierarchy
NE	Natural England
NPPF	National Planning and Policy Framework
NRN	Nature Recovery Networks
OSR	Off-sites register
PAN	Planning Advisory Note
PINS	Planning Inspectorate
PPG	Planning Practice Guidance
S106	Section 106 Agreement
Sis	Statutory Instruments
SM	Standard Metric
SMM	Small Sites Metric
SPD	Supplementary Planning Document
SPV	Specialist Delivery Vehicle
SUDS	Sustainable Urban Drainage System
UKHab	Uk Habitat Classification Mapping

1.0 Executive Summary

What is Biodiversity Net Gain (BNG)?

- 1.1 Biodiversity is the umbrella term used to describe the variety of living species on earth – including both plant and animal life. All species work together in ecosystems to maintain balance and support life, in fact supporting everything in nature we need to survive. However, the UK is one of the most depleted countries in the world in terms of biodiversity, and this includes impacts which occur as a result of development.
- 1.2 Biodiversity Net Gain (BNG) works to provide measurable net gains for biodiversity through new development. This will make sure the environment is left in a measurably better stage than before development commenced – and is a significant, but critically necessary, step change in approach. Most new developments will now be required to enhance or create natural habitats to ensure that development contributes to nature’s recovery. New developments must consider habitats and provide a minimum of 10% measurable net gain on the pre-development value. All planning applications will need to consider BNG from their very earliest stages, at site selection stages, and in design.

Delivering better places

- 1.3 The Covid-19 pandemic highlighted the importance of access to good green space and the health benefits associated with access to the natural environment. Securing BNG can also help deliver much better, more resilient and well-integrated developments and in turn provide better places for local communities. The protection and enhancement of biodiversity will support more resilient natural systems that can provide societal benefits such as reduced flooding, improved air and water quality, better soil quality and carbon sequestration.



BNG Planning Advisory Note (PAN)

- 1.4 This note provides guidance on much of BNG requirements. The summary below provides some of the ‘key headlines’ – details can be found through the document.
- 1.5 This is a planning advisory note, and, in advising, there is quite a bit of technical guidance. This is needed to align with legal requirements and the Council’s duties to nature recovery, the planning system and biodiversity net gain.
- 1.6 The PAN is designed to help you, bringing together a wide range of information and guidance into one place, to make it as simple to navigate BNG as possible.

Mapping

- 1.7 In advance of the introduction of the LNRS, BNG is supported by an interactive map showing all areas of ‘BNG Strategic significance’ – the importance of which is explained in this document. The map should be referred to when preparing metrics.

BNG Summary

- Following the introduction of BNG, **all new development** (unless exempted or de-minimis) **must provide measurable biodiversity net gains of at least 10%** on the pre-development baseline level. All other development should provide some net gain in accordance with national planning policy. (see Chapter 5 & 7)
- Habitat is a proxy for biodiversity; and where there are multiple habitats on site (e.g., land, hedgerows, trees, water) then a 10% gain will be required for each of those separate habitats. They cannot be interchanged, or traded down (in terms of quality or condition). (see Chapter 10)
- BNG does not change existing environmental and wildlife protections. (see Chapter 5)
- All development must follow the mitigation hierarchy (and demonstrate how it has done so). (see Chapter 5)
- Gains are measured using defined metrics. The appropriate metric must be completed by a competent person – usually an ecologist. They must be submitted at i) at the planning application stage, and ii) prior to commencement of the development as part of a Biodiversity Gain Plan (BGP). Submission of a BGP will be a condition of planning approval, and development cannot start until the plan has been submitted to, and discharged by, the Local Planning Authority. (see Chapter 8)
- Net gains must be legally secured through planning condition, and/or legal agreement (typically a Section 106) for a period of 30 years (see Chapter 8)
- Net gains should, preferably, be delivered on the development site, but where this cannot be achieved, gains can be delivered off-site. Off-site habitats will score more favourably in the metrics where they are located in areas of 'strategic significance'. (see Chapter 8 & 9)
- Any off-site habitats are expected to be delivered in the Blackburn with Darwen borough area, not outside of it. The Council want to ensure that the benefits of development are retained in the areas affected by development. (see Chapter 11)
- Developers will be required to provide, manage and monitor habitat delivery (or pay money for a third party to provide it). (see Chapter 9)
- The Council will take enforcement action where BNG is not delivered as approved agreements specify. (see Chapter 8)
- All off-site gains must be recorded on a national register, maintained by Natural England (NE). A fee is charged by NE to apply to the register. (see Chapter 9)
- The Council will make some public land available for off-site BNG, through the sale of biodiversity units. (see Chapter 9 & 15)
- The Council must monitor all BNG delivery and regularly report on it under statutory legal duties. (see Chapter 16)

2.0 Purpose of this Planning Advisory Note

- 2.1 This Planning Advisory Note (PAN) provides guidance for developers on how biodiversity should be considered within development proposals, in accordance with the requirements of the Environment Act (2021) and associated legislation, National Planning Policy Framework (NPPF) and the Blackburn with Darwen Local Plan (2021-2037).
- 2.2 The Environment Act requires all new development to deliver a minimum of 10% biodiversity net gain (BNG) from the date of its legal introduction (12 February 2024¹). That means it must compensate for any habitats to be lost as a result of the development, on a like for like basis, AND then enhance existing or create new habitat to provide 10% gains in biodiversity. This requirement is also set by the Local Plan (2021-2037) for the borough (see Policy CP6: Natural Environment). Full details of the legislation and policy governing and guiding biodiversity net gain can be found in Appendix B.
- 2.3 This PAN has been produced to explain:
- The importance of biodiversity net gain (BNG)
 - The key principles of BNG to be considered through the design of the development
 - BNG and the planning application process, including validation requirements, biodiversity statements, biodiversity metrics, planning conditions, legal agreements, biodiversity gain plans, habitat monitoring and management plans
 - The spatial hierarchy for BNG – on-site, off-site and national credits – and how they are considered in the biodiversity metrics
 - The strategic context for delivering off-site biodiversity net gain within the borough, in advance of the introduction of a Local Nature Recovery Strategy (LNRS)
 - BNG monitoring and reporting requirements
 - The information that must be submitted with planning applications
- 2.4 The PAN provides guidance in advance of the Council’s Natural Environment SPD and the development of a Lancashire County Council led LNRS.
- 2.5 BNG is, however, still in its relative infancy, and guidance and best practice will evolve. If you in any doubt as to requirements or approach, please check with us and/or **always refer to the latest national legislation and guidance**. The PAN draws together and summarises information, in existence at the time of preparing this note, which is published by other bodies, like Defra and Natural England, so that it can be presented collectively. Links are provided throughout this document to that guidance, and you should refer to that for further information.
- 2.6 Links to further relevant guidance can be found within Appendix A.

¹ Mandatory BNG will apply to major applications from 12 February 2024, and, due to transitional measures, to all other non-exempted (TCPA) development from 2 April 2024.

A note on timings

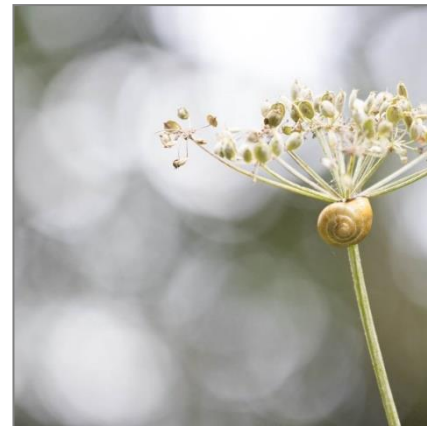
The Council adopted the Local Plan (2021-2037) on the 25 January 2024 and it is now the development plan for the borough. All applications, and appeals, that are undetermined from the adoption date, must be determined against the new development plan, which means all applications will be required to deliver 10% BNG by local policy CP6. The national, mandatory BNG takes effect from 12 February 2024 (for majors, and 2 April 2024 for all other development), and will apply to all applications submitted from that nationally set date. This means there will be a slight overlap in requirements: any applications already submitted to the Council by the date mandatory BNG takes effect, but which are undetermined, are not liable to deliver BNG under the national legislation, but will be required to do so under local policy. **For the purpose of clarity then, the Council will expect all developments to deliver 10% BNG and evidence this in the same way, through the processes set out through this guidance note, whether the net gains are required by local Policy CP6 or the national requirements.**

3.0 The Importance of Biodiversity Net Gain

The UK is one of the most nature-depleted countries in the world

3.1 Nature is essential to us all in supporting life on earth, and providing benefits through eco-system services. However, the UK State of Nature Report (2023) shows there has been a significant decline in the average abundance of wildlife in the UK since the 1970s. There are multiple factors for the decline in biodiversity, but habitat degradation, climate change and pollution are amongst the most significant causes.

3.2 To date, the general approach has relied on ensuring no net loss to biodiversity by protecting designated sites and priority species from harmful development. Whilst this works to avoid the most severe impacts on biodiversity and wildlife, it works less well to manage the gradual erosion of lower value and more common habitats which benefit a wide range of flora and fauna. Cumulatively, the loss of habitat adds up to significant rates of biodiversity loss. This needs urgent action to address and reverse the trend.



Responding to the biodiversity crisis

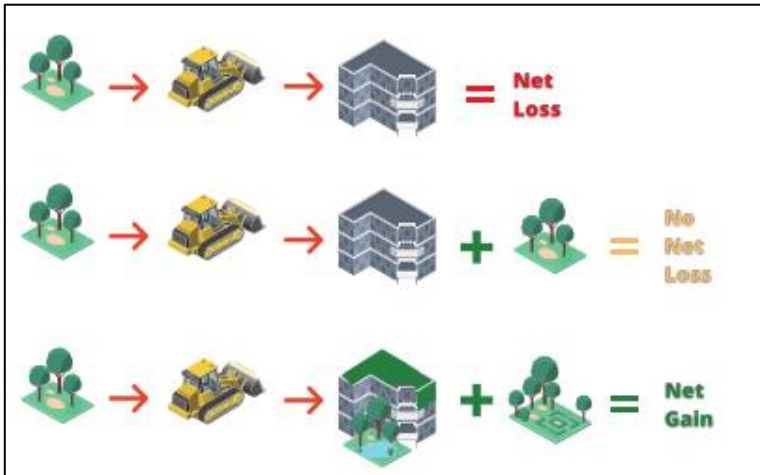
3.3 In response to this crisis, national Government has set out a 25-year Environment Plan, with an ambition “to leave our environment in a better state than we found it”. The interventions it plans to take to improve the environment have since been set out through legislation and guidance, including the statutory Environment Act (2021) and the Government’s Environmental Improvement Plan (EIP) (2023). The Environment Act (2021) introduced a series of mandatory strategies and interventions to begin to address the biodiversity emergency. This includes Biodiversity Net Gain (BNG).

Biodiversity Net Gain

3.4 Biodiversity Net Gain is a mandatory requirement for most new development to deliver a 10% net gain in biodiversity, and uses habitats as a proxy for biodiversity. Any habitats lost through new development must be replaced or compensated for, on a like for like basis, and then a further 10% uplift in biodiversity must be provided. Habitats must be provided at the same condition (quality), or higher, as the habitats that are to be lost. Habitats can be retained, enhanced or created.

3.5 Mandatory BNG will take effect from 12 February 2024. Whilst the Council’s adopted [Local Plan](#) sets its own requirement for 10% net gain, these national, legal requirements take precedent. Under BNG, developers will be required to deliver measureable improvements to biodiversity by creating or enhancing habitats in association with their development. These improvements will be measured and assessed using a national Defra metric, and habitats will need to be secured for a minimum of 30 years. BNG is preferably to be delivered on the development site, but, where this is not possible, it may be delivered off-site or through a combination of on- and off-site. In exceptional circumstances, developments will be able to pay for credits.

Figure 1: The principle of biodiversity net gain



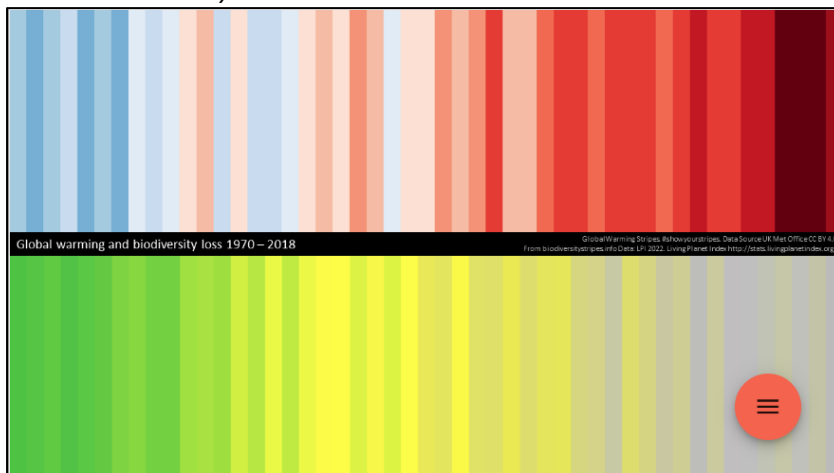
Source: BNG: An Introduction to the Benefits, Natural England ([link](#))

The Twinned Climate Emergency

3.6 The Biodiversity Emergency and Climate Emergency are inextricably linked – effectively, they are two sides of the same coin. Climate change is exacerbating nature’s decline, and the loss of wildlife and wild places leaves us ill-equipped to reduce carbon emissions and adapt to change. **One crisis cannot be solved without addressing the other.** Multi-functional improvements are critical to effectively addressing both emergencies. For example, restoring peatland habitat can also help slow the flow of water into river systems to reduce the risk of flooding, whilst planting native trees can help sequester (store) carbon, improve air quality, provide habitat, improve drainage to mitigate flood risk and improve the attractiveness of place with benefits to health and wellbeing.

Figure 2: Global warming and biodiversity loss 1970-2018

The top row shows the increase in global temperatures over time, with the bottom row showing the loss in global biodiversity over the same time period. Biodiversity is declining as temperatures increase, showing the two crises are closely linked.



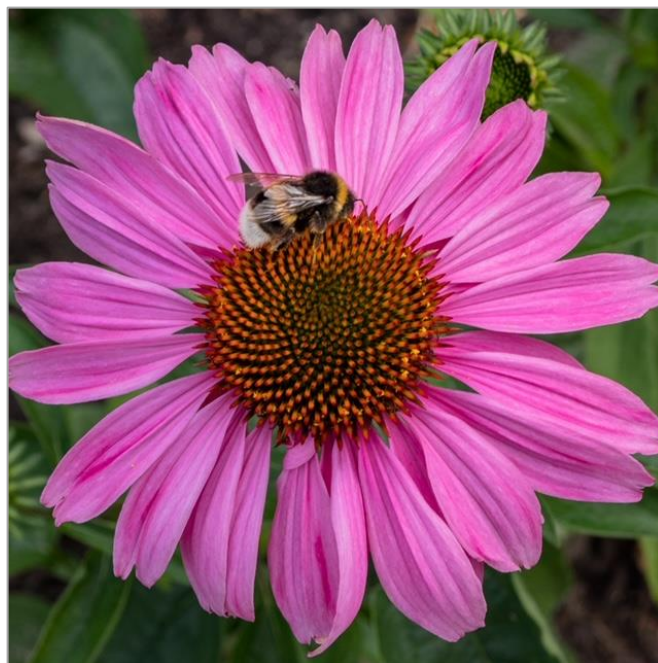
Source: Miles Richardson / University of Derby: Biodiversitystripes.info

Benefits of biodiversity

3.7 Biodiversity provides a range of environmental, social and economic benefits. Rather than seeing net gain requirements as an extra cost or burden within new development, there are real opportunities to benefit from the natural capital it can bring. Natural capital approaches nature as an asset, or multiple assets, which benefit people. For example, the creation of new areas of habitat on a development site will make the development a more attractive place to live, provide green infrastructure opportunities for its residents and their health, and, as a result of that increased appeal, likely command higher house prices.

3.8 Benefits include:

- Providing habitats for a range of wildlife, including food and shelter
- Supporting pollinators
- Providing flood protection and water management
- Maintaining healthy soil composition
- Improving air quality by absorbing pollutants and producing oxygen
- Providing shading to help reduce urban temperatures
- Providing character and a sense of place
- Providing 'green spaces' to support recreation and leisure opportunities
- Supporting access to nature to promote physical and mental health and wellbeing
- Absorbing urban noise
- Providing attractive places that people want to live in
- Providing areas for community
- Reducing incidence of flooding, and associated costs like reduced insurance premiums
- Reducing NHS health costs
- Providing recreational benefits that can generate income



4.0 Key Policy & Legislation

4.1 A variety of (primary and secondary) legislation, policy and guidance has been introduced in respect of biodiversity. A full list can be found in Appendix B. Some of the key documents are:

Environment Act 2021

4.2 The Environment Act amends the Town and Country Planning Act 1990. From February 2024, most new developments will be required to deliver a minimum of 10% net gains in biodiversity, and secure those gains for at least 30 years. These net gains must be measurable and so the Government will set the use of specific biodiversity metrics by which biodiversity gains and losses can be calculated.

Statutory Instruments

4.3 Statutory Instruments (SIs) are drafted by Government to make changes to the law. They are secondary legislation, and all the BNG SIs are referred to as regulations. They work together to deliver the new BNG framework and consist of the following:

- [The Biodiversity Gain \(Town and Country Planning\) \(Consequential Amendments\) Regulations 2024](#)
- [The Biodiversity Gain Site Register \(Financial Penalties and Fees\) Regulations 2024](#)
- [The Biodiversity Gain Site Register Regulations 2024](#)
- [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#)
- [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#)

National Planning Practice Guidance (PPG)

4.4 The Government have published [BNG planning practice guidance](#), to support the legislation. Additional guidance can also be found through the [Defra Understanding BNG webpage](#). A series of information links are provided below, and throughout this document. The PAN reflects much of the national guidance, on the basis of bringing it together centrally. However, as government information is expected to change over time, national guidance should always be referred to.

- [BNG Planning Practice Guidance](#)
- [Biodiversity net gain - GOV.UK \(www.gov.uk\)](#), including:
 - [Legal Agreements to secure your biodiversity net gain](#)
 - [Making on-site biodiversity gains as a developer](#)
 - [Making off-site biodiversity gains as a developer](#)
 - [Statutory biodiversity credits](#)
 - [Statutory credit prices](#)
 - [Calculate biodiversity using the biodiversity metric](#)
 - [Meet BNG requirements: steps for developers](#)
 - [Meet BNG requirements: steps to take for land managers](#)

National Planning Policy Framework (NPPF)

- 4.5 The NPPF sets national planning policy, which must be considered in the determination of all planning applications (alongside local planning policy). Paragraph 174(d) of the NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilience to current and future pressures.

- 4.6 Paragraph 179(b) of the NPPF requires plans to:

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

- 4.7 The National Planning Practice Guidance on the Natural Environment provides further information on biodiversity net gain, including its aims to leave the natural environment in a measurably better state than it was before (paragraph 20), deliver measurable net gains through development (paragraph 22), and the use of a biodiversity metric to measure those gains (paragraph 25).

Blackburn with Darwen Local Plan 2021-2037

- 4.8 Policy CP6: Natural Environment of the Local Plan guides that:

New development will be required to conserve and enhance biodiversity, geodiversity and landscape features ensuring...

iii. A measurable biodiversity net gain of no less than 10% is achieved which must be evidenced through the latest recognised metric and preferably delivered on site. Where net gain cannot be delivered on-site, local off-site compensatory habitat or financial payments will be required in line with the latest national and local requirements. All proposals should apply the mitigation hierarchy in accordance with the NPPF.

vi. That appropriate and long-term management of new or existing habitats is secured to ensure a network of nature recovery.

- 4.9 BNG is therefore set in law, and in national and local policy and guidance.
- 4.10 The Local Plan also contains a series of environmental-based policies, which are relevant to biodiversity net gain, and which form material considerations when the Council consider your application. For example, if you are removing any trees, Policy DM17 requires three trees to be replaced for every one tree to be removed, which can, in turn, support the creation of habitats, mitigate flood risk and mitigate the effects of increasing temperatures by providing shade.
- 4.11 Key policies which link to biodiversity are:

CP5: Climate Change	Requires developments to consider mitigating and climate change – the emergency is inextricably linked with the biodiversity crisis
CP6: The Natural Environment	Requires new development to conserve and enhance biodiversity, including through the delivery of 10% BNG, and the enhancement of habitat and their connectivity
CP11: Infrastructure and Delivery	Sets that BNG and other environmental improvements may be secured by planning contribution
DM13: Flooding and SuDS	Guides the management of water on sites, and promotes sustainable urban drainage systems and natural flood management techniques which can also be designed in as part of BNG provision
DM14: Environmental Opportunity Areas	Introduces environmental opportunity areas as areas highlighted for their specific value in terms of habitats, biodiversity, carbon management and/or flood risk and guides that off-setting schemes from new developments should be directed to these areas, or the wider green and blue infrastructure network.
DM15: Protection and Enhancement of Wildlife Habitats	Protects biodiversity resources from harm by developments and encourages developments to enhance existing habitats and ecological networks whilst minimising disturbance to species.
DM16: Green and Blue Infrastructure	Requires all development to make a positive contribution to the boroughs green and blue infrastructure network.
DM17: Trees and Woodland	Guides the provision and protection of trees and woodland in the borough. Requires the replacement of trees on a 3:1 ratio basis (plant 3 trees for every 1 tree removed). This can count towards BNG.
DM18: Open Space	Requires new development to contribute to the provision of high-quality open space – which can include biodiversity design.
DM27: Design in New Developments	Requires new development to achieve high quality, sustainable design including considering nature. Introduces the 'building with nature' accreditation.
DM28: Development affecting watercourses, bodies and catchment land	Sets that development should not reduce water quality of the ecological value of water bodies or environs

5.0 Key Principles of Biodiversity Net Gain

The following are key components of BNG, and outlined in this section:

- BNG does not change existing legal and environmental and wildlife protections
- The mitigation hierarchy must be applied
- Developments must deliver a 10% net gain, calculated using a biodiversity metric
- BNG should be delivered through a Biodiversity Gain Hierarchy (prioritising onsite gains ,then registered off-site gains, then, as a last resort, national credits)
- Habitats must be secured for at least 30 years through specific legal agreements
- Off-site habitat must be recorded on a national register

BNG does not change existing environmental and wildlife protections

5.1 BNG does not change existing legal and policy protections, so development impacts on protected sites and species, like ancient woodlands, and priority species and habitats, need to be considered in relation to habitat loss. A development cannot avoid this requirement by virtue of delivering net gain. BNG just ensures that developments value existing habitat and replace it, or enhance it, with a 10% extra. Generally speaking, the greater the protection and importance of the habitat, the costlier and more difficult it will be to replace. The mitigation hierarchy should be applied in considering the most appropriate locations for development.

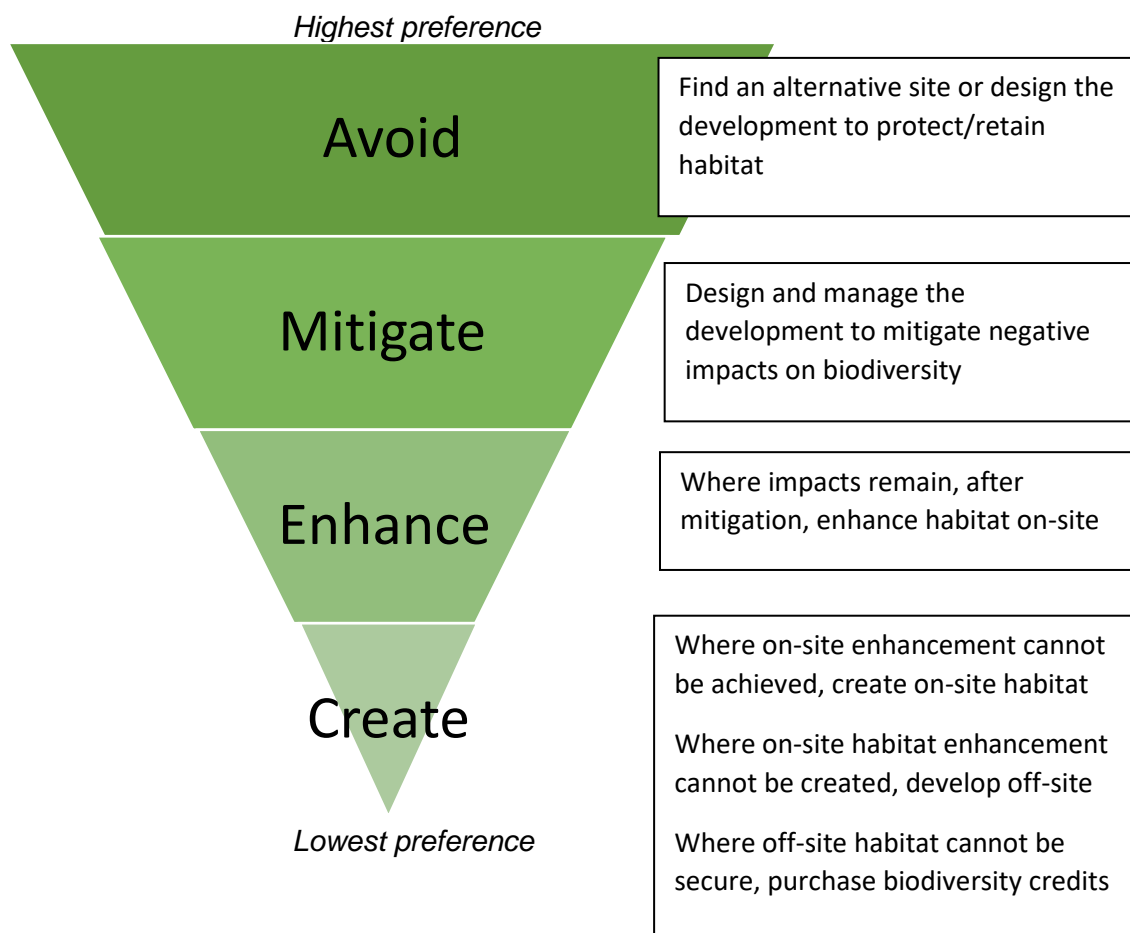


5.2 BNG cannot be achieved where development impacts irreplaceable habitat. Development is expected to protect and enhance irreplaceable habitats including (but not confined to) ancient woodlands, ancient and veteran trees and blanket bog. The list of irreplaceable habitats is expected to broadly mirror the list of examples within the NPPF, but will be confirmed by Government in 2024². Irreplaceable habitats have significant protection already through the NPPF, but BNG will strengthen those protections further. For BNG purposes, the 10% net gain requirement is not applicable to irreplaceable habitats as they are so valuable they cannot be easily recreated. Irreplaceable habitats must be recorded in the metric, but any impacts to them will flag as unacceptable. Speak to us (as the Local Planning Authority (LPA)) at an early stage if any of these habitats are present on the proposed development site. Retention, and enhancements of irreplaceable habitats can be recorded in the metric – any enhancements to irreplaceable habitat can count towards 10% BNG.

² [Irreplaceable habitats and BNG: what you need to know - Land use: policies and framework \(blog.gov.uk\)](https://www.blog.gov.uk/2024/01/irreplaceable-habitats-and-bng-what-you-need-to-know-land-use-policies-and-framework/)

The Mitigation Hierarchy must be applied (and demonstrated)

- 5.3 It is important to adopt a 'nature first' approach to avoid causing harm to the existing biodiversity and habitats on site. The mitigation hierarchy is a staged approach in considering the potential harm to biodiversity when designing development. Avoiding negative impacts requires biodiversity to be considered in the early stages of the development – the most effective methods include consulting with ecologists who can access spatial mapping tools and data, undertake relevant metrics and assessments, at appropriate seasonal times, identify additional surveys that may be needed, identify relevant nature recovery and biodiversity strategies and advise of constraints and opportunities at an early stage. Each stage of the hierarchy should be considered in turn, focusing on all possibilities before moving on to the next stage.
- 5.4 Applicants will be required to demonstrate how they have considered the mitigation hierarchy in their Biodiversity Gain Plans (see Section 8). The Council must also consider the mitigation hierarchy as part of their determination of the Gain Plan. The Environment Act requires 'information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat' to be included in a biodiversity gain plan, which must be submitted as a condition of planning approval.



- 5.5 When selecting a development site, areas of high ecological value should be avoided. The design of the project should then seek to avoid and minimise the loss and disturbance to valued ecological features on the site. Valued features can be determined from the ecological surveys required to support the planning application.
- 5.6 Metric guidance should be referred to when undertaking calculations. Under metric rules, only habitats with a distinctiveness score of 4 or above (high/very high) must be avoided. However, the NPPF and the Local Plan both encourage developments to consider the mitigation hierarchy in the earliest parts of design, and therefore the Council generally expect developments to do so, irrespective of the metric distinctiveness score for individual habitats.
- 5.7 Where valued ecological features are lost or diminished, compensatory measures should be provided by replacing habitats or by enhancing habitats on site to compensate for the loss. Or, where this cannot be achieved, through the creation or enhancement of off-site habitats. At this point, the additional measures required to provide gains (not just compensate for losses) can be properly considered.

Development must achieve a measurable 10% net gain, calculated using a biodiversity metric

- 5.8 The Environment Act 2021 specifies that, from February 2024, all new development granted planning permission in England (with a few exemptions) must achieve a minimum of 10% biodiversity net gain.
- 5.9 The secondary legislation ([\(Exemptions\) SI](#)) sets out the exemptions that will apply from mandatory BNG. They include:
- Development impacting on habitat areas of below 25sqm, or 5m for linear habitats (de-minimis)
 - Householder applications
 - Permitted development
 - Small scale self-build and custom housebuilding
 - Biodiversity gain sites (where habitats are being enhanced for wildlife)
- 5.10 The 'de-minimis' threshold applies to the areas or length of habitat in the development, not its total development footprint. The exemption applies to both major and minor (small) sites. Where a development contains less than 25sqm of non-priority habitat, but more than 5m of linear habitat (or vice versa), the exemption will not be met and the development will be subject to BNG.
- 5.11 Self-build and custom build development consisting of no more than 9 dwellings, and which is carried out on a site which has an area no larger than 0.5 hectares, and which consists exclusively of dwellings which are self-build or custom-build (as defined in Section 1(A1) of the Self-build and Custom Housebuilding Act 2015), will be exempt from BNG requirements.

5.12 There is a temporary exemption for non-major developments until April 2024. This means that small sites will be required to deliver BNG from April 2024. Small (non-major) sites are defined, through [legislation](#), for the purpose of the BNG exemption as:

(i) For residential: where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare, or where the number of dwellings to be provided is not known, a site area of less than 0.5 hectares.

(ii) For non-residential: where the floor space to be created is less than 1,000 square metres OR where the site area is less than one hectare.

Pre-emptive clearance of sites

5.13 Schedule 14 of the Environment Act (2021) deters against site clearance ahead of a planning application by allowing planning authorities to recognise any habitat degradation since 30 January 2020 and to take the earlier habitat state as the baseline for BNG. Where sites have been cleared, or are suspected to have been cleared, in advance of BNG baseline assessments, it will be necessary to make an informed assessment of the condition and distinctiveness of the habitat that would have been present prior to site clearance. In these cases, the condition can be taken to be higher than that which it may have been (i.e., to assume 'good' when it may have been 'poor').

No trading down is allowed

5.14 The minimum 10% requirement should be applied to all area and/or linear unit types found within the development site red line boundary and be applied irrespective of whether the habitat in question was directly or indirectly impacted by the development. Area, hedgerow and river habitat units are considered separately and are not interchangeable – one cannot be addressed by providing for another. There can also be no trading down in habitat distinctiveness – all habitats require re-creation on a like for like basis, or greater. This means that high distinctiveness habitats must create high distinctiveness habitats (it cannot go down), but low distinctiveness habitats can create low, medium or high distinctiveness habitats (can provide the same or better).

Measuring BNG

5.15 In BNG, habitat is a proximity for biodiversity. Features like bird and bat boxes do not provide habitat so do not form part of the calculations. Instead, the metric focuses on habitats species need to forage, breed and complete their life cycles.

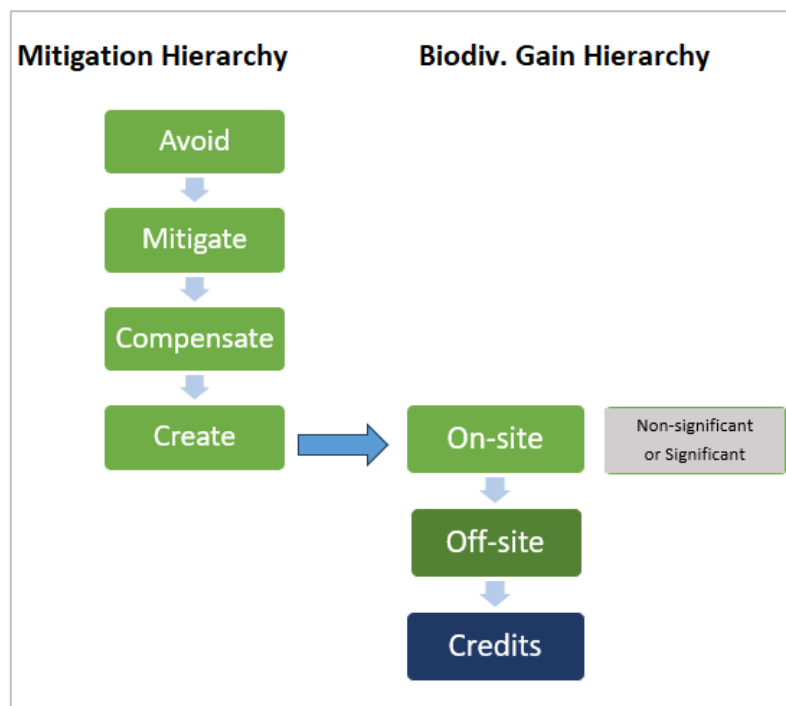
5.16 Biodiversity net gains must be calculated by a qualified ecologist, using the latest Defra biodiversity metric. Values are assigned based on:

- Distinctiveness - these are set by the metric, based on ecological evidence
- Condition – based on an ecologists judgement of the condition of the habitat
- Significance – whether the habitat is located in an area of 'strategic significance', which is determined by the LPA through local plans and strategies

5.17 See Section 10, 11 & 12 for further details

A Biodiversity Gain (Spatial) Hierarchy must be followed

- 5.18 BNG habitat delivery operates on a spatial hierarchy of preference. Whilst there is a need to deliver strategic biodiversity improvements to support the restoration of functional ecosystems, and often larger-sized sites can help facilitate bigger gains, for example through 'habitat banks', the Government also recognise the value of access to nature for communities through 'on-site' BNG delivery.
- 5.19 Ideally, habitats should be created or enhanced on the same site as the development (on-site), as the mitigation hierarchy guides.
- 5.20 Where the delivery of 10% BNG, whether wholly or partly, is not achievable on-site then the delivery of BNG outside of the development site (off-site) must be considered. This should be provided in the locality of the development (see Section 11). However, where the available local opportunities for off-site habitat creation or enhancements are insufficient for developers to meet their net gain requirements, and appropriate evidence of this is provided, off-site delivery outside of their local area will be allowed. Off-site can be delivered through direct works undertaken with the landowner consent, or, more likely, through the purchase of biodiversity units (BUs). Biodiversity Units cover the cost of creating and maintaining the habitat for a 30-year period.



- 5.21 Only in very limited circumstances should developers look to the national system of biodiversity credits to help provide off-site BNG. These will be priced much higher than local biodiversity units to disincentivise their use.
- 5.22 The metric incentivises a preference for on-site gains over off-site gains, through a 'spatial risk multiplier' which reduces the biodiversity value of habitats delivered further away from the development.

- 5.23 Residential gardens can count towards BNG, but the metric scores their value lowly because planting and management cannot be secured in the long-term. These will typically be 'non-significant' habitat gains.
- 5.24 The responsibility to find a suitable location for off-site BNG delivery always lies with the developer. Planning permission cannot be granted where BNG is required, but a minimum of 10% gains are not provided.
- 5.25 The Council guide against using the best and most versatile (BMV) agricultural land, defined as Grades 1,2 and 3a, for the use of BNG. This is to secure a sufficient supply of agricultural land for the future. However, it may be possible to deliver BNG along the boundaries of agricultural land sites.

Off-site gains must be recorded on a national register

- 5.26 Off-site BNG can be delivered by securing a bespoke site(s) for net gain, or from appropriate sites on the local net gain habitat market from other landowners. All off-site habitats must be registered on a national register, managed by Natural England, which are then linked to a specific development(s). To register land for off-site BNG, a range of information must be submitted online, alongside payment of a registration fee. Further information can be found in Section 9.
- 5.27 The Council will also use a local register to record on-site BNG and off-site BNG, for the purposes of its environmental monitoring requirements.

Habitats must be secured for at least 30 years through conditions or legal agreements

Legal agreements

- 5.28 BNG habitat must be managed for at least 30-years.
- 5.29 'Significant' on-site BNG must be secured by condition or legal agreement (Section 106 Agreement or Conservation Covenant).
- 5.30 All off-site BNG must be secured by legal agreement. For off-site BNG, a legal agreement will also be needed to allow the off-site habitat to be recorded on the national register. When securing gain sites, consideration should be given to the funding necessary to cover maintenance (and monitoring) of the site for the duration of the agreement.
- 5.31 See Section 8 for further details.



Summary

- BNG requires new development to deliver more or better habitat than was present prior to the development. This must be measured using specific metrics, and amount to a minimum of 10% habitat gain.
- The gains proposed must follow from a clear strategy of assessing, avoiding and then minimising ecological impacts (through use of the mitigation hierarchy)
- The habitat gains proposed can be achieved on site or off-site, through a combination of both measures, or as a very last resort, through the national credit system (via the net gain hierarchy).
- The habitat gains must be calculated using the appropriate Defra metric- a Standard Biodiversity Metric for Major applications, and the Small Sites Metric for most Minor applications
- Three distinct habitat forms must be treated separately where they occur, and a minimum of 10% gain achieved for each – area-based habitats such as woodlands and grasslands; linear habitats such hedgerows and lines of trees; and riverine habitat such as rivers and streams
- On-site gains must be well designed to achieve genuine wildlife benefits compatible with, and beneficial to site users and sustainable places.
- All substantive gains must be secured, managed, and monitored, for at least 30 years (including all off-site gains).
- All off-site gain sites will be recorded on a publicly accessible, national register.
- BNG design should follow the 10 Principles set by CIEEM, and applications are encouraged to set out how these have been considered (see Section 6).

6.0 Design Guidance

Good Practice Principles for Development/ British Standard for BNG

6.1 To guide the delivery of BNG, CIRIA, CIEEM and IEMA have jointly produced good practice principles which the Government and Council endorse. The key principles can be summarised as:

1. Apply the mitigation hierarchy
2. Avoid losing biodiversity that cannot be offset by gains elsewhere
3. Be inclusive and equitable
4. Address risks
5. Make a measurable net gain contribution
6. Achieve the best outcomes for biodiversity
7. Be additional
8. Create a net gain legacy
9. Optimise sustainability
10. Be transparent

6.2 The BNG good practice principles for development, a practical guide and example case studies, can be found on the CIEEM website at <https://cieem.net/biodiversity-net-gain-guidance-published/#:~:text=Biodiversity%20Net%20Gain%20>.

6.3 In addition, further guidance can be found through the following sources:

- British Standard [*BS8683 \(2021\): Process for designing and implementing BNG – specification*](#) further builds on and adds to the CIEEM guidance.
- [*British Standard BS42020 \(2013\): Biodiversity in planning and development*](#), which sets out the expected standards of ecological input into the planning process, from scoping and pre-application to post-construction monitoring.
- The NHBC Foundation with the RSPB have published a guide on [*Biodiversity in new housing developments*](#), featuring design guidance to create wildlife friendly communities.
- Natural England's [*Green Infrastructure Framework – Principles and Standards for England*](#) (2023)
- [*Building with Nature Standards*](#) – provides standards and guidance for delivering high quality green infrastructure, which considers nature, and is integrated well as part of new development. Policy CP6 of the Local Plan encourages developers of major schemes to achieve the standard to demonstrate good design.
- Blackburn with Darwen Tree and Woodland Strategy (forthcoming)

Additional design considerations

6.4 When considering BNG, you should think about how it can be used to deliver other benefits, including that to improve health opportunities, or increase resilience to climate change. Such considerations may include:

- Whether soil considerations are suitable for your plans.
- Site and design development to have minimum impact on existing site habitats and identify the greatest opportunities to enhance nature.
- Avoid fragmentation of habitats and retain wildlife corridors.
- Prioritise retaining existing trees and hedgerows, especially older and native species.
- Use native plants, sourced from reputable nurseries or suppliers with plant health management in place, for example, nurseries with Plant Healthy certification.
- Identify and control invasive non-native species (INNS).
- Reduce light impacts on nocturnal wildlife, by keeping lighting levels appropriate and minimal, and seek to reduce light pollution impacts. Motion activated lighting will also help to reduce energy demands and cut carbon emissions.
- Develop a management plan without the use of chemicals such as herbicides, pesticides, fertilizers etc, wherever possible
- Incorporate additional, secondary features, like bird nesting bricks, bee bricks, green roofs and walls, native and wildlife friendly species, swales designed for wildlife, hibernaculum (insect and amphibian) etc.
- Enable more people to have access to good quality green and blue spaces, particularly in more deprived areas where existing opportunities to connect with nature are usually lower
- Where appropriate, design spaces to allow people to come into contact with nature to benefit physical and mental health.
- Consider establishing self-guided nature routes, quiet areas and interpretation boards to help people connect with nature
- Include nature-based play areas for children, as well as seating and social areas in green spaces
- Restrict access and buffer plant areas for habitats/species sensitive to human and pet activities
- Consider how BNG can also help increase climate resilience for wildlife and people – for example, trees can provide shade during heatwaves
- Enhance and create riparian and wetland habitat that can help slow the flow of water. Design wildlife friendly, vegetated SUDS that can capture and slow water flow during excessive rainfall. Green roofs, raingardens, planters, tree pits, swales, ponds, water butts and rainwater harvesting systems can also help. Use permeable surfaces wherever possible.
- Create corridors and refuges to protect species from climate change, e.g. amphibians
- Consider use of systems like gabion walls (where appropriate) for low retaining walls and barriers or seating, which provide further opportunities for insect habitats

- Consider the cost and logistics of maintaining habitat from the outset of your design
- Consider access points for maintenance equipment – e.g. mowers

6.5 You should also take into account the following conditions which could impact on BNG plans:

- Climate
- Topology / geology
- Soils and substrates
- Contaminated land
- Hydrology and drainage
- Flood risk zones
- Landscape character
- Biosecurity
- Invasive plant species

6.6 Further resources are provided in Appendix A..

7.0 BNG and New Development

Types of development BNG will apply to

7.1 From February 2024, **all new development** granted planning permission in England (with a few exemptions) must achieve a minimum of 10% biodiversity net gain. Only a limited number of exemptions will apply, as follows:

- Development impacting on habitat areas of below 25sqm, or
- Development impacting on linear habitat lengths of less than 5 metres³
- Permitted development
- Householder applications
- Small scale self-build and custom housebuilding
- Biodiversity gain sites (where habitats are being enhanced for wildlife)

Self-build and custom build development must consist of no more than 9 dwellings, and which is carried out on a site which has an area no larger than 0.5 hectares, and which consists exclusively of dwellings which are self-build or custom-build (as defined in Section 1(A1) of the Self-build and Custom Housebuilding Act 2015), will be exempt from BNG requirements.

