

Public Document Pack

Executive Member Decisions

Friday, 23rd June, 2023
10.00 am

AGENDA

1. **CPO of 128 Infirmary Street, Blackburn**
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Appendix 2
Appendix 3
EMD - CPO of 128 Infirmary Street, Blackburn

2. **Lancashire Local Enterprise Partnership future arrangements**
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3. **National Highways and Transport (NHT) 2022 Survey Results**
National Highways and Transport (NHT) 2022 Survey Results **15 - 26**

Date Published: Friday 23rd June 2023
Denise Park, Chief Executive

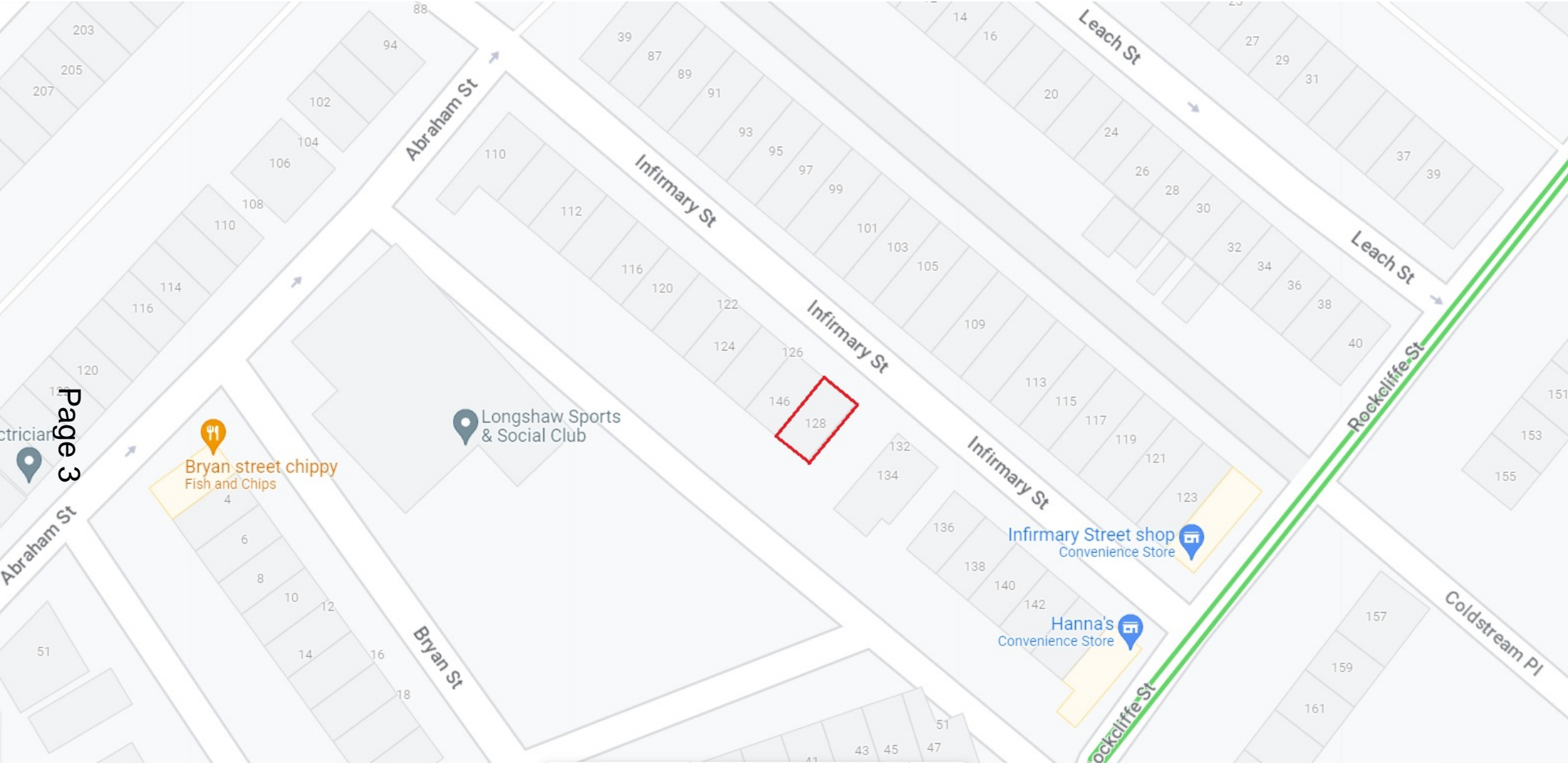
Appendix 1

PRIORITY SCORING MATRIX

Maximum Points: 38 (must score 24 or over)

Address: 128 Infirmary Street, Blackburn		Score 34
How long has the property been Empty?	Less than 6 months	0
	6 months to 2 years	1
	2 – 5 years	2
	Over 5 years	4
Is the property in disrepair?	No	0
	Minor disrepair	1
	Serious disrepair	2
	Severe disrepair	4
Have complaints been received in Respect of this property?	No complaints	0
	Under 5 complaints	1
	5 to 9 complaints	2
	10 complaints or over	4
Is the property within an Intervention area?	No	0
	Yes	2
Is the property within an Investment area?	No	0
	Yes	2
Is the property within a selective Licensing area?	No	0
	Yes	2
Adequate evidence of attempted previous contact with owner?	No	0
	Yes	20
TOTAL SCORE		34

128 Infirmary Street, Blackburn







EXECUTIVE MEMBER DECISION

REPORT OF:	Executive Member for Growth and Development Executive Member for Finance and Governance
LEAD OFFICERS:	Strategic Director of Growth & Development
DATE:	23 June 2023

PORTFOLIO/S AFFECTED: Growth and Development Finance and Governance

WARD/S AFFECTED: Ewood;

SUBJECT: EMD – Compulsory Purchase of an Individual Property at 128 Infirmary Street, Blackburn. BB2 3SF

1. EXECUTIVE SUMMARY

To seek approval to initiate compulsory purchase action on the above privately owned property as part of the Council's Empty Property Strategy to reduce the number of long term empty properties and provide much needed accommodation for the Borough.