7.2 However, to allow for the transition to BNG, small sites will only be required to deliver BNG from April 2024. Small sites (non-major developments) are defined ([in legislation](#)), and for the purpose of the BNG exemption as:

(i) For residential: where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare, or where the number of dwellings to be provided is not known, a site area of less than 0.5 hectares.

(ii) For non-residential: where the floor space to be created is less than 1,000 square metres OR where the site area is less than one hectare.

7.3 Major developments (i.e. 10 or more dwellings, more than 1000sqm of commercial floorspace (or meeting relevant site area criteria)) will be required to achieve a minimum of 10% BNG from February 2024.

7.4 BNG does not (yet) apply to:

- local development orders
- neighbourhood development orders
- deemed planning permission
- Successful enforcement appeals

³ The 'de-minimis' threshold, for the purposes of exemption, applies to the areas or length of habitat in the development, not the total development footprint. This applies to both large and small sites. The exemption is not mutually exclusive - where a development contains less than 25sqm of non-priority habitat, but more than 5m of linear habitat (or vice versa), the exemption will not be met and the development will be subject to BNG.

Planning Applications

- 7.5 From the point at which BNG takes effect, BNG will be required for planning applications, including:
- Outline / Reserved Matters
 - Full
 - Section 73 (that affect the biodiversity value of a previously-approved BNG liable planning approval).
- 7.6 Permission in Principle (PiPs) are not a formal grant of planning permission and so are not within the scope of BNG. However, the subsequent technical details consent is a grant of planning permission and so will be subject to BNG.
- 7.7 As part of the transitional measures, BNG will only be required on reserved matters applications where the outline was granted *after* the introduction of mandatory BNG. BNG will not apply on reserved matters where the outline was granted pre-mandatory BNG, or on S73s where the original planning application was submitted pre-BNG. Further details on both of these are provided below.

Phasing

- 7.8 For the purposes of BNG, Phased developments relate to a development where there is
- a) A grant of outline planning permission where the matters reserved for subsequent approval have the effect of requiring or permitting development to proceed in phases; OR
 - b) A grant of any kind of planning permission where the grant is subject to conditions having that effect
- 7.9 Not all outlines will meet this different definition (see the [BNG PPG](#) for more details).
- 7.10 Where developments are phased, an Overall Biodiversity Gain Plan must be submitted to, and approved by, the LPA before any development can begin; and a Phase Biodiversity Gain Plan must be submitted to, and approved by the LPA, before development of a phase can begin. The Overall BGP should clearly set how the minimum 10% gain is expected to be met across the whole development.
- 7.11 Outline planning permissions are a planning permission, and so will be subject to BNG requirements. The approval of reserved matters are not a formal grant of planning permission (but of the matters reserved from an outline permission) and so are not within the scope of BNG ([BNG PPG](#)).

Section 73's

- 7.12 Where a planning permission granted under S73 does not affect the post development value of the on-site habitat specified in an approved BGP, the earlier plan is regarded as approved for the purpose of the new permission granted under S73. A new BGP is not then required.

- 7.13 However, if the S73 does affect the post development biodiversity value, then a new BGP must be submitted and approved prior to the commencement of the permission.
- 7.14 BNG will not apply to Section 73 permissions (made to vary a condition relating to an earlier permission) where the earlier permission was granted, or the application for permission was submitted, prior to the date at which BNG takes effect. This is because permissions granted for applications made before this date are not subject to BNG.
- 7.15 S73 permissions cannot be used to vary or remove the general biodiversity gain condition.

S73 relates to a planning application made, or planning approval granted, PRIOR to the date at which BNG takes effect	Not in scope for BNG (no BNG required)
S73 relates to a planning application made, or planning approval granted, AFTER the date at which BNG takes effect, AND makes no changes to the post-development biodiversity value	Biodiversity gain condition applies to earlier permission; New BGP not required
S73 relates to a planning application made, or planning approval granted, AFTER the date at which BNG takes effect, AND makes changes to the post-development biodiversity value	Biodiversity gain condition applies to new permission; New BGP required

- 7.16 BNG will not apply to retrospective planning permissions made under Section 73A.

Calculating measurable net gains

- 7.17 Biodiversity metrics must be used to calculate the baseline biodiversity value, and the potential biodiversity value (which must be a minimum of 10%). Separate metrics should be used for minor / major developments.
- [Biodiversity Standard Metric](#) (BSM) for major-development sites
 - [Small-Sites Metric](#) (SSM) must be used for small (minor development) sites. This has been designed to be a simpler version of the Biodiversity Metric.
- 7.18 The SSM cannot be used on sites where:
- habitats not available in the SSM are present
 - priority habitats are within the development site (excluding some hedgerows and arable field margins)
 - any offsite interventions are required

- 7.19 In these cases, then the Biodiversity Standard Metric must be used to calculate BNG.
- 7.20 The mandatory BNG requirement will apply to applications **submitted** after BNG takes effect – for major applications this is from 12 February 2024, and for all other non-exempted development from 2 April 2024.
- 7.21 Further details on the metrics can be found in Section 10 of this PAN.

Habitat Mapping

- 7.22 Biodiversity Metrics, Biodiversity Statements, and Biodiversity Gain Plans should be accompanied by UK Hab survey plans, showing the existing habitats. The BGP should also map the proposed habitats post-completion (areas to be retained, enhanced, created).
- 7.23 Plans should be provided at an appropriate scale and show the habitats and their condition. When submitting the BGP, we may require that GIS files are also submitted so that the data for existing and proposed habitats can be uploaded into our GIS systems for monitoring. Your appointed ecologists should be able to provide this mapping in a standard format.

Sites with no baseline unit value

- 7.24 Where a development site has been assessed as having zero baseline unit value, they will be exempt from mandatory 10% BNG (as 10% of zero is zero). However, the NPPF, and Local Plan policy, still require developments to deliver a net gain and so it would be expected that some new habitats will be created through the development.
- 7.25 Ideally, in these cases, the uplift in biodiversity units should be calculated as a numerical unit change, rather than a percentage change.

Habitat degradation

- 7.26 Schedule 14 of the Environment Act (2021) deters against site clearance ahead of a planning application by allowing planning authorities to recognise any habitat degradation since 30 January 2020⁴ and to take the earlier habitat state as the baseline for BNG. Where sites have been cleared in advance of BNG baseline assessments, it will be necessary to make an informed assessment of the condition and distinctiveness of the habitat that would have been present prior to site clearance.
- 7.27 Baseline assessments should take into account seasonality of habitats, for example, if a grassland site were strimmed or ploughed in July, the planning authority would be able to seek compensation for the habitat as it was in June, rather than the degraded habitat present in July.

⁴ 30 January 2020 is the date that the Environment Bill first entered Parliament

- 7.28 Where the Council suspects that a site has been cleared in advance of BNG baseline assessments, the Council (or its ecologists) will use (historic) aerial imagery and available data sets to establish the likely baseline. The Council will also use a precautionary approach when assigning condition scores – for example, assigning a higher condition score in the absence of any contrary evidence.

Red Boundaries

- 7.29 It is essential to clearly define the development boundary and any areas to be used for habitat creation or enhancements. A revised metric must be provided where any changes are made, post-submission of the application.
- 7.30 All habitats within a development site must be included in the metric calculation, whether or not they will be directly affected, and are subject to the 10% BNG requirement.
- 7.31 On-site habitats are defined as those within the red line boundary. Any habitats falling outside the red-line boundary will be defined as off-site.
- 7.32 For habitats adjacent to the development red line boundary, and habitats within a blue line (ownership) boundary, appropriate measures to protect those habitats from degradation must be considered and specified in the Biodiversity Gain Plan to ensure that no degradation of these habitats occurs as an impact of development.

What happens to BNG after the 30 years?

- 7.33 Off-site habitats must be secured, by legal agreement, for a 30-year management period. At the end of that 30-year period, it is hoped that the landowner will see the benefit of keeping the land in BNG, in an alternative nature market (e.g. carbon or biodiversity credits) or other conservation agreement where it works for their business. It is expected that there will be a range of financial incentives to encourage them to keep the land under sympathetic management and contribute to nature recovery. Further details are available from the [Defra blog](#).



- 7.34 Within BwD, it is expected that off-site land will be retained in perpetuity, given the importance of addressing the biodiversity emergency, and the multi-functional benefits nature can provide.

All development should be providing net gains

7.35 We are in a biodiversity emergency. The national planning policy framework (NPPF) requires all development to create net gains for wildlife, for example, by creating new habitats through landscaping and sustainable urban drainage (SuDS) considerations. Whilst some developments will be exempt from the mandatory 10% gains, all developments should be seeking to encourage the conservation and enhancement of nature. The environment is a key pillar of sustainable development, and can bring with it a multitude of social and economic benefits.

7.36 The Council are committed to encouraging and enhancing biodiversity across the borough. Therefore, in accordance with *Local Plan Policy DM27: Design*, all developments are also expected to consider the enhancement and protection of nature in their design, for example through the provision of bat and bird boxes, hedgehog highways and 'friendly fencing', bug hotels, bee bricks, SuDs/water features, landscaping and general habitat considerations. These features do not formally contribute to BNG calculations as they are not 'habitats', however they do help create 'nature friendly' developments and provide foraging, breeding, nesting/roosting and movement opportunities.



7.37 The '[Homes for people and wildlife](#)' guidance from the Wildlife Trust details how to build housing in nature friendly way.

8.0 BNG and the Planning Application Process

- 8.1 BNG operates through a 'general biodiversity gain condition' which means all non-exempted planning approvals must deliver a 10% gain as a condition of the planning permission. To make sure that the objective can be met, BNG must be considered throughout all of the different planning stages, as outlined in this section.
- 8.2 BNG should be considered in the earliest stages of design, and factored into site selection and design. Information must be submitted with the planning application to demonstrate, if planning permission was granted, that the development can deliver, and in some cases must legally secure, 10% gains. And, where approval is granted, information must be submitted, before any development commences, to evidence how the gains will be delivered and to discharge the general condition. Finally, information must be submitted to monitor and report on the delivery of BNG over a 30-year period.
- 8.3 The Council have prepared a series of **checklists** to help you check you are providing the correct information at the correct stages (Appendix E). These checklists will be available on the Council website and will be updated as and when any information requirements change so that they remain accurate. An indicative process flowchart can also be found in Appendix D. The Councils Local Validation Checklist (LVC) confirms that these BNG checklists will list the relevant information which will be required to enable the Council to validate your application (in relation to biodiversity net gain requirements).

A. Pre-application

- 8.4 Biodiversity should be considered in the earliest stages of your developments design.
- 8.5 Key considerations during the pre-application stage, should include:
- Understanding the BNG requirements
 - Undertaking biodiversity data to check potential issues / opportunities
 - Undertaking Ecological Impact Assessments / metrics
 - Establishing an accurate baseline
 - Site boundaries and the habitats within them
 - Using the mitigation hierarchy in your design, including avoiding high value habitats
 - Seeking relevant pre-application advice (e.g. approach, options, requirements)
- 8.6 To inform BNG in design, you may require ecologists to prepare:
- **Preliminary ecological appraisal (PEA)** – also called an Extended Phase 1 Habitat Survey or Phase 1 Ecology Survey. This is the first stage in assessing the ecological value of a site and any features of particular interest or importance. It can be undertaken at any time, but April to September is the optimal time. It usually comprises a 'walk-over' survey of the site, and desk-top assessments.
 - **BNG Feasibility Report** – used at the pre-application planning stage to outline the feasibility of BNG resulting from the potential development. This can be contained within, or separate to, the PEA. The report should include a baseline habitats plan that links to the biodiversity metric to show baseline conditions and help in designing what is feasible for BNG on-site. Potential impacts on irreplaceable, important, vulnerable,

designated or priority habitats should be highlighted at this stage. Further details can be found in the CIEEM resource [BNG Report and Audit Templates](#).

- **Ecological constraints and opportunities plan:** the identification of biodiversity constraints and opportunities, and an assessment of likely ecological impacts will be useful when considering the design of a site, throughout its development process
 - **Relevant Biodiversity Metrics:** To understand existing habitats and on-site / off-site options.
- 8.7 If you require any pre-application advice in relation to ecology, you should request this at the time you submit for advice. Additional fees may apply where the Council has to consult with their own ecology consultants.
- 8.8 You will be required to submit a range of biodiversity information with your planning application, including metrics.

B. Submission - Validation requirements

Where you consider the biodiversity gain condition does not apply to a development

- 8.9 Some developments are exempt from BNG requirements. In these cases, applicants must provide a Statement as part of the planning application that explains why they believe this to be the case – i.e. confirming the exemptions or transitional provisions that apply. Planning application forms will include space for this statement. In some cases, evidence may be needed – for example to show that the existing habitat area falls below de-minimis requirements.

For all applications where the biodiversity gain condition will apply to a development

- 8.10 Where BNG applies, the following information, set through legislation (and the BNG PPG), must be provided:
- A statement as to whether the applicant believes the planning permission, if granted, would be subject to BNG;
 - The pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date), including the completed metric calculation;
 - If an applicant wishes to use an earlier date, you must propose an earlier date and explain the reasons for proposing that date;
 - A statement confirming whether the biodiversity value of the on-site habitat is lower on the date of application (or an earlier date) due to activities which have degraded the value of the site. In these cases, the value must be taken to be immediately before these activities, and appropriate evidence provided;
 - A description of any irreplaceable habitat on the land to which the application relates and that exists on the date of application (or earlier date); and
 - A plan, drawn to scale and showing North, showing onsite habitat existing on the date of application (or an earlier date), including any irreplaceable habitat. This must be in UKHab format.
- 8.11 Further information may also be requested to support the consideration of BNG as part of the planning application. The local validation checklist states applicants should use the BNG PAN Planning Application checklists (Appendix E). These may

be updated as requirements are better understood. They will be published on the Council website (www.blackburn.gov.uk/bng).

- 8.12 Where the required information is not provided, the application will not be validated.
- 8.13 Most BNG liable applications will also be required to submit a Climate Impact Framework assessment which asks some questions relating to BNG. This is a separate local validation requirement (and outlined below).
- 8.14 Where planning obligations are required, good practice will be to submit information to the LPA so the legal agreement can be appropriately drafted. Accompanying information may include draft Biodiversity Gain Plans, draft Habitat Management and Monitoring Plans, off-site habitat details or draft Heads of Terms. This is detailed as this section continues.

Date to calculate on-site pre-development biodiversity value

- 8.15 The pre-development value of on-site habitat should typically use the date of the application. Earlier dates can be agreed with the LPA. Earlier dates can also be used to reflect degradation of onsite habitats – refer to the [BNG PPG](#) for further details.

Metrics

- 8.16 Full details on metrics and UKHab plans can be found in Section 10. As part of validation checks, the Council will return any metrics which contain errors, including where trading rules are not satisfied. The metric must be supplied, in full (not just the summary page), as an excel document to allow ecologists to check the calculations. It must also be supplied as PDF pages to allow the metric to be published on the Council website.

Plans

- 8.17 UKHab plans are also required. These are the format required by the metric. Natural England have published a [GIS tools user guide, QGIS template and GIS import tool](#) which can be used to input mapped data (from [QGIS](#), a free, open source geographic information system) into the statutory Biodiversity Standard Metric, or small sites metric. It is designed to increase efficiency and provide a standardised methodology so that spatial data is recorded in a suitable format for the metrics. The template is aimed at practioners (ecologists) with an existing working knowledge of QGIS.
- 8.18 Where QGIS is not used, a 'GIS Data Standard' is available, to assist with producing compatible data. This is provided in a [separate GIS data standard tool](#).

Climate Impact Framework (CIF)

- 8.19 Biodiversity enhancements relate closely to addressing the climate emergency, and the Council's Local Plan sets a commitment to ensure the mitigation of carbon emissions and resilience to a changing climate are considered as part of new developments (Policy CP5). Subsequently, certain new planning applications will be required to submit a 'Climate Impact Framework' (CIF) assessment to demonstrate how the development has considered mitigating and responding to climate change. The CIF assessment will be a local validation requirement and includes questions on how the development has considered biodiversity. To help support the Council's aims

to achieve carbon neutrality by 2030, developments that can demonstrate they have considered the climate emergency, aside biodiversity net gain, will be afforded positive weight in the planning balance. Developments are encouraged to strive to deliver multi-functional benefits, for example by using trees to sequester carbon, provide habitat, and improve drainage. Further information can be found at www.blackburn.gov.uk/CIF.

C. Determination and Decision-making

- 8.20 Following validation of your planning application, the Council (and their ecologists) will consider the application. They must be satisfied that the development is capable of delivering a minimum of 10% BNG, either on-site or off-site.
- 8.21 The Council will consult with their ecologists on all major applications which necessitate BNG and on any other applications where the Biodiversity Standard Metric is used. The Council may consult with their ecologists on the Small Sites Metric, based on an assessment of risk to biodiversity.
- 8.22 For larger and more complex sites, the Council may also request the development proposal is considered before a Design Panel (in accordance with Local Plan Policy CP8).
- 8.23 The determination of the Biodiversity Gain Plan is the point at which the Council can confirm whether the development meets the biodiversity gain objective. However, when determining your planning application, we will have to consider more broadly whether the general condition is capable of being successfully discharged. To do this, we will need to consider:
- The balance expected between onsite gains, off-site gains and the use of statutory credits, taking account of the biodiversity hierarchy
 - Whether the type and location of any significant on-site enhancements are appropriate, taking into account other policies supporting biodiversity – like local nature recovery strategies and wider objectives
 - Any planning conditions which are needed, for example to secure habitat enhancements, maintenance and reporting
 - Whether any legal agreements (S106 planning obligations) are needed to secure onsite habitat enhancements or offsite gains
- 8.24 In some cases, like outline applications where details are reserved matters, the full implications for on-site habitats and on-site gains may not be fully known. In these cases, we will need to consider what subsequent approvals may be necessary to secure on-site gains.
- 8.25 Applications are therefore expected to include sufficient details, plans, drawings and supporting information, to enable the Council to determine the biodiversity objective is capable of being discharged, should planning permission for the development be granted. We may update the checklists from time-to-time to ensure they detail the most complete information necessary for determination.

Use of Planning Conditions

- 8.26 The general biodiversity gain condition stipulates all (non-exempted) developments must provide a minimum of 10% biodiversity net gain. A Biodiversity Gain Plan must

be submitted, post approval, to the LPA to demonstrate how this objective will be met. The LPA must receive, and discharge, the condition before any work can begin.

- 8.27 The PPG guides that, for legal reasons, this condition cannot be applied as a typical legal condition of planning permission. Instead, the decision notice must include specific information relating to biodiversity gain, including that every planning permission is deemed to have been granted subject to the general biodiversity condition, and that a biodiversity gain plan must be submitted and approved by the planning authority before any work can commence.
- 8.28 However, the Council can also impose planning conditions relating to the delivery of BNG. This may include to secure significant on-site habitat enhancements for 30 years, monitoring or reporting arrangements.
- 8.29 The Council will also use legal agreements to secure BNG in certain circumstances. This includes all off-site and significant on-site BNG. Any requirements for payments towards monitoring BNG habitats must be secured through legal agreement.

Use of Legal Agreements

- 8.30 **S106 Agreements** are a legal agreement between a landowner and a developer, setting out a planning obligation. Planning obligations help make developments acceptable in planning terms. In accordance with relevant regulations, a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. As 10% BNG is mandated in law (satisfying (a) and (c)), and directly related to the development (satisfying (b)), the conditions for a S106 will be met.
- 8.31 **Conservation Covenants** are a private voluntary legal agreement between a responsible body and a landowner that establishes land will be used for a conservation purpose. Should the Council progress with conservation covenants, it will need to do so in a registered capacity as a responsible body (requiring formal registration with Natural England). At the time of writing, the Council are not considering becoming a Responsible Body (RB). The Council will publish, on their website, relevant details if it does decide to become a RB.
- 8.32 Planning obligations will be used to:
- Secure significant on-site gains
 - Secure all off-site gains
 - Deal with excess net gains which can be used for other developments
 - Secure management and monitoring arrangements, including payment for the cost of monitoring significant on-site or off-site gains for the mandatory 30-year period
 - Secure compensatory payments should habitats fail to be delivered in accordance with the Biodiversity Gain Plan

Table 1: How BNG must be secured through condition or legal agreement

Type of gains	Method of securing gains
'Not significant' On-site gains	General Condition
'Significant' On-site gains	General Condition or Legal Agreement

- 8.33 In accordance with [Government guidance](#),
- on-site gains must be secured for 30 years from the date the development is completed (including all habitat works); and
 - off-site gains must be secured for 30 years from the date you finish the habitat enhancements.
- You will need to include how long it will take to create or enhance the habitat (e.g. one year) so an accurate end date for the legal agreement can be set.
- 8.34 Again, in accordance with [Government guidance](#), the S106 will need to include detailed information on:
- the specific land where habitat will be created / enhanced
 - the habitat types to be provided / which the fees need to be spent on
 - the planned start date and expected completion date of the habitat creation or enhancement
 - specific actions to achieve and maintain habitat enhancements (e.g bi-annual cuts)
 - who is responsible for creating or enhancing the habitats
 - who is responsible for managing and monitoring the habitats (Note that subcontractors cannot be included in the legal agreement, only the landowner, LPA or RB can be responsible. A detailed management and monitoring schedule can be provided in a HMMP)
 - the reporting intervals and requirements for monitoring the site over the 30 year period.
 - where a commuted sum is to be paid for off-site BNG, the S106 must also specify the contribution due for the delivery, management and monitoring of the site. It will also specify all trigger points for payment and inflationary indexes.
 - What actions will be taken if you do not meet your obligations or the habitat enhancement does not go as planned
 - How you will make permitted changes or manage disputes
- 8.35 You are encouraged to raise any issues regarding planning obligations at an early stage of the planning application process. However, it is crucial to understand that BNG is a mandatory legal agreement, and there can be no negotiation over the provision of net gain itself.
- 8.36 The Council may publish a standard legal agreement template / model / clauses.
- 8.37 Contribution costs will be calculated based on the total biodiversity unit value for the amount of habitat to be created or enhanced, and the cost of monitoring that habitat(s) for the 30-year mandatory period. Further details may be set out in the Developer Contributions and Affordable Housing SPD. These costs will be on a site-by-site and habitat-by-habitat basis. There are additional costs for preparing the legal agreement.
- 8.38 You must have a legal agreement for off-site gains, whether you are trying to sell, or buy, off-site gains. You cannot register a site on the national gain register without a signed legal agreement.

8.39 The Council will take enforcement action where planning conditions or legal agreements are not adhered to. See Part E of this section for details.

Registration as a Land Charge

8.40 S106s and Conservation Covenants relating to BNG will be recorded as a land charge.

8.41 As the obligations run for a 30-year period, the Council will need to be notified, in writing, of any changes in land ownership.

D. Discharging the Planning Condition

The Biodiversity Gain Plan

8.42 Section 14 of the Environment Act (2021) requires every planning permission liable for BNG to be granted subject to a condition requiring a Biodiversity Gain Plan (BGP) to be submitted to, and approved by, the local planning authority. On phased sites, development will be conditioned so that a BGP is required prior to commencement of each phase. The BGP contains the information necessary for the LPA to determine if the BNG objective (10%) has been met.

8.43 The Plan must be submitted in writing at least one day after the grant of planning permission and must be approved before any part of the development can commence. A developer may submit a draft plan alongside the planning application for information and to discuss it with the LPA.

8.44 BGP templates are available from Defra's [Biodiversity Gain Template](#) and should be used so we receive the required information to determine the BGP.

8.45 The Biodiversity Gain Plan (BGP) must include⁵ details on:

- How the mitigation hierarchy has been considered and the steps take to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- The pre-development biodiversity value of the onsite habitat
- The post-development biodiversity value of the onsite habitat
- Any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development
- Any biodiversity credits purchased for development, and
- Any other matters the secretary of state may specify

8.46 A list of additional information, which must be provided with the BGP, can be found in the [BNG PPG](#). It includes details of who the BGP has been completed by, effective dates etc.

8.47 You must also provide:

⁵ In accordance with paragraph 14(2) of Schedule 7a Town and Country Planning Act 1990

- A completed metric calculation tool
- UKHab plans for both pre-development and post-development habitats, showing the location of onsite habitat, drawn to an identified scale and showing the direction of North. The UKHab plans should include proposed condition information.
- A Habitat Management and Monitoring Plan (HMMP)
- A compensation plan (if impacting irreplaceable habitats)
- Biodiversity gain register reference number (if buying off-site units)
- Proof of purchase (if buying statutory biodiversity credits*)

*These should NOT be purchased until the LPA has confirmed, in writing, it accepts the use of national credits.

8.48 Fees for the discharge of condition will be charged in accordance with the Council's Charging Schedule.

8.49 The Council, as LPA, may only approve the plan⁶ if it is satisfied:

- That the pre-development biodiversity value of the onsite habitat is as specified in the BGP
- That the post-development biodiversity value of the onsite habitat is at least the value specified in the plan
- That, where any registered off-site gain is specified in the BGP, that the gain is registered and allocated, and has the value specified in the plan in relation to the development
- That any biodiversity credits specified in the plan as purchased have been purchased
- That the biodiversity gain objective (minimum 10%) is met

In addition, the LPA must also take into account how the biodiversity gain hierarchy will (or has been) be followed.

8.50 As with the discharge of other conditions, we have 8 weeks to approve the BGP. The applicant has the right to appeal the non-determination or refusal of the BGP (which must be made to the Planning Inspectorate).

8.51 The BGP must be approved in writing by the LPA before the development can commence. The application to discharge the BGP condition, and the outcome of the determination, must be published on the Council's online register of planning applications.

8.52 Irreplaceable habitats are considered in the BGP and specific guidance for this applies. See the [BNG PPG](#) for details.

8.53 Once approved, changes cannot be made to a BGP. If you wish to amend a previously approved BGP, before the commencement of development, a new BGP must be submitted for approval.

⁶ In accordance with paragraph 15 of Schedule 7a of the Environment Act 2021

8.54 Appendix E contains a series of submission checklists, also available at www.blackburn.gov.uk/BNG, that detail the information you will need to submit, and the format it needs to be in. The Council will require UKHab data of the (pre- and) post-development habitat to be submitted as plans. This may include supplying the data as GIS files so that the data can be uploaded into Council's GIS systems for ongoing monitoring.

Phased developments

8.55 For development permitted in phases, details of all phases may not be known at the time of planning permission (e.g. an outline planning permission where all matters are reserved). For the purposes of biodiversity net gain, a phased development is a development where there is:

(a) a grant of outline planning permission where the reservation of matters for subsequent approval has the effect of requiring or permitting development to proceed in phases; or

(b) a grant of any kind of planning permission, where the grant is subject to conditions (whether requiring the subsequent approval of any matters or otherwise) having that effect.

8.56 For phased developments, the following is required:

- An Overall BGP must be submitted to and approved by the LPA before any development can begin
- A Phased BGP for each phase must be submitted to and approved by the LPA before the development of that phase can begin

8.57 The Overall BGP sets a clear upfront framework of how the 10% gain will be met across the entire development. Each Phase BGP will then set out the phases' contribution to BNG and track progress towards the overall BNG requirement.

8.58 The [BNG PPG](#) sets what the Overall BGP (not a S73 permission) and Phase BGP should include, and what the LPA must be satisfied of in granting each BGP type approval. Appendix E of this PAN contains a checklist of the information required, as specified by the PPG.

'Significant' on-site enhancements

8.59 The applicant should confirm, through the BGP, any 'significant on-site' enhancements. In accordance with [Defra guidance](#), the LPA will count as 'significant' any on-site enhancements that significantly increase the baseline biodiversity value of habitats on the land. This normally involves creating, enhancing and maintaining habitats of:

- Habitats of medium or higher distinctiveness in the metric (for example, managing a meadow areas of biodiversity)
- Habitats of a low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development

- Habitat creation or enhancement which increases distinctiveness relative to the distinctiveness of the habitat before development
 - Areas of habitat creation or enhancement which are significant in area relatively to the size of the development (e.g. creating a large amenity planting area)
 - Enhancements of habitat condition (e.g. restoring a woodland to good the condition, or from poor or moderate to good)
- 8.60 The developer should check with the LPA to see if on-site enhancements are significant. The Council's ecologists will determine whether on-site enhancements are significant in accordance with national guidance. This will be assessed on a site-by-site basis.
- 8.61 Significant on-site enhancements must be secured by planning condition or legal agreement for 30 years in the same way as off-site gains. We will confirm the most appropriate mechanism at the planning application stage. We may also require legal agreements for wider planning policy reasons, for example, to secure less significant on-site enhancements where they contribute to locally important species or ecological networks.

Non-significant enhancements

- 8.62 Non-significant enhancements are habitat enhancements that are included in metric calculations but that will not make significant difference to the developments' biodiversity value. Examples may include private gardens or container planting. These enhancements will not normally require maintenance provisions, so a HMMP, legal agreement or 30 –year management plan is not required.

Selling excess significant on-site gains

- 8.63 If your significant on-site gains are in excess of the 10% BNG, you can count these towards another development's BNG (e.g. if you achieve 20% significant on-site BNG, you can sell the excess above the 10% BNG requirement). To sell excess gain, they should be treated as off-site gains for the development they are counted towards. As, off-site gains, they are then subject to off-site gain requirements, including registration on a national register. You should check with the LPA regarding the details of associated planning obligations.

National Off-site Habitat Register

- 8.64 Any off-site gains must be registered on the national off-site register before the BGP can be approved by the LPA.
- 8.65 All off-site BNG must be registered on a national register, maintained by Natural England. To register an off-site BNG site, a series of supporting documents must be submitted to Natural England, including:
- a completed BNG metric,
 - written landowner consent,
 - a S106 Agreement or Conservation Covenant,
 - a habitat management and monitoring plan.

- 8.66 Natural England charge a fee to process the application for registration. Natural England then have up to 6 weeks to assess the information provided and determine whether to register the site for off-site BNG provision.
- 8.67 See the Natural England website for full details of the Register and its requirements.
- 8.68 The off-site habitat must be confirmed as registered by Natural England before the Council can approve the BGP to discharge the pre-commencement condition. As registration requires a signed legal agreement, all legal agreements must therefore be secured prior to determination of the planning application. **It is therefore in your interests to have advanced details of off-site gains, or significant on-site gains, to inform the legal agreement.** This will then allow the registration of the site with Natural England, and, subject to its approval and registration, allow the pre-commencement conditions to be discharged subject to the LPA being satisfied with all other requirements.
- 8.69 The Council will use the national off-site register to confirm an off-site habitat has been appropriately registered.

Habitat Management and Monitoring Plans (HMMPs)

- 8.70 A HMMP will also need to be provided to discharge BGP conditions or other BNG related conditions. A HMMP sets out the details for managing and monitoring the habitat types, over the 30-year period, which will be required to secure the net gain result. The 30-year period starts in accordance with the time specified in the planning condition or legal agreement.
- 8.71 The HMMP must be agreed by the Council as LPA (or by a responsible body if a conservation covenant is being used).
- For significant on-site, a HMMP should be provided alongside the BGP.
 - For off-site BNG, a HMMP should be provided alongside the BGP. The HMMP will also be required to register the habitat on the off-site register (to then allow the discharge of the BGP condition to be considered by the LPA).
- 8.72 Natural England publish a [HMMP Template](#), which should be completed by an ecologist or competent professional. The tool helps provide the necessary information to demonstrate how habitat creation, enhancement, management and monitoring will be undertaken. It can be used for projects of all size and for both on-site and off-site habitats.
- 8.73 A Small Sites HMMP template is expected to be published for April 2024, which will support a more simplified approach.
- 8.74 Information for the HMMP will include:
- how you plan to manage off-site gains or significant on-site enhancements
 - who is responsible for ongoing management
 - when and how you'll monitor habitats
 - when and how you'll report monitoring results
 - when and how you'll review management proposals
 - how you'll restore habitats if the management plan is not working

- 8.75 For example, if you plan to create 2 hectares of grassland, you will provide information on:
- when and how you'll sow the seed (including the type and quantity of seed mix if using)
 - when and how you'll carry out the cuts
 - when and how you'll control undesirable species (these should be specified in plan)
 - if you'll be grazing (and in what density)
 - when and how you'll monitor the grassland and report the results
 - when and how you'll review management of the grassland
 - how you'll restore the grassland if it fails to reach target condition
- 8.76 The HMMP should not contain management processes that are detrimental to the BNG objective. For example, the use of pesticides or weedkiller, disposing of grass cuttings / arisings in 'compost' heaps on site or in hedgerows, or routinely cutting ivy where there is no specific arboricultural justification. Where any potentially damaging actions are proposed, a justification should be provided within the HMMP.
- 8.77 For significant on-site enhancements, arrangements will need to be in place to make it clear who is responsible for the 30-year management. Ownership of the land or responsibility for its management could be passed on from the developer through private contracts, charitable third parties or transference to the local authority – with all relevant agreements.
- 8.78 Further information on HMMPs can be found in [Defra 'creating a HMMP for BNG' guidance](#) and their [HMMP blog](#).

E. Post-construction

Monitoring Reports

- 8.79 The Environment Act (2021) requires that all significant on-site and all off-site BNG must commit to a minimum 30-year ecological management of the site to ensure that enhanced or created habitats are secured in the long-term. Consequently, regular monitoring reports must be completed and submitted to the Council (or, where relevant, a responsible body). The intervals for these reports will be agreed as part of the planning conditions and/or the legal agreements. The monitoring of the habitat is the responsibility of the developer and should be set within the BGP (and accompanying HMMP).
- 8.80 Monitoring may include surveys and recording progress in your HMMP.
- 8.81 Natural England have published [monitoring report templates](#). The templates can be used to help capture progress on delivering the habitat outcomes over the period of BNG reporting, and to inform adaptive habitat management and ongoing management activities to ensure BNG can be delivered.

- 8.82 All on-site (and off-site) BNG will be recorded by the Council on a local register, allowing the BNG delivery requirements, and monitoring requirements, to be tracked over time.
- 8.83 In due course, the Council will seek to make the local register available online and update it at regular intervals. This allows the public to identify BNG sites and delivery. The Natural England off-site register will be publicly available.

Enforcement

- 8.84 The Council (or a responsible body) will take enforcement action against any developer or landowner that:
- fails to deliver its mandatory BNG obligations; or
 - fails to manage the land for 30 years as agreed in its Habitat Management Plan; or
 - fails to provide monitoring reports at the agreed intervals

9.0 BNG Spatial Hierarchy (On-Site or Off-site?)

On-site BNG

Preference for on-site BNG

- 9.1 The biodiversity net gain hierarchy guides that BNG should always be provided on the same site as the development. “On-site” is defined as being within the red edged boundary of the development site. This seeks to ensure that biodiversity is delivered in close conjunction with new development, directly benefitting the immediate area impacted by the development, creating ecological networks and preventing the creation of sterile development sites.
- 9.2 It is expected that on-site delivery will be easier for sites that have an existing low baseline biodiversity unit (BU) score. However, sites that have an existing high score may find it more difficult to deliver on-site and need to look to off-site, or a combination of on- and off-site. Alternatively, there may be cases where it is better to deliver off-site than on-site (for example, where the ‘bigger, better, more joined up’ principles can be met) (see Appendix C).
- 9.3 In addition, the balance of on-site/off-site provision will also be guided by the ecological interest and sensitivities of the site prior to development, and the use of the site after development. The management requires for some habitat outcomes may be incompatible with site occupation and use (e.g. public access and dog walking is not compatible with stock grazing and hay making required for some grassland habitats).
- 9.4 All on-site habitats (whether retained, created, enhanced, restored) must be maintained in perpetuity through a secured management plan. This will be required to cover the establishment and long-term management for a minimum of 30 years. This may be secured by condition or, where BNG is considered ‘significant’, legal agreement (S106 agreement or Conservation Covenant).



Local register

- 9.5 The Council will maintain a Local Register of on-site habitats, created or enhanced through BNG. This information will be sought from Biodiversity Gain Plans, and be used to i) track information about biodiversity delivery and ii) support the monitoring and reporting of BNG delivery.

Sale of excess units

- 9.6 Where developments propose to create on-site habitats in excess of the managed 10% gains, the equivalent biodiversity units may be sold to others as ‘off-site biodiversity units’. For example, if a development could actually create 20% net gains, the

equivalent biodiversity units above the 10% required for that development may be sold to another developer to use against their development. To sell excess units, the units must be registered on the national off-site habitat register, and all relevant processes followed. Further details should be sought from Natural England.

Key considerations for habitat on site gains

Consideration	Explanation
Context of habitat lost	Gains should be mindful of the local context of the habitat types lost – was the habitat typical for the location or more unusual – was it locally valuable?
Retained features and key species interest	Gains should be compatible and complimentary to any habitats retained, and support their resilience (e.g. flower rich buffers to new hedgerows)
Habitat trading	Trading down in habitat type (i.e. distinctiveness) is not acceptable. Replacement habitats should be like for like, or, ideally, like for better. Low distinctiveness habitats can be replaced with any higher distinctiveness habitats ecologically suitable for the site. Medium should be replaced with similar habitats in better condition, or with higher distinctiveness habitats ecologically suitable for the site.
Site use and green space requirement	The choice and condition of habitats proposed must be realistic to the location and future site use. Where habitat gains are proposed on site as part of, or alongside green space requirements with public access, the habitat type and planned condition must be appropriate to that use, and associated management options. The development of high-quality grassland habitats will rarely be compatible with public access.
Local habitat connectivity and strategic significance	Habitats retained or created should seek to support local habitat connectivity and areas of strategic significance by making new or enhanced habitat links.
Multi-functionality	Habitat gains should be planned from the outset as an integral part of the GI requirements for the site. Where appropriate, new habitats should be multi-functional, providing flood-alleviation, water quality improvements, carbon sequestration etc. However, where multi-functionality reduces the wildlife value of the habitat, this must be taken into account when planning habitat distinctiveness and condition (.e.g public access and dog walking is not compatible with the establishment and long-term management of flower-rich meadows).
Size	The cost and operational logistics of maintaining small areas of habitat may be higher and more difficult than for larger unconstrained locations.
Urban impacts	Urban impacts will affect habitat condition (e.g. disturbance, nutrient enrichment from dog fouling, predation by cats, lighting, vandalism, fires and noise).
Management requirements	Practicalities such as landform, grazing, access, water and cutting regimes will influence the type and condition of habitats that can be achieved.
Long-term maintenance	For the majority of on-site BNG, consider relatively simple, robust habitats that will be resilient to low-maintenance schedules, climate change and public access.

Off-Site BNG

Identification of off-site BNG sites

- 9.7 Due to the spatial preference for habitats to be delivered on-site, applicants will need to demonstrate, through their Biodiversity Statement and Gain Plan, why BNG cannot be delivered on-site.
- 9.8 Where it can be demonstrated that on-site BNG cannot be delivered, in part or in whole, then it is the responsibility of the developer to identify land off-site (that is land beyond the red edged boundary of the development site).
- 9.9 This can be sourced from:
- Land in their ownership
 - Land in private ownership, in agreement with the landowner
 - Habitat Banks and other land brokers
 - Land in public ownership, in agreement with the Council – the Council has a series of sites, in areas of ‘strategic significance’, that may provide opportunities to deliver off-site BNG. See Section 15 for details.
- 9.10 In accordance with BNG requirements, and the metric, any habitats lost on a development site must be compensated on a like for like basis. Developers will need to bear this in mind when identifying suitable land for off-site BNG delivery.
- 9.11 Off-site gains should be located as close as possible to the original development, and the metric incentivises this through ‘spatial risk’ (see Section 11). Gains should be located within the Blackburn with Darwen borough boundary. The metric also provides an incentive to achieve off-site BNG in areas of strategic significance (see Section 12). In some cases, it may be necessary to identify multiple off-site locations. These should be identified in the metric assessments, registered on the national database and secured through the relevant legal and planning processes.
- 9.12 All off-site habitat land will need to be secured for in perpetuity for a minimum of 30 years. This must be secured through a legal agreement (S106 agreement or Conservation Covenant) but planning conditions may also be used.

How to identify off-site land

- 9.13 Defra guidance [‘making off-site biodiversity gains as a developer’](#) explains the steps to follow in more detail. You should survey the habitat on the development site and explore on-site options before exploring off-site options. Once you know you need off-site units, you will need to explore the marketplace to find what is available to buy. This may include gain sites that will do habitat creation and enhancement to meet your specific BNG needs or sites that have already started habitat creation and enhancement to meet your specific BNG needs.
- 9.14 Off-site biodiversity units may be bought from landowners, from habitat bank operators, through brokers, from a trading platform or from the LPA. The Council are looking to make public land available for off-site BNG – details will be published on the website

in due course. Buyers and sellers will need to find each other through the private market – see the [Defra guidance](#) for more details. Land managers will need to register the gain site on the national register before, or at the same time as, or after you buy units on it. Price and payment terms are a private matter to be agreed between buyer and seller. Payment may be in full, through staged payments or conditional upon the results of habitat works.

Planning conditions / legal agreements

- 9.15 All developments providing BNG wholly or partly off-site must secure that off-site habitat through a legal agreement. This can either be a S106 agreement entered into between the landowner/developer and the Council, or a Conservation Covenant entered into between the landowner/developer and a Responsible Body.
- 9.16 You are encouraged to liaise with the LPA in the earliest stages of your proposal regarding legal agreements.

National Register

- 9.17 The Environment Act (2021) requires all off-site developments to be recorded on a national register. Each planning approval / development must then be attributed to a specific off-site site. Sites can be registered from February 2024.
- 9.18 To submit a site for inclusion on the register the following information must be provided (you should refer to Natural England's requirements in case of change):
- Biodiversity Gain Plan
 - Biodiversity Metrics / UKHab Plans
 - Written consent of the landowner to use the site for BNG for 30 years
 - Legal agreement (S106 or Conservation Covenant) tying the land to BNG use
 - Habitat Management and Monitoring Plan (HMMP)
- 9.19 Only once Natural England have approved the site onto the register should the developer apply to discharge the planning condition requiring the submission of a Biodiversity Gain Plan. The register will be publicly available and the Council will be required to check the site has the necessary approval and registration before considering the discharge of condition.

Determining whether you can meet BNG requirements on-site or off-site

- 9.20 Full Defra guidance on this is provided in '[making on sites biodiversity gains as a developer](#)' and '[making off-site biodiversity gains as a developer](#)'. Ultimately, you should undertake a survey of habitat before development and use the metric to calculate the biodiversity value of your site, before and after development, including using different layouts to achieve higher on-site gains. If you're confident you can meet BNG wholly on-site, complete your BGP (and, if significant on-site gains, your HMMP and legal agreement). If you can't meet BNG wholly on-site, explore off-site options using the metric, and then complete your BGP, HMMP and legal agreement. Include

all planned enhancements in the BGP – your site designs and HMMP should show how you will fund, maintain and monitor enhancements for 30 years.

- 9.21 Once the LPA has approved the BGP, the landowner is responsible for the habitat creation, enhancement and management work. Work to deliver BNG on-site should start as soon as possible, allowing for seasonality (e.g. planting, breeding, nesting, roosting considerations), but in any case normally within 12 months. Landowners are also responsible for monitoring and reporting to the LPA at the intervals set within the planning conditions, legal agreement and/or HMMP.

Selling biodiversity units as a land manager

- 9.22 Landowners who wish to provide new habitat, using BNG, can do so by registering the land on the off-site national register and selling Biodiversity Units on their land. Full details for landowners, including legal requirements, can be found from the [Defra: Sell biodiversity units as a land manager](#) webpage.
- 9.23 The Council, as a landowner and manager, intends to make some of its land available for BNG. Full details can be found in Section 15.

National Statutory Credit System

- 9.24 Where on-site or off-site BNG is not achievable for a development, a national credit scheme will enable developers to purchase credits that will be used to deliver BNG. The use of statutory credits is intended to be a last resort option for developers. The credit price will intentionally be set at a high rate, that is not market competitive, in order to dissuade its use and instead encourage BNG to be delivered locally to the source development. Sales of the national credits will be managed by Natural England and invested in habitat creation and enhancement works at a national level. Funds raised will not be earmarked for a particular region. This means that BNG statutory credits collected from within the area may be used to deliver BNG improvements at the other end of the country.
- 9.25 For this reason, the Council would only expect national credits to be used in very rare and exceptional circumstances (and providing strong and clear justification for doing so). As the principle of BNG is to deliver local nature enhancements, thereby cumulatively strengthening ecological networks, all developments will be expected to deliver BNG on-site or locally off-site.
- 9.26 Developers will need to provide through evidence to the Council that BNG on- or off-site is unachievable before they can buy statutory credits. Statutory credits cannot be used where the metrics dictate that bespoke compensation is needed. The statutory biodiversity metric calculation tool will calculate the number of statutory credits needed through the 'unit shortfall summary' tab.
- 9.27 The developer will need to evidence to the LPA:

- That they have considered additional on-site BNG and can provide reasoning showing why this is not possible
- The developer has approached 3 local or national suppliers, habitat banks or trading websites and cannot show evidence that no off-site options are available in England. Evidence would include, for example, correspondence, emails or a PDF download showing a marketplace search.

9.28 The Government publish guidance on the use of [statutory biodiversity credits](#).

9.29 If purchasing statutory credits, a spatial risk multiplier will apply which will double the amount of credits needed. 2 credits must be bought for every 1 biodiversity unit needed for compensation. The statutory metric will calculate the multiplication.

9.30 Credit prices were released by Defra in July 2023, and can be found at

- www.gov.uk/guidance/statutory-biodiversity-credit-prices

Unit prices range from £42,000 for low distinctiveness habitat to £650,000 for certain high distinctiveness habitats. VAT applies in addition. Prices will be reviewed every 6 months from when BNG becomes mandatory.

9.31 The statutory credit will be in the form of a Proof of Purchase. You should refer to Natural England for details of the process involved in purchasing credits. Credits should ONLY be purchased once agreement has been received from the LPA as to their use. The Council can refuse applications that propose the use of national credits, where it believes that BNG can be delivered on or off-site. Purchase of credits should happen as late as possible in the planning process. They are linked to the planning reference number and BGP they are purchased for and cannot be transferred.

Table 2: Comparison of BNG delivery methods

	On-site		Off-site	Credits
	Non-significant	Significant		
Preference	High		Medium	Last resort
Secured by	Condition	Condition and/or Legal Agreement	Legal Agreement	Legal Agreement
Management and monitoring requirements	-	30 year HMMP	30 year HMMP	30 year HMMP
	-			
Sell excess as off-site	No	Yes	n/a	n/a
Recorded on	Local register		National off-site register	National off-site register
Habitat responsibility of	Land owner		Land manager (or landowner if a site you own)	Land manager

Viability

- 9.32 The Defra evidence base and impact assessment considered that the 10% BNG requirement is unlikely to significantly affect viability issues for development, and the 10% is mandated through legislation. There is therefore no scope for LPAs to allow a reduction on viability grounds.
- 9.33 At a local level, the Local Plan also requires provision of 10% BNG on new developments, and this was tested through a Plan Viability Study which also considered the requirement to be viable.
- 9.34 Where developers consider that BNG requirements, for example, the use of national credits, are affecting the viability of the development, then they should reconsider their mitigation hierarchy.

Additional financial resources

- 9.35 As BNG progresses, various bodies may provide additional finance resources that may be used to support viability. Where the Council are aware of these, we will publish them on our website.

10.0 BNG Metric Calculations

- 10.1 Additional guidance on metric is published by Defra at '[calculate the BNG of a project or development](#)' and '[statutory metric tools](#)'. Further metric guidance can be found from [Natural England](#).

Metric Types

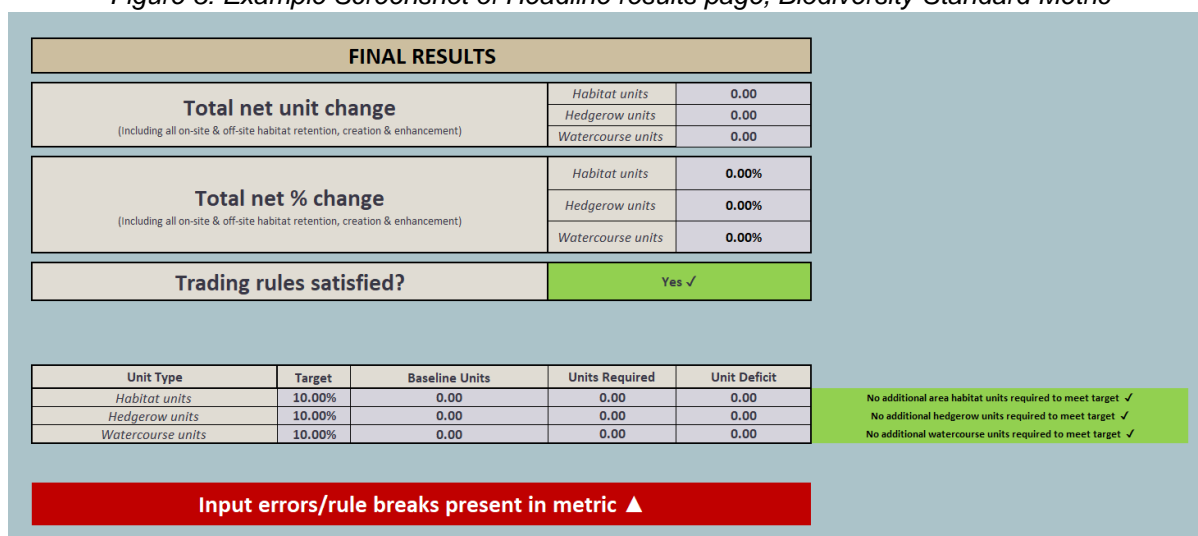
- 10.2 Metrics are used to calculate how a development (or a change in land management) will change the biodiversity value of a site. Metrics are used to:
- Assess the biodiversity unit value of an area of land
 - Demonstrate biodiversity net gains or losses in a consistent way
 - Measure and account for direct impacts on biodiversity
 - Compare proposals for a site – e.g. creating or enhancing habitats on-site or off-site
- 10.3 Biodiversity is measured in standardised biodiversity units. There are 2 types of metric:
- [Biodiversity Standardised Metric \(BSM\)](#) – for major developments. Previous versions (e.g. 4.0) should not be used as they cannot be accepted in planning applications.
 - [Small Sites Metric \(SSM\)](#) – for minor developments and where the SSM cannot be used (see paragraph 7.17-7.18)- this includes where offsite interventions are required and in which case the BM must be used. The SSM cannot be used where there are high distinctiveness habitats present.
- 10.4 Where published metrics are updated, latest metric should always be used – see the Defra or Natural England website for the latest details.
- 10.5 Each metric is an Excel-based tool and must be submitted for consideration as part of the planning application and to accompany the Biodiversity Gain Plan.

Who metrics must be completed by

- 10.6 Metrics must be completed by competent persons – i.e. qualified and experienced ecologists. For the BSM, this must be a qualified and experienced ecologist and their details must be provided within the metric. For SSM, the competent person doesn't have to be an ecologist (although this is encouraged) but must be someone who is sufficiently knowledgeable and confident in the identification and assessment of habitats and identifying the management requirements for the creation or enhancement of habitats.
- 10.7 The metric will highlight any errors in red, which must be resolved (or sufficient justification provided) before the metric can be accepted as valid. The Council (or its appointed ecologists) will review and check the metric spreadsheets. As part of validation checks, the Council will return any metrics which contain errors, including where trading rules are not satisfied. The metric must be supplied, in full (not just the summary page), as an Excel and pdf document.

10.8 Defra and Natural England provide [online guidance on the biodiversity metric](#). In completing the metric, users must adhere to its principles and rules.

Figure 3: Example Screenshot of Headline results page, Biodiversity Standard Metric



Habitat Types

10.9 Habitats are separated in the calculator by:

- ‘area’ types (BM in hectares / SSM in square metres) – e.g. grassland, woodland; and
- ‘linear’ types (BM in kilometres / SSM in metres).- e.g. hedgerows, linear trees, rivers, steams, watercourse etc.

10.10 10% net gain is required for each unit type, and the units are considered separately and are not interchangeable. Loss of one type cannot be addressed by providing another. Therefore, if there is 1ha of grassland and 10m of hedgerows, then a 10% uplift must be achieved for the grassland AND a 10% uplift must be achieved for the hedgerow units.



Metrics and the Mitigation Hierarchy

10.11 The metric scores guide that it is usually better to conserve and enhance existing habitats rather than replace them elsewhere. New habitats take time to establish, in order to provide the food, shelter and nesting opportunities encouraged by BNG.

10.12 The mitigation hierarchy should be followed when first considering the development of a site. Negative impacts (the loss of biodiversity) should be avoided, but if those losses cannot be avoided, then they must be mitigated. If they can't be mitigated, then they must be compensated for – either on the development site, or off it. The same rules apply to off-site habitats as on-site habitats.

10.13 Developers/applicants should submit as much information as possible within the “assessor comments’ section of the metric to justify their decision-making regarding each habitat parcel.

10.14 The Biodiversity Gain Plan is required to detail the considerations and steps that have been taken to minimise adverse biodiversity Impacts, and choices made regarding on/off-site delivery.

Metric Assessment Values

10.15 Each habitat type on a site is assessed through the metric. The metric calculates the habitat value as ‘Biodiversity Units’ (BUs), and these are based on the size of the habitat, its quality (distinctiveness and condition) and location (strategic significance). Additional multipliers are used in respect of the risks associated with enhancing or creating the post-development habitat. The multipliers, and ultimately the ‘scores’, are therefore based on the following values:

- **Distinctiveness:** The value (or ‘uniqueness’) of the habitat, ranging from very low to very high. For example, buildings are common and have very low distinctiveness, whereas certain types of woodland may have very high distinctiveness.
- **Condition:** surveyed habitats are assigned a condition based on the judgment of the ecologist and range across poor to good. The condition assigned to proposed habitats is the predicted condition 30 years post development.
- **Strategic significance:** This is determined by the LPA using Local Plans and published strategies and relates to whether sites are located in areas of ‘strategic significance’. Further information on which sites are to be considered as ‘strategically significant’ are provided in Section 12 of this document.
- **Risk (Spatial, temporal and difficulty):** Additional multipliers are applied to post-development enhancement and creation interventions. They represent the time it will take to establish improved or new habitat (temporal), the distance between the off-site habitat and the original development impact (spatial) and the uncertainty of creation and enhancement techniques (difficulty)

10.16 All area/linear unit types found within the red line boundary of the application site should have a 10% gain provided, irrespective of whether the habitat in question is directly or indirectly impacted by the development.

10.17 Scores are calculated as follows:

Site Area x (distinctiveness x condition x strategic location)	= Pre-development score
Site Area x (distinctiveness x condition x strategic location) – (difficulty x spatial x temporal)	= Post-development score
Post-development score – pre-development score	= Biodiversity Net Gain

10.18 The calculations mean that gains can be significant, dependent on the value of the habitat. For example, the removal of 10ha of woodland could require 120 hectares of new woodland to be planted due to the time it will take that woodland to establish and reach the same condition. It would not be as simple as creating an additional 1ha (10% of 10ha) of woodland.

Trading Rules

10.19 Trading rules state that there should be no trading down in habitat distinctiveness. All high distinctiveness habitats required recreation on a like for like basis should they be lost. However, lower distinctiveness habitats have more flexibility – i.e. habitats in poor condition can be enhanced to good or very good.

When to undertake ecological surveys

10.20 It is important to undertake ecological surveys at the right point in the year. For example, many plant species die back over winter and so sites should be surveyed at optimal times to ensure that the survey can appropriately and fully assess the habitat. In addition, it is important not to disturb species, for example, birds nesting on the ground, or in hedges, trees or buildings. The timing of surveys also needs to be mindful of feeding, breeding and roosting patterns.

10.21 There should not be any pre-emptive clearance works of a site. Where this occurs, the Council will determine the quality/condition of the site pre-clearance, backdating it to 30 January 2020, and assuming a high condition.



Residential gardens within the metric

10.22 Gardens can be included in the metric but their distinctiveness is set at low (vegetated) or very low (un-vegetated) and their condition set to no greater than 'poor'. The metric therefore assumes garden areas will be lost over time (e.g. seating areas or parking) but recognises that they can provide importance spaces for biodiversity and their provision should be encouraged.

10.23 Features like green roofs and walls can be included in metric calculations. You should refer to the latest Metric User Guidance for full details.

Types of Interventions

10.24 An ecologist can advise on the types of interventions that can be made to enhance biodiversity, specific to each site and habitat. This may include:

- Creation of new habitat
- Enhancement of existing habitat

10.25 Opportunities to maximise biodiversity and distinctiveness change should be optimised. Net gain interventions should be doing more than just seeking to move habitats up by one condition.

11.0 'Spatial risk' in the metric calculations

- 11.1 The biodiversity metric states that compensation habitats should seek, where practical, to be local to the impact (development). Off-site habitats should seek to replicate the characteristics of the habitats that are to be lost, taking into account the type of habitat, species, and importance of the original habitat site to local communities. Off-site habitat should be located as close to the impact site as possible to prevent the depletion of biodiversity in a local area. The metric therefore penalises the location of off-site habitat away from the original development site.

Area and Linear Habitats

- 11.2 The metric guidance specifies that, for area habitats, spatial risk calculations will prioritise compensation inside the 'Local Planning Authority boundary' or the 'National Character Area' of the impact site. There are [29 National Character Areas within the North West](#), of which two cover the Blackburn with Darwen Area: - Lancashire Valleys and Southern Pennines.

- 11.3 **The Council expect that the LPA boundary (Blackburn with Darwen), in almost all cases, should take priority over NCAs.** Due to the fact the NCAs cover much wider geographic areas, off-site habitat could be provided a significant distance away from the impact site and the Council are keen to ensure that the benefits of, or compensation measures required by, development within the borough are retained within the borough.



- 11.4 This also serves to support the council in its legal duties to the conservation and enhancement of nature within its administrative area.
- 11.5 In some cases, a development may be located within the LPA boundary, but the off-site habitat may be proposed in an adjacent LPA boundary. In these cases, please contact the Council at the earliest point in the application process to discuss.

Watercourse habitats

- 11.6 The metric guidance should be referred to for watercourse habitats, which operate at a [waterbody catchment](#) level due to the flowing nature of water.
- 11.7 The metric guidance states that compensation should be prioritised within the waterbody catchment. Where this cannot be achieved, it should be delivered outside the waterbody catchment, but within the operational catchment. The final option is outside the operational catchment.

11.8 [Catchments](#) are the 'higher level' spatial areas and describe the area from which rain fall contributes to the flow from a borehole, spring, river or lake. For rivers and lakes, this includes tributaries and the areas they drain. Operational catchments are the combination of a small number of river water body catchments, for example the Ribble Catchment has [8 smaller operational catchments](#). The operational catchment then contains a series of water bodies, for example the Ribble operational catchment has [10 water bodies](#). The Environment Agency has then classified the ecological status of each water body. Most of the borough's water bodies have been assessed to be in poor or moderate condition, with the Roddlesworth water body described as 'bad'



BNG should be provided on-site, or, where this is not achievable, off-site and as close to the originating development as possible and within the Blackburn with Darwen borough boundary.

12.0 'Strategic Significance' in the metric calculations

Defining 'Strategic significance'

12.1 The biodiversity metrics include a multiplier for 'strategic significance', which is the local significance of the habitat based on its location and habitat type. 'Strategic significance' is determined by how biodiversity can link to other strategic objectives and the overall place-making strategy for an authority. The location of a BNG site can therefore affect its habitat value.



12.2 Where published, the relevant strategy is the LNRS. However, if an LNRS has not yet been published, the planning authority may specify alternative plans, policies or strategies to use which can include Local Plan, Local Ecological Networks, Tree and Woodland Strategies, Green Infrastructure Strategies or Biodiversity Action Plans. By requiring developers to take account of these local priorities and strategies ensures that BNG contributes to wider nature recovery plans alongside local objectives.

12.3 Linking biodiversity to wider strategies and place-making also helps deliver multi-functional benefits - for example, planting new trees can help sequester (store) carbon, improve air quality, provide habitat, provide shading and cooling in increasing temperatures and improve drainage and reduce flood risk.

12.4 The metric guidance states that assessors should assign a strategic significance category (high, medium, low), based on the location and type of habitat. Assessors should use published plans, strategies or policies relevant to the habitat location, which identify a location or habitat as being ecologically, or locally ecologically, important. Assessors must provide evidence by referencing relevant documents.

The Blackburn with Darwen Local Plan 2021-2037

12.5 The Blackburn with Darwen Local Plan (2021-2037) contains strategic policy *CP6: The Natural Environment*, which guides on BNG in the borough. It states that the LNRS, once in effect, will be the primary focus for BNG. However, in advance of the introduction of the LNRS, the policy confirms that strategic significance will be determined by how BNG sites relate to existing biodiversity strategies, including:

- Green Infrastructure and Ecological Networks SPD (2015)
- Areas of designated green and blue infrastructure
- Environmental Opportunity Areas

12.6 Each of these are outlined in Table 3 below, and the accompanying [interactive map](#), which spatially shows the designations/strategies. The designations are explained in more detail in Appendix C.

12.7 These areas of strategic significance will help maximise the extent, interconnectedness and quality of nature networks and deliver multi-functional benefits across the borough.

Table 3: Areas of ‘strategic significance’ and purpose of BNG interventions

Ecological Network	Components	Purpose	Identified in Local Plan Policy
Core Area	SSSI Biological Heritage Site* Local Nature Reserve (County)*	Increase size, quality or quantity of habitats	CP6; DM15
Corridors	Grassland corridors Woodland corridors Canals/Rivers/Streams etc	Improve connectivity of habitats	CP6; DM15
Stepping Stones	District Wildlife Sites Local Nature Reserve (District) <i>Priority habitats within or adjacent the ecological network corridor**</i>		CP6; DM15
Green & Blue Infrastructure	Public Open Spaces Green Spaces Playing Pitches Woodlands Ancient woodlands	Increase size, quality or quantity of habitats	CP6; DM16
EOAs	Environmental Opportunity Areas		CP5; CP6; DM14

*Responsibility of LCC / ** See Section 13 for priority habitats

Areas identified in policies and strategies as being of ‘strategic significance’ are provided as an [interactive map](#). As part of metric assessments, you should identify whether the site(s) fall within any part of the ecological network.

Interactive Mapping

12.8 Within the BNG metric, ‘strategic significance’ should therefore be scored based on whether existing habitats on a proposed development, or proposed off-site BNG, fall within an area of significance listed in Table 3 – i.e. is part of the established Ecology Network, Green or Blue Infrastructure or an EOA. [Accompanying mapping](#) is available to help identify these areas of strategic significance⁷.

⁷ Note that ‘priority habitats within or adjacent the ecological corridor’ will need to be determined by reference to the priority habitats layer under ‘Other data’. It does not have its own specific layer within the mapping.

12.9 For each of the areas of strategic significance identified in Table 3 and shown on the mapping, Table 4 (below) details the source of that mapping data.

Table 4: Data sources of areas of ‘strategic significance’

		Mapping Source
Core Area	SSSI	Local Plan designation
	Biological Heritage Site	Local Plan designation
Corridors	Grassland Corridor	LERN / Lancs Ecological Network
	Woodland Corridor	LERN / Lancs Ecological Network
	Blue Infrastructure	Local Plan designation
Stepping Stones	District Wildlife Sites	Local Plan designation
	Local Nature Reserve	Local Plan designation
GBI	Public Open Space	Local Plan designation
	Green Spaces	Local Plan designation
	Playing pitches	Local Plan designation
	Woodlands	National Forestry Inventory
	Ancient Woodlands	Local Plan designation
EOAs	EOAs	Local Plan designation

12.10 In addition, the mapping also shows a series of other designations – which, whilst they do not form part of strategic significance, may help inform the design of BNG habitats and multi-functional benefits:

- **Areas of Flood Risk:** Natural interventions, like natural flood management solutions, including enhancing or creating new habitats, can help to reduce flood risk.
- **Air Quality Management Area designations:** Areas designated to improve air quality. Natural interventions, for example, tree planting, can help to tackle poor air quality.
- **Natural England Priority Habitats:** Those priority habitats within ecological corridors can found in the ‘strategic significance’ mapping. This data layer provides the wider data from Natural England.
- **Buglife Bee Lines:** ‘insect pathways’ which are being restored to create a series of wildflower rich habitat stepping stones that can link wildlife areas together. More details can found at www.buglife.org.uk.
- **Great Crested Newt Opportunity areas:** This data, from Natural England, identifies areas where the addition of new ponds would benefit Great Crested Newt (GCN) populations, defined as strategic opportunity areas (GCN SOAs). Information on district level licensing for great crested newts can be found on the [Council website](#).

13.0 Priority / Habitat Types

13.1 Each BNG Metric will be required to identify the habitats on a proposed development and/or off-site BNG area. The Climate Change and Natural Capital Study (CC&NCS) (2021) identified the most extensive habitat types within the borough as:

- Improved grassland
- Suburban and urban areas
- Heather grassland and heather
- Acid grassland
- Bog
- Broadleaved woodland
- Coniferous woodland
- Freshwater

13.2 Section 41 of the NERC Act (2006) governs habitats of principal importance. These 'Priority habitats' have been identified by national government (initially through the UK Biodiversity Action Plan (UKBAP)). The list of habitats and species of principal importance in England includes 56 habitats and 943 species and can be found on the associated [guidance pages of gov.uk](#).

13.3 The CC&NCS identified **priority habitats** within the borough as including:

- Blanket bog
- Deciduous woodland
- Fragmented heathy
- Good quality semi-improved grassland
- Grass moorland
- Lowland habitats
- Purple moor grass and rush pastures
- Reedbeds
- Traditional orchard
- Upland flushes, fens, swamps
- Upland hay meadow
- Upland heathland



13.4 A map of the protected and notable habitats can be found as [CC&NCS Appendix H, Figure H.3](#). Data on priority habitats is also available from Natural England as [interactive Priority Habitat \(Northern England\) mapping](#) (zoom in to see the data).


13.5 Priority habitats are illustrated within the Council's [online mapping](#) so they can be viewed alongside local data. However, the Natural England data should always be referred to for the most up to date data.

14.0 Other Considerations

Additionality and Stacking

- 14.1 The principles of 'Additionality' guide that habitat enhancements can only be counted for the purpose of BNG if they genuinely create 'additions' to the existing baseline and are not already counted towards the fulfilment of another obligation. For example, BNG could not be used to improve a designated feature of a Site of Special Scientific Interest (SSSI) into a favourable condition, because the landowner is already obliged to restore that SSSI feature into a favourable condition. ('Features' describe the special wildlife and/or geological features, and conservation of those features may including controlling grazing, managing woodland, controlling water levels and clearing scrub). Biodiversity gains need to be additional to those measures that should be in place already.
- 14.2 However, biodiversity gains can be delivered within the 'fabric' of a designated site – there may be areas of a designated site that don't include habitats listed as 'features' – which a net gain plan may be able to deliver benefits to (without impacting other conservation objectives).

Stacking Rules

- 14.3 BNG can be designed to align with other development design features and benefits – for example, the use of Sustainable Urban Drainage Solutions (SuDS) features (swales, bio-retention, detention basins, ponds, tree planting etc.) can also provide habitat. Similarly Green Infrastructure can provide both opportunities to improve health, travel actively and provide habitats. Indeed, this multi-functional design is encouraged, where there is no detrimental impact to the habitats which are being created or enhanced.
- 
- 14.4 However, there are detailed rules about combining different environmental payments, for example biodiversity units, nutrient credits, carbon credits and payments for flood alleviation. Stacking is when multiple credits or units from different markets are sold separately from the same activity on a piece of land. Land managers can sell biodiversity units and nutrient credits from the same nature-based intervention, for example the creation of a woodland, but they cannot sell credits for other ecosystem services, for example carbon credits. [Guidance from national Government](#) should be referred to in these instances.
- 14.5 Blackburn with Darwen is not in an area covered by nutrient neutrality requirements.

15.0 Council-owned sites available for BNG

- 15.1 Off-site BNG may be delivered on privately-owned land, but it will be the responsibility of the developer/applicant to liaise directly with the landowner in terms of BNG delivery and all legal, management and monitoring requirements. Over time, the Council expect the supply of private sites to increase, but, particularly in the early stages of BNG's implementation, recognise the importance, and opportunities, of using public land to deliver BNG.
- 15.2 The Council have therefore identified a series of public sites to support BNG delivery within the Borough, which are set out below. Identification of the sites has been informed by evidence and the ecological surveys.
- **Climate Change and Natural Capital Study (CCNCS)(2021)** – identified the potential contribution that the Local Plan could make to achieving carbon neutrality by 2030 and address the requirements of the Environment Act around BNG using a natural capital approach. It included the identification of a series of 'Environmental Opportunity Areas' (EOAs) with the potential to deliver multi-functional benefits, including carbon sequestration, flood mitigation, habitat improvements and BNG. For those EOAs identified for BNG, the study provided indicative baseline and uplift figures. Those EOAs, wholly or in majority council ownership, and which the Council consider feasible for use as BNG, have been taken forward for further, more detailed ecological assessment.
 - **District Wildlife Sites (DWS)(2023)** – a re-survey of all the DWS within the borough to identify whether they still met the ecological criteria for designation as DWS and/or whether any boundary changes were required. This information was used to update the Local Plan policies maps. In addition, the survey also undertook indicative baseline and uplift assessments of the potential for BNG on each site. Again, those DWSs, wholly or in majority council ownership, and which the Council consider feasible for use as BNG, have been taken forward for further, more detailed ecological assessment.
 - **Green Infrastructure** – the Council's Environment Team provided suggestions of some public open space sites, in Council ownership, that they considered could be feasible for BNG delivery in urban areas.
 - **BNG Study (2023)** – the Council then commissioned ecologists to undertake a survey of all sites shortlisted, from the above sources, to understand the baseline BNG, the potential uplift and the detailed intervention measures required to deliver BNG uplift. The difference between the baseline and the uplift gives a number of biodiversity units required to achieve that uplift, and these units can then be sold. The survey also calculated the cost of selling each of those units. The sale of the biodiversity units will be used to undertake habitat improvements and to manage the site for a minimum 30-year period.
- 15.3 The Government's BNG Consultation response (2023) confirmed a Council cannot direct developers to their land in preference over other suppliers to the market unless

there are clear ecological justifications for doing so. However, the DWSs, EOAs and green/blue infrastructure are identified as existing strategic sites and strategic priorities (Local Plan, Green Infrastructure and Ecological Networks SPD) and are expected to form part of the LNRS. As strategically significant biodiversity sites, there is therefore a clear ecological justification for their use.

- 15.4 Developers are, of course, able to approach private landowners regarding BNG delivery, but here, the Council have a range of sites with available BUs for sale. Purchasing biodiversity units from the Council, in relation to strategic sites, will help to 'boost' strategic significance' scoring within the metric.
- 15.5 Defra have confirmed that Council's using their own land for off-site BNG will not interfere with their obligations under the NERC biodiversity duty.
- 15.6 When available, the Council will publish a list of available sites/habitats, and the costs of the respective biodiversity units, on their website at www.blackburn.gov.uk/BNG. The [interactive mapping](#) will be updated to show available sites. All off-site opportunity sites will also be registered on the Natural England off-site register in accordance with statutory requirements.
- 15.7 As part of any off-site availability, the Council will also provide further information on any delivery mechanisms that may be used, including habitat banking vehicles (HBVs) or Specialist Purpose Vehicles (SPVs). Any additional costs associated with third parties will be included in unit costs.

16.0 Council Reporting of BNG

- 16.1 Developers and landowners are required to monitor and regularly report the delivery of their BNG over the 30-year statutory period. The Council must monitor receipt of these reports, and the delivery of BNG, to ensure that the BNG that was due to be delivered through each development, is being delivered. Enforcement action must be taken where BNG is not delivered appropriately.
- 16.2 As BNG is a requirement of local plan policy (CP6: Natural Environment), we are committed to monitoring and reporting BNG through the Council's Annual Monitoring Report. In addition, we may also report payments for off-site BNG, and S106 BNG monitoring fees, through the Infrastructure Funding Statement.
- 16.3 The Council, in its capacity as local authority (LA) and local planning authority (LPA) are also required to regularly report on the policies and actions we have carried out in complying with our biodiversity duty. The first report is due December 2025, and then reports must follow every 5 years. The Environment Act sets the mandatory information that must be included in the report and, specifically to LPAs, includes:
- The actions the LPA has carried out to meet BNG obligations
 - Details of BNG resulting, or expected to result, from BNG Plans the LPA has approved
 - How the LPA plan to meet BNG obligations in the next reporting period
- This must be provided as a separate section of the report, in addition to the LA information.
- 16.4 It is therefore important that the LPA records and monitors all BNG obligations. The Council will maintain its own database of on-site (and off-site) BNG.



APPENDIX A: Useful links

National Legislation / Policy

- [Environment Act 2021](#)
- [Natural Environment and Rural Communities Act 2006](#)
- [National Planning Policy Framework](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Consequential Amendments\) Regulations 2024](#)
- [The Biodiversity Gain Site Register \(Financial Penalties and Fees\) Regulations 2024](#)
- [The Biodiversity Gain Site Register Regulations 2024](#)
- [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#)
- [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#)

National Guidance

- [BNG Planning Practice Guidance](#)
- [Legal Agreements to secure your biodiversity net gain](#)
- [Making on-site biodiversity gains as a developer](#)
- [Making off-site biodiversity gains as a developer](#)
- [Statutory biodiversity credits](#)
- [Statutory credit prices](#)
- [Calculate biodiversity using the biodiversity metric](#)
- [Meet BNG requirements: steps for developers](#)
- [Meet BNG requirements: steps to take for land managers](#)

Local Policy /Mapping

- [Blackburn with Darwen Local Plan 2021-2037](#)
- [Biodiversity Mapping \(Aurora\)](#)
- [Priority Habitats Inventory \(England\)](#) (Natural England)

Guidance

- [Biodiversity Net Gain: Good practice principles for development](#) (CIRIA, CIEEM, IEMA)
- [Biodiversity Net Gain: Good practice principles for development: A practical guide](#) (CIRIA, CIEEM, IEMA)
- [Biodiversity in new housing developments: creating wildlife-friendly communities](#) (RSPB, NHBC Foundation, 2021)
- [British Standard S8683 \(2021\): Process for designing and implementing BNG – specification](#)
- [British Standard BS42020 \(2013\): Biodiversity in planning and development](#)
- [Introduction to the Green Infrastructure Framework – Principles and Standards for England](#) (Natural England, 2023)
- [Building with Nature Standards](#)
- [Green Infrastructure Planning and Design Guide](#) (Natural England 2023)
- [Homes for people and wildlife'](#) . Wildlife Trust (2018)
- [Lancashire Biodiversity Action Plan](#) - Lancashire County Council
- [Lancashire Ecological Network](#) - Lancashire County Council

Appendix B: Legislative & Policy Context

1.1 The strategies, policies and guidance documents below highlight the importance of improving the natural environment to address a wide variety of matters, including the restoration of nature, improvements to biodiversity and habitat, climate mitigation and adaptation, carbon capture, reducing flood risk, reducing inequalities, improving health and wellbeing and the creation of well-designed and healthy places.

Legislation

Natural Environment and Rural Communities (NERC) Act 2006:	Placed a legal duty on all public authorities in England (including Councils) to have regard to conserving biodiversity as part of policy and decision making. This can include restoring or enhancing a habitat or species population. Councils should be able to demonstrate they meet their duty through policies and strategies, the planning system and the management of land, buildings, woodlands, nature reserves, parks and open spaces, sports grounds etc.
Climate Change Act 2008 (as amended):	Establishes a legally binding target on the UK Government to reduce the UK's greenhouse gas emissions by 100% by 2050 from 1990 levels.
Planning and Compulsory Purchase Act 2004	Places a duty on plan-making to mitigate and adapt to climate change.
Environment Act 2021 (inc BNG, LNRS)	<p>Sets clear statutory targets for the recovery of the natural world in four priority areas: air quality, biodiversity, water and waste; and reversing the decline in species abundance by 2030.</p> <p>It also introduces a series of measures to reverse the decline in biodiversity; including a requirement for all new development to deliver a minimum 10% biodiversity net gain from February 2024. In addition, it sets a requirement for the creation of nature recovery networks, led by Responsible Bodies, through local nature recovery networks and strategies.</p>
Statutory Instruments (2024)	<p>Provide the secondary legislation to the Environment Act 2021</p> <ul style="list-style-type: none"> • The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 • The Biodiversity Gain Site Register (Financial Penalties and Fees) Regulations 2024 • The Biodiversity Gain Site Register Regulations 2024 • The Biodiversity Gain Requirements (Exemptions) Regulations 2024 • The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 • The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024

Climate and Ecology Bill (link)	Will require the UK to achieve climate and nature targets and give the Secretary of State a duty to implement a strategy to achieve those targets.
---	--

National Policy

Net Zero Strategy 2021	Sets out how the UK will deliver on its commitment to reach net zero emissions by 2050, including the allocation of £124m to boost the 'Nature for Climate Fund' to restore peatland and treble woodland creation in England.
25 Year Environment Plan 2018	Sets out the Government's goals for improving the environment.
Environmental Improvement Plan 2023	The first revision of the 25 Year Environment Plan, setting out how the government will deliver each of their goals.
National Planning Policy Framework (2021)	This provides the national planning policies for England and is accompanied by planning practice guidance. It underlines the planning system should support the transition to a low-carbon future, achieve well-designed places and enhance biodiversity. It requires new development to provide net gains for nature (with the minimum level of uplift mandated through the Environment Act 2021).
Planning Practice Guidance / other supporting guidance, Defra 2023	<p>Including:</p> <ul style="list-style-type: none"> • BNG Planning Practice Guidance • Legal Agreements to secure your biodiversity net gain • Making on-site biodiversity gains as a developer • Making off-site biodiversity gains as a developer • Statutory biodiversity credits • Statutory credit prices • Calculate biodiversity using the biodiversity metric • Meet BNG requirements: steps for developers • Meet BNG requirements: steps to take for land managers <p>(See Appendix A for links)</p>

National Guidance

National Design Guidance	Sets out the characteristics to well-designed places, which includes the incorporation of green infrastructure and biodiversity.
Natural England Green Infrastructure Framework 2023	Provides a structure to analyse where greenspace in urban environments is needed most, to support equitable access. It includes increased tree cover, increasing connectivity and extent of habitats and building resilience for climate change.
CIEEM Good practice principles for development (link)	Sets out ten principles for good practice in achieving BNG which must be applied together as one approach.
CIEEM Good practice principles for	Provides practical advice to achieve BNG in the UK, based on the good practice principles for BNG and applies to all types and

development: a practical guide	scales of development, at all stages in the life cycle of the development.
Committee for Climate Change recommendations 2023	The latest assessment (2023) concluded the UK is not adequately prepared for climate change and more needs to be done to adapt.

Local Strategy / Policy / Guidance

BwD Corporate Plan	Seeks to enable each resident to achieve a good quality life, and in doing so, sets 4 missions – to improve prosperity, to provide the opportunities for young persons to fulfil their potential, to deliver the climate emergency action plan and to build happier, healthier and safer communities.
BwD Climate Emergency Declaration & Action Plan	The Council Declared a Climate Emergency in 2019 and committed to a target of being carbon neutral by 2030 to help tackle climate change. The Climate Emergency Action Plan sets out what needs to be done in the borough to help mitigate climate change and adapt to its impacts.
Local Plan 2021-2037	The Local Plan guides development until 2037. It includes new strategic policies to guide new developments in relation to climate change and biodiversity, and further ‘development management’ policies guiding habitat protection and enhancement (DM15), tree and woodland protection and provision (DM17), green and blue infrastructure (DM16) as well as opportunities for environmental enhancements through opportunity areas (DM14). The Planning and Compulsory Purchase Act 2004 means that the Local Plan is duty-bound to include policies that mitigate and adapt to climate change.

The Local Plan is supported by additional supplementary guidance documents. These provide further guidance and strategies, including:

Supplementary Planning Documents	
Green Infrastructure (GI) and Ecological Networks SPD (2015)	Provides advice and guidance on GI and ecological networks in BwD, including their role, how they should be designed into new developments and help create place, and how connections of networks should be maximised. Will be replaced by a Natural Environment SPD.
Climate Impacts Framework SPD	Sets out guidance for designing to mitigate and adapt to climate change and introduces the ‘CIF’ assessment tool which includes questions relating to the natural environment. The CIF is a local validation requirement.
Tree and Woodland Strategy	Provides guidance for the management of existing, and creation of new, trees and woodland in the borough,

BwD Health and Wellbeing Strategy 2018-2021	Sets out the Council strategies for improving health and wellbeing in the Borough, creating healthy places and reducing health inequalities.
BwD Eat Well, move More Strategy	Sets out the Council strategies to encourage positive lifestyle changes for residents by supporting an environment where physical activity and healthy eating is the easy choice for everyone throughout their lives

Appendix C: Justification for ‘strategic significance’

Nature Recovery Networks / Local Nature Recovery Strategies

- 1.1 The Environment Act (2021) introduced the principle of nature recovery networks (NRNs) – a national network of wildlife-rich places sites designed to restore nature and its habitat and movement networks; improve resilience to climate change; reinforce our landscapes and natural environment; and enable people to better connect with nature benefitting health and wellbeing. The national NRN will be comprised of a network of about fifty areas, each with a ‘Responsible Body’ developing its own Local Nature Recovery Strategy (LNRS). Each LNRS will use mapping and data to identify priorities and develop a strategy to target action and investment in that area, but that will join up with others LNRSs to create a national network.
- 1.2 LNRSs, once in effect, will be the principle way of establishing whether a BNG site is of ‘strategic significance’. Locally, Lancashire County Council has been designated as the Responsible Body, and will work with district and unitary sub-authorities to prepare an LNRS covering the Lancashire region. It is expected that the Lancashire LNRS will be informed, in part, by the local ecological designations and policies set out in the sub-authorities Local Plans and strategies.
- 1.3 However, LNRSs will take time to introduce, and, at the time of writing this advisory note, are still expected to be a minimum of 18 months away. In the interim, the Council must identify its own areas of strategic significance.

Identifying areas of strategic significance (in advance of the LNRS)

Ecological Principles

- 1.4 One of the general principles for supporting habitats and ecological networks is that smaller and more isolated habitats support fewer species. They are also more susceptible to damage from adjacent land-uses and more unsustainable. The preferred strategy is to have many, large, connected sites. The large sites can be supported by smaller pieces of land that act as corridors or stepping stones for the movement of species. Climate change is expected to affect the migration of species as they seek to move to habitats less affected by changing temperatures and adverse weather patterns.

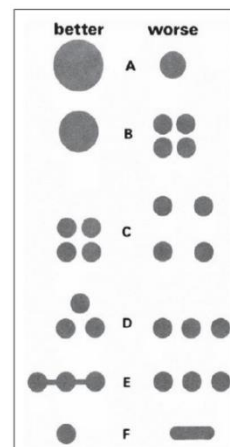


Figure 1: Principles for habitat connectivity
(LEN Approach and Analysis, LERN/LWT,
2015)

The Green Infrastructure and Ecological Networks SPD (2015) (GI&EN SPD)

- 1.5 The SPD is designed to help applicants and developers ensure that proposals for development make the most of opportunities to improve existing and create new green infrastructure and ecological networks.

Green Infrastructure

- 1.6 Green infrastructure (GI) is defined as a network of high quality green spaces and other environmental features which deliver multi-functional benefits for local communities, including environmental and quality of life. Green and blue infrastructure includes parks, open spaces, playing fields, woodlands, allotments, rivers, streams and canals. Networks of GI within towns and connecting with the open countryside have greater benefit for people and wildlife than isolated pockets of open spaces. For example, providing linked opportunities for off-road walking and cycling, flood attenuation, movement of wildlife, and creating a sense of place and local distinctiveness.
- 1.7 The GI&EN SPD provides the current guidance on the integration of new development and GI.
- 1.8 Since the adoption of the GI&EN SPD, further guidance has been released by a number of different bodies. Natural England's [Green Infrastructure Framework](#) (2023) sets out a series of principles and standards for England relating to the provision of green infrastructure, in both quantity and quality. It supports the greening of town and cities as part of the nature recovery network, through 5 key standards:
- Urban Nature Recovery – aims to boost nature recovery
 - Urban Greening Factor – aims to improve provision of GI and increase the level of greening
 - Urban Tree Canopy Cover – aims to promote an increase in tree canopy cover
 - Accessible Greenspace – aims to promote access to good quality GBI within 15-minutes' walk from home (one third of people nationally cannot access greenspace in this distance⁸)
 - Green Infrastructure – supports the NPPF policy that Councils should develop strategic policies for GI, and develop delivery plans to support the creation and enhancement of new and existing greenspaces
- 1.9 Whilst the Council intend to set out more detail on green and blue infrastructure through the Natural Environment SPD, and other documents such as the Tree and Woodland Strategy, these principles and standards are relevant to biodiversity net gain considerations, and should be considered as part of BNG design.
- 1.10 However, whilst the Council encourage the delivery of publically accessible GBI, and support improving public access to nature, we also recognise that public access to habitats, delivered through BNG, may not be appropriate in all cases. For example, dog walkers may trample on new grassland habitats, damaging those habitat

⁸ [Natural England unveils new Green Infrastructure Framework - GOV.UK \(www.gov.uk\)](#)

interventions, so that the gains may not be achieved. Consideration therefore needs to be given, in ecological assessments, to the practicalities of public access.