1. RECOMMENDATIONS

That the Executive Member:

Upon being satisfied that:

- a) it would contribute to the economic, social and environmental well-being of the borough;
 - b) there is a compelling case in the public interest as the interference with Human Rights involved is proportionate in the interests of bringing empty properties back into use;
 - c) sufficient funds exist for carrying the resolution into effect;
 - d) no impediments exist to the implementation of the scheme to redevelop the property (subject to the making of the order) and there is a reasonable prospect of its implementation, should the order be made;
 - e) the whole of the legal estate could not be acquired by agreement.
- 2.1 Authorise the Strategic Director for Growth and Development, in conjunction with the Deputy Director for Legal and Governance to prepare and make a Compulsory Purchase Order (CPO) under section 17 of the Housing Act 1985 and the Acquisition of Land Act 1981, for the purpose of acquiring the property to bring about its re-use.
- 2.2 Authorise the Strategic Director for Growth and Development to negotiate terms for the acquisition by agreement of any outstanding interests in the land within the Order prior to its confirmation.
- 2.3 Authorise the Deputy Director for Legal and Governance (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the order if he is satisfied that it is appropriate to do so.

2.4 Authorise the Strategic Director for Growth and Development to approve agreements with the land owner setting out the terms of withdrawal of objections to the Order (including the power to defer implementation post confirmation) and in consultation with the Deputy Director for Legal and Governance to make deletions from and/or minor amendments and modifications to the proposed Order and Order plans.

2. BACKGROUND

- 3.1 As part of the Council's commitment to bringing empty properties back into use, this property has been evaluated using the priority scoring matrix (Appendix 1). It scores highly due to the fact that the property has been empty since the last tenant vacated in November 2017 and is currently in serious disrepair.
- 3.2 The proposed CPO site is outlined in red on the attached plan (Appendix 2).
- 3.3 This pre-1919 mid terraced, pavement fronted property is situated in the Ewood ward of the Borough and is set in a row of two storey terraced houses built of brick with a stone frontage and pitched slate roofs. This particular property stands in the middle of the row and the rear elevation has been rendered. The surrounding area comprises of housing of a similar age and style.
- 3.4 It is anticipated that the property comprises two living rooms with a kitchen situated in the ground floor annexe, with 2 bedrooms and a bathroom at the first floor level. This assumption is made due to the fact that an external inspection only has been carried out and the assumption is based on previous inspections of similar neighbouring properties which were built at the same time and are of a similar size.
- 3.5 Currently, the property stands obviously empty with the front first floor window smashed and the front and rear ground floor windows boarded, having previously been open to access in May 2019. It has been plagued by vandalism, fly-tipping, squatting and drug use, causing a severe nuisance to the local neighbourhood. The building has therefore been subject to multiple and repeated complaints regarding its condition and the related anti-social behaviour issues, which are having a negative impact on the local surrounding area.
- 3.6 This long term empty property was first inspected by the Empty Properties Team on the 2nd August 2018. It was noted that the front door was boarded and fly-tipping was evident in the rear yard. 4 Letters were subsequently sent to the owner over the course of a 6-month period, commencing on the 3rd August 2018. The first response received from the owner was on the 6th March 2019, when he refuted the number of letters that had been sent to him. He advised that work to refurbish the property would not commence for at least another 6 months and wasn't a priority.
- 3.7 On the 21st March 2019 a further letter was sent to the owner advising that the Council would consider buying the property by agreement. The owner responded on the 4th April 2019 indicating that he was interested in a sale by agreement as work would not start on the property for another 12 months or until work had completed on his other properties.
- 3.8 The property was reported as open to access in May 2019 and despite the property being secured by the owner, Lancashire Police reported it open to access again on the 7th July 2019. Numerous attempts were made to contact the owner, where he was advised to re-secure it. The Empty Properties Officer re-visited on the 5th July 2019, where it was noted that the kitchen appeared to be fire damaged. As no attempts were made by the owner to secure the premises, the property was boarded by the Council on the 8th July 2019 and again on the 28th October 2019 and a charge placed on the property to recover the costs.

- 3.9 The property has been re-inspected at regular intervals from August 2018 and a letter from the Planning Enforcement Team regarding a Section 215 notice was issued to the owner on the 27th August 2019. There was a steady accumulation of fly-tipping at the front and in the rear yard of the property as that remained insecure until the owner secured it in December 2019. Fly-tipping has continued to remain prevalent at the property and the owner was subsequently fined £220, with costs of £320 and a victim surcharge of £32 on the 27th October 2020 for failing to comply with a Section 4 of the Prevention of Damage by Pest Act 1949.
- 3.10 In January 2021, the owner claimed that refurbishment work was going to commence in March / April 2021 but was considering the selling the property but had been unable to find a buyer. In October 2021 the Empty Properties Officer met the owner, where he stated that work would start once another property had been refurbished. He was advised that a potential buyer had expressed interest and contact details were subsequently provided.
- 3.11 In January 2022 the owner advised that he sold the property to an investor prior to Christmas, following ongoing discussions for the past 4 to 5 months. In February 2022, he subsequently advised that the buyer had postponed a meeting to discuss the sale further. In June 2022, the owner reported that another sale was progressing on the property and advised that he didn't have the necessary funds to renovate it so a sale was absolutely essential. In January 2023 the owner claimed that another sale was being negotiated but no evidence of this has been provided.
- 3.12 It is therefore recommended that approval to move to CPO is given to ensure that this property is satisfactorily refurbished and brought back into use in a timely manner.