Ecological Networks

1.11 An ecological network is a collection of suitable habitats connected by corridors that can support the movement of species. Ecological networks are intended to support the conservation of species and habitats, and should seek to connect high quality sites to allow species to move between them. The priorities for action to enhance the resilience and coherence of ecological networks are summarised by “bigger, better, more and joined” (the Lawton principles).



1.12 The GI&EN SPD contains the following recommendations:

1. Improving the quality of current sites by better habitat management
2. Increasing the size of current wildlife sites
3. Enhancing connections between, or joining up, sites through corridors or stepping stones
4. Creating new sites
5. Reducing the pressures on wildlife by improving the wider environment, including through buffering wildlife sites

1.13 Ecological networks are not intended to stifle development or growth, but rather to provide a tool to help steer and guide it, and to enable economic growth, physical development and ecological enhancements to be delivered with the greatest benefits across the spectrum of sustainable development objectives. For example, the opportunity to expand a key habitat may also provide an opportunity to improve water quality and flood risk management, improve an area’s image and potential for investment or capture airborne pollution.

1.14 An ecological networks approach takes nature conservation out of a purely sites-based approach, and looks at the way that the entire landscape functions for nature and, as a function of green infrastructure for people and the economy. It should integrate human, economic and other activity and aspirations with nature conservation objectives, rather than ‘setting aside’ areas purely for nature.

1.15 Identifying and mapping ecological networks, and using those networks to influence a range of decisions, can help reverse the decline in biodiversity by providing wildlife with access to habitats, and movement between habitats. It should help to integrate a range of different land uses in a way that is sympathetic to the environment in order to benefit both wildlife and people.

Lancashire Ecological Network

1.16 The ecological framework for Lancashire has been identified and mapped through the Lancashire Ecological Network (LEN)⁹, and comprises 3 broad habitat groups:

- Woodland and Scrub
- Grassland
- Wetland & Heath

1.17 The LEN identified and mapped woodland/scrub and grassland habitat networks (although the wetland and heath networks were not completed), with the methodology and approach to establishing the LEN set out in the LEN Approach and Analysis (v1a) document (June 2015) (available through [LERN](#)).

The network mapping comprises:

- **Core Areas:** Wildlife sites of at least county importance, including:
 - **Internationally designated ‘Natura 2000’ sites:** a European designation of breeding and resting sites for rare and threatened species. There are no Natura 2000 sites within the borough.
 - **County-based ‘Biological Heritage Sites (BHS)’:** these sites are designated as ‘local wildlife sites’ in Lancashire, and carry a county wide importance. That is, they make a significant contribution to the biological diversity of Lancashire.
 - **Local Nature Reserves (LNRs) (county level):** areas of land for both people and wildlife, allowing opportunities to study or learn about nature or simply enjoy it. LNRs can be acquired, declared and managed by county councils, as well as district or parish. The higher the level, the greater the importance.
 - **Nationally designated ‘Sites of Special Scientific Interest (SSSIs):** areas identified as of particular interest to science due to the presence of rare species of fauna or flora (or geological features). They have high levels of conservation protection and SSSI landowners must manage the site appropriately to conserve their special features.
- **Corridors:** Continuous stretches of permeable habitat that can, over time, be used by species to move between core areas. This includes linear corridors like hedgerows, woodland strips, rivers, canals, streams and ditches but can also include landscape corridors of mixed habitat types. These help make species more resilient to change. Corridors are further classified by distance between similar core areas.

⁹ In association with the priorities identified in the Lancashire Biodiversity Action Plan

- **Stepping stones:** sites of local ecological importance and areas of priority habitat within or adjacent to corridors. They include:
 - **District Wildlife Sites (DWS):** areas of land that are locally important for wildlife, and are selected locally using ecological criteria and surveys
 - **Local Nature Reserves (LNRs)** (district level): areas of land for both people and wildlife, allowing opportunities to study or learn about nature or simply enjoy it. LNRs can be acquired, declared and managed by county councils, as well as district or parish. The higher the level, the greater the importance.
 - **Important road verges:** verges provides important stepping stones and corridors for wildlife
 - **Areas of priority habitat:** ,land outside protected sites but within, or partially within, the ecological network corridor

1.18 The LEN mapping classified the core area, corridors and stepping stones for each of the assessed habitat groups. For the purposes of developing a functional ecological network for Lancashire, the LEN focuses on corridors of 3 kilometres or less as the corridors that are most likely to be contributing to movement of individuals and species.

1.19 The Council have published an [interactive map](#) showing the core areas, corridors and stepping stones within, and across, the Borough where habitat may be maintained, restored or created to support strong and resilient ecological networks. These form part of the local strategy for strengthening ecological networks and restoring nature's recovery.

1.20 These strategic networks are included in the Council's current '[Green Infrastructure and Ecological Networks SPD](#) (2015)' and so already form part of the Council's biodiversity strategy, alongside Green Infrastructure.

The Local Plan

1.21 The council recently completed the process of preparing a new Local Plan to cover the period 2021-2037 following public examination in 2023. The Plan was formally adopted on 25 January 2024.

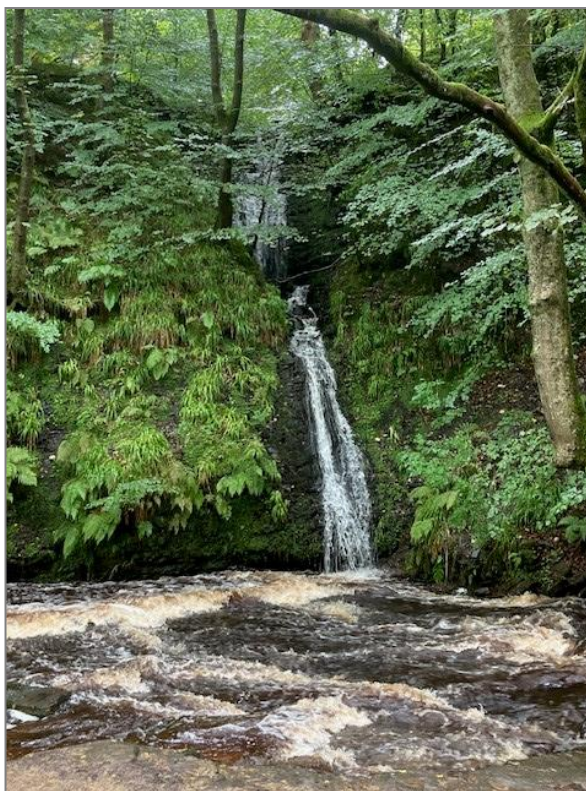
1.22 The current Local Plan contains a number of policies relating to green and blue infrastructure and ecology. This includes Policy CP6: The Natural Environment; Policy DM14: Environmental Opportunity Areas; DM15: Protection and Enhancement of Wildlife Habitats; DM16: Green and Blue Infrastructure; and DM17: Trees and Woodland.

1.23 Planning can be a fast moving world, and legislation, policy and guidance can change regularly. The policies of the new Local Plan reflect the most-up-to-date position of the Environment Act 2021. Policies are written to maintain flexibility for long-term changes,

but supporting guidance, like this Planning Advisory Note or Natural Environment SPD, allow for wider implementation changes to be more easily reflected and updated.

Green and Blue Infrastructure

1.24 Green Infrastructure is the term given to describe a range of 'green' spaces and assets that provide environmental value and include things like parks, playing fields, other types of open space, woodlands, allotments and street trees. Blue Infrastructure describes 'blue' water-based spaces and assets such as streams, ponds, canals, rivers and other water bodies. Green and Blue Infrastructure can provide multiple benefits – everything from providing attractive environments, enhancing wellbeing, providing opportunities for outdoor recreation and health, enhancing biodiversity, producing food, providing urban cooling and managing flood risk.



1.25 Local Plan *Policy DM16: Green and Blue Infrastructure* requires all development to be designed to make a positive contribution to the GBI network, including providing multi-functional benefits such as drainage, active travel, expanding tree cover and retaining and enhancing existing ecological and landscape features and spaces.

1.26 Additional Local Plan Policies provide further guidance around specific elements of GBI, including *DM18: Public Open Space in New Developments*, *DM19: Development of Open Spaces*, *DM20: Playing Fields, Indoor and Outdoor Sports Facilities* and *DM21: Local Green Spaces*.

1.27 The Borough has a wide variety of green and blue infrastructure (GBI), providing opportunities for BNG enhancement, creation and linkages. However, GBI may not always be suitable for a site – for example, local planning policies generally seek to prevent the loss of public open spaces and playing pitches and those uses should be retained. In addition, GBI may be in public (Council owned) or private landownerships and it will be for individual landowners to offer land for BNG use. However, they remain key opportunities to strengthen existing ecological networks.

Environmental Opportunity Areas

1.28 Local Plan Policy DM14 identifies a series of environmental opportunity areas (EOAs), which have been informed through preparatory evidence (namely, the [Climate Change](#)

[and Natural Capital Study \(2021\)](#)). EOAs are priority areas for well-designed mitigation schemes that provide opportunities to deliver multiple benefits in terms of habitats and biodiversity, carbon sequestration and water management.

1.29 Where appropriate, EOAs may be linked to statutory and non-statutory designated sites and ultimately are expected to form part of nature recovery networks for the Borough. However, the selection of EOA sites remains subject to further consultation with landowners and other relevant parties. Strategic policy CP5: Climate Change states that off-site mitigation measures will be directed to EOAs, again, with further consultation with landowners and relevant parties as appropriate.

1.30 EOAs therefore form part of the ecological strategy for the Borough, and will also comprise 'strategic significance'.

Ecological Sites and Networks

1.31 Local Plan *Policy CP6: The Natural Environment* confirms that development should be designed to facilitate new and enhanced habitats and the creation of links between habitats and spaces to provide a network of green and blue spaces that can help support species and their movement, and that locally defined ecological sites and networks identified in the LNRS (or, in the interim, existing strategies and policies) will be the primary focus of net gain delivery. Aside Policy DM14: EOAs (detailed above), relevant policies include *DM15: Protection and Enhancement of Wildlife Habitats* and *DM17: Trees and Woodland*.

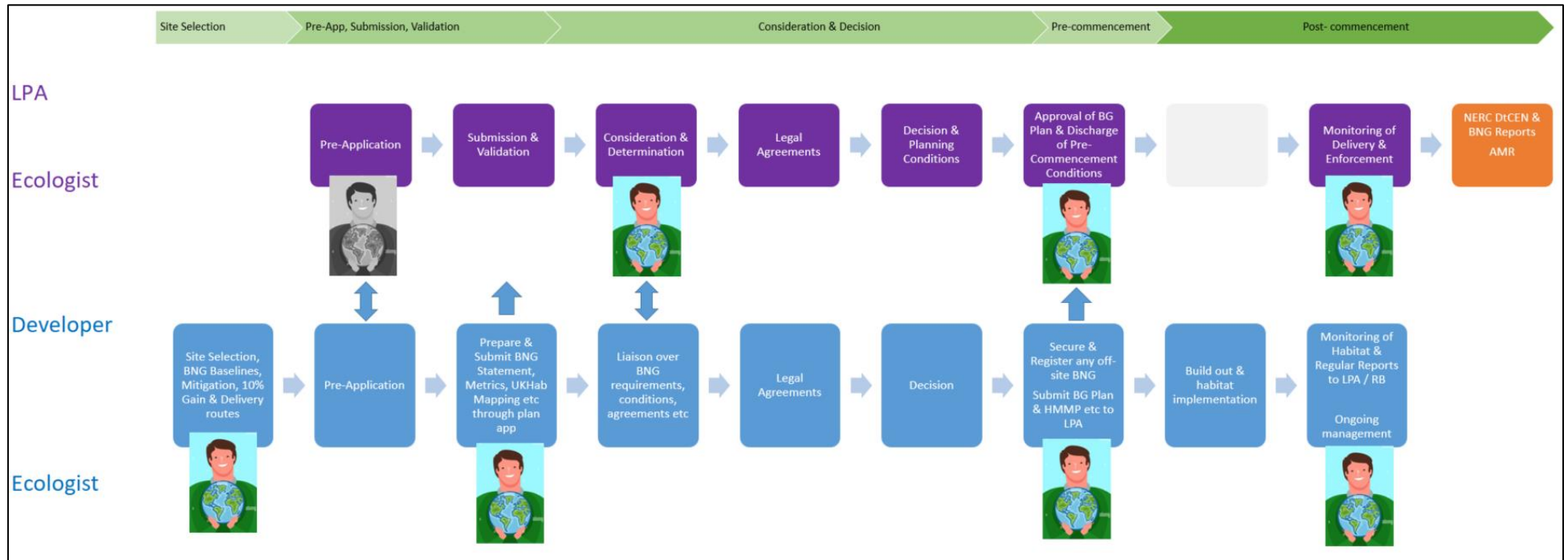
1.32 Habitats and ecological networks are thus a focus for protection and enhancement and also comprise 'strategic significance'.



Appendix D: Planning Application Process Flowchart

1.1 A process map can help illustrate how the two processes, of both developers and the LPAs, must operate with each other. In addition, it can also show how the input of ecologists is key to many of the stages. BNG is now just one element of the planning considerations, and so the process map just shows BNG-based interactions.

Figure 1: Simplified BNG Process Map



APPENDIX E: Submission Checklists



Biodiversity Net Gain PLANNING APPLICATION CHECKLISTS

BNG information will be required throughout the planning process, including to register and validate the planning application, to inform the determination of the planning application, to discharge the standard condition relating to the approval of a Biodiversity Gain Plan and to monitor and report on the delivery of biodiversity net gains. The checklists below have been prepared for each stage of the process.

Information listed here is not exhaustive. The Council, as Local Planning Authority, may request additional information is submitted at any stage of the application process. As BNG progresses, and its requirements are better understood, these lists may be updated.

How BNG applies to different types of application

Application Type	10% Net Gain	Relevant metric	Requirements
Permitted Development	Exempt	-	Should deliver proportionate gains to species / habitat, including design features to support wildlife. Application must explain why it is exempt and provide any relevant supporting information.
Householder applications			
Self- and Custom-Build Homes (9 or less dwellings, on site less than 0.5ha)			
De-minimis habitat areas			
Minor Applications (Applications proposing between 1-9 new dwellings; or where the floorspace is less than 1000sqm or the site area less than 1ha; or up to 9 gypsy and traveller pitches)	Mandatory	Small Sites Metric (unless exemptions apply and then Standard Metric to be used). Metric must be completed by competent person.	<u>At Submission</u> - Biodiversity Gain Information - Biodiversity Metrics - UK Hab Mapping <u>Post-approval /pre-commencement</u> - Biodiversity Gain Plan - HMMP
Major Applications (Applications proposing 10 or more dwellings; a site area of over 0.5 hectare and number of dwellings is not known; a floorspace of over 1000sqm or a site area of 1 ha)	Mandatory	Standard Biodiversity Metric Metric must be completed by qualified, experienced ecologist	<i>If off-site included:</i> - Landowner consent - Legal Agreement - National Register reference - National credits proof

(*subject to BNG exemptions)

Outline Applications	Mandatory		Overall BGP &, for each phase, a Phase BGP
Reserved Matters	-		
Other Phased developments	Mandatory		
Variation to existing conditions (S73 applications)	Mandatory		BGP required where variations affect the post-development biodiversity value
Retrospective Applications (after 30 January 2020)	Mandatory	Available information will be used to determine the biodiversity value of the site prior to the unauthorised activities being undertaken.	

For pre-application

The following information may be sought:

	Information	Format	Detailing	Checklist
1	Preliminary Ecological Appraisal	Report		<input type="checkbox"/>
2	BNG Feasibility Report	Report		<input type="checkbox"/>
3	Constraints and opportunities	Report		<input type="checkbox"/>
4	Baseline metrics	Metric		<input type="checkbox"/>

For Submission of the planning application

The following information **MUST** be received to validate the application:

	Information	Format	Detailing	Checklist
1	Statement confirming the development is subject to the biodiversity gain condition.	Statement	Statement should also confirm if the biodiversity value of on-site habitat is lower on the date of application as a result of activities that have degraded the site.	<input type="checkbox"/>
2	Metric confirming pre-development biodiversity value.	Excel & PDF	Use of the relevant Defra metric. Confirmation of the competency of the person(s) who completed the metric.	<input type="checkbox"/>
3	UKHab Plan detailing pre-development habitats and their condition.	Plan	UKHab mapping, drawn to appropriate scale showing direction of north, onsite habitat existing on the date of application (or earlier) and any irreplaceable habitat.	<input type="checkbox"/>
3	Description of any irreplaceable habitat on the land to which the application relates, that exists on the date of application.	Statement	Or should confirm no irreplaceable habitats are present.	<input type="checkbox"/>
4	A Statement confirming how you foresee achieving the 10% net gains.	Statement	On-site; off-site, both. Is any on-site likely to be 'significant'? Where is the off-site location intended to be?	<input type="checkbox"/>

The following information may also be required, particularly for major developments and/or where 10% gains are expected to be delivered via significant on-site or off-site:

5	Draft Biodiversity Gain Plan	BGP Template	Project design regarding mitigation hierarchy; approach to biodiversity on-site, any proposed off-site biodiversity enhancements,	<input type="checkbox"/>
6	Draft Habitat Management and Monitoring Plan	Natural England template		<input type="checkbox"/>
7	UKHab Mapping detailing post-development habitats and their condition.	PDF	UKHab mapping, drawn to appropriate scale, showing direction of north, proposed habitats, and their condition	<input type="checkbox"/>
8	Any specific information relating to the preparation and finalisation of a legal agreement (S106) – e.g. draft Heads of terms.			<input type="checkbox"/>

For the Post-Approval Discharge of the Biodiversity Condition

The following information **MUST** be submitted:

	Information	Format	Detailing	Checklist
1	Metric showing pre-development biodiversity value	Excel & PDF	Use of the relevant Defra metric. Confirmation of the competency of the person(s) who completed the metric.	<input type="checkbox"/>
2	UKHab Mapping detailing pre-development habitats and their condition	PDF and GIS files (e.g. Shape files)	UKHab mapping, drawn to appropriate scale, showing direction of north, showing onsite habitat existing on the date of application (or earlier) and any irreplaceable habitat	<input type="checkbox"/>
3	Metric showing post-development biodiversity value	Excel & PDF	Use of the relevant Defra metric. Confirmation of the competency of the person(s) who completed the metric.	<input type="checkbox"/>
4	UKHab Mapping detailed post-development habitats and their condition	PDF and GIS files (e.g. Shape files)	UKHab mapping, drawn to appropriate scale, showing direction of north, showing proposed on-site (and off-site habitats) and their intended condition, and any irreplaceable habitat	<input type="checkbox"/>
5	Biodiversity Gain Plan (BGP)	Defra template	Containing all matters required to be provided in the BGP (see guidance / PPG / Town and Country Planning Act 1990, Schedule 7a, paragraph 14(2)) – including how design has considered mitigation hierarchy and net gain hierarchy; approach to biodiversity on-site, any proposed off-site biodiversity enhancements,	<input type="checkbox"/>
6	Habitat Management and Monitoring Plan	Natural England template	Management of the habitats for 30-year period, monitoring process and frequency of reports	<input type="checkbox"/>

And, where BNG is to be delivered, wholly or partly, off-site:

7	Landowner written consent	Signed letter		<input type="checkbox"/>
8	Legal agreement	Section 106 or Conservation Covenant		<input type="checkbox"/>
9	Evidence off-site habitats registered on national register	National Register		<input type="checkbox"/>
11	Evidence of purchase of national credits	Proof of purchase	Credits should not be bought before discussion with the LPA regarding the appropriateness of their use	<input type="checkbox"/>

Notes / Links

The information that must be submitted through a Biodiversity Gain Plan is dependent on the type of application it relates to – full, outline or phased. The below information outlines the information that must be provided in each scenario and is taken directly from the BNG PPG at the time of writing this report. **Refer to the relevant Government BNG PPG / other guidance for the most up to date details.**

Information that must be included in a Biodiversity Gain Plan – Standard BGP

Under paragraph 14(2) of Schedule 7A, Town and Country Planning Act 1990, a Biodiversity Gain Plan must include the following matters:

- information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- the pre-development biodiversity value of the onsite habitat;
- the post-development biodiversity value of the onsite habitat;
- any registered off-site biodiversity gain allocated to the development and the biodiversity; and
- any biodiversity credits purchased for the development.

In addition, under Articles 37C(2) and 37C(4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following specified matters are required, where development is not to proceed in phases:

- name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- a description of the development and planning permission reference number (to which the plan relates);
- the [relevant date](#), for the purposes of calculating the pre-development biodiversity value of onsite habitats and if proposing an earlier date, the reasons for using this earlier date;
- [the completed biodiversity metric calculation tool\(s\)](#), stating the publication date of the tool(s), and showing the calculation of the pre-development onsite value on the [relevant date](#), and post-development biodiversity value;
- a description of arrangements for maintenance and monitoring of habitat enhancement to which paragraph 9(3) of Schedule 7A to the 1990 Act applies (habitat enhancement which must be maintained for at least 30 years after the development is completed);
- (except for onsite irreplaceable habitats) a description of how the biodiversity gain hierarchy will be followed and where to the extent any actions (in order of priority) in that hierarchy are not followed and the reason for that;
- pre-development and post-development plans showing the location of onsite habitat (including any irreplaceable habitat) on the [relevant date](#), and drawn to an identified scale and showing the direction of North;
- a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and

- if [habitat degradation](#) has taken place:
 - a statement to this effect,
 - the date immediately before the degradation activity,
 - the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - any available supporting evidence for the value.

There is a standard Biodiversity Gain Plan template available to complete which brings together many of these matters into one document.

(Taken directly from [PPG 035](#))

Information that must be included in a Biodiversity Gain Plan – Overall BGP

The content of an Overall Biodiversity Gain Plan is different in several ways from a standard Biodiversity Gain Plan reflecting that there is unlikely to be detailed proposals agreed at the outset.

The Overall Biodiversity Gain Plan for a phased development (which is not related to a section 73 permission) must include the following matters:

- information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- the pre-development biodiversity value of the entire onsite habitat;
- any registered offsite biodiversity gain allocated or proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;
- any biodiversity credits purchased or proposed to be purchased for the entire development; and
- the post-development biodiversity value of the onsite habitat for the entire development and each phase of development*

*The post-development biodiversity value of the onsite habitat for the entire development and each phase is a projection of the biodiversity value at the completion of the entire development (not after the completion of each phase). Where firm proposals for development and habitat enhancement on each phase have yet to be finalised, assumptions about the likely development and habitat enhancements should be used to determine this post-development value. This value will set the expectations about the biodiversity value of onsite habitats, and the final value will need to be set out in later Phase Biodiversity Gain Plans.

The Overall Biodiversity Gain Plan must also include the following further information:

- name and address of the person completing the plan, and (if different) the person submitting the plan;
- a description of the development and planning permission reference number (to which the plan relates);
- pre-development plans showing the location of existing onsite habitat and drawn to an identified scale and showing the direction of North;
- the [relevant date](#), for calculating the pre-development biodiversity value for the development, and if proposing an earlier date, the reasons for using this earlier date;
- [completed biodiversity metric calculation tool\(s\)](#) stating the publication date of the biodiversity metric used and showing the calculation of the pre-development and post-development biodiversity values;
- arrangements for the maintenance and [monitoring of significant onsite habitat enhancements](#);
- a description of how the [Biodiversity Gain Hierarchy](#) will be followed and where to the extent one or more actions in that hierarchy are not followed, the reasons if not (except for irreplaceable habitats);
- a description of any [irreplaceable habitat](#) on the land to which the plan relates which exist on the relevant date, and any part of the development for which

planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat; and

- a statement whether [habitat degradation](#) has taken place, and if it has:
 - a statement to this effect,
 - the date immediately before the degradation activity,
 - the completed biodiversity tool showing the calculation of the biodiversity value of the onsite habitat on that date, and
 - any available supporting evidence for the value.

(Taken directly from [PPG 058](#))

Information that must be included in a Biodiversity Gain Plan – Phase BGP

The content of a Phase Biodiversity Gain Plan is intended to be more limited in scope than an Overall Biodiversity Gain Plan, instead of detailing the overall strategy (like the Overall Plan), the Phase plan focusses on a phase's contribution to biodiversity net gain and confirming progress towards the overall biodiversity gain objective for the entire development. It must include the following matters:

- the post-development biodiversity value of the onsite habitat for the phase of the development (which is the subject of the Plan);
- the post-development biodiversity value of the onsite habitat for each other phase of development (whether begun or otherwise);
- any registered offsite biodiversity gain allocated to the entire development and the biodiversity value of that gain for the development prior to submission of the phase plan;
- any registered offsite biodiversity gain which is proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;
- any biodiversity credits purchased for the entire development prior to submission of the phase plan; and
- any biodiversity credits proposed to be purchased for the entire development.

The Phase Biodiversity Gain Plan must also include the following further information:

- name and address of the person completing, and (if different) the person submitting the plan;
- description of the development and planning permission reference number (which the person submitting the plan considers is relevant to the phase of development);
- post-development plans for the phase of development showing the location of existing onsite habitat (including any irreplaceable habitats) and drawn to an identified scale and showing the direction of North;
- [a completed biodiversity metric calculation tool\(s\)](#) stating the publication date of the biodiversity metric used and showing the calculation of the pre-development and post-development biodiversity values;
- information about the steps taken or to be taken to minimise the adverse effect of the phase of development on the biodiversity of the onsite habitat;
- arrangements for the maintenance and monitoring of significant onsite habitat enhancements;
- a description of how the [Biodiversity Gain Hierarchy](#) will be followed and where to the extent any actions in that hierarchy are not followed, the reasons if not (except for irreplaceable habitats); and
- a description of any irreplaceable habitat on the land to which the plan relates which exist on the [relevant date](#), and any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat arrangements for compensation for any impact the development has on the biodiversity of the [irreplaceable habitat](#).

(Taken directly from [PPG 060](#))

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Strategic Director of Growth & Development
DATE:	Thursday, 7 March 2024

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

SUBJECT: Update on District Wildlife sites (and associated off-site BNG opportunities)

1. EXECUTIVE SUMMARY

The Council have undertaken ecological studies of all District Wildlife Sites (DWS) within the Borough, as part of preparatory works for the Local Plan (2021-2037), the introduction of Biodiversity Net Gain (BNG) and the development of the Local Nature Recovery Strategy (LNRS). This report seeks approval of a series of recommended actions arising from that work and explains the Council's intended approach with regard the use of these (and other) sites to support the provision of off-site BNG opportunities in the Borough.

2. RECOMMENDATIONS

That the Executive Board:

- approve the recommendations of the DWS Study Summary report (Background Paper 1) to:
 - I) retain all qualifying sites as District Wildlife Sites;
 - II) retain all non-qualifying sites as District Wildlife Sites with the condition that actions will be prioritised to restore and enhance habitat at those locations. This includes Knuzden Brook (Abbot Clough) DWS, Meadowhead Pastures DWS, Blacksnape/Taylor's Green and Robin Bank DWS; and retaining the current site areas for Darwen Golf Course DWS and Knuzden Brook (Haslingden Road) DWS;
 - III) amend the boundaries of three sites - Davyfield Brook DWS, Eccleshill Quarry/Pastures DWS and Stones Bank Brook to reflect physical features / boundaries or SSSI designations; and,
 - IV) update the boundaries of Bog Height Tip to reflect the housing allocation in the northern parcel so that only the southern parcel is retained as a District Wildlife Site.
- grant delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to make all relevant decisions on the use of Council-owned land to facilitate the supply and delivery of off-site BNG, and to authorise registration of the sites on the national off-site register.

3. BACKGROUND

- 3.1 In response to the current ecological crisis, the Government have set out a 25-year Environment Plan, with an ambition “to leave our environment in a better state than we found it”, and a wider commitment to protect 30% of land and seas by 2030 (“30x30”). The interventions the Government plans to take to improve the environment have been set out through legislation and guidance, including the Natural Environment and Rural Communities Act 2006 (NERC), Environment Act 2021 and Environmental Improvement Plan (EIP) 2023.
- 3.2 These interventions include mandatory Biodiversity Net Gain (BNG), which requires all new development (unless exempted) to deliver measurable net gains to habitats, and the development of a National Nature Recovery Strategy, comprised of 48 (county-level) Local Nature Recovery Strategies (LNRS), to help drive the recovery of nature.
- 3.3 To help inform the development of the LNRS, and local strategies relating to off-site BNG delivery, the Council have undertaken ecological surveys of District Wildlife Sites (DWS) within the Borough to better understand their habitat importance. DWS are sites designated as locally important for wildlife and habitat. The adopted Local Plan (2021-2037) *Core Policy CP6: The Natural Environment and Development Management Policy DM15: Protection and Enhancement of Wildlife Sites* recognises the importance of these designated habitats to nature recovery strategies, and to BNG, and the need to support their protection and enhancement. DWS sites are identified on the Local Plan Policies Map (as a constraints layer).
- 3.4 In 2022, the Council commissioned ecological consultants to undertake a re-survey of almost 40 DWS to: determine if the sites still qualified as DWS (based on habitat criteria) and whether any changes were needed to amend site boundaries; establish baseline calculations of the value of the habitats; identify potential threats to the habitats; and identify management opportunities to improve those habitats. The DWS report, summarising the findings and recommendations of the study, is provided as Background Paper 1.
- 3.5 This report seeks approval of the study recommendations as set out in Section 2.
- 3.6 The study makes clear that the five sites identified as no longer meeting the DWS classifications have the potential to be restored to DWS status with appropriate management. Indeed, all the DWSs have the potential to be enhanced. However, the DWS sites contained within the study are in various ownerships – both public (Council) and private ownership. As management of private land is the responsibility of the respective landowner(s), the Council’s focus for biodiversity enhancements relate to their own land holdings only. The introduction of BNG requirements provides opportunities to fund and deliver the necessary interventions on Council-owned sites, whilst supporting off-site BNG and fulfilling wider duties to nature recovery. Such intervention measures are more easily deliverable on Council-owned land.
- 3.7 Improvements to those DWS in private ownership will require liaison with the landowners, but need not necessarily mean that enhancement opportunities are undeliverable, just that they may take greater work to secure. With adequate resources, officers may be able to explore with those landowners opportunities to deliver enhancement works, and, in relation to BNG, direct those owners to relevant private habitat brokers. In some cases, works are already underway – for example, the study consultants noted that ongoing habitat restoration work is being implemented at Darwen Golf Club by the landowner. For this reason, it is considered that these sites should still be retained as DWS designations.
- 3.8 Through the BNG legislation, net gains should be delivered through a spatial hierarchy, prioritising gains on the development site (on-site). However, where this cannot be achieved, in whole or in

part, then BNG can be delivered on land other than the development site (off-site). This may be on land within the developer's ownership, or on third party land. It is always the responsibility of the developer to identify land for off-site BNG.

3.9 The Council expect that private off-site BNG markets will take time to establish and there will be few private sites available in the Borough, at least initially, to support off-site delivery. The Council are therefore proposing to make suitable areas of Council-owned land available for BNG to ensure that:

- i. development in the Borough is not stymied by a lack of available off-site land,
- ii. the Council can use the income from BNG to deliver improvements to habitat sites by optimising this additional revenue stream;
- iii. BNG can be kept within the Borough so that communities and nature realise the benefits of local new development; and
- iv. the Council meets its duties towards nature recovery within the Borough (required by the NERC Act 2006, and set out in the separate Executive Board report titled 'First Considerations towards the Council's Biodiversity Duty').

3.10 Based on the findings of the DWS Study (2022), the Council consider that those DWS sites in Council ownership shown to no longer meet the criteria for DWS designation, either in whole or in part, but that have the potential to be restored to re-meet DWS designation, should be prioritised for off-site BNG interventions. They form Priority Group One and are:

- Blacksnape/Taylors Green
- Robin Bank;
- Knuzden Brook (Haslingden Road);

The study results also identified a series of DWS that still meet the criteria for DWS designation but which have the potential to deliver relatively large uplifts in BNG and they form Priority Group Two:

- Fishmoor Drive;
- Higher Croft;
- Corporation Park;
- Pleckgate; and
- Bold Venture.

Therefore, in 2023, the Council commissioned further, more detailed ecological assessments of these sites, along with assessments of other Environmental Opportunity Areas (Policy DM14 of the Local Plan) and some areas of Green Infrastructure (Policy DM16), which have been initially identified as having the opportunity to further support off-site BNG delivery.

3.11 The Council are still to finalise the results of the latest ecological assessments. Subject to the study confirming appropriate BNG opportunities exist, there remains a sizeable amount of work to prepare off-site habitats. For example, every off-site opportunity must be registered on a national database, and, where the Council do not have the resources to deliver or manage BNG on their own land, then this will need to be outsourced to external contractors, or to specialist purpose vehicles (SPVs). Officers will continue to progress discussions, and obtain relevant legal advice, in respect of the appropriate framework for offering and managing BNG sites, led by the latest national guidance.

3.12 This report seeks approval for delegated authority to be granted to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to make all relevant decisions regarding the use of Council-owned land to facilitate the supply and delivery of off-site BNG, and, for those sites taken forward, to authorise their registration on the national off-site register.

4. KEY ISSUES & RISKS

- 4.1 The 2022 DWS study identified a number of sites that could be de-designated as DWSs, but also makes clear that habitat management opportunities have the potential to restore the site habitats to DWS status in the short-medium term and makes a series of recommendations for interventions that could help to deliver this restoration, including drawing upon BNG opportunities. Failing to take action to restore these sites would result in the loss of these important habitats – both to nature and to the Borough’s communities – and so the preferred approach would be to use BNG to help restore and enhance these sites.
- 4.2 The use of these DWS, and other identified sites, can also help to support the availability of BNG off-site opportunities. As previously outlined in this report, it is likely that there will be an insufficient supply within the private off-site market, at least in the interim, which may negatively impact on development within the Borough. The use of publicly owned land can help reduce this risk by providing some opportunity for off-site BNG delivery, although it should be noted that this is unlikely to be able to meet all the demand arising from new developments.
- 4.3 The Council also have duties under the NERC Act 2006 and Environment Act 2021 to conserve and enhance nature and are required to report the actions being taken to meet this duty. Failing to take action to conserve and enhance nature would fall foul of those legal duties.

5. POLICY IMPLICATIONS

- 5.1 The Council have considered DWS and BNG in the preparation of the new Local Plan, most notably through Policies CP6: Natural Environment and DM15: Protection and enhancement of wildlife habitats. The importance of biodiversity is therefore established through the Local Plan, reflecting a greater national focus on the importance of the environment.
- 5.2 The Borough’s DWS are designated on the adopted Local Plan policies mapping and take account of the DWS study recommendations. Through the Local Plan’s examination, the Council recognised that the boundaries of some areas of land, relating to certain policy designations, may be revised during the lifetime of the Plan, for example to update data. The DWSs therefore now form part of a ‘Constraints’ layer, to allow the boundaries to be updated in the future, should it be deemed necessary.
- 5.3 Within the adopted plan, a DWS at Fishmoor Drive/Pilmuir Road overlaps with the Local Plan housing allocation at Fishmoor Drive (Parcel 4). However, this is addressed through Local Plan Policy H029 which sets out a series of key development considerations for the site that includes the potential ecological impact and necessary mitigation that will be required owing to the location of the DWS. The significance of the DWS should be accounted for within the biodiversity metric calculations, and BNG will be required from the site.
- 5.4 The DWS will form part of the LNRS – a strategic spatial framework for nature recovery. The LNRS is expected to take a further 12 months to prepare, and so in the interim, the DWS sites form part of the current ecological network (as identified in the BNG Planning Advisory Note and Green Infrastructure and Ecological Networks Supplementary Planning Document (SPD)). DWS, and BNG, form a key part of current and future ecological strategies.
- 5.5 The Council have undertaken the ecological assessments to inform the development of both current policy and future strategies. The recommendations of the latest studies will be used in developing strategies relating to Council-owned land, BNG off-site supply, and habitat interventions, helping to meet the Council’s duties towards the biodiversity objective.

6. FINANCIAL IMPLICATIONS

- 6.1 The costs of work undertaken to date has been funded through Defra 'new burdens' grants (for both the financial years 2021/22 and 2022/23) which have been made available to support local authorities in England in their preparations for the introduction of mandatory BNG. The remaining balance has been met from the Local Plan budget. Defra have made available further new burdens funding since 1 April 2023 and additional funding is also expected following the introduction of national mandatory BNG in February 2024. The Council will continue to use this funding towards the additional ecological studies commissioned in 2023 and any further work that is required.
- 6.2 Further, the Council have successfully secured £70,000 (part of a £100,000 Planning Skills Delivery Fund award) towards developing the ecology knowledge and skills of existing officers and progressing Council-owned sites for off-site BNG.
- 6.3 Making Council-owned land available for off-site net gains provides an opportunity for the Council to secure the necessary funds to deliver improvements to DWS, or other publicly owned sites, in the borough. All financial burdens associated with providing BNG must be borne by the developer and must cover the cost of delivering habitat enhancements / creation, and its management and monitoring for a mandatory 30-year period. It will be essential that costs of biodiversity units are correctly calculated and indexed to inflation rates. This is still to be determined as part of ongoing works.

7. LEGAL IMPLICATIONS

- 7.1 There are no legal implications for the DWS surveys themselves, or the specific associated recommendations which are made through this report. Undertaking these ecological assessments and appropriately planning for biodiversity improvements will support and increase the ability of the Council to ensure the mandatory delivery of BNG and the development of the LNRS and fulfil its legal duties to conserve and enhance biodiversity.

8. RESOURCE IMPLICATIONS

- 8.1 Work arising from the survey work, and future ecology studies, will be managed by the Strategic Planning Team as part of their ongoing responsibilities, and resource introduced/funded through the Planning Skills Delivery Fund. The Council may need to out-source BNG creation/enhancement works to external contractors or specialist delivery vehicles which comes at a cost to be borne by developers.

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

10.1 None required.

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

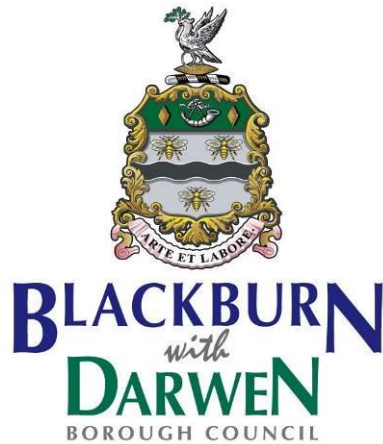
All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
-----------------	----------

CONTACT OFFICER:	PMO Growth
-------------------------	-------------------

DATE:	February 2024
--------------	---------------

BACKGROUND PAPER:	1. District Wildlife Sites Study Final Summary Report
--------------------------	---



Blackburn with Darwen District Wildlife Sites (DWS) Surveys 2022 Summary Report

1.0 Introduction

- 1.1 District Wildlife Sites (DWS) are areas of land which have been identified as being of local importance in providing habitat for wildlife. The original designations of DWSs were made in 2011, based on surveys undertaken in 1991 and partially updated in 2005. In June 2022, Blackburn with Darwen Borough Council (BwD) commissioned Bowland Ecology to undertake updated surveys of each of the borough's District Wildlife Sites (DWSs).
- 1.2 The purpose of the 2022 study is to provide a robust evidence base for the emerging Local Plan (2021-2037), help inform the development of a Local Nature Recovery Strategy (LNRS) and support opportunities to deliver biodiversity net gain (BNG).

Emerging Blackburn with Darwen Local Plan 2021-2037

- 1.3 The Local Plan sets out the policies that will guide future development in the area, and includes policies relating to the natural environment, biodiversity net gain and local nature recovery (Policy CP6) and the protection and enhancement of designated wildlife sites, including DWSs (Policy DM15).

Local Nature Recovery Strategies (LNRS)

- 1.4 Introduced by the Environment Act 2021, Local Nature Recovery Strategies will see 'responsible authorities' develop strategies for local nature recovery, including identifying opportunities and priorities for enhancing habitats and supporting wildlife. It is expected that DWSs, as locally important habitats, will form part of the local recovery strategy.

Biodiversity Net Gain (BNG)

- 1.5 The Government's Environment Act 2021 introduces a requirement, from November 2023, for most new development to deliver improvements to the quality or quantity of habitat as a mandatory part of a development proposal. It aims to ensure that new development leaves the natural environment in a better state than before. Whilst development should look to deliver these enhancements on-site, in some cases, where on-site delivery is not possible, biodiversity net gain may be delivered off-site, informed by local designations and strategies. This may include interventions to improve habitats on DWSs.
- 1.6 A standard biodiversity metric must be used¹ to calculate an areas' value to wildlife as 'biodiversity units'. This calculation assesses the location, quality and quantity of habit features to calculate a biodiversity value. The metric can be used to calculate how a development, or a change in land management, will change the biodiversity value of the site. It can then help design, plan and make land management decisions that take better account of biodiversity.
- 1.7 It is therefore important that information on the Borough's DWSs is up to date.

Study objectives

- 1.8 The objectives of the study are to:
- Establish which habitats / species apply to each site;
 - Establish whether each site is still justified of its designation and protection as a DWS;
 - Establish whether any revisions to the boundaries of the DWS are required and, if so, what those changes should be; and
 - Identify opportunities for each DWS to support and deliver biodiversity net gain.

¹ Published by Natural England as the latest biodiversity metric and small sites metric

1.9 There are currently 37 DWSs identified on the Local Plan policies map, the majority of which lie on the town fringes of Blackburn and Darwen. These DWSs range in size and type, and include golf courses, reservoirs, parks, public open spaces, canals, wooded watercourses and gorges, railway lines and road verges.

2.0 Methodology

UK Habitat Classification Survey

2.1 Each DWS was subject to a UK Habitat Classification (UKHab) Survey between July and September 2022. This involved a walkover survey to identify broad vegetation types, which were then classified against UKHab habitat types based on the standardised UKHab survey methodology (Butcher et al., 2020; CIEEM 2017b). A map of broad habitat types was created based on UKHab symbology.

2.2 The UKHab Classification is a unified and comprehensive coding system for all terrestrial, freshwater and marine habitats in the UK, which is compatible with the BNG Calculation Metric Tool. The UKHab adopts a pyramid-like structure, with five levels in the primary hierarchy. The first level is major ecosystems – either terrestrial, freshwater or marine. Below this is the second level, ecosystem, while the third level is broad habitats. The fourth level includes Habitats of Principle Importance for Nature Conservation in the UK (NERC Act, 2006), while the fifth level includes Habitat Directive Annex 1 habitats. Levels two to five in the primary hierarchy are coded with alternate letters and numbers, for example, g3b5. The complete UKHab code can also include secondary codes which can be linked to the primary habitat, for example, 10 (Scattered scrub) could be linked with g (Grassland) or h (Heathland). This gives surveyors the option of recording habitat management, origins and other environmental and species features.

2.3 Along with a UKHab plan for each site, an overall description was provided which included habitat descriptions and lists of characteristic / notable plant species.

Biodiversity Metric Baseline Calculations

2.4 The Natural England Biodiversity Metric 3.1 is a biodiversity accounting tool that can be used for the purposes of calculating Biodiversity Net Gain. The metric uses habitats and ‘biodiversity units’ as a proxy to describe biodiversity. These biodiversity units are the ‘currency’ of the metric. There are three types of biodiversity units: area units, hedgerow units and watercourse units.

2.5 To calculate a biodiversity baseline, this study used the Biodiversity Metric 3.1 (Natural England, July 2021). Areas are measured in hectares and linear features in kilometres. The biodiversity unit value for each habitat is calculated by entering the habitat area (or length), as well as multipliers for ‘habitat distinctiveness’, ‘habitat condition’ and ‘strategic significance’ into the Biodiversity Metric 3.1 Calculation Tool. The unit values for each habitat are then totalled to produce the biodiversity baseline.

2.6 *Habitat distinctiveness* is automatically calculated by the Metric Calculation Tool based on UKHab type. This is generally based on whether the habitat type is nationally rare (very high), a priority habitat (high), semi-natural habitat (medium) or highly modified habitats (low/very low).

2.7 *Habitat condition* is assessed using the condition tables in the Biodiversity Metric 3.1 Technical Guidance. The condition tables involve checking features against a list of criteria for habitat in ‘good’ condition. Condition status categories comprise good, fairly good, moderate, fairly poor and poor.

2.8 *Strategic significance* is based on whether the habitat area is formally recognised in a local plan for wildlife, and/or if the habitat is important in terms of landscape-scale habitat connectivity. Owing to the designation of all sites as District Wildlife Sites, all habitats were classed as being of high strategic significance: ‘within area formally identified in local strategy’.

2.9 Potential 'available units' with habitat enhancement were then calculated. In agreement with BwD, these available credits are based on the assumption that the condition status of all habitats assessed to be in 'poor' to 'fairly good' condition are enhanced to 'good'. An overall post-enhancement figure is produced by the calculator, from which the baseline is subtracted to reveal the number of potential available units at the site. These figures therefore represent crude estimations, and assume that no habitats will expand, contract, be enhanced into other habitat types, and that enhancement to 'good' is always practical and feasible. Realistic estimations of potentially available BNG units would require a more detailed study, which could also break the figures down into units per broad habitat type, and actual value in the context of providing off-site compensation for a development site. This additional, more detailed level of assessment may be undertaken by BwD in the future.

DWS Assessment

- 2.10 In addition to the UKHab maps and BNG baseline data, specific data was collected in relation to relevant DWS qualifying criteria (see Appendix 3). Overall conclusions were made in relation to whether sites still appear to qualify as DWSs, along with any recommended alterations to DWS site boundaries.
- 2.11 This study focussed on DWS qualifying criteria relating to habitats and botany only. Other criteria were not assessed (i.e. birds, herptiles, fish, invertebrates and mammals). The botanical surveys did not include dedicated bryological or fungi data collection.
- 2.12 Key pressures/threats to site habitats were also recorded, such as invasive species and recreational disturbance. Potential habitat management opportunities were noted, and presented as a short list of high-level suggestions. Separate detailed management plans would be required to practically implement any habitat enhancement.

3.0 Results

3.1 Detailed results have been provided in individual site reports, which are held by BwD. A summary table of overall results is provided as Appendix 1 to the current document, and a summary plan of results is provided as Appendix 2. The text below outlines the key findings of the survey work.

Sites no longer meeting the DWS criteria

- 3.2 Of the 37 DWSs assessed, five appeared to no longer meet the criteria for DWS:
 - Knuzden Brook (Abbot Clough) DWS;
 - Meadowhead Pastures DWS;
 - Blacksnape / Taylors Green DWS;
 - Robin Bank DWS; and
 - Bog Height Tip and Pastures (South) DWS
- 3.3 The study identified that habitat management opportunities exist that have the potential to restore the site habitats to DWS status in the short-medium term.

Sites recommended to be reduced in size

- 3.4 Two DWSs have been recommended to be significantly reduced in size owing to large areas of the sites no longer appearing to qualify as DWS:
 - Darwen Golf Course DWS; and
 - Knuzden Brook (Haslingden Road) DWS.
- 3.5 Again, the study identified that habitat management opportunities exist that have the potential to restore the site habitats to DWS status in the short-medium term.

Sites with recommended changes to boundaries

- 3.6 Boundary alterations are recommended for three DWSs:
- The boundary between Eccleshill Quarry DWS and Eccleshill Pastures & Disused Railway Line DWS is recommended to be altered to reflect the logical fenced boundary between land ownerships.
 - The boundary of Davyfield Brook DWS is also recommended to be altered, to exclude the M65 carriageway.
 - Stones Bank Brook DWS has been reduced in size owing to it being partly located within the West Pennine Moors Site of Special Scientific Interest (SSSI).

Sites with DWS designations removed owing to altered allocations:

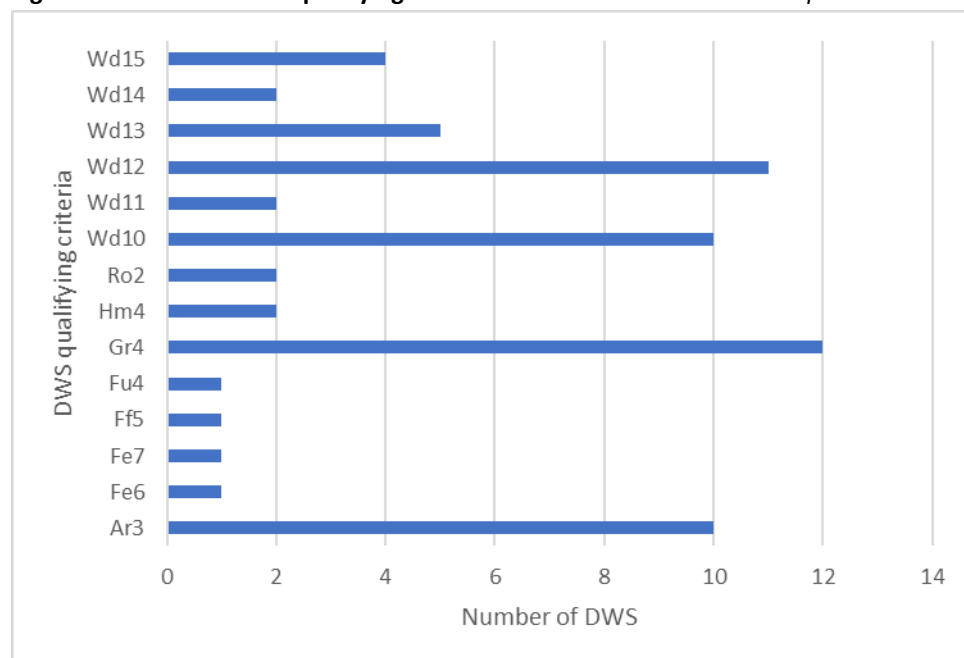
- 3.7 Two sites are no longer designated as DWSs owing to their incorporation into the West Pennine Moors SSSI:
- Old Mans Verge and Cutting DWS; and
 - Black Height Mire DWS.
- 3.8 SSSIs are sites designated as being of special interest under Section 28 (1)(b) of the Wildlife and Countryside Act 1981, and may be designated due to the rare flora, fauna or geology present in the area. SSSIs are of higher conservation value than DWSs, and so sites under an SSSI designation are afforded a greater level of protection.
- 3.9 Two sites are no longer designated as DWSs owing to their allocation for development within the current, adopted Local Plan (2015), and with the allocation carried forward in the emerging Local Plan (2021-2037):
- Bog Height Tip & Pastures DWS; and
 - Craven’s Farm Ponds DWS.
- 3.10 1.9ha of Bog Height Tip & Pastures DWS is situated outside of the development allocation. This was assessed by the 2022 survey work and does not appear to meet the qualifying criteria for a DWS in isolation. However, with appropriate management it has the potential to be restored to a DWS status in the medium term.

DWS Qualifying Criteria

- 3.11 Almost all sites have altered since the 2011 assessment in relation to which DWS criteria they qualify under. This is likely owing to a combination of significant DWS boundary alterations since 2011 which exclude certain habitats and include others (e.g. North Dingle DWS, Sough Tunnel & Railway Embankment DWS and Whitehall Park DWS), habitat succession/degradation (e.g. Blackburn Golf Course DWS, Knuzden Brook DWS and Former Chorley Railway Line Embankment – Cherry Tree DWS) and potentially more detailed assessments, as for example the 2011 assessment did not consider DWS criteria Wd10, Wd11, Wd13, Wd14 and Wd15 (Appendix 3), whilst other sites were not covered at all by surveys (e.g. Davyfield Brook DWS and Turton Entwistle Reservoir DWS).
- 3.12 The definitions of each criteria/guideline are summarised in Appendix 3. Sites can qualify under several different criteria. Belmont Gorge DWS and Buryfold Brook & Old Briggs Cloughs DWS qualify under the highest number of criteria (as shown in Table 1 of this report).
- 3.13 The most common DWS criterion that sites qualify under is Gr4 (see **Figure 1**), which relates to numbers of favourable grassland species present within a site. 12 sites were concluded to qualify under this criterion in 2022, which is a reduction of eight sites since the 2011 assessment. This implies an overall reduction in good quality grassland since the 2005/1991 survey work, although some changes in DWS boundaries since the 2011 assessment have resulted in the exclusion of good quality grassland areas from the DWS boundaries (e.g. Stones Bank Brook DWS, Whitehall Park DWS, Sough Tunnel & Railway Embankment DWS, Bog Height Tip & Pastures and Meadowhead

pastures DWS). Grassland degradation was noted as a key issue across several DWSs, largely owing to human disturbance and/or a lack of habitat management, resulting in an encroachment of invasive species and prominence of rank grasses. Overgrazing and intensive mowing regimes were also noted as pressures to grassland habitats.

Figure 1: Number of sites qualifying as DWS under different criteria. Graph excludes criteria which no DWS qualify under.



- 3.14 Eleven sites qualify under Wd12, which relates to numbers of specified, favourable woodland species present. This is an increase from nine sites which previously qualified under this criterion in 2011.
- 3.15 Ten sites qualify under Ar3, which relates to artificial landscape features of significant biodiversity value to the borough. Six sites previously qualified under this criterion.
- 3.16 Ten sites qualify under Wd10, which relates to the presence of ancient woodland indicator species. Five sites qualify under Wd13, which relates to the presence of 'old' trees. Four sites qualify under Wd15, which relates to the presence of upland oak woodland. These criteria were not fully assessed as part of the 2011 assessment.
- 3.17 Other criteria that low numbers of DWS (one or two) qualify under include: Wd14 (wet woodland), Hm4 (Habitat mosaics), Wd11 (priority woodland habitat types), Ro2 (natural cliffs), Fe7 and Fe6 (wetlands).
- 3.18 Fungi surveys were not undertaken; however heath waxcap *Gliophorus laetus* was noted as an incidental observation at Turn Lane Fields DWS, which is known at three other locations only within the borough⁴.
- 3.19 The DWS criteria Ff5 relates to sites that support native plants recorded from three or fewer localities in the borough. A native black poplar *Populus nigra ssp. betulifolia* is present within Ewood Aqueduct & Canal Embankment DWS. BSBI data⁵ identifies six records of this species within the borough (to a 10km grid square accuracy); however five of these records date back to between 1987-1999, and one is from 2000-2009. The current

Blackburn with Darwen 2022 DWS Surveys: Summary Report

status of these trees is unknown. As such, as a precaution, Ewood Aqueduct & Canal Embankment DWS is recommended to retain its conservation status under criteria Ff5.

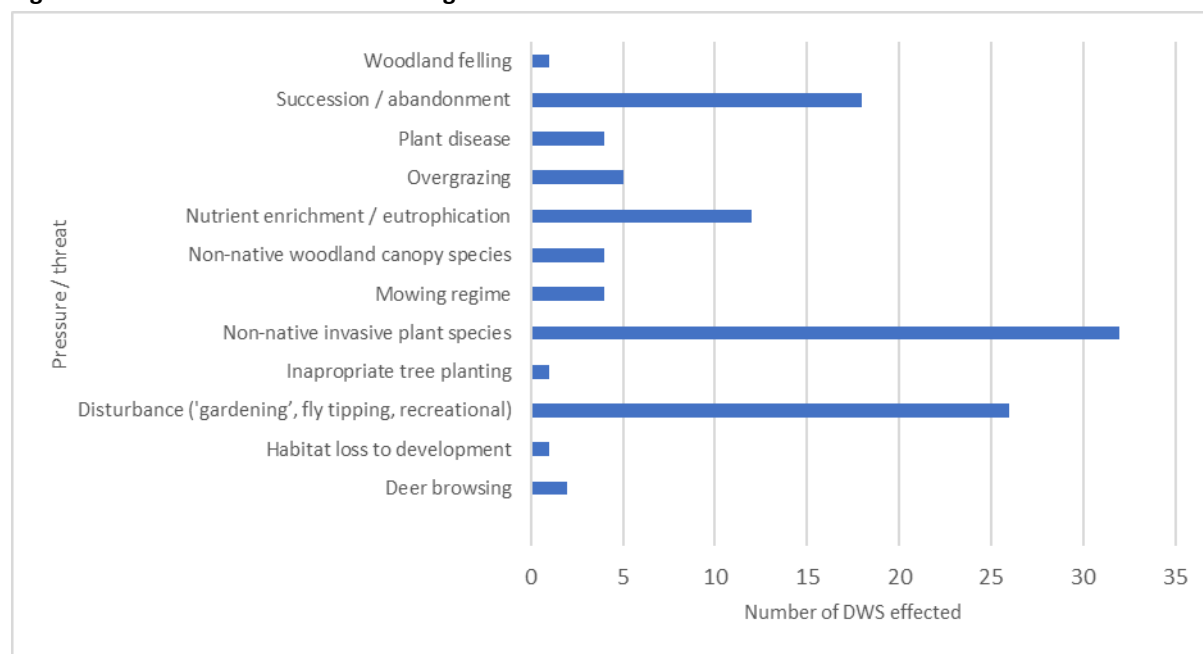
3.20 Similarly, corn mint *Mentha arvensis* is present within Eccleshill Quarry DWS, which has six records within the borough⁵. Only three of these records are from the last 20 years. The remaining three date back between 1999 and 1950. As such, this site was also concluded to qualify under Ff5.

3.21 Marsh cinquefoil *Comarum palustre* was identified at two DWS sites by the 2022 surveys (Belmont Gorge DWS and Yellow Hill Pond DWS). Marsh cinquefoil was classed as an Ff5 species by the 2011 assessment; however BSBI data⁵ identified nine records of this species from the last 20 years, including five since 2010, along with other historic records. The plant is treated as a notable consideration in the context of habitat condition and distinctiveness however is no longer considered a qualifying feature in isolation.

Pressures and Threats

3.22 The presence of invasive non-native species was the most commonly identified pressure/threat, identified as a threat at 32 out of the 37 DWSs (see **Figure 2**). The second most commonly identified pressure was disturbance (26 sites) in the form of recreational use, fly tipping and ‘gardening’ projects. Succession and abandonment of habitats is the third most prominent pressure (18 sites), followed by nutrient enrichment and eutrophication (12 sites) and overgrazing (5 sites). Other pressures/threats include deer browsing, intensive mowing regimes, habitat loss to development, planting of non-native trees, drainage, plant disease and woodland felling.

Figure 2: Pressures and threats effecting BwD DWS



Restoration opportunities

3.23 All DWSs have the potential to be enhanced. Frequently recommended high-level management strategies include:

- Invasive species removal/management

- Grassland enhancement via conservation grazing, annual hay cuts and/or management of scrub/tree/bracken encroachment.
 - Woodland management including woodland thinning, targeted haloing of suitable trees, veteranisation of suitable trees, woodland expansion, sensitive removal of non-native canopy species and planting in native tree/understory species.
 - Restriction of public access, and discouragement of fly tipping and gardening projects within DWSs. Removal of fly tipped waste.
 - Management of pond vegetation (removal of reedmace and/or introduction of other native emergent/aquatic species) and desilting.
 - Habitat creation, including woodland, hedgerow, ponds and heath.
- 3.24 The sites that have been recommended for declassification have potential to be restored to DWS status with appropriate management. This also applies to excluded areas of Darwen Golf Course DWS and Knuzden Brook (Haslingden Road) DWS. In addition, two sites that have been recommended as declassified are located immediately adjacent to Biological Heritage Sites (BHSs) and thus are potentially important in relation to habitat resilience and connectivity of the BHSs: Meadowhead Pastures DWS and Robin Bank DWS. These sites also possess an increased chance of natural recolonisation of target species and habitats with appropriate management, owing to the proximity of BHS quality habitats. This also applies to excluded areas of Darwen Golf Course DWS, which lies adjacent to Sunnyhurst Woods BHS.

Biodiversity Metric Calculations

- 3.25 Baseline biodiversity units for each site are shown on *Figure 3*, overleaf. Turton and Entwistle Reservoir DWS possesses the most baseline biodiversity units (321.08 units), whilst Yellow Hill Pond possesses the lowest (1.89 units). The number of baseline units generally positively correlates with the size of sites (*Figure 4*). *Figure 5* shows the number of units per hectare, Stones Bank Brook DWS possesses the most (6.21 units across 0.3ha, equating to 20.7 units/ha), whilst Bog Height Tip and Pastures (South) possesses the least (5.04 units across 1.95ha, equating to 2.58 units/ha).
- 3.26 Ample opportunities exist for biodiversity net gain, through widely recognised and potentially easily implemented management strategies as outlined in ‘Restoration Opportunities’. In agreement with BwD, the calculated available units (post enhancement) are not published here as they are crude estimates and subject to the significant caveats outlined in the Methodology section of this report.

Figure 3: Baseline Biodiversity Units. See Appendix 1 for Site reference codes next to DWS names.

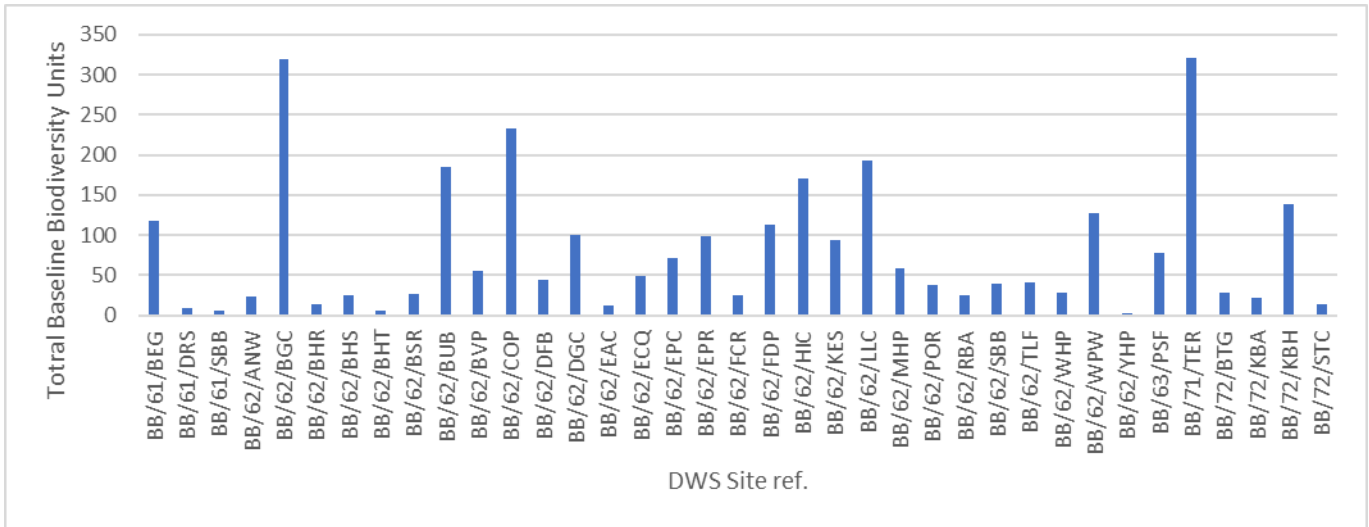


Figure 4: Correlation between baseline biodiversity units and size of DWS

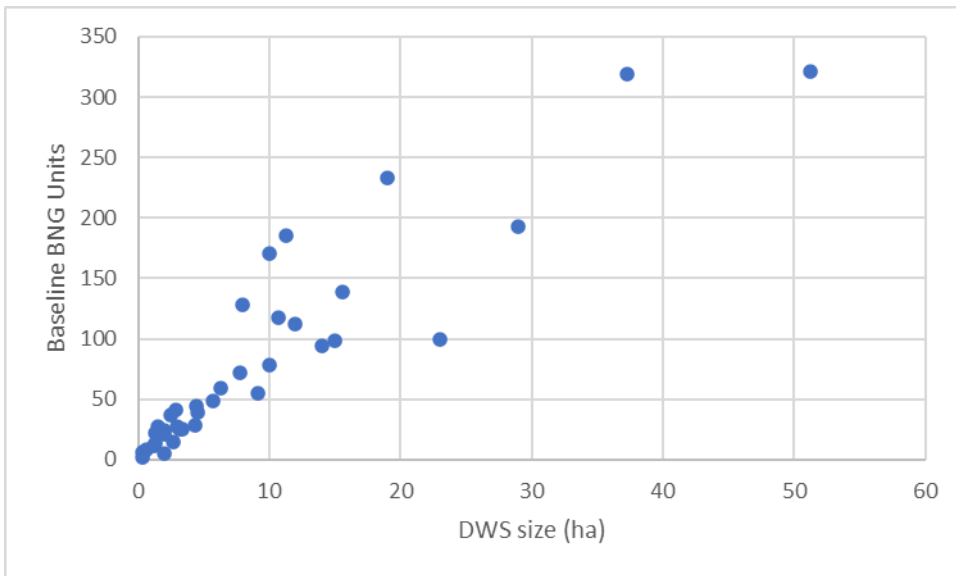
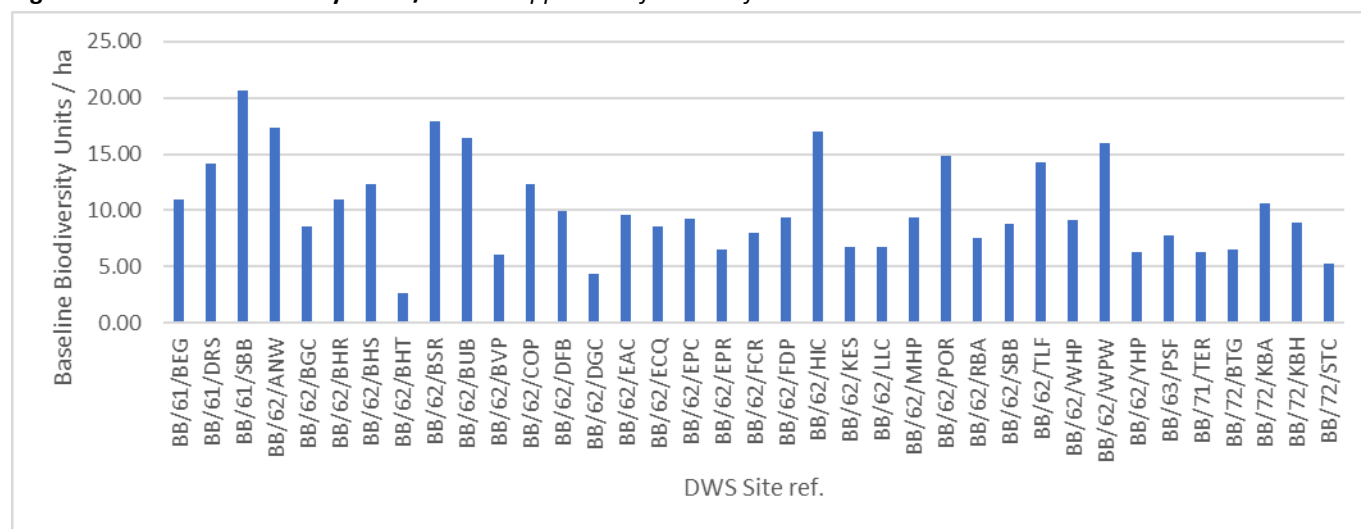


Figure 5: Baseline Biodiversity Units / ha. See Appendix 1 for Site reference codes next to DWS names.



Author Paula Hollings BSc(Hons) MSc ACIEEM

Title Senior Ecologist

Date 19/01/23

References:

- 1: Natural England (2021) *The Biodiversity Metric*. Available at: <http://publications.naturalengland.org.uk/publication/6049804846366720>
- 2: Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). *UK Habitat Classification – Habitat Definitions V1.1*. Available at: <http://ukhab.org>
- 3: Lancashire Wildlife Trust (2011) *District Wildlife Site Biodiversity Guidelines: Blackburn with Darwen Borough Council*.
- 4: NBN Atlas (2022) *Species search*. <https://nbnatlas.org/>
- 5: BSBI (2022) *Distribution maps*. Available at: <https://bsbi.org/maps>

Document Title: BOW174 – BwD DWS: Summary report	Author: P. Hollings, Senior Ecologist	Checked by: J. Jones, Director & Principal Ecologist	Version: Draft A	Date: 29.03.23
--	--	--	------------------	----------------

Appendix 1: Summary of overall results

DWS ref	DWS qualifying criteria																				Recommendation
	Wd 10	Wd 11	Wd 12	Wd 13	Wd 14	Wd 15	Pk2	Gr4	Fe6	Fe7	Bo8	Bo9	Bo10	He4	Ri1	Ro2	Ar3	Hm4	Ff5	Fu4	
13: Belmont 'Gorge' - BB/61/BEG	Y	Y	Y	N	N	N	n/a	Y	N1	Y	n/a	n/a	n/a	N1	N	Y	Y	N1	N	NS	Retain as DWS
27: Stones Bank Brook - BB/61/SBB	N1	N1	N1	N	N	Y	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N2	N2	NS	Retain as DWS
35: Leeds-Liverpool Canal - BB/62/LLC	N2	N2	N2	N	NS	NS	n/a	N2	N1	N2	n/a	n/a	n/a	n/a	N	n/a	Y	N1	N2	NS	Retain as DWS
56: Broken Stone Road - BB/62/BSR	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Y	n/a	N2	NS	Retain as DWS
57: Sheep Bridge Brook - BB/62/SBB	N2	N2	N2	N2	N2	N2	n/a	Y	N2	N2	n/a	n/a	n/a	n/a	N	n/a	n/a	N1	N2	NS	Retain as DWS
63: Meadowhead Pastures - BB/62/MHP	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N2	N2	N2	n/a	n/a	n/a	n/a	N	n/a	n/a	N	N2	NS	De-designate / prioritise habitat restoration
64: Darwen Golf Course - BB/62/DGC	N2	N2	N2	N	N	N	n/a	Y	N1	N2	n/a	n/a	n/a	N1	N	n/a	N	Y*	N2	NS	Retain as DWS with boundary changes
67: Bog Height Tip & Pastures - BB/62/BHT	Majority of site allocated for housing within local plan (southern parcel remains a DWS)																				
67: Bog Height Tip & Pastures (South) - BB/62/BHT(S)	N2	N2	N2	N	n/a	n/a	n/a	N	N1	N2	n/a	n/a	n/a	n/a	n/a	n/a	N	N	N	NS	De-designate / prioritise habitat restoration
68: Bog Height Road - BB/62/BHR	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Y	N	N2	NS	Retain as DWS
71: Bold Venture Park - BB/62/BVP	Y	N2	Y	N	N	N	n/a	N2	N1, N2	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N2	NS	Retain as DWS
73: Kelvin Street - BB/62/KES	N2	N2	Y	N	n/a	Y	n/a	Y	n/a	n/a	n/a	n/a	n/a	N1	n/a	n/a	N	N	N2	NS	Retain as DWS
82: Buryfold Brook & Old Briggs Cloughs - BB/62/BUB	Y	Y	Y	Y	Y	Y	n/a	N2	N1	N2	n/a	n/a	n/a	n/a	NS	Y	n/a	n/a	N2	NS	Retain as DWS
85: Whitehall Park - BB/62/WHP	N2	N2	Y	N	N	N	N	N	n/a	n/a	n/a	n/a	n/a	n/a	N	N	N	N	N2	NS	Retain as DWS
100: Eccleshill Quarry - BB/62/ECQ	N2	N	N2	N	N1	N	N	N2	n/a	n/a	n/a	n/a	n/a	N	n/a	n/a	Y	Y*	Y	NS	Retain as DWS with boundary changes
101: Eccleshill Pastures & Disused Railway Line - BB/62/EPR	N	N	N2	N	N	N	N	Y	n/a	N2	n/a	n/a	n/a	n/a	N2	n/a	N	N1	N2	NS	Retain as DWS with boundary changes
111: Yellow Hill Pond - BB/62/YHP	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N2	n/a	N2	n/a	n/a	n/a	n/a	n/a	n/a	Y	n/a	N	NS	Retain as DWS
117: Witton Park Wood - BB/62/WPW	Y	N2	Y	Y	N	N	N	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N	NS	Retain as DWS
129: Preston Old Road - BB/62/POR	Y	N2	N2	Y	N	N	N	N2	n/a	n/a	n/a	n/a	n/a	n/a	N	n/a	n/a	N1	N2	NS	Retain as DWS
135: Tauheedul Islam Girls' (formerly Beardwood / Billinge) High School - BB/62/BHS	Y	N2	Y	Y	N	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N1	N2	NS	Retain as DWS
141: Craven's Farm Ponds - BB/62/CFP	Now allocated for housing within local plan																				
145: Ewood Aqueduct & Canal Embankment - BB/62/EAC	N1, N2	N1, N2	N1, N2	n/a	n/a	n/a	n/a	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N	N1	Y	NS	Retain as DWS
151: Corporation Park - BB/62/COP	Y	N2	Y	N	N	N	N	Y	n/a	n/a	n/a	n/a	n/a	n/a	NS	n/a	Y	N1	N	NS	Retain as DWS
152: Blackburn Golf Course - BB/62/BGC	N2	N2	N2	N	N	N	N	N2	n/a	N2	n/a	n/a	n/a	N	N2	n/a	Y	N1	N	NS	Retain as DWS

Appendix 1: Results summary (continues)

DWS ref	DWS qualifying criteria																				Recommendation
	Wd 10	Wd 11	Wd 12	Wd 13	Wd 14	Wd 15	Pk2	Gr4	Fe6	Fe7	Bo8	Bo9	Bo10	He4	Ri1	Ro2	Ar3	Hm4	Ff5	Fu4	
156: Fishmoor Drive & Pilmuir Road – BB/62/FDP	N2	N2	N2	n/a	n/a	n/a	N	Y	n/a	N2	n/a	n/a	n/a	n/a	n/a	n/a	N	N1	N	NS	Retain as DWS
174: Higher Croft - BB/62/HIC	Y	N2	Y	N1	N	N	N	Y	n/a	n/a	n/a	n/a	n/a	N	N	n/a	n/a	N	N2	NS	Retain as DWS
189: Pleckgate Streams & Fields – BB/63/PSF	N2	N2	Y	N	N	N	N	N1, N2	n/a	n/a	n/a	n/a	n/a	n/a	N	n/a	Y	Y	N2	NS	Retain as DWS
213: Sough Tunnel & Railway Embankment - BB/72/STC	N1, N2	N2	N2	N2	N2	N2	n/a	N2	n/a	N	n/a	n/a	n/a	N1	n/a	N2	Y	N1	N2	NS	Retain as DWS
215: Blacksnape / Taylor's Green - BB/72/BTG	N2	N2	N2	N	N	N	N	N1	n/a	N2	n/a	n/a	n/a	N1	N	n/a	n/a	N1	N2	NS	De-designate / prioritise habitat restoration
229: Knuzden Brook (Haslingden Road) – BB/72/KBH	Y*	N2	N2	N	N	N	N	N2	N1	N2	n/a	n/a	n/a	N1	NS	n/a	n/a	N1	N2	NS	Retain as DWS with boundary changes
237: Knuzden Brook (Abbot Clough) – BB/72/KBA	N2	N2	N2	N	N	N	N	N2	N1	N2	n/a	n/a	n/a	N1	NS	n/a	N/A	N1	N2	NS	De-designate / prioritise habitat restoration
238: Anchor Wood - BB/62/ANW	Y	N	Y	Y	N	N	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N	n/a	n/a	n/a	N	NS	Retain as DWS
239: EL Railway – Pleasington-Cherry Tree – BB/62/EPC	Y	N2	N2	N	N	N	n/a	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Y	Y	N2	NS	Retain as DWS
240: Former Chorley Railway Line Embankment - Cherry Tree – BB/62/FCR	Y	N2	N2	Y	N	N	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Y	N1	N2	NS	Retain as DWS
245: Old Man's Hill Verge and cutting – BB/61/OMH	Now situated within West Pennine Moors SSSI																				
247: Turton & Entwistle Reservoir - BB/71/TER	Y	N2	Y	N	N	Y	N	Y		N2	n/a	n/a	n/a	N1	N2	n/a	Y	N1	N2	NS	Retain as DWS
248: Black Height Mire – BB/72/BHM	Now situated within West Pennine Moors SSSI																				
250: Turn Lane Fields, Sunnyhurst (adjacent to BHS) - BB/62/TLF	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Y	n/a	n/a	n/a	n/a	n/a	N1	n/a	n/a	n/a	N1	n/a	Y	Retain as DWS
251: Dingle Reservoir - BB/61/DRS	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Y	N1	N2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	N	NS	Retain as DWS
252: Robin Bank - BB/62/RBA	N2	N2	N2	N	N	N	N	N2	n/a	n/a	n/a	n/a	n/a	n/a	N	n/a	n/a	N1	N	NS	De-designate / prioritise habitat restoration
253: Davyfield Brook - BB/62/DFB	N2	N2	N2	N	N	N	N	Y	Y	N2	n/a	n/a	n/a	n/a	N2	n/a	n/a	N1	N	NS	Retain as DWS with boundary changes

Key:

*: Site meets Ar3 criteria if site boundary is adjusted as recommended. Otherwise, sites are too large to qualify.

Y & Green Fill Colour = Yes (site meets the guideline)

n/a = not applicable (habitat not present on site)

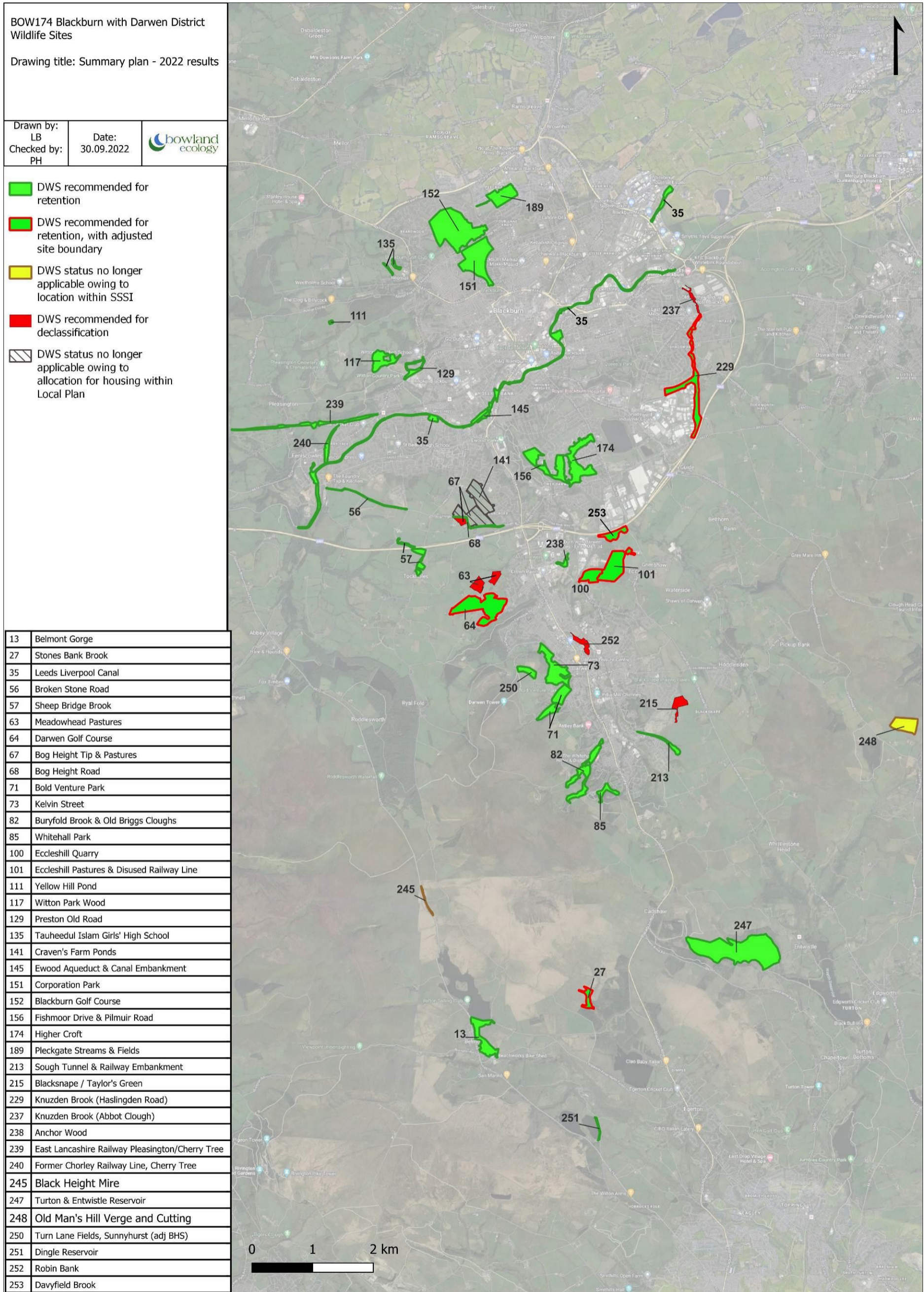
NS Not Surveyed

N = No (site doesn't qualify) N1 because of size, N2 = insufficient species

Red Fill Colour = site does not appear to meet any of the current District Local Wildlife Site selection guidelines

The study identified that a number of sites no longer meet the criteria for DWS designation – although there are opportunities to restore these habitats in the short-medium term. Due to this, the Council could de-designate the sites as DWS, or seek to prioritise habitat restoration/enhancement works to return the sites to a DWS status.

Appendix 2: Plan of overall results



Appendix 3: District Wildlife Sites Qualifying Criteria

Broad habitat type	DWS guideline reference	DWS Qualifying Criteria
Woodland	Wd10	Semi-natural woodlands (or re-planted with native broad-leaved species) >0.5ha in all Boroughs, except Lancaster and Ribbles Valley, where field evidence indicates they are ancient in origin
	Wd11	Other upland mixed ashwoods, wet woodland, lowland mixed deciduous woodland, upland birchwoods greater than 0.5ha where the species list conforms to the relevant National Vegetation Classification (NVC) or UK Priority woodland type(s).
	Wd12	Other woodlands greater than 0.5ha with at least seven indicator species of semi-natural woodlands, as listed by DWS guidance (The Wildlife Trust, 2011)
	Wd13	Broad-leaved woodlands over 1ha which have at least three 'old' trees, which possess at least four features of 'old' trees, as listed by DWS guidance (The Wildlife Trust, 2011).
	Wd14	Wet willow, birch or Alder dominated woodlands over 0.25ha with the water table seasonally near or above the surface
	Wd15	Other upland oak woodland greater than 0.25ha of stand types W11, W16 and/or W17 either as single stands or in combination.
Parkland and scattered trees	Pk2	Scattered native or non-native trees that include some 'old' trees in parkland or similar (includes churchyards). Trees must have at least features of 'old' trees, as listed by DWS guidance (The Wildlife Trust, 2011).
Grassland	Gr4	Areas of grassland over 0.25 hectare with ten indicator species of semi-natural grasslands occurring at least occasionally within the sward, as listed by DWS guidance (The Wildlife Trust, 2011)
Swamp, fen and reedbed	Fe6	Stands of fen, swamp and reedbed >0.3ha. This can include species poor stands.
	Fe7	Stands of fen, swamp and mire that support three or more species indicative of acidic (base-poor) fen or at least six species indicative of neutral and alkaline (moderate to base-rich) fen.
Bog	Bo8	n/a in BwD locality
	Bo9	Areas of blanket bog or blanket mire supporting moorland vegetation over peat.
	Bo10	Areas of bog/mire supporting seven or more species of Bog-moss (Sphagnum species).
Heathland	He4	Areas of heathland on mineral or thin organic soils greater than five hectares in which dwarf shrubs occur frequently either individually or combined.
Freshwater habitats	Ri1	Rivers and streams with at least seven features indicative of natural river systems for small rivers and streams, or five features indicative of natural river systems for large rivers, and ten plant species indicative of clean water (features and species listed by the Wildlife Trust, 2011)
Rock habitats	Ro2	Natural cliffs more than three metres high and/or scree that support species indicative of a UK BAP habitat type(s) or one or more UK BAP priority species

Artificial habitats	Ar3	<p>Any of the following habitats, which are considered to contribute significantly to the biodiversity of the Borough:</p> <ul style="list-style-type: none"> • Hedgerows • Walls • Churchyards • Parks and golf courses • Reservoirs, mill lodges and ponds • Gravel pits • Quarries and mines • Spoil heaps and landfill • Derelict and unmanaged land • Sewage works • Roadside verges • Railway land including cuttings, sidings and embankments, whether active or disused
Other areas of semi-natural habitat and habitat mosaics	Hm4	Habitat mosaics between 5-10 hectares, which contribute significantly to the biodiversity of the Borough.
Flowering plants and ferns	Ff5	<p>A site that supports a population of a native notable species where it can be demonstrated that the site makes a significant contribution to the distribution pattern, or the total population size, of that species in the Borough.</p> <p>Sites that support a native species recorded from three or fewer localities in the Borough may be considered where this can be demonstrated.</p>
Fungi	Fu4	<p>A site which supports a population of a native notable species where it can be demonstrated that the site makes a significant contribution to the distribution pattern, or the total population size, of that species in the Borough.</p> <p>Sites that support a native species recorded from three or fewer localities in the Borough may be considered where this can be justified.</p>

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance
LEAD OFFICERS:	Strategic Director of Finance and Resources
DATE:	7 th March 2024

PORTFOLIO/S AFFECTED: Finance and Governance

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: TREASURY MANAGEMENT STRATEGY REPORT 2024/25

1. EXECUTIVE SUMMARY

1.1 Treasury risk management is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2021 Edition (the Treasury Management Code) which requires the Council to approve a Treasury Management Strategy before the start of each financial year. This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

2. RECOMMENDATIONS

It is recommended that the Executive Board:

2.1 Approves the proposed Treasury Management Strategy for 2024/25, detailed in **Appendix 1**, including the proposed Treasury Management Indicators.