4. KEY ISSUES & RISKS

- 4.1 Tackling empty properties supports the key priorities in the Council's Corporate Plan and the Empty Property Strategy.
- 4.2 There are currently around 2,718 empty properties (May 2023) accounting for 4.4% of the total housing stock in the Borough, of which 1,834 (2.9%) are classified as empty and unfurnished with 985 (1.56%) of those homes classified as long term empty homes. Some properties have already been removed by clearance activity. Of the rest, although some will only be empty for a short time, others have been empty for a long time and need to have action taken to remedy this.
- 4.3 Continued efforts are required to ensure that properties are empty for a minimum period of time and the Council's message that long term empty properties will not be tolerated continues to be communicated.
- 4.4 There are currently no grant funding opportunities available to support empty homes refurbishment (previous HCA initiatives ended in March 2015). Direct support and signposting is offered to help owners to bring their properties back into use. Where owners are unwilling or unable to bring their properties back into use, enforcement action is considered to be the most appropriate course of action to be taken.
- 4.5 Engagement with the owners of the property has been exhausted and compulsory purchase action is now considered to be the only course of action left to the Council to ensure that the property is brought back into use.
- 4.6 Empty properties in the borough can have negative environmental impacts on neighbourhoods in addition to being a wasted housing resource. At neighbourhood level, empty properties attract fly tipping, crime, arson and nuisance. It is a priority to tackle these problems through enforcement as part of the wider effort to improve neighbourhoods and prevent blight.

- 4.7 Bringing empty properties back into use creates extra accommodation for rent or sale and could also generate additional income for the Council via New Homes Bonus (NHB) payment.
- 4.8 The costs will be funded from the Neighbourhood Intervention Fund which is part of the Council's Housing Capital Programme; there are sufficient uncommitted funds available within the programme to support the making of this individual CPO.
- 4.9 Once acquired by CPO, the property will be offered for sale via a local estate agent to the highest bidder with preference given to buyers who intend to owner/occupy the property once renovated. A building licence will be granted to the buyer and formal sale is completed once the property has been renovated to the Council's required standard. This approach also encourages the use of local labour and local spend.
- 4.10 To date, 30 properties have been acquired either by purchase by agreement or compulsory purchase through the Neighbourhood Intervention Project. This has facilitated the renovation and re-occupation of some of the most problematic properties across the Borough and helped to reduce anti-social and criminal activities, which the empty properties attract

5. HUMAN RIGHTS IMPLICATIONS

- 5.1 A Compulsory Purchase Order should only be made where there is a compelling case in the public interest. Members should be sure that the purposes for which it is making a CPO sufficiently consider the human rights of those with an interest in the land affected. In particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights (which provides that every natural or legal person is entitled to peaceful enjoyment of his possessions) and Article 8 of the European Convention on Human Rights (which provides every person is entitled to respect for his home and private life).
- 5.2 Notwithstanding the acknowledged impact that the CPO will have with regard to some aspects of the Human Rights Act 1998, the benefits identified in this report present a compelling case in the public interest for making the proposed CPO and compensation will be payable under the statutory compensation code.
- 5.3 The making of the proposed CPO is in the public interest because: -
- It will promote the social, environmental and economic well-being of the area and increase residents' confidence in the area.
 - It will create extra accommodation for sale or rent.
 - It will reduce the negative environmental impacts on the neighbourhood as empty properties attract fly-tipping, crime arson and nuisance.

6. POLICY IMPLICATIONS

- 6.1 The Corporate Plan prioritises new house building and improvement of conditions in older housing. Bringing empty properties back into use is an alternative means of increasing supply and also improves housing conditions and is, therefore, relevant to both of the key corporate objectives.
- 6.2 Bringing housing back into use would increase housing supply in the borough. Properties may be occupied by owner/occupiers or be available as private rented accommodation. It would also free the local community of the problems created by properties standing empty and derelict for such a long time.

7. FINANCIAL IMPLICATIONS

- 7.1 The funding for Orders made pursuant to section 17 of the Housing Act 1985 is available in the Neighbourhood Intervention Fund which is part of the Council's Housing Capital Programme.
- 7.2 The costs will be funded from the Neighbourhood Intervention Fund which is part of the Council's Housing Capital Programme; there are sufficient uncommitted funds available within the programme to support the making of this individual CPO.
- 7.3 Some revenue budget will be required to fund the CPO action and subsequent sale of the property. The amount required will be approximately £3,000 for the appropriate service of the required legal notices and £1,000 for the estate agent's fees. The total figure of £4,000 will be funded from within existing budgets.
- 7.4 Capital receipts from sale of assets funded by the Neighbourhood Intervention Fund are recycled back into the project so that further CPO's can be undertaken as and when required.