3. BACKGROUND

3.1 Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council borrows and invests substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

3.2 Investments held for service purposes or for commercial profit are considered in the Capital Strategy report, approved by Finance Council in February 2024.

4. RATIONALE

The Council is required to approve a Treasury Management Strategy before the start of each financial year. It must also set Treasury and Prudential Indicators and a policy for determining a “prudent” level of Minimum Revenue Provision for repayment of debt, which is consistent with the Council’s Medium Term Financial Plan (MTFP).

5. KEY ISSUES

Working within the regulatory and professional frameworks, the Council considers and agrees an annual Treasury Management Strategy before the start of each year. This is followed up with a mid-year Strategy Review, considered alongside the Annual Outturn Report, summarising the position for the previous financial year. The key requirements for the Council are to maintain its two investment priorities, the security of capital and the liquidity of investments.

6. POLICY IMPLICATIONS

The policy implications arising from the Treasury Management Strategy are contained within the overall Budget Strategy of the Council.

7. FINANCIAL IMPLICATIONS

The financial implications arising from the Treasury Management Strategy are also contained within the overall Budget Strategy of the Council.

8. LEGAL IMPLICATIONS

Under the Local Government Act 2003, the Council is required to have regard to CIPFA’s *Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes*.

9. RESOURCE IMPLICATIONS

None as a direct consequence of this report.

10. 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.

11. CONSULTATIONS

The issues raised in this report have been discussed previously with the Audit and Governance Committee and Treasury Management Group.

12. 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.

13. 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:	1.0
-----------------	------------

CONTACT OFFICER:	Jenny Bradley (Ext 267681)
-------------------------	-----------------------------------

DATE:	February 2024
--------------	---------------

BACKGROUND PAPER:	None
--------------------------	------

TREASURY MANAGEMENT STRATEGY 2024/25**1 Introduction**

- 1.1 Treasury management is the management of the Authority's cash flows, borrowing and investments, and the associated risks. The Authority has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Authority's prudent financial management.
- 1.2 Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2021 Edition (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year. This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.
- 1.3 Investments held for service purposes or for commercial profit are considered in a different report, the Capital Strategy.
- 1.4 Should the assumptions on which this report is based change significantly, it may be necessary to seek approval to a revised Treasury Management Strategy. Such circumstances could include, for example, a large, unexpected change in interest rates, or in the Authority's capital programme or in the level of investments made or borrowing required.

2 External Context**Economic Background:**

- 2.1 The impact on the UK from higher interest rates and inflation, a weakening economic outlook, an uncertain political climate due to an upcoming general election, together with war in Ukraine and the Middle East, will be major influences on the Authority's treasury management strategy for 2024/25.
- 2.2 The Bank of England (BoE) increased Bank Rate to 5.25% in August 2023, before maintaining this level for the rest of 2023. In December 2023, members of the BoE's Monetary Policy Committee voted 6-3 in favour of keeping Bank Rate at 5.25%. The three dissenters wanted to increase rates by another 0.25%.
- 2.3 The November quarterly Monetary Policy Report (MPR) forecast a prolonged period of weak Gross Domestic Product (GDP) growth with the potential for a mild contraction due to ongoing weak economic activity. The outlook for CPI inflation was deemed to be highly uncertain, with upside risks to CPI falling to the 2% target coming from potential energy price increases, strong domestic wage growth and persistence in price-setting.
- 2.4 Office for National Statistics (ONS) figures showed CPI inflation was 3.9% in November 2023, down from a 4.6% rate in the previous month and, in line with the recent trend, lower than expected. The core CPI inflation rate declined to 5.1% from the previous month's 5.7%, again lower than predictions. Looking ahead, using the interest rate path implied by financial markets the BoE expects CPI inflation to continue falling slowly, but taking until early 2025 to reach the 2% target before dropping below target during the second half 2025 and into 2026.

- 2.5 ONS figures showed the UK economy contracted by 0.1% between July and September 2023. The BoE forecasts GDP will likely stagnate through 2024. The BoE forecasts that higher interest rates will constrain GDP growth, which will remain weak over the entire forecast horizon.
- 2.6 The labour market appears to be loosening, but only very slowly. The unemployment rate rose slightly to 4.2% between June and August 2023, from 4.0% in the previous 3-month period, but the lack of consistency in the data between the two periods made comparisons difficult. Earnings growth has remained strong, but has showed some signs of easing; regular pay (excluding bonuses) was up 7.3% over the period and total pay (including bonuses) up 7.2%. Adjusted for inflation, regular pay was 1.4% and total pay 1.3%. Looking forward, the MPR showed the unemployment rate is expected to be around 4.25% in the second half of calendar 2023, but then rising steadily over the forecast horizon to around 5% in late 2025/early 2026.
- 2.7 Having increased its key interest rate to a target range of 5.25-5.50% in August 2023, the US Federal Reserve appears now to have concluded the hiking cycle. It is likely this level represents the peak in US rates following a more dovish meeting outcome in December 2023. US GDP grew at an annualised rate of 4.9% between July and September 2023, ahead of expectations for a 4.3% expansion and the 2.1% reading for Q2. But the impact from higher rates has started to feed into economic activity and growth will weaken in 2024. Annual CPI inflation was 3.1% in November.
- 2.8 Eurozone inflation has declined steadily since the start of 2023, falling to an annual rate of 2.4% in November 2023. Economic growth has been weak and GDP contracted by 0.1% in the three months to September 2023. In line with other central banks, the European Central Bank has increased rates, taking its deposit facility, fixed rate tender, and marginal lending rates to 3.75%, 4.25% and 4.50% respectively.

Credit Outlook:

- 2.9 Credit Default Swap (CDS) prices were volatile during 2023, spiking in March on the back of banking sector contagion concerns following the major events of Silicon Valley Bank becoming insolvent and the takeover of Credit Suisse by UBS. After then falling back in Q2 of calendar 2023, in the second half of the year, higher interest rates and inflation, the ongoing war in Ukraine, and now the Middle East, have led to CDS prices increasing steadily.
- 2.10 On an annual basis, CDS price volatility has so far been lower in 2023 compared to 2022, but this year has seen more of a divergence in prices between ringfenced (retail) and non-ringfenced (investment) banking entities once again.
- 2.11 Moody's revised its outlook on the UK sovereign to stable from negative to reflect its view of restored political predictability following the volatility after the 2022 mini-budget. Moody's also affirmed the Aa3 rating in recognition of the UK's economic resilience and strong institutional framework.
- 2.12 Following its rating action on the UK sovereign, Moody's revised the outlook on five UK banks to stable from negative and then followed this by the same action on five rated local authorities. However, within the same update the long-term ratings of those five local authorities were downgraded.
- 2.13 There remain competing tensions in the banking sector, on one side from higher interest rates boosting net income and profitability against another of a weakening economic outlook and likely recessions that increase the possibility of a deterioration in the quality of banks' assets.

2.14 However, the institutions on our adviser Arlingclose’s counterparty list remain well-capitalised and their counterparty advice on both recommended institutions and maximum duration remain under constant review and will continue to reflect economic conditions and the credit outlook.

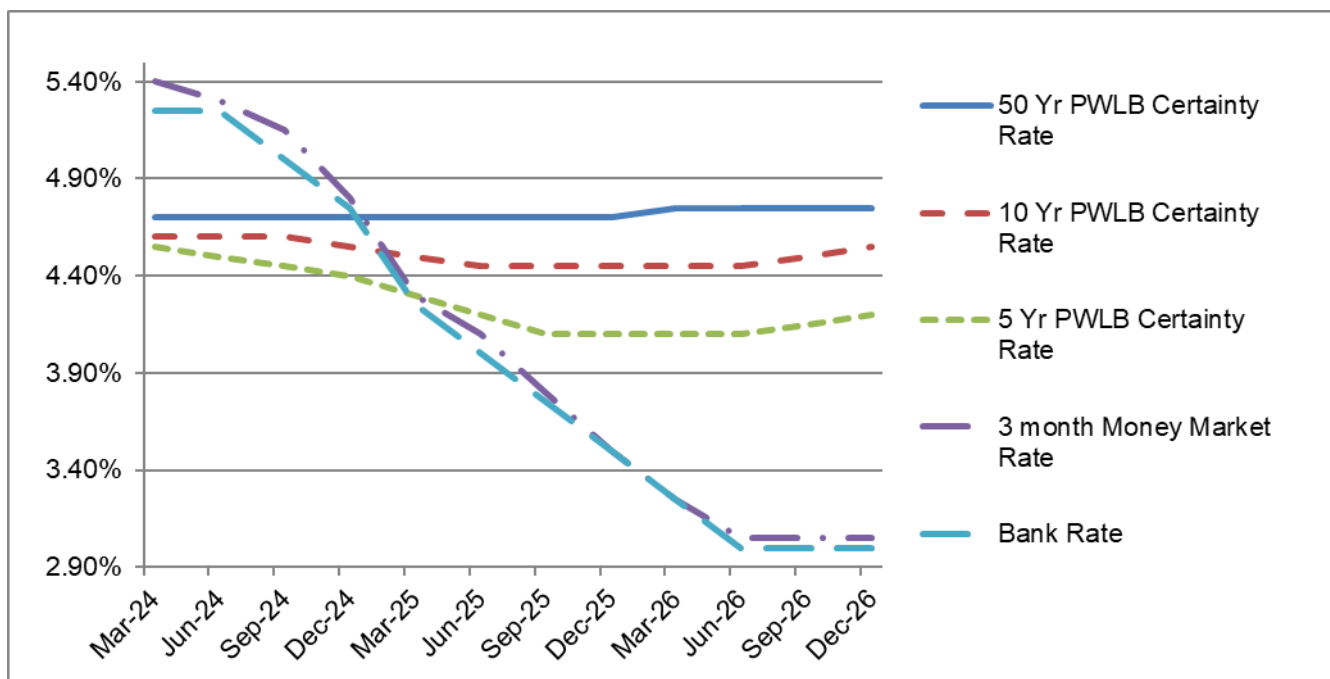
Interest Rate Forecast (December 2023):

2.15 Although UK inflation and wage growth remain elevated, the Authority’s treasury management adviser Arlingclose forecasts that Bank Rate has peaked at 5.25%. The Bank of England’s Monetary Policy Committee will start reducing rates in 2024 to stimulate the UK economy but will be reluctant to do so until it is sure there will be no lingering second-round effects. Arlingclose sees rate cuts from Q3 2024 to a low of around 3% by early-mid 2026.

2.16 Arlingclose expects long-term gilt yields to be broadly stable at current levels (amid continued volatility), following the decline in yields towards the end of 2023, which reflects the expected lower medium-term path for Bank Rate. Yields will remain relatively higher than in the past, due to quantitative tightening and significant bond supply. As ever, there will undoubtedly be short-term volatility due to economic and political uncertainty and events.

2.17 The Council’s latest interest rate forecast, reflecting advice from Arlingclose, is shown below.

The Public Works Loan Board (PWLB) rates relate to potential long-term borrowing, and the Money Market rate to short-term borrowing and investment.



For the purpose of setting the budget for 2024/25, it was assumed that:

- any new investments would be at an average rate of 4.60%, and
- new borrowing would be available, if required, at rates around 5.25%.

3 Local Context

At the end of January 2024 the Council held around £199.1 million of borrowing and £86.7 million of treasury investments:

Table 1: Existing Debt and Investment Portfolio Position

	£m
Short-Term Debt	0.0
Long-Term Debt	131.2
Lancashire County Council (LCC) Debt	12.1
Debt re PFI Arrangements	55.8
Gross Borrowings	199.1
This was offset by investments of:	86.7
Net Borrowing (gross borrowing less investments)	112.4
Net Borrowing (if LCC and PFI debt are excluded)	44.5

3.1 The Council's Capital Financing requirement (CFR) is the key measure of the Council's borrowing **need** in the long term. It is:

the accumulated need to borrow **to finance capital spend** (not funded from grants, etc.)

LESS the accumulated Minimum Revenue Provision (MRP) charges already made - councils must make a prudent MRP charge in their accounts, to finance their debt

LESS any capital receipts applied to finance outstanding debt.

The CFR tends to increase if capital spend financed from borrowing exceeds MRP.

3.2 Forecast changes in CFR and borrowing needs are shown in the table below:

Table 2: Balance Sheet Summary and Forecast

	31.3.23 Actual £m	31.3.24 Estimate £m	31.3.25 Forecast £m	31.3.26 Forecast £m	31.3.27 Forecast £m
General Fund CFR	281.2	283.6	341.9	352.5	357.3
Less: CFR re Other debt liabilities *1	-83.7	-83.2	-127.8	-127.3	-126.8
Loans CFR	197.5	200.4	214.1	225.2	230.5
Less: External borrowing *2	-138.0	-129.6	-119.5	-111.3	-105.1
Internal Borrowing	59.5	70.8	94.6	113.9	125.4
Less: Usable reserves *3	-104.00	-101.00	-91.0	-91.0	-91.0
Plus/Minus: Working capital	-6.3	-34.6	-16.6	-17.7	-18.8
Remaining Net Borrowing Need	-50.8	-64.8	-13.0	5.2	15.6

Net Borrowing Need addressed by		
Short Term Borrowing	0.0	0.0
Treasury Investments	-50.8	-64.8

*1 CFR regarding PFI liabilities, leases and transferred debt that form part of the Council's total debt. From 2024/25 this figure includes an estimate of £45.0 million arising from a change in accounting for leases.

*2 Only loans to which the Council is committed over the longer term

*3 Includes schools balances and grants received in advance of need

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while balance sheet resources are the underlying sums available for investment. The Authority's current strategy is to maintain borrowing below their underlying levels, sometimes known as internal borrowing.

The Council's "Loans CFR" is forecast to increase in the medium-term because, based on current Capital Programme plans, the level of MRP being made is exceeded by the increase in the CFR resulting from additional spend financed from borrowing.

3.3 CIPFA's *Prudential Code for Capital Finance in Local Authorities* recommends that total debt should be lower than the highest forecast CFR over the next three years. Table 2 shows that the Council expects to comply with this recommendation during 2024/25.

4 Liability Benchmark

4.1 To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes the same forecasts as Table 2 above, but that cash and investment balances are kept to a minimum level of £10M at each year-end to maintain sufficient liquidity but minimise credit risk.

4.2 The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

Table 3: Liability Benchmark

	31.3.23 Actual £m	31.3.24 Estimate £m	31.3.25 Forecast £m	31.3.26 Forecast £m	31.3.27 Forecast £m
Loans CFR	197.5	200.4	214.1	225.2	230.5
Less: Balance sheet resources	-104.00	-101.00	-91.0	-91.0	-91.0
Net loans requirement	93.5	99.4	123.1	134.2	139.5
Plus: Liquidity allowance	3.7	-24.6	-6.6	-7.7	-8.8
Liability Benchmark	97.2	74.8	116.5	126.5	130.7
Actual Borrowing	138.0	129.6	119.5	111.3	105.1

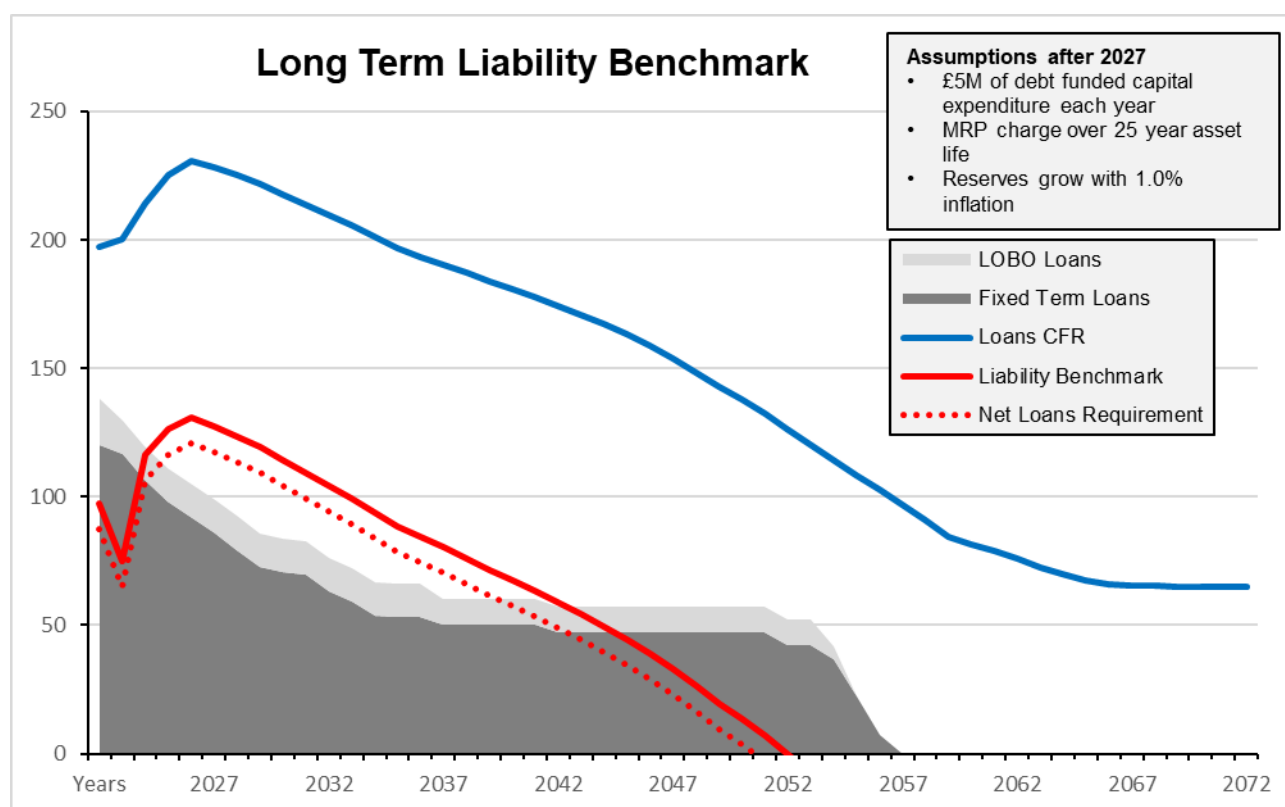
4.3 The above table shows that the borrowings the Council has already committed to are forecast to be below the liability benchmark in the future, and therefore the Council would be expecting

to enter into new borrowings over the next 3 years. The majority of this would be replacing maturing short-term loans.

4.4 Current borrowing levels are above the liability benchmark for the following reasons:

- low levels of capital expenditure during 2022/23 and 2023/24 offset by high value capital receipts, reducing the borrowing requirement
- high cash balances at the end of 2023/24, partly as a result of grant funding received but not spent during the

4.5 Following on from the medium-term forecasts shown in Table 3 above, the long-term liability benchmark assumes capital expenditure funded by borrowing of £5 million a year, minimum revenue provision on new capital expenditure based on a 25 year asset life and income, expenditure and reserves all increasing by inflation of 1.0% a year. This is shown in the chart below together with the maturity profile of the Authority’s existing borrowing:



5 Borrowing Strategy

5.1 The authority currently holds £131.2 million of loans (excluding PFI and transferred debt), a decrease of £8.6 million on the previous year, as part of its strategy for funding previous years’ capital programmes. The balance sheet forecast in Table 2 shows the authority’s borrowing expectations for the next three years. The authority may also borrow additional sums to pre-fund future years’ requirements, providing this does not exceed the authorised limit for borrowing of £361.9 million. However, given the current high level of interest rates, this is unlikely to be a strategy adopted in 2024/25.

5.2 **Objectives:** The authority’s chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Authority’s long-term plans change is a secondary objective.

- 5.3 **Strategy:** Given the significant cuts to public expenditure and the particular pressures on local government funding, the authority's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. With both short and long-term interest rates currently at high levels, it is likely to be more cost effective in the short-term to maximise the use of internal resources. By doing so, the Council can reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.
- 5.4 Long-term borrowing rates are forecast to remain the same in the early part of 2024/25 before dropping in the latter part of the year and beyond. The benefits of deferring long-term borrowing for as long as possible will be monitored regularly against the costs of internal and short-term borrowing. Arlingclose will assist the Authority with this analysis.
- 5.5 The Authority has previously raised much of its long-term borrowing from the PWLB, but will consider long-term loans from other sources including banks, pensions and local authorities, and will investigate the possibility of issuing bonds and similar instruments, in order to lower interest costs and reduce over-reliance on one source of funding in line with the CIPFA Code. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield; if the Council was to undertake such activities, alternative long term funding options would need to be explored. It is likely that this would take longer to arrange, and the process would require additional resources to complete. The interest rates at which such borrowing could be obtained are uncertain but may be at rates higher than those currently available from the PWLB.
- 5.6 Alternatively, the Council may arrange forward starting loans, where the interest rate is fixed in advance, but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period.
- 5.7 In addition, the Council may take further short-term loans to cover cash flow requirements.
- 5.8 The authority will continue to maintain a flexible approach to borrowing.
- 5.9 **Sources of Borrowing:** The approved sources of long-term and short-term borrowing will be:
- HM Treasury's PWLB lending facility (formerly the Public Works Loan Board)
 - UK Infrastructure Bank Ltd
 - any institution approved for investments (see below)
 - any other bank or building society authorised to operate in the UK
 - any other UK public sector body
 - UK public and private sector pension funds (apart from the Lancashire County Council Pension Fund)
 - capital market bond investors
 - UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues

Other Sources of Debt Financing: In addition, capital finance may be raised by the following methods that are not borrowing, but may be classed as other debt liabilities:

- leasing
- hire purchase
- Private Finance Initiative
- sale and leaseback

5.10 **Municipal Bonds Agency:** The UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. Blackburn with Darwen BC was one of a number of local authorities investing in the Agency to help to establish it. It issues bonds on the capital markets and lends the proceeds to local authorities.

This is a more complicated source of finance than the PWLB for two reasons:

- (a) borrowing authorities will be required to provide bond investors with a guarantee to refund their investment in the event that the agency is unable to for any reason; and
- (b) there will be a lead time of several months between committing to borrow and knowing the interest rate payable.

Any decision to borrow from the Municipal Bonds Agency will be subject to a separate report to the Executive Board.

5.11 **LOBOs:** The Council currently holds £8 million of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. During December 2023, Dexia Credit Local exercised the option to increase the interest rate on a £5 million LOBO from 4.35% to 4.96%. Following a review of the financial implications, and supported by advice from Arlingclose, the Council subsequently exercised the option to repay the loan. Both of the remaining LOBO loans have options which may be exercised during 2024/25 and, with interest rates remaining relatively high, there is a good chance that lenders will exercise their options. If they do, the Authority may take the option to repay LOBO loans to reduce refinancing risk in later years. It is not currently expected that the Council will take any further LOBO loans - however in order to allow for some flexibility, the Council will limit its total exposure to LOBO loans to £25 million.

5.12 **Short-Term and Variable Rate Loans:** Short-term and variable rate loans leave the authority exposed to the risk of short-term interest rate rises and are therefore subject to the interest rate exposure limits in the treasury management indicators below. Financial derivatives may be used to manage this interest rate risk (see section below).

5.13 **Debt Rescheduling:** The PWLB allows authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Other lenders may also be prepared to negotiate premature redemption terms. The Authority may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk. The current high interest rates means that more favourable debt rescheduling opportunities may arise than in previous years, and opportunities will be kept under review with support from Arlingclose.

6 Treasury Investment Strategy

6.1 On a day-to-day basis the Council can hold significant invested funds representing income received in advance of expenditure requirements, in addition to balances and reserves held. In the past 12 months, the Council's treasury investment balance has ranged between £51 million and £106 million, reflecting in particular the profiles of capital spending, grant funding, short-term borrowing levels and long-term debt repayments. Treasury investment levels are expected to reduce over the forthcoming year based on forecast capital expenditure plans, and the spending of grants in 2024/25 that have been received in the current year.

- 6.2 **Objectives:** The CIPFA Code requires the Council to invest its treasury funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Council will try, whilst balancing the above, to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested. The Authority aims to be a responsible investor and will consider environmental, social and governance (ESG) issues when investing.
- 6.3 **Strategy:** As demonstrated by the liability benchmark above, the Authority expects to be a long-term borrower, but is likely to use internal resources to defer borrowing for as long as possible in the expectation of interest rate reductions by the end of 2024/25. This will inevitably diminish the funds available for investment, but there will be opportunities in the first half of the year to take advantage of current yields, albeit the focus will remain on relatively short-term, low risk opportunities. The existing portfolio of strategic pooled funds will be maintained to diversify risk into different sectors and boost investment income, and the Authority will work with its brokers to investigate other, appropriate lending opportunities.
- 6.4 In order to prioritise the security of investments, the Council sets limits on the amounts placed with different institutions and as to the duration of the investment. This is to maintain a diversified investment portfolio and to align amounts and durations of investments to the perceived risks associated with different counterparties.
- 6.5 **ESG policy:** Environmental, social and governance (ESG) considerations are increasingly a factor in global investors' decision making, but the framework for evaluating investment opportunities is still developing and therefore the Authority's ESG policy does not currently include ESG scoring or other real-time ESG criteria at an individual investment level. When investing in banks and funds, the Authority will prioritise banks that are signatories to the UN Principles for Responsible Banking and funds operated by managers that are signatories to the UN Principles for Responsible Investment, the Net Zero Asset Managers Alliance and/or the UK Stewardship Code.
- 6.6 **Business Models:** Under the IFRS 9 standard, the accounting for certain investments depends on the Authority's "business model" for managing them. The Authority aims to achieve value from its treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost.
- 6.7 **Approved Counterparties:** The Authority may invest its surplus fund with any of the counterparty types in Table 4 below, subject to the limits shown.
- 6.8 The counterparty limits set out below do allow for a wider range of investment opportunities to be taken up than have been used by the Council to date. Should the circumstances arise under which this would be appropriate, this would allow an increased diversification of the overall portfolio and in some instances, increase the security of investments made. The take up of any new investment opportunities will be closely managed by Officers in the Treasury Management Group, following advice given by the Council's Treasury Management Advisers.

Table 4: Treasury Investment Counterparties and Limits

Approved Investment Counterparties	Time Limit	Cash Limit	Sector Limit
The UK Government	50 years	Unlimited	N/A
Local Authorities* & Other Government Entities	25 years	£5M each	Unlimited
<i>* as defined in the Local Government Act 2003</i>			
Banks and Building Societies - Secured			
long-term credit ratings no lower than AA- (or equivalent)	25 years	£5M each	Unlimited
long-term credit ratings no lower than AA (or equivalent)	25 years	£4M each	
long-term credit ratings no lower than A- (or equivalent)	25 years	£3M each	
Banks and Building Societies - Unsecured			
long-term credit ratings no lower than AA- (or equivalent)	100 days	£5M each	Banks - Unlimited
long-term credit ratings no lower than AA (or equivalent)	100 days	£4M each	Building societies - £6M in total
long-term credit ratings no lower than A- (or equivalent)	100 days	£3M each	
The Council's current account banker - provided long-term credit rating no lower than BBB- (or equivalent)	next day	£3M each	
Corporates or Registered Providers with long-term credit ratings no lower than A- (or equivalent)	5 years	£3M each	£5M in total
Money Market Funds			
long-term credit ratings no lower than A- (or equivalent)	N/A	£5M each	Unlimited
unrated or long-term credit ratings under A- (or equivalent)	N/A	£4M each	
Strategic Pooled Funds and Real Estate Investment Trusts (incl. money market funds)			
long-term credit ratings no lower than A- (or equivalent)	N/A	£5M each	£10m in total
unrated or long-term credit ratings under A- (or equivalent)	N/A	£4M each	

Other Investment Limits	Cash Limits
Any group or organisation under the same ownership	Group or overall limit same as would be set for parent company
Foreign Countries - limited to those with sovereign credit rating of AA+ or better (from all agencies)	£5M each
UK investments will not be limited by the UK's sovereign credit rating	
Investments in pooled funds and multilateral development banks do not count against the limit for any single foreign country, since the risk is diversified over many countries.	

6.9 Cash flow surpluses can be considered as falling into three categories -

- (a) **Short-term funds** that are required to meet cash flows occurring in the next month or so, and for which the preservation of capital and liquidity is therefore of paramount importance. Generating investment returns is of limited concern here, although should not be ignored. Instant access AAA-rated money market funds and bank deposit accounts will be the main methods used to manage short-term cash.

- (b) **Medium-term funds** that may be required in the next one to twelve months will be managed concentrating on security, with less importance attached to liquidity but a slightly higher emphasis on yield. The majority of investments in this period will be in the form of fixed term deposits with banks, building societies and other local authorities. A spread of counterparties and maturity dates will be maintained to maximise the diversification of credit and interest rate risks.
- (c) **Long-term funds** that are not required to meet any liquidity need and can be invested with a greater emphasis on achieving higher returns. Security remains fundamental however, as any losses from defaults will impact on the total return. Liquidity is of lesser concern, although it should still be possible to sell investments with due notice if large cash commitments arise unexpectedly. This is where a wider range of instruments, including structured deposits, certificates of deposit, gilts, corporate bonds and pooled funds in bond, equity and property funds, could be used to diversify the portfolio.

6.10 The overall Investment Strategy will be to prioritise security of funds and maintain a mix of short-term (largely instant access) and medium-term investments to generate investment income as market conditions permit. If the Council expects to have funds available for long-term investment, the Council will consider its options for such funds, including potential investment in strategic pooled funds. However, long-term investment is unlikely in 2024/25 give the aspiration to defer borrowing.

6.11 **Government:** Loans to, and bonds and bills issued or guaranteed by, national government, regional and local authorities and multilateral development banks. These investments are not subject to bail-in, and there is generally a lower risk of insolvency, although they are not zero risk. Investments with the UK Government are deemed to be zero credit risk due to its ability to create additional currency and therefore may be made in unlimited amounts for up to 50 years. Before taking the decision to lend to another local authority, their financial position will be reviewed. Where a local authority to whom we have made a loan issues a Section 114 notice (meaning expenditure of the authority incurred in a financial year is likely to exceed the resources available to it) we will recover the funds at the end of the agreed term and carry out further due diligence work before considering further lending.

6.12 **Secured investments:** Investments secured on the borrower's assets, which limits the potential losses in the event of insolvency. The amount and quality of the security will be a key factor in the investment decision. Covered bonds and reverse repurchase agreements with banks and building societies are exempt from bail-in. Where there is no investment specific credit rating, but the collateral upon which the investment is secured has a credit rating, the higher of the collateral credit rating and the counterparty credit rating will be used. The combined secured and unsecured investments with any one counterparty will not exceed the cash limit for secured investments.

6.13 **Banks and building societies (unsecured):** Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks. These investments are subject to the risk of credit loss via a bail-in should the regulator determine that the bank is failing or likely to fail. See below for arrangements relating to operational bank accounts.

- 6.14 **Registered providers (unsecured):** Loans to, and bonds issued or guaranteed by, registered providers of social housing or registered social landlords, formerly known as housing associations. These bodies are regulated by the Regulator of Social Housing (in England), the Scottish Housing Regulator, the Welsh Government and the Department for Communities (in Northern Ireland). As providers of public services, they retain the likelihood of receiving government support if needed.
- 6.15 **Money market funds:** Pooled funds that offer same-day or short notice liquidity and very low or no price volatility by investing in short-term money markets. They have the advantage over bank accounts of providing wide diversification of investment risks, coupled with the services of a professional fund manager in return for a small fee. Although no sector limit applies to money market funds, the Authority will take care to diversify its liquid investments over a variety of providers to ensure access to cash at all times.
- 6.16 **Strategic pooled funds:** Bond, equity and property funds that offer enhanced returns over the longer term but are more volatile in the short term. These allow the Authority to diversify into asset classes other than cash without the need to own and manage the underlying investments. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Authority's investment objectives will be monitored regularly.
- 6.17 **Real estate investment trusts:** Shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As with property funds, REITs offer enhanced returns over the longer term, but are more volatile especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties.
- 6.18 **Other investments:** This category covers treasury investments not listed above, for example unsecured corporate bonds and company loans. Non-bank companies cannot be bailed-in but can become insolvent placing the Authority's investment at risk.
- 6.19 **Operational Bank Accounts:** The Authority may incur operational exposures, for example though current accounts, collection accounts and merchant acquiring services, to any UK bank with credit ratings no lower than BBB- and with assets greater than £25 billion. These are not classed as investments but are still subject to the risk of a bank bail-in, and balances will therefore be kept below £3 million per bank. The Bank of England has stated that in the event of failure, banks with assets greater than £25 billion are more likely to be bailed-in than made insolvent, increasing the chance of the Authority maintaining operational continuity.
- 6.20 **Risk Assessment and Credit Ratings:** Credit ratings are obtained and monitored by the Authority's treasury advisers, who will notify changes in ratings as they occur. The credit rating agencies in current use are listed in the Treasury Management Practices document. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:
- no new investments will be made,
 - any existing investments that can be recalled at no cost will be recalled and
 - full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

6.21 Where a credit rating agency announces that a credit rating is on review for possible downgrade (also known as “negative watch”), so that it may fall below the approved rating criteria, then only investments that can be withdrawn on the next working day will be made with that organisation until the outcome of the review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

Where a credit rating agency awards a different rating to a particular class of investment instrument as opposed to the credit rating of the counter-party as a whole, the Council will base its investment decisions on the instrument credit rating rather than the counterparty credit rating.

6.22 **Other Information on the Security of Investments:** The Authority understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support, reports in the quality financial press and analysis and advice from the Authority’s treasury management adviser. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may otherwise meet the above criteria.

6.23 **Reputational aspects:** The Authority is aware that investment with certain counterparties, while considered secure from a purely financial perspective, may leave it open to criticism, valid or otherwise, that may affect its public reputation, and this risk will therefore be taken into account when making investment decisions.

6.24 When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008, 2020 and 2022, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Authority will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Authority’s cash balances, then the surplus will be deposited with the UK Government, or with other local authorities. This will cause investment returns to fall but will protect the principal sum invested. The Authority will continue to seek information and advice from Arlingclose when assessing the creditworthiness of potential counterparties.

6.25 **Liquidity Management:** The Council uses a cash flow model to determine the period for which funds may prudently be committed. The forecast is compiled on a prudent basis, to minimise the risk of the Council being forced to borrow on unfavourable terms to meet its financial commitments. Furthermore, a prudent level of funds is maintained in ‘instant access’ investments, to cover most likely eventualities. However to mitigate risk further, it is possible to borrow funds to cover short-term needs.

The Authority will spread its liquid cash over at least four providers (e.g. bank accounts and money market funds) to ensure that access to cash is maintained in the event of operational difficulties at any one provider.

7 Treasury Management Prudential Indicators

7.1 The Council measures and manages its exposures to treasury management risks using the following indicators:

7.2 **Maturity Structure of Borrowing:** This indicator is set to control the Council’s exposure to refinancing risk - i.e. to prevent too much debt maturing at any one time, with a risk the Council will have to refinance at the rates then prevailing. The limits for up to 24 months continue to be relaxed to allow for a higher level of short-term borrowing.

The upper and lower limits on the maturity structure of fixed rate borrowing will be:

	Upper	Lower
Under 12 months	50%	0%
12 months and within 24 months	30%	0%
24 months and within 5 years	30%	0%
5 years and within 10 years	30%	0%
10 years and above	95%	20%

This indicator applies to the financial years 2024/25 and 2025/26, from the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment. Where there is a prospect that a LOBO may be called, this has been reflected in setting these limits.

7.3 **Long term treasury management investments:** The purpose of this indicator is to control the Authority’s exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the total principal sum invested to final maturities beyond the period end will be:

	2024/25 £M	2025/26 £M	2026/27 £M
Limit on principal invested beyond year end	7.0	5.0	3.0

So a maximum of £7M can be invested for a period of greater than one year, a maximum of £5M for a period of greater than two years and a maximum of £3M for a period of greater than three years.

Long-term investments with no fixed maturity date include strategic pooled funds and real estate investment trusts but exclude money market funds and bank accounts with no fixed maturity date as these are considered short-term.

The Indicators above are “standard” Treasury Management Indicators that are generally adopted by local authorities, in line with individual circumstances. These indicators have not directly addressed the key treasury priorities of Security and Liquidity, though these issues are already closely tracked throughout the year. However, working in conjunction with the Council’s Treasury Advisers, options for the formal monitoring of performance in regard to these priorities remain under consideration.

7.4 **Interest Rate Risk:** CIPFA has withdrawn the previous recommendation for standard indicators for Upper Limits on Fixed and Variable Interest Rate Risk. Nonetheless, this Council recognises that it must have regard to the risk that fluctuations in interest rates could create an unexpected burden on its finances, and will therefore continue to monitor its exposure to Fixed and Variable Interest Rate Risk. In addition, without setting a formal limit, this Council will also monitor, on an ongoing basis, the potential impact of a 1% change in interest rates on its current borrowing and investment portfolio.

The upper limits on fixed and variable rate interest rate exposures, expressed as an amount of net principal borrowed will be:

	2024/25 £M	2025/26 £M	2026/27 £M
Upper limit on Fixed Interest rate exposures	260.1	270.7	275.7
Upper limit on Variable Interest rate exposures	115.6	120.6	123.0

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at new market rates.

8 Related Matters

- 8.1 **Financial Derivatives:** Local authorities have previously made use of financial derivatives embedded into loans and investments both to reduce interest rate risk (e.g. interest rate collars and forward deals) and to reduce costs or increase income at the expense of greater risk (e.g. LOBO loans and callable deposits). The general power of competence in section 1 of the Localism Act 2011 removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment).
- 8.2 The Authority will only use standalone financial derivatives (such as swaps, forwards, futures and options) where they can be clearly demonstrated to reduce the overall level of the financial risks that the Authority is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be taken into account when determining the overall level of risk. Embedded derivatives, including those present in pooled funds and forward starting transactions, will not be subject to this policy, although the risks they present will be managed in line with the overall treasury risk management strategy.
- 8.3 Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria, assessed using the appropriate credit rating for derivative exposures. An allowance for credit risk calculated using the methodology in the Treasury Management Practices document will count against the counterparty credit limit and the relevant foreign country limit.
- 8.4 In line with the CIPFA Code, the Authority will seek external advice and will consider that advice before entering into financial derivatives to ensure that it fully understands the implications.
- 8.5 **Markets in Financial Instruments Directive (MiFID):** The Authority has opted up to professional client status with its providers of financial services, including advisers, brokers and fund managers, allowing it access to a greater range of services but without the greater regulatory protections afforded to individuals and small companies. Given the size and range of the Authority's treasury management activities, the Strategic Director of Finance and Resources believes this to be the most appropriate status.

9 Financial Implications

9.1 Excluding PFI costs (which are offset by Government grant funding), the budget for debt interest payable in 2024/25 is £6.4 million (including the interest element of payments to LCC for debt managed on our behalf), reflecting:

- (a) £6.0 million interest payable, at an average interest rate of around 3.9%, on the long-term debt portfolio (forecast to average £112 million over the year),
- (b) up to £0.4 million for short-term borrowing, at interest rates averaging 5.25%. This is a prudent estimate given that, as described elsewhere in this strategy, internal resources will be used to defer borrowing for as long as possible.

Projected investment income in 2024/25 is around £3.0 million, based on an average investment portfolio of circa £65 million, and interest rates averaging 4.60%.

If actual levels of investments and borrowing and/or actual interest rates differ from those forecast, performance against budget will be correspondingly different.

10 Other Options Considered

The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. The Strategic Director of Finance and Resources, having consulted with the Executive Member for Finance and Governance, believes that the above strategy represents an appropriate balance between risk management and cost effectiveness. Some alternative strategies, with their financial and risk management implications, are listed below.

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Lower chance of losses from credit related defaults, but any such losses may be greater
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults, but any such losses may be smaller
Borrow additional sums at long-term fixed interest rates	Debt interest costs will rise; this is unlikely to be fully offset by higher investment income	Higher investment balance leading to a higher impact in the event of a default; however long-term interest costs may be more certain
Borrow short-term or variable loans instead of long-term fixed rates	Debt interest costs will initially be lower	Increases in debt interest costs will be broadly offset by rising investment income in the medium term, but long-term costs may be less certain
Reduce level of borrowing	Saving on debt interest is likely to exceed lost investment income	Reduced investment balance leading to a lower impact in the event of a default; however long-term interest costs may be less certain

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Adults Social Care & Health, Executive Member for Finance and Governance
LEAD OFFICERS:	Strategic Director of Adults and Health, Strategic Director of Finance and Resources
DATE:	Thursday, 7 March 2024

PORTFOLIO/S AFFECTED:	Adults Social Care & Health
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Adult Social Care Provider Fee Uplifts for 2024/25

1. EXECUTIVE SUMMARY

Blackburn with Darwen Borough Council commissions support for over 2300 local adults and older people per annum, with eligible social care needs. The majority of commissioning relates to external care and support services provided by independent sector providers and the voluntary, community, faith and charitable sector. The commissioning budget for these services is currently £66m for 2023/24, and is subject to pressures that have been well documented nationally due to increasing demand for services, increasing acuity of care needs, the impact of increased cost of living, rising energy costs and fair costs for care services including the National and Real living Wage increases. As such the costs of social care provider fee uplifts in 2024/25 are expected to be significant.

This report sets out the rationale, financial context and analysis underpinning the award of rate uplifts to external providers for the 2024/2025 financial year, in order to meet rising costs associated with increases in inflation and workforce costs including National Living Wage and Real Living wage, and fees which provide some parity of provider rates across the Lancashire and South Cumbria Health and Social Care system. In the last 2-3 years the Local Authority has increased rates to ensure that our previously low starting base compared to near neighbours is no longer the case. The proposed rates for 2024/25 have been benchmarked across the region and the local authority now seek to maintain comparable rates across the system to reduce the risk of providers exiting the market impacting on the local authority's ability to meet its statutory duties.