8. LEGAL IMPLICATIONS

- 8.1 Under the provisions of section 17 of the Housing Act 1985, the local authority may acquire houses or buildings which may be suitable as houses, together with any land occupied with the houses or buildings. The power is available even if the ownership of the property is to be transferred to someone else.
- 8.2 The Council also needs to consider the Guidance on Compulsory Purchase Process and the Crichel Down Rules published by the Ministry of Housing Communities & Local Government.
- 8.2 Legal challenges to compulsory purchase are always a possibility and can lead to a Public Local Inquiry which would incur additional costs for the Council. A CPO on an unoccupied single property is likely to have a very limited number of possible statutory objectors, although in this case the registered owner is known. The owner will be served with the relevant statutory notices in accordance with the Acquisition of land Act 1981.
- 8.3 The making of a CPO does not prevent negotiations with any person holding an interest in land affected by the CPO as these negotiations can proceed in parallel with the statutory process. Indeed, it is advised that where possible, negotiations can continue throughout the process even up to confirmation of the Order.

7. RESOURCE IMPLICATIONS

- 9.1 Resources needed to make the CPO and serve the relevant statutory notices will be provided by the Empty Properties Team. Some support will be required from the legal team which will increase if the CPO action results in a Public Local Inquiry.
- 9.2 Some support will be required from the property services team and Capita Symonds to carry out a valuation of the property concerned.

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. *(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)*

11. CONSULTATIONS

- 11.1 Comprehensive consultation has been undertaken to understand the impacts of empty properties on local communities. The Strategic Housing Market Assessment (SHMA) supports bringing empty properties back into use. This has also been reflected in the Council's Local Plan which treats empty properties as a valuable resource towards meeting housing need within the borough.
- 11.2 The further development of the Council's Empty Property Strategy has also consulted stakeholders and agencies prior to consideration of further tools to tackle empty properties.

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 and published if applicable.

VERSION:	0.01
CONTACT OFFICER:	Nicola Fox – Principal Housing Projects Manager
DATE:	02/06/2023
BACKGROUND PAPER:	Empty Property Strategy

EXECUTIVE MEMBER DECISION



REPORT OF:	Leader
LEAD OFFICERS:	Chief Executive
DATE:	23 June 2023

PORTFOLIO/S AFFECTED:	Leader
WARD/S AFFECTED:	ALL

SUBJECT: Lancashire Local Enterprise Partnership – Future Arrangements

1. EXECUTIVE SUMMARY

Following the Spring 2023 budget statement, which included an announcement in relation to future funding of Local Enterprise Partnerships (LEPs) beyond the financial year 2023/24, the 3 Lancashire upper tier authorities (LCC, BwD and Blackpool), which are the joint owners / members of the Lancashire LEP, have been working with the LEP Board to develop future arrangements and an integration plan. This would include winding-up the existing company, and transition to a Business Board as quickly as possible and transfer the continued LEP functions to local democratic institutions.

2. RECOMMENDATIONS

BwD as a LEP Company Member is recommended:-

- further to confirmation of the LEP Board's approval at its Board meeting on 21st June 2023, to agree winding-up the company before the 30th June 2023 and agree that the company submit a winding-up application before 30th June 2023.
- that the dormant company structure be replaced by a Joint Advisory Business Board with draft Terms of Reference to be agreed by the three Company Members (LCC, BwD, Blackpool);
- that the Interim LEP Chief Executive and LCC (as Accountable Body) be authorised to draft Terms of Reference for the new Joint Advisory Business Board with a view to it becoming operational by September 2023 replacing the existing LEP company structure; and
- to note that the LEP Members (LCC, BwD, Blackpool) will enter an agreement to continue as an unincorporated board until a new Business Board is established or until the end of financial year 2023/24.

3. BACKGROUND

As part of a wider year-long process to deliver an orderly wind-up and transfer of LEP activity, the 3 members of the company (LCC, BwD, Blackpool) have been progressing work in relation to integration and potential future structures. Initial consultation, with the LEP Board, its staff and sector groups identified a need to move with the process, keeping abreast of how other areas are positioning their own place management structures, maintaining the commitment and private-sector reach of the LEP itself and creating the best possible environment to sustain positive partnership working.

The LEP Board at its meeting on the 21st June 2023 considered how functions could be absorbed within the public sector, what shape a successor Lancashire Business Board might take in terms of functions and form, and a resolution to wind-up the company.

4. KEY ISSUES & RISKS

A number of other LEPs such as those in Liverpool and Manchester Combined Authority areas have transitioned to Business Boards resulting in any associated companies being wound up. A number of LEPs have previously wound-up any associated companies whilst still continuing as unincorporated bodies. There are some advantages to that approach not least removing the legal requirements placed on companies to file accounts and Directors Duties as set out in the Companies Act 2006.

There is currently a requirement for the Lancashire LEP to file dormant accounts by 30th June 2023, the company sought independent advice which supports their decision making and the recommendations in this report. Should a winding-up application be submitted prior to 30th June 2023 it would be not necessary to ask the Directors to approve a further set of dormant company accounts with the winding-up process taking precedence.

Subject to views of the LEP Company Members, the LEP's recommended way forward; creating a new Business Board, as set out in this report by September of 2023 would proceed, and a winding-up application for the current dormant company would be submitted by 30th June 2023 (subject to prior approval by the three LEP Company Members). This approach would ensure that the dormant company does not need to submit any further dormant accounts and remove any ongoing legal duties placed on Lancashire LEP Directors. In creating a new Business Board consideration shall be given to the recently published Government White Paper regarding an English Devolution Accountability Framework.