In 2022/23 Local Authorities were required to undertake a Fair Cost of Care (FCoC) exercise as part of the implementation of Social Care Reforms and were allocated Market Sustainability and Fair Funding Grant to ensure that this work could be undertaken. During the course of 2022/23 and 2023/24 the Local Authority has reported on and published, where required, all the relevant plans and grant spending returns for care market management including FCoC outcomes, Market Position Statement and Market Sustainability Plans and utilisation of Market Sustainability and Improvement Funds (MSIF)

Whilst some of the initial social care reforms have been delayed by central government, the MSIF funding has continued into 2023/24 with an expectation that the local authority will provide a Market Sustainability Plan and increase provider rates towards 'paying a fair cost of care.'

The primary focus of the MSIF for 2023/24 was to support local authorities to make tangible improvements to ASC services in their area, in particular to build capacity and improve market sustainability. As such the funding must be utilised to demonstrate improvements in one or more of the following areas:

- Increasing fees rates paid to ASC providers in local areas
- Increasing ASC workforce capacity and retention
- Reducing ASC waiting times

The Government also allocated further MSIF funds during the course of 23/24 financial year (Sept 23) to be spent in full before the close of 2023/24 financial year, again focused on improving in the 3 key areas: Provider fees, Workforce Capacity and Waiting times. As such the 2023/24 MSIF allocations for BwD have been utilised, predominantly to improve provider fees, informed by local intelligence from the FCoC outcome and Market sustainability plans.

In the Budget settlement for 2024/25 the Government have allocated further MSIF funds for the same purpose and this has been included within the Medium Term financial plan alongside further provision for the increased costs of provider uplifts.

All these factors have been taken into account alongside the issue of affordability and the 2024/25 provider uplifts have been recommended in line with the current Medium Term Financial Plan detailed at Finance Council on 26th February 2024.

2. RECOMMENDATIONS

That the Executive Board:

1) Approve a percentage increase in fees for the following services:

- Residential and nursing care including Intermediate Care beds, fee increase of **8.48%** effective from 1 April 2024.
- A revised schedule of rates relating to the Residential and Nursing Care Quality Assurance scheme including a minimum fee increase of 8.48% as above.
- Older People and Physical Disability Domiciliary Care, framework fee increase of **10.1%** from **£19.46** to **£21.44** per hour in line with the Real Living Wage increase, effective from 1 April 2024.
- Shared Lives, day support fee increase of **8.4%** in line with the National Living Wage increase effective from 1 April 2024.
- Shared Lives, weekly banding fee increase of **8.4%** in line with National Living Wage increase effective from 1st April 2023.
- LD Supported Living Providers, fee increase of **10.1%** in line with Real living wage increase and equivalent to the hourly rate of domiciliary homecare providers. This represents an increase to **£21.44** per hour effective from 1st April 2024.
- Direct Payments, Personal Assistant, fee increase of **10.1%** to **£12.00** per hour in line with the Real Living Wage increases.
- Direct Payments - it is proposed to revise the existing direct payment agency rates (standard, enhanced and exception), in line with Domiciliary rates proposed above.

2) Further approves that:

- Supporting People and other specialist services commissioned on block contracts are increased by 4.7% in line with Consumer Price Index (CPI)

3) Further approves that:

- The Extra Care schemes that are commissioned on a block contract basis will receive an uplift of **8.6%** to support providers to pay at NLW effective from 1 April 2024 where they have been agreed in the contract.
- Where 1:1 hours are contracted separately they will remain aligned to the domiciliary care rate of **£21.44**.

3. BACKGROUND

The Finance Council meeting of 26th February 2024 confirms the Medium Term Financial Strategy and funding available in 2024/25. The increased budget for Adult Social Care detailed within the Councils Financial Plan includes specific grants such as the Social Care Grant and Market Sustainability Grant which enables the Executive Board to approve the hourly rates and contract changes for social care providers in 2024/2025, applicable from 1st April 2024.

The FCoC exercise, Market Sustainability plans and benchmarking which have been undertaken during the last two years has further informed our local intelligence and links into our Local plan and Market position statement in respect of the challenges and opportunities within our care home market. As a LA we must recognise the need to increase our fees, alongside other actions in order to support providers to meet the challenges they face including: Occupancy levels, Quality, Workforce, Number of self funders/top ups and increasing population preference for 'Care at Home' but we also recognise that any increases need to be affordable, and providers may also need to develop their own business models.

The Council is committed to working with providers on our future plans and will seek to engage with providers to work through future plans together, however the costs associated with uplifting all care provision to the FCoC rates are unaffordable within the Council's existing resources.

As part of our annual fee setting process within the Council's budget setting and consultation, we have considered our final fee levels giving regard to;

- the Fair Cost of Care calculation
- other challenges within our local market
- and wider economic factors
- benchmarking of care provider fees within the L&SC Health and Social care system

A key factor in determining the fees rates for providers are workforce costs. The National Living Wage announcements include an increase of **9.8%**, with effect from 1st April 2024 (for workers aged 21 and above). The increase in NLW has a significant impact on our external social care providers, including both residential and domiciliary care. The recently announced National Living Wage increase to £11.44 in 2024/2025, an increase of 9.8% on the previous year, and the increase for Real Living Wage at **10.1%** to £12.00 per hour, is significant.

In respect of both the national living wage and real living wage it should be noted that wages are just one component of and not the full cost of delivering services. This proportion varies depending on the type of provision, with residential care labour costs expected at around 70% of total provider cost. Whilst labour constitutes a significant component there are other aspects of providers' cost base that are met by the overall rate paid by the Council and which may also be subject to change.

In previous years the local authority has endeavoured to meet the cost increase of National Living Wage and in 2023/24 moved towards meeting the additional cost of the Real Living Wage for significant parts of the sector. However, given the challenges providers face across the country to

recruit, retain and invest in the social care workforce, the Councils fee setting process for 2024/25 will also consider contracting and enforcing specific areas of commissioned providers to pay carers at the Real Living Wage.

The commissioning budgets included in the 2024/25 budget, and in the Medium Term Finance Plan (MTFP), include provision for increases in provider hourly rates and contract changes which support the cost challenges faced by providers and narrow the fees gap across the system.

4. KEY ISSUES & RISKS

Residential and Nursing Care

Local Authorities are required to set sustainable rates for the care they commission. Within BwD we have 34 residential/nursing care providers. In recognising the need to increase our fees and in acknowledgment of the information supplied by the 7 providers as part of the FCoC exercise and taking into account the 23/24 uplift we propose an increase of 8.48% effective from 1st April 2024.

This proposal provides inflationary uplifts of 10.1% to the pay element of the fee to enable providers to pay their staff the real living wage minimum of £12.00 per hour, with further inflationary increases on food and utilities of 4.7%. Overall, this represents an 8.48% increase to the weekly fee for residential and nursing providers. It will be a requirement for providers of Residential and Nursing care to pay care staff at the RLW from 2024/25 in order to receive the payment rates agreed, and all providers will be asked to sign up to paying their staff the RLW. The Council will consider the required changes to contracting arrangements, and subsequent implementation and enforcement of terms for providers to pay carers at the real living wage during 2024/25.

It should be noted that the market is funded in a number of ways: council supported placements, Health funded residents through, NHS Free Nursing Care, NHS Funded Continuing Health Care, joint-funded placements, additional care payments via the council and Health, and self-funded clients. Providers can also secure additional income through third party top-ups.

Whilst we acknowledge that the proportion of self funders and or third party tops ups is much smaller in Blackburn with Darwen than in other LA areas due to the Borough's population demographic, this still applies to a number of placements within our Care homes. Total income for each home is under-pinned by occupancy levels and in previous years many local homes within the Borough have continued to enjoy very high levels of occupancy. Whilst occupancy levels within our local homes reduced significantly during the Covid 19 pandemic which required providers to review their existing business models, current occupancy levels are in the region of 80% which should provide for income levels which support sustainability.

The enhanced quality scheme within the Borough further supports the financial viability of the sector and has been reviewed alongside the provider uplifts for 2024/25. The council will continue to monitor the quality of our care homes in line with the quality assurance framework however the council proposes to implement a revised fee structure to reduce the number of different rates within the scheme thereby reducing the administrative burden and uncertainty of fluctuating rates for providers based on periodic assessment of quality.

We will continue to monitor quality using the quality assurance framework however the payment structure has been simplified to reduce the number of different rates within the scheme. All rates have been reviewed to ensure that no one provider receives an uplift on existing weekly rate which is less than the overall 8.48% agreed for this sector. For example: a Residential provider on the Enhanced QAS rate of £649.83 per week would have received £704.94 per week with standard uplift applied. Under the new scheme they would receive the Residential Standard rate at £710.30 per week.

The new rates also bring our payment structure closer to our nearest neighbours and those operated within the L&SC system. New rates will be effective from 1st April 2024 and are detailed below:

	2023/24 Rate £ pw		2023/24 NEW bandings	2024/25 Rate @11.55%
Res non QAS	545.36			
Residential QAS	623.67			
Res enhanced QAS	649.83	Residential Standard	636.75	710.30
Res QAS dementia	660.07			
Res enhanced QAS dementia	687.74	Residential with Dementia	673.90	751.74
Nursing non QAS	600.11			
Nursing QAS	670.30			
Nursing enhanced QAS	709.18	Nursing Standard	689.74	769.40
Dementia nursing QAS	705.96			
Dementia nursing enhanced QAS	747.07	Nursing with Dementia	726.51	810.43

Domiciliary Care for Older People and adults with a Physical Disability

This service framework supports circa 930 frail, disabled and vulnerable local adults and older people in their own homes with intimate and essential personal care. Examples include getting in and out of bed, dressing, managing nutrition, using the bathroom and mobilising around their home.

The sustainability of the home care market has continued to be under scrutiny recently, given widespread funding pressures and cost constraints. In addition the home care market has seen significant challenges in terms of the recruitment and retention of care sector workforce. All provider organisations, be they private or charitable, need to generate a level of surplus for reinvestment into the business and this has proved hard to achieve for a significant number of providers.

The new framework for Domiciliary Care has been in full operation during 2023/24 and includes 12 providers on both Tier 1 and Tier 2.

The FCoC outcome for homecare was £19.46 per hour and this rate was agreed for 23/24 with the intention for providers to be contracted to implement the real living wage. Whilst the contract has not yet been revised the requirement to pay staff RLW has been agreed and remains. As such the proposed rate increase is based on an increase for RLW of 10.1%. This proposal represents an overall fee increase of 10.15% from £19.46 to £21.44 (10.1% rounded to be divisible by 2) per hour effective from 1st April 2024.

This proposal is considered sufficient to contract with providers to pay real living wage to carers of £12.00 per hour. It will be a requirement for providers of Domiciliary Care to pay care staff at the RLW from 2024/25 in order to receive the payment rates agreed and all providers will be asked to sign up to paying their staff the RLW. The Council will consider the required changes to contracting arrangements, and subsequent implementation and enforcement of terms for providers to pay carers at the Real Living Wage during 2024/25.

Further to this, a supplement of 25% will be applied to this rate for the handful of cases where care is provided within a specified rural location. This is in acknowledgement of additional travel and rota considerations.

Learning Disability Provision within a supported living environment

This service supports adults with a learning disability and/or mental health condition in small group homes or apartments to remain as safe and independent as possible. This is generally provided by a constant 24/7 staff presence or occasionally through outreach support, depending on the needs of the individuals. Most provision within Blackburn with Darwen is contracted mainly through block contracts with some 1:1 support hours. Work is continuing with providers on switching to a new model of service which will include review of core, background, 1:1 and sleep in hours.

It is proposed that an uplift of up to 10.1%, capped in line with Domiciliary care providers to £21.44 per hour is agreed. This will enable providers to pay Real Living wage with some further consideration for inflation. This brings these providers in line with the current rates of our nearest Local Authority neighbours.

Learning Disability/Mental Health domiciliary care for people living alone or with family/carers:

This service supports adults with a learning disability and/or mental health condition within their own homes to remain as safe and independent as possible. This may include physical, emotional and social support. It is proposed that an uplift of 10.1%, capped in line with Domiciliary care providers at £21.44 per hour will enable providers to pay Real Living wage with some further consideration for inflation. This brings these providers in line with the current rates of our nearest Local Authority neighbour.

Extra Care

This service provides 24hour on-site support for older people in dedicated extra care housing schemes. The current provision for these schemes is subject to a block contract arrangement with an independent provider. Extra Care block contracts are also the subject of a fundamental review and will be retendered during the course of the year, subject of a separate report to the Executive Board.

It is proposed that the Extra Care schemes that are commissioned on a block contract basis will receive an uplift of 8.60% on the contracted rate. This recognises the RLW increase and the fixed location of Extra Care provision as opposed to Dom Care agencies who manage travel costs within their fee, (so equivalent to 85% of the RLW) effective from 1 April 2024, where they have been agreed in the contract.

Where 1:1 hours are contracted separately they will remain aligned to the domiciliary care rate of £21.44.

Shared Lives

Shared Lives provides family based care and respite for adults with a disability and older people. It is a highly cost effective option with excellent outcomes for the individual, when compared to residential care or supported living. Weekly rates for shared lives care were reviewed in 2018 and three bandings applied. These will be increased in line with the National Living Wage increase of 8.4% and will be further considered as part of the wider review of Shared Lives services to be undertaken in 2024. An increase of 8.4% is proposed for the day care support hourly rate to bring the hourly rate to £11.44 per hour to keep pace with National Living Wage requirements.

Direct Payments

The purpose of a Direct Payment is to provide service users with choice and control in designing an individualised package of care and support. Currently, direct payment rates and thus the amount paid to the individual are calculated on an individual basis depending on the service the individual chooses to engage, agencies for example have different rates. It is proposed that the Personal Assistant rate is increased by 10.1% to £12.00 in line with the Real Living Wage whilst the agency rates (standard, enhanced and exception) are aligned to the approved Domiciliary rates proposed above.

In addition to the weekly Direct Payment the Council provides separate further consideration for the cost of PA annual leave, payroll, pension and redundancy costs etc. These are separate elements and commissioned and paid on an adhoc basis, as required.

Direct Payment respite provision remains unchanged, pending a full review to be undertaken in 2024/25

Supporting People

Supporting People and other specialist services which are commissioned on block contracts attract and increase of 4.7% in line with inflation and based on the Consumer Price Index (CPI) as at October 2023. These providers are block contracted by the LA to provide a range of services to support vulnerable people in the Borough and will be subject to full review during 24/25.

Day Care Services

Proposed fee increase of 4.7% in line with the October 2023 CPI rate.

5. POLICY IMPLICATIONS

The Care Act 2014 requires that local authorities should work towards the long term sustainability of the care market through setting realistic fee rates and understanding the true cost of providing care locally.

The proposed fee uplifts have been set at a level that takes into account current market conditions in Blackburn with Darwen. They incorporate changes to the living wage in addition to other factors such as escalating costs relating to the current economic climate.

6. FINANCIAL IMPLICATIONS

The table below sets out the gross cost of the fee uplifts proposed in this paper using activity as at October 2023 to estimate the overall costs:

	Proposed Increase	Budget	Additional Cost
	%	£	£
Residential & Nursing (inc Intermediate Care)	8.48%	17,294,001	1,466,531
Residential & Nursing - QAS Review	11.55%	12,144,110	1,452,874
Domiciliary care	10.15%	11,807,251	1,198,436
Supported Living	10.15%	13,309,273	1,350,891
Shared Lives	8.40%	805,976	67,702
Learning Disability accommodation based (SL)	9.80%	60,002	5,880
Supporting People & Specialist Commissions	4.70%	1,267,150	59,556
Extra Care	8.60%	3,233,167	278,052

Direct payment	10.10%	6,510,929	657,604
Day Care	4.70%	539,083	25,337
Total Fee Uplift Cost		66,970,941	6,562,864

The fee uplifts detailed in this paper for our external providers for the 2024/2025 financial year are proposed in order to meet the rising costs associated with increases in the National Living Wage, Real Living Wage, general price increases and look to move towards a fair cost of care and fee rates that are comparable to provider rates across the Lancashire and South Cumbria Health and Social Care system.

All these factors have been taken into account alongside the issue of affordability and the 2024/25 provider uplifts have been recommended in line with the commissioning budgets included in the 2024/25 budget, and provision in the Medium Term Finance Plan (MTFP). For 2024/2025 the overall cost of the proposed uplifts is £6.6m

The proposed rates seeks to bring Blackburn with Darwen rates closer to other Local Authority rates within the Lancashire and South Cumbria Integrated Health and Care System.

Any future cost of the provider fee uplifts for 2024/2025 on final completion of contract negotiations will need to be met from within the overall budget for Adult Social Care. A comprehensive range of Demand Management strategies and alternative ways of delivering services remains in situ within the portfolio to contain ongoing financial pressures from increased costs associated with provider fees, demand and demographic change.

The effective date of the 2024/2025 uplifts is specified within the recommendations above in line with the payment periods for the new financial year.

7. LEGAL IMPLICATIONS

Section 5 of the Care Act 2014 requires local authorities to promote the efficient and effective operation of a market in services for meeting care and support needs in their area. This proposal will assist the Council's efforts to ensure that there is a stable market to provide for the care needs of the local community. This includes the need to ensure that providers can remain viable, and can attract and retain staff to provide the care to the required standard.

To the extent that the contracts are covered by the Public Contracts Regulations 2015 these modifications would be permitted by regulation 72(1) either under paragraph a) with a specific review clause or paragraph e) as they are not substantial as defined in the regulations.

8. RESOURCE IMPLICATIONS

The resource implications of implementing these proposals will be absorbed by the Strategic Commissioning team with regards to contractual changes; and the Finance Team to administer payment changes.

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

Providers have been consulted through provider meetings and discussions with individual organisations. Providers have been written to with details of proposed uplifts and the opportunity to provide feedback on the proposed rates. Feedback has been minimal however some providers felt that the uplifts fall short of meeting the costs of paying staff the Real Living Wage and the additional inflationary burdens expected on insurance premiums, utilities, food and fuel costs.

Whilst occupancy levels have increased in the last year following the pandemic with many providers now operating on 80% occupancy, some providers feel that this level of occupancy does not provide financial stability and they would seek to return to pre-covid levels exceeding 90% however the care market is changing and individuals have a preference for 'care at home'. Some providers that experience lower occupancy levels feel that the fee model should be reflective of reduced occupancy.

Feedback from providers is very clear and the challenges faced by providers is understood and recognised within the Local Authority and across the Health and Social Care system, however any fee increase must be affordable within the financial resources allocated to the Local Authority.

The Council remain committed to working alongside our providers to ensure a care market that provides choice, and quality provision which is sustainable.

Supported living increase will also be applied to night time rates as well as daytime rates, however there is no increase planned for sleep ins until the wider Supported Living model is reviewed.

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

CONTACT OFFICER:	Zoe Evans
DATE:	26th February 2024
BACKGROUND PAPER:	

Agenda Item 9.2

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education, Executive Member for Finance and Governance
LEAD OFFICERS:	Strategic Director of Children & Education (DCS) Strategic Director of Finance and Resources (S151)
DATE:	Thursday, 8 February 2024

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

SUBJECT: Early Years Entitlements including the new Expanded Entitlements

1. EXECUTIVE SUMMARY

To advise Executive Board of the plans for the use of the Early Years Dedicated School Grant including proposed plans for the delivery of the expanded entitlements for 2024/25.

2. RECOMMENDATIONS

That the Executive Board:

1. Approves the use of the DSG EY Grant at appendix A which includes approval for the retention of up to 5% of the total grant to cover the cost of administration.
2. Approves the proposed hourly rates payable to providers (Appendix A)
3. Notes the content of the report with regards to the expansion of early years entitlements for children aged from 9 months upwards (under 2s) and 2 year olds of working parents.
4. Notes the allocation of the funding for under 2s will be adjusted to fund 26 weeks entitlement instead of the original 22 weeks included in the Dec 23 allocation.
5. Approves the use of the project delivery funding to support an increase in staffing to manage the successful implementation of the expanded entitlement offer.
6. Approves the use of project delivery funding to support the purchase of new modules to enhance the existing management information system to support the efficient delivery of early years entitlements.
7. Approve the use of capital funding to create new places if required to meet demand.

3. BACKGROUND

The early education and childcare entitlements will be expanded to children aged from 9 months over the following stages:

- From **April 2024**, working parents of two-year-olds will be able to access **15 hours** of free early education and care per week (over 38 weeks a year) from the term after their child’s birthday.
- From **September 2024**, this will be **extended to working parents of children aged 9 months and above**; and
- From **September 2025**, working parents will be able to access **30 free hours per week** (over 38 weeks a year) for children from age 9 months up until 1 September following his or her fifth birthday.

The application process and eligibility criteria for the new expanded entitlements will remain the same as the current 30 hours, with HMRC continuing to determine eligibility via the Childcare Service. As with current policy, parents are only legally entitled to start claiming the 15 hours entitlement for their child from the term after the child reaches the relevant age **AND** the term following the date they receive a decision from HMRC. If an application for an eligibility code is not made before the termly deadline parents will need to wait until the following term to access their free childcare place. Parents have to reconfirm their eligibility every 3 months. If they apply more than 3 months before the term starts, they will have to reconfirm their eligibility in their account in order to keep their code valid.

A child reaches the relevant age between:	Can start claiming 15 or 30 hours entitlement from:	Deadline to apply for an ‘eligibility code’ via the Childcare Service
1 st January to 31 st March	Term starting on or after 1 st April	31 st March
1 st April to 31 st August	Term starting on or after 1 st September	31 st August
1 st September to 31 st December	Term starting on or after 1 st January	31 st December

4. KEY ISSUES & RISKS

This is the biggest change in early years entitlements since the roll out of the 30-hour entitlement for working parents of eligible 3 and 4 year olds in Sept 2015 and is aimed at encouraging more families to take up paid employment or increase working hours.

There have been some significant challenges in respect of the management information system’s ability to incorporate the new entitlements into the system, however at this time good progress has been made and contingencies are in place to ensure delivery should the system prove unreliable.

There is no change to the existing 15 hour entitlement for disadvantaged two-year-olds, the eligibility and criteria and application process will remain the same.

There may be some circumstances where households meet the eligibility criteria for both the disadvantaged two-year-old entitlement and the working parent entitlement. In these circumstances, households can only be in receipt of one early education and childcare entitlement and Local Authorities should communicate to the parent that they do not need to apply for a working entitlement place and should direct them onto the disadvantage entitlement. Local Authorities will be required to differentiate between the two groups for census purposes.

In circumstances where two different providers are claiming for the same child, under different two-year-old entitlements, systems should flag this. Local Authorities will need to contact the provider offering the working entitlement to tell them that the child will not be eligible for the funding.

Children in foster care will be eligible for the entitlements if the following criteria are met:

Accessing the extended hours is consistent with the child’s care plan; and

- Where there is a single foster parent family, the foster parent is engaging in paid work outside their role as a foster parent; or

- Where there are two foster parents in the same fostering household, both are engaging in paid work outside their role as a foster parent.

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

The general structure of the early years funding system will remain the same, namely Local Authorities will receive funding for the entitlements from the DfE through the Dedicated Schools Grant (DSG), which they will in turn distribute to providers offering the entitlements in their area.

In line with the DfE's published "Early Years entitlements: Local Authority funding operational guide 2024-2025. Local Authorities are eligible to retain up to 5% of the grants received, but must pass through at least 95% of the basic entitlement plus supplements for deprivation, Special Educational Needs Inclusion Fund (SENIF) and Children In Need (CIN). The breakdown at Appendix A shows the amounts we are proposing to centrally retain, which is in line with the 95% pass through guidance.

Following the announcement of the grant in December 2023, the DfE issued further instruction to clarify that the original allocation for 9 months old of £1,678,686 was based on 22 weeks funding. As the terms Autumn 24 and Spring 25 cover 26 weeks funding, DfE will revise the allocation to pay over 26 weeks to local authorities. This revised allocation is shown in the new expanded early years entitlements below.

The new working entitlement for two-year-olds does not start until April 2024, and consequently this cohort of children will not be captured in the 2024 spring term EY census, which is normally used to fund for the 2024 summer term. The DfE are currently reviewing this and will provide further information in due course.

Early Years Entitlement allocations for 24/25 are:

Existing early years entitlements

- | | |
|---|------------|
| • universal 15 hour entitlement for 3 and 4 year olds | £7,608,955 |
| • additional 15 hours entitlement for eligible working parents of 3 and 4 year olds | £2,765,796 |
| • universal entitlement for 2 year olds | £2,322,402 |

New expanded early years entitlements

- | | |
|---|------------|
| • funding allocation for additional 15 hours entitlement for eligible working parents of 2 year olds | £2,427,104 |
| • funding allocation for 15 hours entitlement for eligible working parents of 9 months old (this has been adjusted to cover 26 weeks allocation rather than the original 22 weeks allocation) | £1,983,902 |

Other early years funding

- | | |
|--|----------|
| • funding allocation for Early Years Pupil Premium | £156,859 |
| • funding allocation for Disability Access Fund | £139,230 |
| • allocation for maintained nursery school supplementary funding | £670,193 |

In addition to the above, an allocation of £55,000 has been received to support project delivery. It is intended to expend this funding as follows:

- Staffing – £42,171
- Management information systems upgrade (see resource section) – £5,850
- PR and communications - £6,979

7. LEGAL IMPLICATIONS

This funding from the government is subject to conditions, and the Local Authority is required to comply with the Early Years entitlements: Local Authority funding operational guide 2024-2025 in determining our funding formulae, allocating funding and monitoring take-up/attendance. Appropriate detailed grant funding agreements will be required to ensure compliance with requirements where it is agreed to fund the creation of

new places, should these be required to meet demand.

8. RESOURCE IMPLICATIONS

Additional resource will be required to support the implementation of the new expanded entitlements and will be funded from the associated project delivery fund for a fixed term of 1 year.

Ongoing the staff resource to manage the statutory functions in relation to the delivery of the early year's entitlements will need to increase to manage higher numbers of applications and claims. This will be funded through an increased staffing allocation funded from the retained element of the Early Years Entitlement block.

Additional modules to the existing management information system to support efficient working will include:

- adjustment module – this will allow for the secure transfer of information for in term financial adjustments
- page manager – this will allow for improved public information sharing to support uptake of the new early years offer.

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

Following the delivery of the autumn statement, we are required to consult providers with our plans for any changed of their entitlement of the Early Years DSG grant. The consultation ran from 22nd January 2024 to 19th February 2024. Results of the consultation will be presented to Schools Forum along with the proposed funding rates for noting on the 29th February 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: 1

CONTACT OFFICER: Carol Grimshaw, Head of Service, Schools Systems Support

Page 253

	Kirsty Thompson, Finance Manager, Schools and Education
DATE:	9 February 2024
BACKGROUND PAPER:	Appendix A – Early Years Entitlements

Early Years Block Funding Allocation

The following funding is based on 570 hours per year

Not funded in 2023/24

	Original Allocation Dec 2022 2023/24			Revised Allocation July 2023 2023/24			Original Allocation Dec 2023 (adjusted for 26 weeks under 2s) 2024/25			Change			Rates for 2024/25 Proposed Rates payable to providers
	Rate	Part time Equivalent	Amount	Rate	Part time Equivalent	Amount	Rate	Part time Equivalent	Amount	Part time Equivalent Original Allocation Dec 23 vs Original Allocation Dec 23	Rate Change	Additional Grant 23/24 Final vs 24/25 Original	
	£		£	£		£	£		£		£	£	
3 & 4 year olds funding entitlement (initial)	5.03	2,461.08	7,056,162	5.03	2,440.41	6,996,900	5.47	2,440.41	7,608,955	(20.7)	0.44	612,056	£4.95 ph
3 & 4 year old additional 15 hours (estimated)	5.03	855.73	2,453,463	5.03	887.07	2,543,319	5.47	887.07	2,765,796	31.3	0.44	222,477	£4.95 ph
2 year old funding entitlement (initial)	5.63	553.97	1,777,745	5.63	518.37	1,663,502	7.86	518.37	2,322,402	(35.6)	2.23	658,900	£7.34 ph
2 year old additional 15 hours (estimated)	-	-	-	-	-	-	7.86	541.74	2,427,104	541.7	7.86	2,427,104	£7.34 ph
Under 2s working parent 15 hours (estimated)	-	-	-	-	-	-	10.73	324.37	1,983,902	324.4	10.73	1,983,902	£10.13 ph
Early years pupil premium 3 & 4 Year olds (initial)	0.62	321.7	113,696	0.62	253.8	89,693	0.68	253.8	98,373	(67.9)	0.06	8,680	£0.68 ph
Early years pupil premium 2 Year olds (initial)	-	-	-	-	-	-	0.68	143.7	55,699	143.7	0.68	55,699	£0.68 ph
Early years pupil premium under 2s (initial)	-	-	-	-	-	-	0.68	7.2	2,787	7.2	0.68	2,787	£0.68 ph
Disability access fund 3 & 4 Year olds (initial)	828.00	69	57,132	828.00	69	57,132	910.00	111.00	101,010	42.0	82.00	43,878	£910 per child
Disability access fund 2 year old (initial)	-	-	-	-	-	-	910.00	32.00	29,120	32.0	910.00	29,120	£910 per child
Disability access fund under 2s (initial)	-	-	-	-	-	-	910.00	10.00	9,100	10.0	910.00	9,100	£910 per child
Maintained schools supplementary funding	3.80	244.0	528,504	3.80	253.4	548,864	4.64	253.4	670,193	9.4	0.84	121,329	£4.64 ph
Total early years allocation			11,986,703			11,899,410			18,074,440			6,175,031	

Proposed budget for all provision settings	2023/24	2023/24	2024/25
	£'000s	£'000s	£'000s
	Original Budget	Revised Budget	Original Budget
3 & 4 year olds			
Base rate	8,650	8,582	9,381
Deprivation	268	211	261
Supplement for children in need	3	4	2
Supplement for maintained nursery schools	529	549	670
SEN Inclusion Fund – some will also be provided from the High Needs Block	25	154	265
Centrally retained funding	621	589	519
Early years pupil premium	114	90	98
Disability access fund	57	57	101
Total funding for 3 and 4 year-olds	10,267	10,236	11,297
2 year olds			
Base rate	1,604	1,559	4,435
Deprivation			100
Supplement for children in need			1
Early years pupil premium			56
Disability access fund			29
Centrally retained funding	116	104	237
SEN Inclusion Fund – some will also be provided from the High Needs Block			103
Total funding for 2 year-olds	1,720	1,663	4,961
Under 2s			
Base rate			1,873
Early years pupil premium			3
Disability access fund			9
Centrally retained funding			99
SEN Inclusion Fund – some will also be provided from the High Needs Block			32
Total funding for under 2s	0	0	2,016
Contribution from High Needs Block for SENIF			(200)
Total Early Years Funding	11,987	11,899	18,074

Agenda Item 9.3

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children, Young People and Education Executive Member for Public Health, Prevention & Wellbeing
LEAD OFFICERS:	Strategic Director of Children's Services and Education Director of Public Health
DATE:	Thursday 7 th March 2024

PORTFOLIO/S AFFECTED:	Children's Services and Education Public Health Prevention and Wellbeing
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Blackburn with Darwen: Our Strategy to Reduce the Impact of Child Poverty 2024-2028

1. EXECUTIVE SUMMARY

Blackburn with Darwen's Strategy to Reduce the Impact of Child Poverty will aim to reduce and mitigate the impact of child poverty and reduce inequalities for children and families. It has been co-produced with children, young people and families across the borough to ensure that the solutions resonate with the challenges they face daily. This empowers young people by valuing their insights, but also enriches the approach with an understanding of the diverse issues that are uniquely experienced by them. Ultimately, involving our children and young people in this strategy's development makes certain that it is well-informed and reflective of the needs and aspirations of the younger generation.

This strategy is designed to make a tangible and timely difference in the lives of those experiencing poverty whilst acknowledging the larger societal issues that require systematic and societal change.

Where we are now

In 2021/22 there were 4.2 million children in the UK living in poverty ([Poverty: facts and figures | CPAG](#)). These figures are projected to increase to 5.2 million children by 2023/24 ([Fact checking claims about child poverty | Children's Commissioner for England \(childrenscommissioner.gov.uk\)](#)). In 2021/22, Blackburn with Darwen had a child poverty rate for relative low-income of 36.5%, compared to the England average of 19.9% ([Public Health Outcomes Framework - Data - OHID \(phe.org.uk\)](#)).

The Income Deprivation Affecting Children Index (IDACI) measures the number & proportion of all children aged 0 to 15 living in income deprived families. The England average is 17.1%, in Blackburn with Darwen the average across all wards is 22.8% ([IMD - Income Deprivation Affecting Children Index \(IDACI\) - score in Blackburn with Darwen | LG Inform \(local.gov.uk\)](#)).

Our Strategy

Blackburn with Darwen's Child Poverty Strategy is focused on providing targeted support and combining local resources and partnerships to address key factors contributing to child poverty. By fostering collaboration between stakeholders, implementing interventions based on our six priorities, and ensuring wrap around support for families, this strategy seeks to provide the foundations where every child can thrive, irrespective of financial circumstances.

After consultation with young people and families in our borough, six key themes were identified to focus this strategy and help to protect those in poverty and prevent more children, young people and families falling into poverty.

The strategy will focus on the six key themes:

1. The School Day
2. Food
3. Transport
4. Stigma and Wellbeing
5. Early Years
6. Housing

An action plan will be developed with key stakeholders to sit underneath this strategy. The action plan will incorporate actions that have initially been identified in consultation with our children, young people and families. This plan will be an adaptable and flexible resource to address the key themes set out in this strategy and new themes and objectives that emerge as the work develops. An initial set of key performance indicators have been developed against each theme to gauge achievement and identify areas for improvement.

2. RECOMMENDATIONS

That the Executive Board:

- Commits to the child poverty key themes and objectives contained within this strategy
- Approve Blackburn with Darwen's Strategy to Reduce the Impact of Child Poverty

3. BACKGROUND

This new strategy communicates how we will mitigate the impacts of poverty for our children, young people and families and how we work in partnership to ensure that every child in Blackburn with Darwen can thrive.

Child Poverty

Children and young people (up to the age of 18) are considered to be living in poverty when their circumstances mean they lack the resources to meet their needs and are unable to take part in the activities that are considered "ordinary" or "normal" ([What is poverty? | CPAG](#)).

Children from lone parent households are at greatest risk of being in poverty and those in the 10% most deprived areas are more likely to have low birth weight and die in infancy than the children living in the 10% least deprived areas ([Child poverty – RCPCH – State of Child Health](#))

Children living in poverty are more likely to be obese, develop long-term illnesses, experience tooth decay and develop mental health disorders. During the school day, children in poverty are more likely to experience social exclusion due to the inability to afford school trips, uniform or social events.

Blackburn with Darwen Data

- Blackburn with Darwen's child poverty rate for relative low-income in 2021/22 at 36.5%, equivalent to 12,858 children ([Public Health Outcomes Framework - Data - OHID \(phe.org.uk\)](#))
- In 2022/23, 7,012 children were eligible for free schools meals, compared to 4,114 in 2015/16 ([Create your own tables, Table Tool – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](#))
- In 2021/22, 70% of children in poverty in Blackburn with Darwen were from working families ([Children in low income families: local area statistics - GOV.UK \(www.gov.uk\)](#))
- There are 190 households with dependent children in Blackburn with Darwen with no central heating ([Custom dataset - Office for National Statistics \(ons.gov.uk\)](#))
- In our most deprived wards, 24.4% of children are obese compared to 17.6% in our least deprived wards ([Obesity Profile - Data - OHID \(phe.org.uk\)](#))

Our vision for child poverty, which has been co-produced our children and young people in Blackburn with Darwen, is that;

We will break down barriers and make everyday life accessible to children and young people regardless of their financial background. We will work together to ensure that every child & young person who experiences poverty can thrive.

Our vision will be achieved through the six key themes:

1. **The School Day-** Removing barriers that impact children and young people attending and achieving at school such as food and uniform
2. **Food-** The ability to cook a healthy, nutritious meal and access affordable food
3. **Transport-** Having safe and affordable transport across BwD and promoting active travel
4. **Stigma and Wellbeing-** The ability to access services and not feel judged, being able to talk about poverty and improve mental and physical wellbeing
5. **Early Years-** Supporting families and ensuring children are healthy and reaching developmental milestones
6. **Housing-** Ensuring all housing is safe and warm for our families and young people

4.KEY ISSUES & RISKS

This four-year strategy is a forward-thinking approach, it is one that aims for all children to thrive, regardless of their financial background. Clear roles, responsibilities and communication channels will enable stakeholders to work collaboratively, fostering a coordinated effort towards achieving our aims and objectives. We will build on the work already taking place on each of our six key themes by ensuring effective cooperation between our linking strategies, groups and boards.

Co-production

This strategy has been co-produced with the Strategic Youth Alliance Forum (now Young BwD Foundation) to ensure we capture youth voice and are addressing issues concerning poverty that are important to them. This will ensure that the strategy is appropriate and effective in mitigating the impacts of poverty that they face.

Governance

The Child Poverty Strategy Group will provide the operational function to ensure that our objectives are addressed appropriately. This group will directly report to the Children's Partnership Board with quarterly updates on the action plan. This board will feedback to the Health and Wellbeing Board as part of the Start Well agenda.

Throughout the term of this strategy, regular updates will be given to our children and young people through the Young BwD Foundation (formerly Strategic Youth Alliance Forum).

Risks

- Child poverty rates continuing to increase due to the aftereffects of the COVID pandemic and current cost of living crisis
- Gaps in provision due to the end of the Household Support Fund from both a council and VCFS perspective

This strategy strives to uplift our children and young people facing economic challenges and create a more resilient and support environment locally by utilising local resources effectively and provide targeted support.

5.POLICY IMPLICATIONS

The local authority must aim to reduce and mitigate the effects of child poverty on their residents. This strategy links into other plans, strategies and reports that have been agreed by the council and will help to create 'a golden thread' and strengthen the work we do across the borough.

Local

- Blackburn with Darwen Corporate Plan
- Public Health Annual Report
- Joint Health and Wellbeing Strategy
- Joint Strategic Needs Assessment
- Eat Well, Move More Strategy
- Oral Health Improvement Strategy
- Mental Wellbeing, Mental Health, Self-harm and Suicide Prevention Strategy (in development)
- Best Start in Life Strategy (in development)
- Healthy Weight Declaration

6. FINANCIAL IMPLICATIONS

There are no new financial implications relating directly from the decision to approve this strategy.

As indicated in the Strategy, an action plan is being developed with key stakeholders. At this stage, it is not possible to say whether the actions necessary to implement this strategy will result in additional financial implications, whether for the Council or any other Partner engaged in the delivery of the action. Suffice to say that in the event any additional resources are required to support delivery of the actions by the Council, these will be considered in line with the approval processes set out in the Council's Financial Procedure Rules.

7. LEGAL IMPLICATIONS

There are no legal implications with regards to the strategy.

8. RESOURCE IMPLICATIONS

The Child Poverty strategy group will take the operational function for this strategy and link effectively with all stakeholders to meet our objectives for each of the key themes.

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

- Initial workshop with the Strategic Youth Alliance Forum (now Young BwD Foundation) to help form the key themes of the strategy and create our vision (30th May 2023)
- Healthwatch who gathered responses from 780 pupils through questionnaires and focus groups (June 2023)
- The Family Hubs Parent Panel who shared their ideas through a survey (June 2023)
- A stakeholder engagement session with attendees from across the local authority, VCFS and education. This session was used to discuss the key themes and set out our priorities and objectives for each (25th September 2023)
- Additional workshop with the Strategic Youth Alliance Forum to make sure the themes have been captured correctly and the objectives set out by stakeholders are appropriate (8th November 2023)
- Ongoing engagement with our Child Poverty Strategy Group and other key stakeholder to receive feedback on the strategy.

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

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

CONTACT OFFICER:	Hannah Dean, Liz Johnston, Hayley Kilpatrick
DATE:	February 2024
BACKGROUND PAPER:	



Blackburn with Darwen Our Strategy to Reduce the Impact of Child Poverty 2024 - 2028



Foreword

Whilst the government accurately tells us that child poverty has decreased since the 1990s, it is also true that the biggest reduction in child poverty rates was during the first decade of the 21st century when, according to the Joseph Rowntree Foundation, 'Child poverty fell by around one-seventh under the previous Labour Government'¹.

The UK has seen an increase in child poverty from 3.6 million children in 2010-2011 to 4.2 million children in 2021-22² and it is estimated to increase to 5.2 million in 2023-24³.

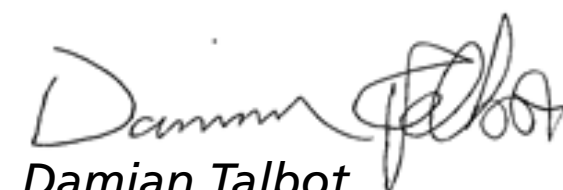
The national context of child poverty has many causes and includes factors that have been the result of the Coalition's austerity programme as well as decisions taken by subsequent governments. For example, changes to the welfare system, including the introduction of Universal Credit, the two-child limit for Universal Credit and Child Tax credit and cuts to local government funding, often for councils with the higher rates of in-work poverty. We know that 70% of those children who are living in relative poverty live in households with at least one working adult⁴ so real terms cuts to salaries, as well as underemployment through Zero-Hours contracts have also contributed to the recent increases in child poverty rates.

These structural factors that contribute to levels of child poverty in the UK, and can in some cases appear insurmountable, are not going to be resolved at any local level; that takes central government will and determination. However, we are clear that the council will use every means in our gift to lever resources into the borough, and by working with our partners across the community to wrap our skills, knowledge and experience around children and young people we will help them to thrive and succeed despite the impacts of poverty on their lives.

This is the national context in which Blackburn with Darwen Borough Council has devised the Child Poverty Strategy; whose aim it is to help support families, children and young people to navigate some of the structural barriers that poverty can present, helping us to achieve our missions to create a more prosperous borough where no one is left behind and where every child and young person will have the opportunity to fulfil their potential.



Julie Gunn
Executive Member for Children,
Young People and Education



Damian Talbot
Executive Member for Public
Health, Prevention & Wellbeing

Introduction

A core mission of this Council is making sure every child, no matter who they are, has opportunities to fulfill their potential. No child should be left behind because of who they are or what their background is. Our strategy to reduce the impact of child poverty is focused on directly alleviating the impacts of poverty on our children, young people and families within our gift. By leveraging our available resources, we aim to implement targeted initiatives that provide immediate relief to those affected by poverty.

It is true we are a growing borough, and we should all be proud of that. Prosperity is a necessary condition of a successful, healthy and thriving place. It is also true we have some of the worst deprivation in the country and unacceptable levels of child poverty. Our focus on building a more prosperous borough will help alleviate some of the structural inequalities we have here. It is also our moral obligation to make firm commitments to use all the levers available to mitigate the very real impact of poverty on children and young people.

In this co-produced strategy, we set out our approach to tackling child poverty in the borough. It sets out our priorities, goals and ambitions for children, young people and families in our borough to flourish, regardless of their financial background. Incorporating youth voice is crucial in co-producing effective policies and strategies.