To ensure smooth transition to from the current governance arrangements to the new Joint Advisory Business Board, the Interim LEP Chief Executive and the Accountable Body (LCC) will draft Terms of Reference for the new Joint Advisory Business Board with a view to it becoming operational by September 2023 replacing the existing LEP company structure. Subject to a Member's agreement, the current company members will continue to meet regularly as an unincorporated board for the remainder of 2023/24 or until the new Joint Advisory Business Board is established. This will be an informal arrangement involving the LEP Members in administering the remainder of the grant funds for 2023/24 and in the transition to the Joint Advisory Business Board.

This report recommends that BwD, as a company member of the Lancashire LEP, agrees to support the actions, as set out in this report.

5. POLICY IMPLICATIONS

In view of the Spring 2023 Budget Statement in relation in to future funding of LEPs, it is crucial to explore and have in place other Lancashire-wide arrangements in order to maintain strategic engagement with the private sector and key business clusters.

6. FINANCIAL IMPLICATIONS

Following winding up of the LEP company and transfer to its functions to a new Joint Advisory Business Board, the accountable body (LCC) will need to ensure that the change in status will not inhibit its ability to draw down existing or future funding offers.

7. LEGAL IMPLICATIONS

The LEP is currently setup as a dormant company limited by guarantee with three Company Members – LCC, BwD and Blackpool Council with all transactions and contracts being processed on

the LEP's behalf by the Accountable Body, LCC. The formalities involved with winding-up process would also be undertaken by the LCC, as secretary and Accountable Body. Once wound up, it will remove the legal requirements placed on companies to file accounts and Directors Duties, as set out in the Companies Act 2006.

8. RESOURCE IMPLICATIONS

LCC is the Accountable Body and employer of the LEP staff.

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

This recommendation is made after consultation with the LEP Chair and CEO, LEP Board and the other company members, LCC and Blackpool.

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 and published if applicable.

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CONTACT OFFICER:	Asad Laher, Deputy Director, Legal & Governance
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DATE:	21 J
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BACKGROUND PAPER:	
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EXECUTIVE MEMBER DECISION



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Environment & Operations

DATE: 23 June 2023

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

SUBJECT: National Highways and Transport (NHT) 2022 Survey Results

1. EXECUTIVE SUMMARY

To inform the Executive Member of the results of the National Highways and Transport's (NHT) 2022 Public Satisfaction Survey, On-line Themed Surveys, Performance Management Framework (PMF) and Customer, Quality, Cost (CQC) Efficiency Network.

Officers will carry out detailed analysis of the results and use the findings to inform policy and budget proposals going forward with the survey's results used to guide how we can improve on Public Satisfaction, Performance and Efficiencies. These will be the subject of separate briefing papers as necessary.

2. RECOMMENDATIONS

That the Executive Member:

- Notes the review of the detailed results of the NHT Survey 2022
- Approves the use of the findings of this review to inform policy and budget proposals going forward
- Approves the continued participation in the NHT Network by the submission of an Expression of Interest for the 2024 survey.

3. BACKGROUND

The DfT reward local authorities that can demonstrate that their Highway's Service is delivering value for money and carrying out cost effective improvements. They do this through the Incentive Fund Self-assessment process with Level 3 authorities receiving a higher level of funding.

A key element in achieving Level 3 status is showing that the authority actively participates in Customer Satisfaction, Benchmarking and Efficiency Monitoring and uses them to drive improvement and efficiencies in the delivery of the highway service.

With the DfT backing, the NHT Network saw 111 Authorities participating in the 2022 Public Satisfaction Survey of which 93 also participated in the Performance Management Framework (PMF) Network and Customer Quality Cost (CQC) Network, which provide benchmarking and cost efficiency data respectively. Continued participation in the network is recommended.

4. KEY ISSUES & RISKS

NHT Public Satisfaction Survey

Postal Surveys

As in previous years the authority had a poor response rate to this survey. The survey was sent to 4,300 households with only 657 responding (14 fewer than last year with 541 postal responses and 116 online responses received) this equates to a response rate of just 15.3% compared to the national average of 22.8%. Overall there is a trend towards marginally lower response rates for the survey year on year.

Attached as background papers to this report are the two general reports provided by the NHT for the postal survey:

- 2021 NHT Survey Executive Summary
- 2021 NHT Survey Authority Annual Report





The Executive Highlights Report focuses on the performance of the authority's Key Benchmark Indicators (KBI) comparing 'Year on Year Trends' and 'Differences from NHT averages'.

The Authority Annual Report looks at the performance of all indicators – Key Benchmark Indicators, Benchmark Indicators, Key Quality Indicators and Quality Indicators - comparing each with NHT averages.

Overall, the authority is generally below the national average for public satisfaction with the results also suggesting there is a slight downward trend from previous years. This downward trend, however, is seen across the vast majority of authorities nationally.

This overall downward trend can be seen in the tables below where the 2022 results are compared to the 2021 both against our own previous submission and against the NHT average.









The table below summarises the change in Blackburn's results compared with last year.

Change	Result	Key Benchmark Indicators	Key Quality Indicators	Benchmark Indicators	Quality Indicators
	4%+ above last year	0	0	1	0
	0-3% above last year	10	2	29	14
	0-3% below last year	15	2	48	1
	4%+ below last year	2	0	17	2

The table below summarises the difference between Blackburn's results and the NHT average.

Change	Result	Key Benchmark Indicators	Benchmark Indicator	Key Quality Indicators	Quality Indicators
+	4%+ above average	1	5	0	3
+	0-3% above average	7	26	3	7
-	0-3% below average	12	34	1	8
-	4%+ below average	7	31	0	4

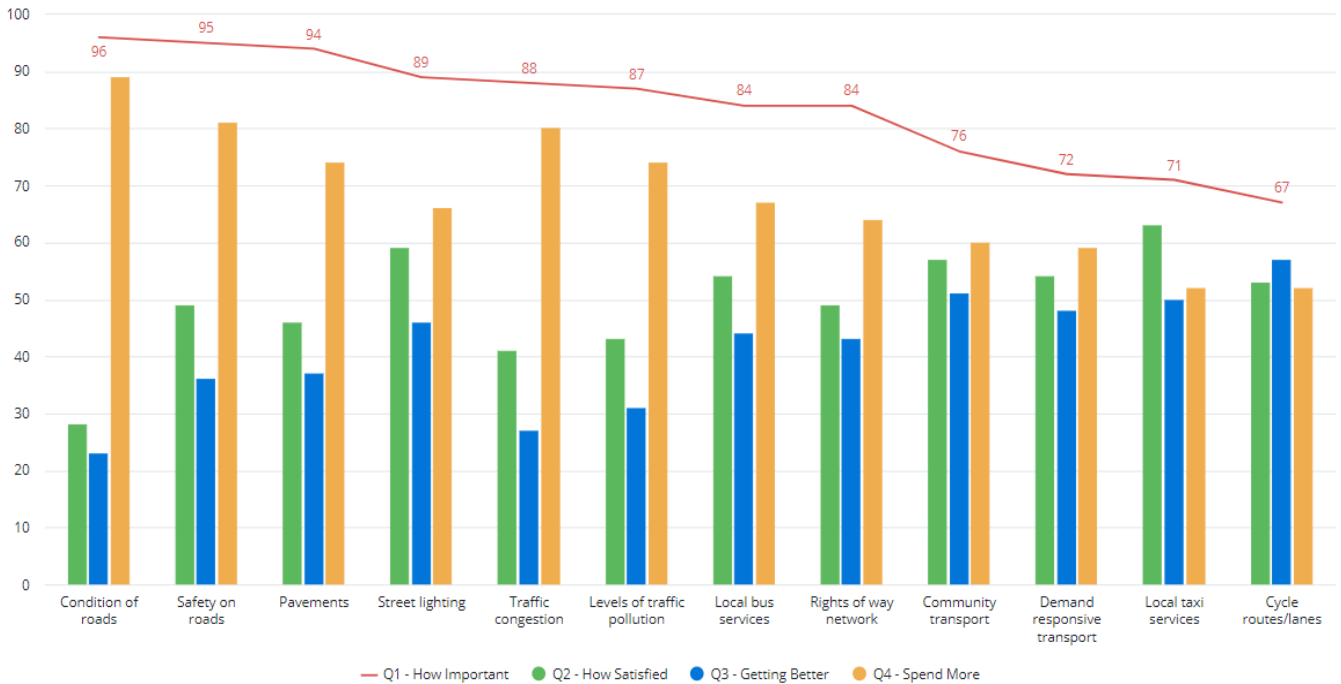
Blackburn's theme scores are compared with the NHT Average scores below. Also shown are the year on year change in results (Trend) and the difference from the NHT Average (Gap), which are highlighted in colour; blue and green for positive and amber and red for negative.

Theme	Description	Score	NHT Average	Trend	Gap
	Overall	47%	50%	-1%	-3%
	Accessibility	67%	68%	-1%	-1%
	Communications	46%	46%	-1%	0%
	Public Transport	53%	51%	-1%	2%
	Walking/Cycling	49%	51%	-1%	-2%
	Tackling Congestion	41%	44%	0%	-3%
	Road Safety	49%	52%	0%	-3%
	Highway Maintenance	42%	46%	-1%	-4%

Residents were again least satisfied with the 'Condition of Roads' and felt that this area should be the Highest Priority. This is in line with the Key Public Perceptions across all authorities where 'Condition of Roads' was the area with least satisfaction from those polled and also the area considered to be the most important and with a need to spend more.

The importance that residents put on different aspects of highway services can be seen in the graph below where they were asked which area was the most important to them, how satisfied they are with that area, if they perceive that area to be getting better and if it would be acceptable to improve the level of the service in that area by spending more.

Graphical Presentation of Scores



A summary of the surveys best and worst scores can be found in the Highlights report attached for background information.

A summary of the best and worst scores can be found below:

Best and Worst Scores

Best Scores

Your authority's highest scores in the Survey this year:

- * Best theme: Accessibility, 67%
- * Best satisfaction result: How easy buses are to get on/off (PTBI05), 67%
- * Best well informed result: Informed about climate change (CMQI18), 59%
- * Best ease of access result: Ease of access to local shops/supermarkets (ABI03), 76%

Worst Scores

Your authority's lowest scores in the Survey this year:

- * Worst theme: Tackling Congestion, 41%
- * Worst satisfaction result: Speed of repair to damaged roads (HMBI30), 25%
- * Worst well informed result: Informed about local air quality (CMQI07), 30%
- * Worst ease of access result: Ease of access (disabilities) (KBI04), 62%

Best and Worst KBI Satisfaction Scores

Your authority's best and worst KBI scores in the Survey this year:

- * Best KBI: Taxi/mini cab services (KBI09), 63%
- * Worst KBI: Condition of highways (KBI23), 28%
- * Most improved KBI: Local bus services (aspects) (KBI07), 3%
- * Most reduced KBI: Pavements & footpaths (aspects) (KBI12), -4%

In other highlights it shows public perception is that there are more pot holes and damaged roads and we are doing less to repair them:

Other Highlights

Potholes and Damaged Roads

Compared to a year ago would you say:

* There are more potholes and damaged roads, there are fewer or no change in the number: More

* The Council is doing more to repair local roads, doing less, or about the same: Less

Response demographics

Of the 657 responses received, 352 were from residents who were over 65 years old. As a result, 285 respondents were recorded as 'Wholly retired from work' whereas only 161 respondents were recorded as 'Employee in full-time job'.