By including the perspectives and experiences of children, young people and families, we ensure that the solutions resonate with the challenges they face daily. This approach not only empowers young people by valuing their insights, but also enriches the approach with an understanding of the diverse issues that are uniquely experienced by them. Ultimately, involving our children and young people in this strategy's development makes certain that it is well-informed and reflective of the needs and aspirations of the younger generation.

While our approach may not directly tackle the structural causes of poverty, which have only been amplified by the cost-of-living crisis, austerity and the aftereffects of the COVID pandemic, it emphasises pragmatic solutions to improve the health and wellbeing of our residents. Children are most vulnerable to austerity measures, and these adversely impact child health by limiting access to healthcare services, decreasing educational resources and increasing material deprivation. These impacts have long-term consequences and can create health disparities in more deprived communities which children can take forward into adulthood⁵.

Our strategy stands as a beacon of hope and commitment to pave the way for a future where every child and young person has the opportunity to thrive in our borough. This comprehensive approach, rooted in empathy and evidence, is a testament to our collective responsibility to safeguard the well-being of the youngest members of our community. Through our coordinated youth services and partnership approach with our VCFS sector, we will strive to uplift our children and young people facing economic challenges and create a more resilient and supportive environment locally.

This strategy is designed to make a tangible and timely difference in the lives of those experiencing poverty whilst acknowledging the larger societal issues that require systematic and societal change. We hope that this strategy inspires meaningful change and contributes to no child being left behind in Blackburn with Darwen.

We thank all involved in developing this strategy, especially our children, young people and families for sharing their voice.



Abdul Razaq
Abdul Razaq
Director of Public Health



Jo Siddle
Jo Siddle
Strategic Director Children's
Services and Education

Acknowledgements

We would like to thank all our children, young people, families and stakeholders who have made an invaluable contribution to the development of Blackburn with Darwen's Child Poverty Strategy. Your insight and dedication to making a difference to those who face the impact of poverty has played a crucial role in shaping our path forward.

Our Aim, Vision and Key Themes

Our Aim

Our strategy will reduce and mitigate the impact of child poverty and reduce inequalities for children and families. The collective partnership agrees to mitigate the impacts of child poverty, either via the services they provide or services they commission.

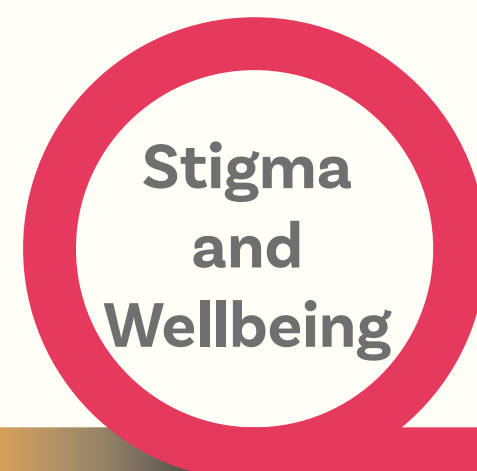
Our Vision

We will break down barriers and make everyday life accessible to children and young people regardless of their financial background. We will work together to ensure that every child & young person who experiences poverty can thrive.



Our Key Themes

Blackburn with Darwen's Strategy to Reduce the Impact of Child Poverty is focused on providing targeted support and combining local resources and partnerships to address key factors contributing to child poverty. By fostering collaboration between stakeholders, implementing interventions based on our six key themes, and ensuring wrap around support for families, this strategy seeks to provide the foundations where every child can thrive, irrespective of financial circumstances.



How our key themes reflect the core council missions



A more prosperous borough where no-one is left behind

Every child and young person to have the opportunities to fulfil their potential

Deliver our climate emergency action plan

Build healthier, happier and safer communities

School day

School day

Transport

Food

Stigma and Wellbeing

Food

Transport

Early Years

Early Years

Stigma and Wellbeing

Housing

Trust

We believe in and can rely on each other

Respect

We embrace diversity and value our differences

Ambition

We have the courage to try new things and strive to be better

Collaboration

We achieve more by working together

Kindness

We are self aware and considerate in all that we do



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

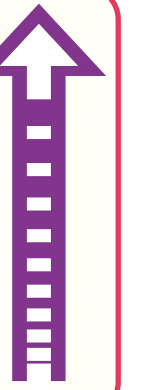
census 2021

From the 2021 Census, there are 35,226 under 16s in Blackburn with Darwen.

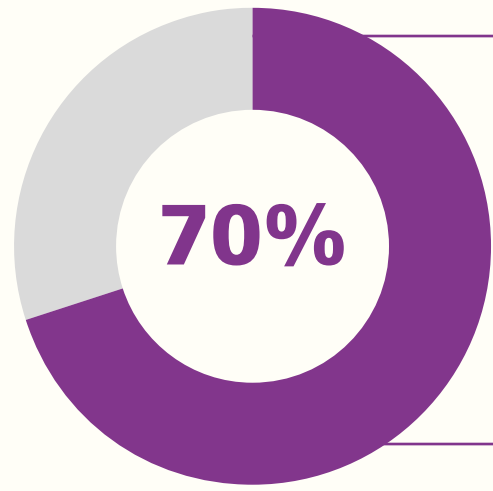
Our Strategy to Reduce the Impact of Child Poverty

We will break down barriers and make everyday life accessible to children and young people regardless of their financial background. We will work together to ensure that every child & young person who experiences poverty can thrive.

In the UK, 4.2 million children in poverty in 2021/22 Increasing to 5.2 million in 2023/24

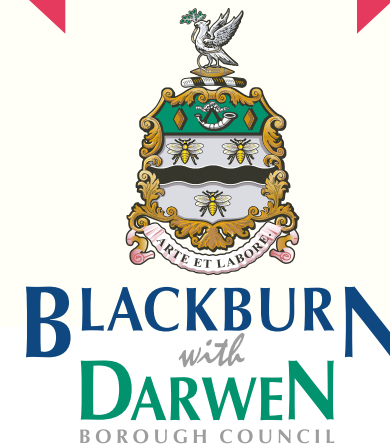


WHERE ARE WE NOW



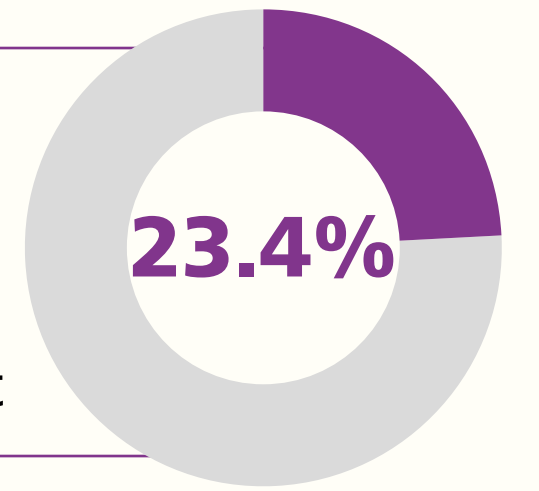
70% of children in poverty in BwD are from working families.

In 2021/22, 36.5% of under 16s in Blackburn with Darwen were in relative poverty.



Our relative child poverty rate is 36.5%. This is equivalent to 12,858 children.

23.4% of Year 6 pupils said they sometimes or never eat breakfast



WHAT IS CHILD POVERTY

Children and young people (up to the age of 18) are considered to be living in poverty when their circumstances mean they lack the resources to meet their needs and are unable to take part in the activities that are considered "ordinary" or "normal".

Tackling poverty in Blackburn with Darwen will improve the life chances of children and their families now and into the future.

OUR STRENGTHS

Our borough is young and diverse and BwD contributes £3.16 billion to the UK economy. Our VCFS sector is strong and provides support through all our wards along with our Family Hub network. We have two of the top performing secondary schools in the country and have high levels of apprenticeship uptake.

We know the needs of our residents, have strong partnership working and are eager to change and improve.

OUR KEY THEMES AND PRIORITIES

The School Day



- Happier, healthier and more confident children
- Affordable, inclusive uniform
- Access to nutritious food
- Ready to learn

Food



- Sustained and supported breast feeding
- No child going hungry
- Improved food education

Transport



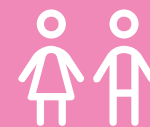
- Encourage and support active travel
- Inclusion of youth voice
- Safe and affordable transport

Stigma and Wellbeing+



- Poverty proofing our services
- All our services are promoted appropriately and are accessible
- Improving mental health

Early Years



- All children reach their developmental milestones
- Families are supported within their communities
- Children have access to healthcare services
- Access to quality childcare

Housing



- Homes are safe for our families
- Homes are warm for our families
- Children have a safe place to sleep

What is child poverty?

Poverty can be hard to define and there are many ways that it can be measured. According to the Child Poverty Action Group, children and young people (up to the age of 18) are considered to be living in poverty when their circumstances mean they lack the resources to meet their needs and are unable to take part in the activities that are considered “ordinary” or “normal”. This can mean that children and young people in poverty are excluded from and are unable to participate in the community they live in⁶.

We asked young people what they thought poverty meant and what they would feel:



Poverty has a great effect on the life chances of children and young people. It can deepen and reinforce social exclusion, which can cause problems with education, employment, physical and mental health and social interaction.

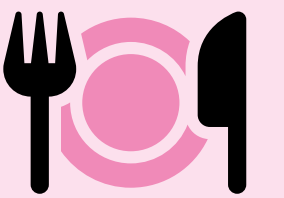
Anyone can be at risk of being in poverty at any time in their life.

In Blackburn with Darwen, the most at-risk children for being in poverty are from lone-parent households.

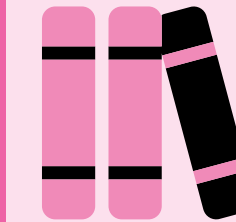
Tackling poverty in Blackburn with Darwen will improve the life chances of children and their families now and into the future. Children do not exist in isolation from their families and communities, and tackling child poverty benefits the community as a whole as well as the children and families affected.

We asked our young people what they thought people in poverty would experience

Going to school may be the only chance I get to have a hot meal



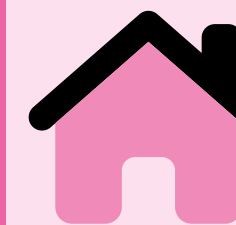
Sometimes I feel hopeless and that education isn't for me



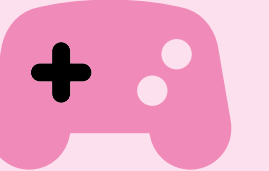
I get into arguments about money and feel angry at my parents for not being able to give me what they want or need



Living in poor households can make me feel unequal to others



I'm scared I won't have the same things and opportunities as others and I would miss out on lots of stuff



It could affect me in the long run and have impacts on my health



Quotes gained from SYA forum and Healthwatch school consultation, 2023

Impacts of child poverty

In the UK, too many children are growing up in families facing poverty and destitution. The Cost-of-Living Crisis and aftermath of the COVID pandemic has pushed more families into poverty. Poverty is a driver of health inequalities and has long-term societal, mental and health impacts on a child. The circumstances in which a child grows and develops can greatly impact their future and without essentials such as food, clothing and adequate housing, children are unable to achieve their full potential.

Nationally, children living in the 10% most deprived areas are more likely to have low birth weight and die in infancy than the children living in the 10% least deprived areas. Children living in poverty are more likely to be obese, develop long-term illnesses, experience tooth decay and develop mental health disorders⁷.

Environmentally, air pollution is significantly higher in deprived areas which can have considerable impacts on a child's health and their development. In deprived areas, families may also experience fuel poverty and live in housing that is susceptible to damp and mould and be poorly ventilated. This increases the chance of a child developing a chronic lung condition or cardiovascular disease later in life⁴.

Around 70% of children who are in poverty have at least one parent who works within the household. Financially, families in poverty may experience food insecurity and lack access to healthy, nutritious food, driving further poor physical outcomes, such as obesity. Low-income families may not be able to access medical care for their child due to the cost of transport, parking and loss of earnings⁴.

During the school day, children in poverty are more likely to experience social exclusion due to the inability to afford school trips, uniform or social events. This can result in bullying, isolation, academic underachievement, poor mental health and future employment difficulties.



The National Picture

In 2021/22 there were 4.2 million children in the UK living in poverty. The most at risk were children from lone parent families, from Black and minority ethnic groups or in large families. Around 71% of children in poverty are from families where at least one person works². These figures are projected to increase to 5.2 million children by 2023/24³.

Poverty Measures

The data used in this strategy is the most up to date validated data that is available to us and linking to the Public Health Outcomes Framework, however it is recognised that the COVID pandemic and the Cost-of-Living Crisis have greatly impacted child poverty rates. Most of the measures used are calculated before housing costs and the figures would rise if calculated after housing costs. This strategy will use the terms relative low-income/poverty and absolute low-income/poverty as defined by the Department for Work and Pensions:⁸

'Relative low income is defined by as a family in low income Before Housing Costs in the reference year. A family must have claimed Child Benefit and at least one other household benefit (Universal Credit, tax credits, or Housing Benefit) at any point in the year to be classed as low income in these statistics.'

'Absolute low income is defined as a family in low income Before Housing Costs in the reference year in comparison with incomes in financial year ending 2011. A family must have claimed Child Benefit and at least one other household benefit (Universal Credit, tax credits, or Housing Benefit) at any point in the year to be classed as low income in these statistics.'

The Welfare Reform and Work Act 2016 has replaced the Child Poverty Act 2010 and requires the Secretary of State to publish the data of children living in poverty, educational achievement and the number of children living in households where no-one is in employment.

Where are we nationally?

In 2021/22, Blackburn with Darwen had a child poverty rate for relative low-income of 36.5%⁹. From the 2021 Census, there are 35,226 under 16s in Blackburn with Darwen. As 36.5% of this population live in relative low income, it is equivalent to 12,858 children¹⁰.

Number of children in relative low-income families in Blackburn with Darwen

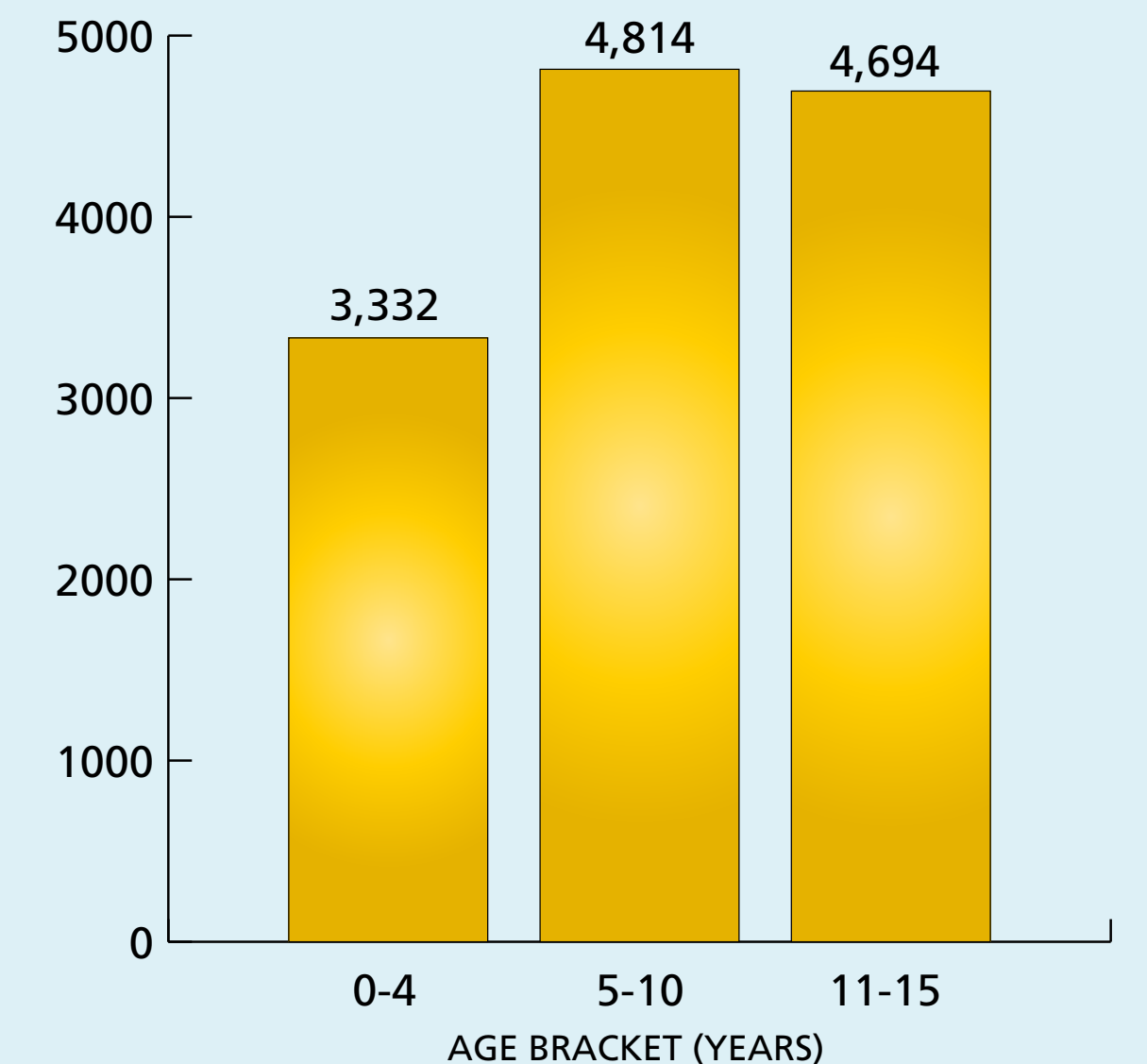


Figure 1: Department for Work and Pensions, 2023¹¹

England - 19.9 (2,087,494)

Blackburn with Darwen - 36.5 (12,840)

Figure 2 proportion of children in relative poverty, Fingertips, 2023⁹

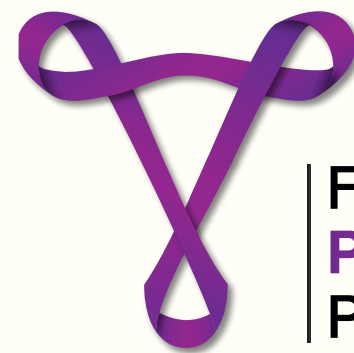
National Initiatives

Nationally, the UK government has multiple schemes available to help families and children in poverty. Free school meals, educational grants and Family Hubs contribute to addressing the needs of families and create a supportive environment for children to thrive. Financially, Child benefit is available for families who are responsible for bringing up children under the age of 16 or under 20 if they stay in approved training or education.



Free School Meals

Free School Meals are universal for children in Reception, **Year 1 and Year 2 and in nurseries** if children attend full days. After this, children are eligible if their parent or carer is in receipt of certain benefits.



FREE
PERIOD
PRODUCTS

Period Product Scheme

Period Product Scheme is available in state maintained secondary schools and **post-16 organisations** and primary schools who have pupils above aged 10 years. Within this scheme, anyone who has a period should be able to access period products for free during term time.



30 free hours of childcare

All 3 and 4-year-olds can access **15 hours free childcare**, regardless of parental employment. If parents are in employment and earn at least the national living wage and other criteria, children can access **30 hours free childcare** for 38 weeks of the year after their child turns 3. Children from low-income families can also currently access free childcare from age 2. This offer is being extended in 2024.



Healthy Start vouchers

Healthy Start vouchers available after 10 weeks of pregnancy and if people have a **child under 4**, these vouchers can help families buy healthy food and vitamins. These vouchers are only available if you are on certain benefits or under the age of 18.

Our Challenges

Our Challenges

The child poverty profile of BwD shows the deprivation across the borough as we face the cost of living crisis and continue to recover from the COVID pandemic.

Blackburn with Darwen was ranked 10th most deprived local authorities in England based on the income deprivation in 2021¹².

Child poverty is not spread evenly across the wards in Blackburn with Darwen and we have the 9th largest deprivation gap in England between the most and least deprived.

The Income Deprivation Affecting Children Index (IDACI) measures the number & proportion of all children aged 0 to 15 living in income deprived families. The England average is 17.1%, in Blackburn with Darwen the average across all wards is 22.8%¹³.

Our Strengths

Our borough is young and diverse and BwD contributes £3.16 billion to the UK economy¹⁴. Our voluntary, community and faith sector is strong and provides support through all our wards and communities. BwD has two of the top performing secondary schools in the country and we have high levels of apprenticeship uptake.

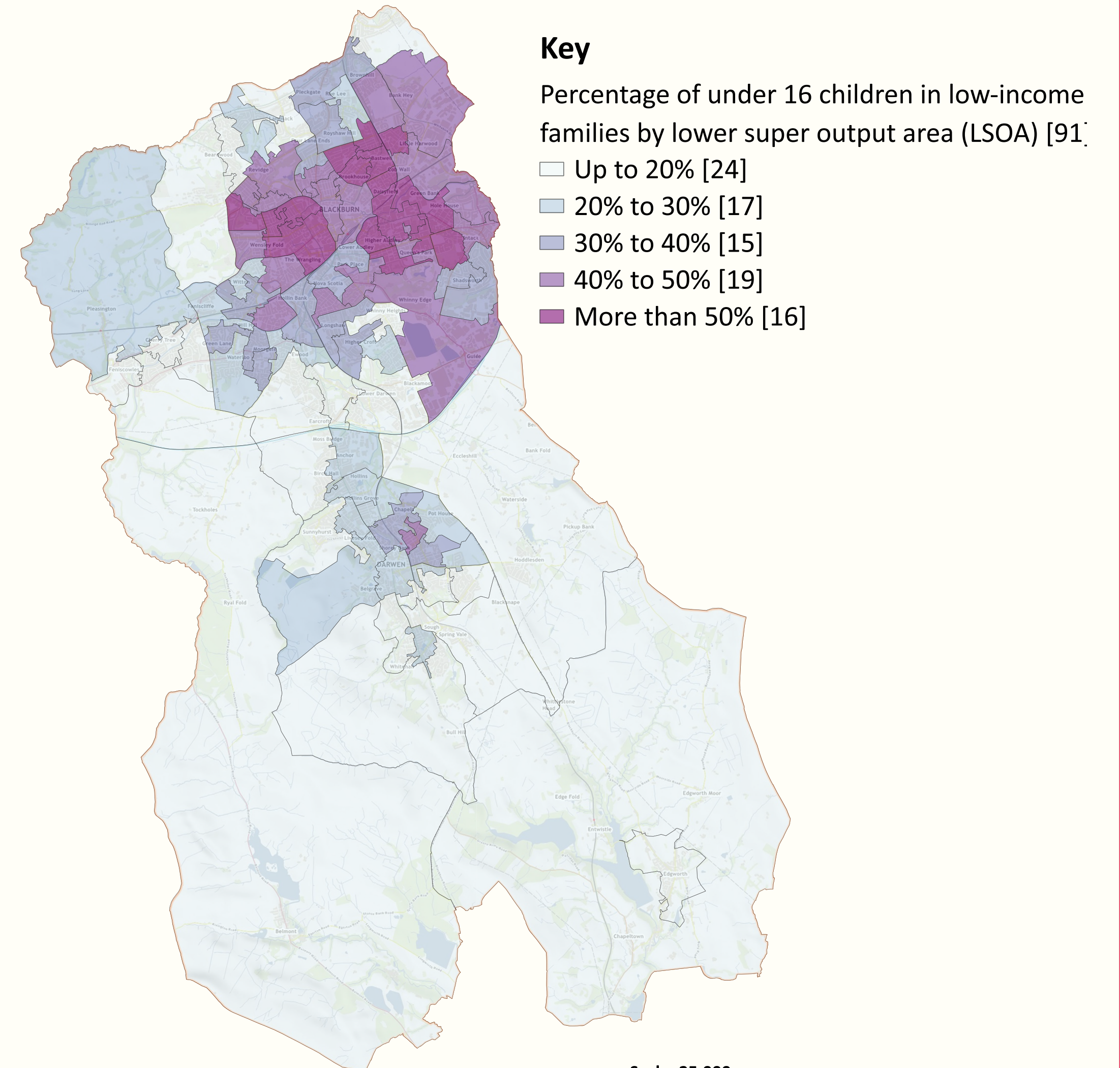


Figure 3: Department for Work and Pensions, 2023 11

In numbers: Child poverty in Blackburn with Darwen

36.5%

In 2021/22, Blackburn with Darwen had a child poverty rate for relative low-income of 36.5%⁹.

12,858

36.5% of under 16's live in relative poverty. This is equivalent to 12,858 children¹⁰.

1/4

Over a quarter of households with dependent children are lone parent households in BwD¹⁵.

23.4%

23.4% of Year 6 pupils responded that they sometimes or never eat breakfast in the School Health Needs Assessment (SHNA)¹⁶.

54%

Over 54% of households with children are deprived in either housing, employment, education or health and disability¹⁵.

50.1%

50.1% of children who are in relative low-income families are female, meaning they are over-represented compared to the known proportions¹¹.

48%

Households with children make up just over 48% of overall households on Universal Credit¹⁷.

7,012

The number of pupils eligible for free school meals has increased from 4,114 in 2015/16 to 7,012 in 2022/23¹⁸.

70%

70% of children in poverty in Blackburn were in working families in 2021/22 equalling 9,844 children¹⁹.

24.4%

24.4% of children living in the most deprived areas of BwD are obese in Year 6 compared to 17.6% in the least deprived areas²⁰.

190

190 households with dependent children have no central heating in their home¹⁵.

73.6%

67 out of 91 (73.6%) lower super output have a higher proportion of children in relative low-income families than the national figure (19.9%)¹¹.

Recent partnership working

All of us have a part to play in tackling child poverty. We must aim to reduce and mitigate the effects of child poverty on our residents. Blackburn with Darwen Public Health links with many initiatives and services to help our children, young people and families who are living in poverty.

The work highlighted is only the start of what we aim to do in Blackburn with Darwen. We will take our young people and families on a journey with us and hope to mitigate the impact poverty has on those facing its harsh reality.

Related Strategies Plans and Policies

- BwD Corporate Plan
- Public Health Annual Report
- Joint Health and Wellbeing Strategy
- Joint Strategic Needs Assessment
- Eat Well, Move More Strategy
- Oral Health Improvement Strategy
- Mental Wellbeing, Mental Health, Self-harm and Suicide Prevention Strategy
- Healthy Weight Declaration

Linking Boards and Groups

- Health and Wellbeing Board
- Children's Partnership Board
- Child Poverty Strategy Group
- BwD Food Alliance

Public Health's partnership working to tackle poverty

Holiday Activity Fund

All children who are eligible for FSM can attend and access a range of fun activities and a hot meal during the school holidays

Family Hubs

Our four Family Hubs provide support for our families from conception to 19 or 25 with SEND. Support includes infant feeding, speech and language and mental health services

Period Poverty Network

Set up to identify where free products are available across our borough for those who need them, especially for pupils outside of term time

School Uniform Exchange

Pop-up shops were available in summer across both towns for people to pick up pre-loved uniform for free before the start of the school year

School Food Grant

Schools in BwD had the opportunity to bid for funding to improve food security for families, improve health and wellbeing for our pupils and support those in the most deprived wards.

Foodbank support

The food bank help our most vulnerable families by providing them with a three day nutritionally balanced emergency food parcel when referred in crisis.

Household Support Fund

The fund can help our families get support with things like the cost of gas and electric and household appliances. The fourth round of funding is available until March 2024

Cot Bed Referral

Our most vulnerable families are able to receive a cot from a Health Visitor referral so their baby has a safe place to sleep.

Consultation and Key Themes



After consultation with young people in our borough and key stakeholders, six key themes were identified and help to protect those in poverty and prevent more children, young people and families falling into poverty.

These themes were identified with the help of:

- Healthwatch who gathered responses from 780 pupils through questionnaires and focus groups
- Two workshops with the Strategic Youth Alliance Forum (now Young BwD Foundation) to hear their thoughts and make sure we have the right themes
- The Family Hubs Parent Panel who shared their ideas through a survey
- A stakeholder engagement session with attendees from across the local authority, VCFS and education
- Ongoing engagement with our Child Poverty Strategy Group

What's working well?

- ✓ Knowing our population and needs of our residents
- ✓ Eagerness to change and improve
- ✓ Strong partnership working with local authority, youth services and VCFS
- ✓ Four Family Hubs across BwD

By supporting children and young people in poverty, their health and ability to get a good education can be improved exponentially. This can mean that as adults, they have better employment opportunities and can live longer lives.

Theme 1 - The School Day

"We need to be asked what we want to eat"

What our Young People said:

How a young person performs in school will impact them in later life and if they are in poverty, they may not be able to have the same opportunities as those who are not in poverty. Pupils in poverty could be stressed, tired and worried about their financial situation which would make it difficult to learn.

Food

The quality of school food was discussed and if this is the only hot meal they are eating, pupils should get a say in what the meals are. Young people wanted free school meals to be universal so no one is singled out which can lead to embarrassment if you are seen to be different.

Uniform

Bullying was mentioned frequently with uniform especially if it is dirty, old or unbranded which can make you look different to others. Young people believed that schools should all have recycle schemes and pop-up shops in the summer to help those who can't buy uniform and also for sustainability.

Our priorities

HAPPIER, HEALTHIER AND MORE CONFIDENT CHILDREN

Children and young people will have their emotional, mental and physical wellbeing supported to help them to become resilient, independent and confident adults. Good and supportive pastoral care will ensure pupils concerns are heard and referrals into services can be made.

AFFORDABLE, INCLUSIVE UNIFORM

All pupils should be able to access quality uniform at an affordable price. By reducing the number of branded items and improving recycling or pre-loved provision, students will not be singled out for looking 'different'.

ACCESS TO NUTRITIOUS FOOD

All children should have access to a warm and nutritious meal during the school day. All food provided during school time should be in line with the school food standards and take in to account the voice of their pupils.

READY TO LEARN

All pupils should arrive at their first lesson ready to learn. By providing a safe environment, our children and young people can flourish at school and achieve their best.

Key Measures

Improved attendance



Improved behaviour



Positive pupil voice recorded



Theme 2 - Food

"A young person might not be able to be fed at home if they are in poverty"

What our Young People said:

Everyone should have access to healthy, affordable and nutritious food. From our feedback from young people, food was described as a basic necessity and something that people in poverty may lack.

For Young People

Our young people would like to see student discount on food and in supermarkets to make nutritious food more accessible. They also mentioned wanting to learn to cook healthy meals and other life skills as money management.

For Families

Families have said that one of their concerns is being able to access nutritious food for their children. Families also mentioned that there are children who just miss out on free school meals and where they could get food if they were not eligible for support.

Our priorities

SUSTAINED AND SUPPORTED BREASTFEEDING

Breastfeeding is cost-effective and provides all the essential nutrients and boosts development in our infants. Breastfeeding can positively impact long term health outcomes and provide the best start in life for our children.

NO CHILD GOING HUNGRY

Advocating for policies that address the root cause of food insecurity will help to ensure that all children in BwD are well nourished and thriving. No family should have to rely on one meal a day and the emotional impact that this has.

IMPROVED FOOD EDUCATION

Children, young people and families should have access to the education to help them make healthy, nutritious meals and understand how food impacts our health. By improving education in and out of school, our residents can be empowered to make healthier choices in their homes and communities.

Key Measures

Improved NCMP data



Improved oral health



Increased number of businesses signed up to Recipe 4 Health



Theme 3 - Transport

"Traveling on public transport is too expensive"

What our Young People said:

People in poverty may find it difficult to get around if they don't have access to a car and if public transport is expensive. Young people have mentioned the need for a student travel scheme and discounted ticket prices. If people are unable to get transport, they may not feel safe walking and would find attending appointments or accessing services hard. Driving is also expensive and would put people off learning.

Our priorities

ENCOURAGE AND SUPPORT ACTIVE TRAVEL

Active travel provides both physical and mental benefits. Our walking and cycling routes connect our borough and should be used by our children and young people to increase their physical activity and help to reduce the impact transport can have on the environment.

INCLUSION OF YOUTH VOICE

To ensure that the services we provide are appropriate, youth voice must be included in any decision making process across all our services. We will gain feedback from young people to ensure that we continuously improve what we offer.

SAFE AND AFFORDABLE TRANSPORT

All of our young people should be able to access transport at an affordable price. Our public transport should connect to other towns and cities giving young people equitable access to opportunities outside of the borough. Our streets should be a safe place to walk, cycling and drive at any time of the year. For our children and young people with SEND, we need to ensure that all transport is accessible and inclusive for them to lead independent lives.

Key Measures

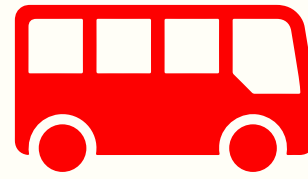
Improved road safety data e.g reduced collisions



More CYP walking or cycling



More CYP using public transport



Theme 4 - Stigma and Wellbeing

"Being bullied because you're poor people would definitely know if you were"

What our Young People said:

Stigma

Our young people highlighted the stigma of poverty as the main reason that people could know that people in poverty are different and may experience bullying. This would have a huge impact on their mental health and their relationships with their friends, family and peers. Children in poverty may not want to invite friends round to their house or miss out on social activities such as school trips. Overall, our young people wanted equal opportunities for all and spoke a lot about poverty proofing the school day and extracurricular activities.

Wellbeing

People in poverty may not have the same opportunities to improve their mental health and wellbeing as their friends. Young people said that outdoors gyms, free activities outside and access to green spaces for everyone would help with socialising and improving health without targeting activities at poverty.

Our priorities

POVERTY PROOFING OUR SERVICES

By addressing the challenges faced specifically by our children and young people in poverty, we can build a compassionate BwD and reduce further stigma. All our services should be inclusive to help with children and young people 'standing out' if they are unable to afford services. Equal opportunities should be available both in and out of school.

ALL OUR SERVICES ARE PROMOTED APPROPRIATELY AND ACCESSIBLY

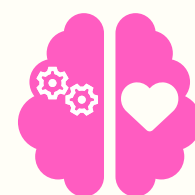
Our children, young people and families should know when and where to get help. By promoting our services appropriately and raising awareness of what help is available, the impacts that they have will be maximised. Our services should be accessed without any barriers, regardless of language, disabilities and financial background.

IMPROVING MENTAL HEALTH

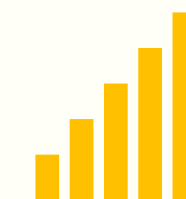
By reducing stigma and encouraging our young people to reach out for help when needed, the emotional stress or burden that poverty has could be mitigated. If opportunities in Blackburn with Darwen are equal and equitable, no child or young person should feel like they are isolated or missing out.

Key Measures

Decrease in CAMHS referrals from our most deprived wards



Improved SHNA self-reported wellbeing



Positive service user feedback from CYP



Theme 5 - Early Years (0-5)

"Childcare needs to be cheaper for working families"

What our families said:

Our families believe the main issues facing those in poverty are rent and bills, childcare costs and food poverty. Early years should be cheaper for families, especially childcare and activities for children (0-5 years).

Our families mentioned that some just miss out on being able to attend the holiday activity fund programme during summer holidays.

Our priorities

ALL CHILDREN REACH THEIR DEVELOPMENTAL MILESTONES

By supporting our children's development and providing equal access to services, such as speech and language, all children will be ready for school, have the foundations for learning and having a good quality of life. Children with SEND will be able to learn and achieve to their full potential

CHILDREN HAVE ACCESS TO HEALTHCARE SERVICES

All children in Blackburn with Darwen should have access to the healthcare they need. There should be no barriers to accessing these services and families should understand what is available for them.

FAMILIES ARE SUPPORTED WITHIN THEIR COMMUNITIES

Access to social activities and advice and wrap around support should be available where our families need it most; directly in their community. By working with our partners, Family Hubs and making every contact count, our families will have the environment to thrive.

ACCESS TO QUALITY CHILDCARE

Activities and childcare are wonderful opportunities for children to learn and grow. Keeping these services affordable is key in supporting our families.

Key Measures

Increased vaccine uptake



Developmental milestone met and children are ready for school



Increased attendance at Family Hubs



Theme 6 - Housing

"You can develop an illness if you live in a cold home"

What our families said:

Our families highlighted that along with the cost of childcare, rent and bills were putting families under pressure. The quality of housing that families are in can have a huge impact on their health and wellbeing.

What our young people said:

Our young people mentioned that people in poverty could be embarrassed to have their friends round as it would show that they were 'unequal' if they didn't have things that others did. They knew that living in a cold and damp house can have negative impacts on health and can cause stress which can affect school life.

Our priorities

HOMES ARE SAFE FOR OUR FAMILIES

Our homes should be a safe environment for our children. By providing advice, help and support on what families can do to reduce the chance of accidents and injuries at home, our children and families will have a secure space to explore develop and learn.

CHILDREN HAVE A SAFE PLACE TO SLEEP

When children and young people are well rested, they will be ready to start the school day and achieve their full potential. For our families who have children under the age of two and expectant mothers, we will ensure they have the support and resources need to follow safer sleep practices.

HOMES ARE WARM FOR OUR FAMILIES

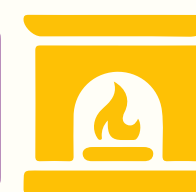
We must ensure that we help our families, where possible, to keep their homes warm. With the cost of fuel and bills, especially during the winter months, some of our families have to make the choice between heating and eating. Going home to a cold house has negative impacts on your health.

Key Measures

Increased referrals into the Healthy Homes service



Fewer homes experiencing damp and mould



Decreased A&E admissions from accidents in the home and asthma



Effective governance is crucial for the success of our Child Poverty strategy. Clear roles, responsibilities and communication channels will enable stakeholders to work collaboratively, fostering a coordinated effort towards achieving our aims and objectives. We will build on the work already taking place on each of our six key themes by ensuring effective cooperation between our linking strategies, groups and boards.

Accountability

The Child Poverty Strategy Group will formulate the action plan with key stakeholders and provide the operational function to ensure that our objectives are addressed appropriately. This group will directly report to the Children's Partnership Board with progress on the action plan that will sit under this strategy. This board will feedback to the Health and Wellbeing Board as part of the Start Well agenda. Throughout the term of this strategy, regular updates will be given to our children and young people through the Young BwD Foundation. This will ensure that we are held accountable in delivering the work to mitigate the impacts poverty has on our children and young people

Our Reporting Structure

Regular feedback to the Young BwD Foundation

Health and Wellbeing Board

- Oversight function
- Annual Update

Children's Partnership Board

- Strategic function
- Quarterly reporting

Child Poverty Strategy Group

- Operational function

Next Steps

An action plan is being developed with key stakeholders to sit underneath this strategy. The action plan will incorporate actions that have initially been identified in consultation with our children, young people and families. This plan will be an adaptable and flexible resource to address the key themes set out in this strategy and new themes and objectives that emerge as the work develops.

An initial set of key performance indicators has been created against each key theme, and these will help to gauge our achievements. Regularly tracking and analysing these metrics will help to identify areas of improvement and ensure alignment to our vision. Continuous monitoring and adjustment based on these measures will help to contribute to an environment where all children, young people and families can flourish in Blackburn with Darwen.

Our Key Performance Indicators

The School Day

- Improved attendance
- Improved behaviour
- Positive pupil voice recorded

Food

- Improved NCMP data
- Improved oral health
- Increased number of business signed up to Recipe 4 Health around schools

Transport

- Improved road safety data
- More children and young people walking or cycling to school
- More children and young people using public transport

Stigma and Wellbeing

- Decrease in CAMHS referrals from our most deprived wards
- Improved SHNA self-reported wellbeing
- Positive service user feedback from children and young people

Early Years

- Increased vaccine uptake
- Developmental milestones are met and children are ready for school
- Increased attendance at Family Hubs

Housing

- Increased referrals into Healthy Homes service
- Fewer homes experiencing damp and mould
- Decrease in A&E admissions from accidents in the home and asthma

References and Data Sources

1. Joseph Rowntree Foundations, 2011, Monitoring poverty and social exclusion, Available from: [Joseph Rowntree Foundation \(jrf.org.uk\)](http://jrf.org.uk)
2. Child Poverty Action Group, Child Poverty Data, Available from: [Poverty: facts and figures | CPAG](#)
3. Children's Commissioner, Fact checking poverty, 2020, Available from: [Fact checking claims about child poverty | Children's Commissioner for England \(childrenscommissioner.gov.uk\)](http://childrenscommissioner.gov.uk)
4. Royal College of Paediatrics and Child Health, State of child health, 2020, Available from: [Child poverty – RCPCH – State of Child Health](#)
5. Rajmil et al, 2020, Austerity and policy and child health in European countries: [A systematic literature review](#), Available from: [BMC Public Health \(springer.com\)](http://BMC Public Health (springer.com))
6. Child Poverty Action Group, Definition of poverty, 2023, Available from: [What is poverty? | CPAG](#)
7. Royal College of Paediatrics and Child Health, Health inequalities and poverty, 2022, Available from: [Child health inequalities driven by child poverty in the UK - position statement | RCPCH](#)
8. UK Parliament, Poverty Statistics, 2023, Available from: [Poverty in the UK: statistics - House of Commons Library \(parliament.uk\)](#)
9. Children in Relative Poverty, Fingertips, 2023, Available from: [Public Health Outcomes Framework - Data - OHID \(phe.org.uk\)](#)
10. Office for National Statistics, Blackburn with Darwen Census, 2021, Available from: [How life has changed in Blackburn with Darwen: Census 2021 \(ons.gov.uk\)](#)
11. Department for Work and Pensions, 2023, Local area statistics, Available from: [Children in low income families: local area statistics - GOV.UK \(www.gov.uk\)](#)
12. Ministry of Housing, Communities and Local Government, Deprivation Indices, 2019, Available from: [The English Indices of Deprivation 2019 \(publishing.service.gov.uk\)](#)
13. LG Inform, IDACI BwD, 2019, Available from: [IMD - Income Deprivation Affecting Children Index \(IDACI\) - score in Blackburn with Darwen | LG Inform \(local.gov.uk\)](#)
14. Blackburn with Darwen Borough Council, Economy, 2023, Available from: [Economy outcome measures | Blackburn with Darwen Borough Council](#)
15. Office for National Statistics, Deprivation custom data set, 2023, Available from: [Custom dataset - Office for National Statistics \(ons.gov.uk\)](#)
16. School Health Needs Assessment, 2020/21, Year 6 Responses, BwD Public Health Internal Data
17. Department for Work and Pensions, Universal Credit statistics, 2022, Available from: [Universal Credit statistics, 29 April 2013 to 13 January 2022 - GOV.UK \(www.gov.uk\)](#)
18. GOV.UK, Free school meal eligibility, 2023, Available from: [Create your own tables, Table Tool – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](#)
19. Department for Work and Pensions, Local Area Statistics, 2023, Available from: [Children in low income families: local area statistics - GOV.UK \(www.gov.uk\)](#)
20. Office for Health, Improvement and Disparities, Obesity Profile, 2023, Available from: [Obesity Profile - Data - OHID \(phe.org.uk\)](#)