The effects of any uneven distribution of age are offset when the indicator scores (KBI's, BI's and QI's) are calculated by the use of a weighting scheme carefully devised by Ipsos MORI.

It is also worth noting the results of this survey indicate the public's perception of our services and not our actual performance and that these downward trends are seen across the majority of Authorities as we continue to provide an ever more efficient service against increasing material costs, inflation, extreme weather conditions and increased traffic volumes along with maintaining an ageing network of assets.

Online Surveys

In addition to the randomly sampled postal survey, there were a selection of online surveys which people were urged to participate in. The number of responses to each themed online survey was as follows:

Type of Online Survey	No. of Surveys	Complete	Incomplete	Blank	No. of Responses
Accessibility	25	0	1	24	1
Highway Maintenance	25	2	2	21	4
Public Transport	28	0	0	28	0
Road Safety	22	1	0	21	1
Tackling Congestion	20	0	1	19	1
Walking & Cycling	12	1	1	10	2

Once again, as previous years, it is disappointing to see a significant number of people accessing the surveys only to then leave their scorecards blank but particularly disappointing this year is the extremely low numbers overall, with only 132 surveys accessed and only 4 responses completed with a further 5 partially completed.

To put this in perspective, below is the same table from the 2021 survey, where it can be seen that a much higher response rate was achieved with 559 surveys accessed, of which 175 were completed and 72 partially completed. **Page 10** carry out an investigation as to why there is

such a discrepancy of results between the response rates for the two years and seek to ensure that next year's online survey response is improved.

Type of Online Survey	No. of Surveys	Complete	Incomplete	Blank	No. of Responses
Accessibility	102	32	9	61	41
Business User	40	0	2	38	2
Highway Maintenance	160	76	20	64	96
Public Representative	1	0	0	1	0
Public Transport	51	10	3	38	13
Road Safety	77	17	20	40	37
Tackling Congestion	54	16	7	31	23
Walking & Cycling	74	24	11	39	35

Performance Management Framework (PMF)

Question 3 within the self-assessment of the Local Highways Maintenance Incentive Fund highlights the importance of each highway authority possessing a performance management framework. Such a Framework is also recommended within the Well Managed Highway Infrastructure Code of Practice and associated documents.

The NHT Performance Management Framework is designed to provide a systematic approach to measure progress in the implementation of asset management. It gives participating authorities:

- A standard performance management framework
- A measurement hierarchy to highlight strengths and weaknesses, and good and bad performance
- A means of measuring improvement and targeting corrective action
- A standard set of measures that provide a basis for benchmarking performance with others

The NHT provides an annual PMF report, a copy of which is attached as background information to this report and will be published on the council's website

The chart below taken from the report shows that overall the authority is performing below par when compared to other authorities with the majority of our performances being in the poor (amber) category. There are none in the very good category (blue) a few in the good category (green) and none in the very poor (red) category. Overall there is a slight downward trend compared with last year's performances:

Overall Performance Hierarchy

Aggregated performance of the PMF Indicators by category, and by level (based on benchmark scores).

Corporate Level Performance

Economic Growth	Health & Environment	Resident Experience
-0.4	0.4	-1.0

Management Level Performance

Strategic	Tactical	Operational
-0.9	-0.7	0.3

Theme Performance

Accessibility	Serviceability	Sustainability	Safety	Financial
-0.5	-0.5	-1.2	0.3	-0.5

Activity Performance

Claims	Condition	Defects	Enquiries	Financial	Incidents	Inspections	Operations
1.0	-0.2	-0.9	1.5	-1.1	0.0	2.5	-0.5

Asset Type Performance

Carriageways	Cycleways	Footways	Rights of Way	Highways	Drainage	Green Infrastructure	ITS Infrastructure	Street Lighting	Structures
-0.3	1.7	-0.8	0.9	-1.3	-0.1	-1.9	-0.9	-0.3	0.5

The table below shows the results of the final line of the chart above (Asset Type Performance) in more detail. From this it can be seen that of the ten asset types being measured, four are on an upward trend and six on a downward trend with seven of the ten asset types being below average compared to only three last year.

Summary Performance by Asset Type

The table below summarises the performance for all PMF indicators scored by Blackburn by Asset.

Asset	Above/Below Average	Year on Year Trend	Indicators Above Average	Indicators Below Average	Benchmark Score	Indicators Trending Up	Indicators Trending Down	Benchmark Trend
Carriageway	–	↓	20	25	-0.3	16	20	-0.3
Cycleway	+	↑	3	0	1.7	3	0	0.9
Drainage	–	↓	4	4	-0.1	4	4	-0.8
Footway	–	↓	8	11	-0.8	3	11	-1.0
Green Infrastructure	–	↑	0	1	-1.9	1	0	0.6
Highways	–	↓	6	18	-1.3	3	9	-1.1
ITS Infrastructure	–	↓	0	1	-0.9	0	1	-0.9
Right of Way	+	↑	4	2	0.9	3	1	0.1
Street Lighting	–	↓	5	8	-0.3	5	4	-0.9
Structures	+	↑	7	7	0.5	6	4	0.0

The table shows that in general terms the performance of the highway service has declined since last year and highlights the areas that require improvements to be made. These areas are generally linked to the condition of roads being Carriageways, Footways and Highways and to a lesser extent carriageway related infrastructure.

It is worth noting that this downward trend is seen in the majority of Authorities as previously highlighted we continue to strive to provide an ever more efficient service against increasing material costs, more extreme weather conditions and traffic volumes along with the condition of our ageing network of assets, which, due to budgetary constraints, have been subject to a long term and systematic lack of routine and planned maintenance.

Customer Quality Cost (CQC) Network

Conventional benchmarking methods, using metrics like £ per Km of road network or £ per head of population take no account of the differing circumstances that authorities work under.

The NHT CQC Statistical Model provides a better like for like comparison of cost between authorities by using advance statistical techniques:

- Adjusting the cost of each authority before they are compared to allow for differences in network size and composition, traffic volume and input prices (wages).
- Making allowances for the effects of changes in the level of investment on the network to avoid penalising authorities in the analysis when they are investing in their network.

NHT CQC quantifies the real efficiency gains made by an authority over time (since 2013/14), expressing the savings made in percentage and financial terms.

These efficiency gains are savings that result from improved effectiveness as opposed to budget cuts. They represent real improvements that have been made without loss of quality or that result in higher quality for the same spend - increased effectiveness = more for the same or less.

The authority's headline results from the 2021/22 round of analysis are as follows:

- **NHT CQC Rating (based on trend figures) 90%**
This is how close you are to your 'Predicted Minimum Cost' (100%). The difference to minimum cost is the amount you could theoretically reduce costs without affecting quality (see note).
- **Efficiency Improvement (since 2013/14) 8.2%**
This is the amount by which your adjusted annual expenditure has reduced and you have improved your efficiency through the adoption of more efficient practices, without loss of quality.
- **Efficiency Savings this year £209.296**
This is how much your authority saved in 2021/22 through the adoption of more efficient practices and represents the additional amount it would be costing your authority if you were still using 2013/14 practices.
- **Cumulative Efficiency Savings (since 2013/14) £3,095,711.00**
This is the total amount of money you have saved by adopting more efficient practices since 2013/14, it is the amount extra your authority would have paid over the period had you not made these savings.
- **Catch up Improvement -2.0%**
Your Catch-up Improvement reflects the change in your performance relative to the best performer in the Network, the amount by which your CQC rating has changed over the period.

Whilst an efficiency improvement of 8.2% since 2013/14 is to be welcomed, the authority's catch-up improvement figure is -2.0%. This indicates that although we have improved since 2013/14 we are not keeping pace with our predicted minimum cost over time.

As always there are further improvements that can be made and further lessons to be learned from other authorities.

In this respect, officers continue to seek ways to improve the service, one way of which is by participating in regional and national groups such as LCRIG (Local Council Roads Innovation Group) and NWHAG (North West Highways Alliance Group). At these forums, members share best practice, innovation and ideas.

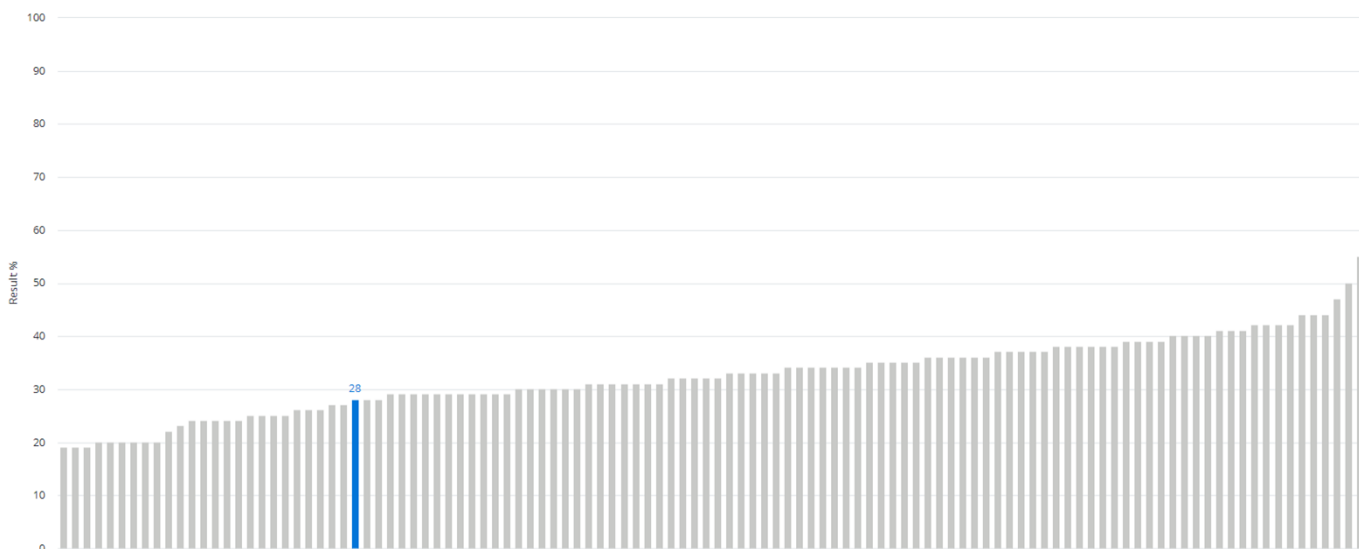
NHT Website Members Area

Finally, it should be noted that in addition to the official reports produced by NHT and submitted with this report as Background Papers, officers have access to the member's section of the NHT website where a deeper analysis of the results for each of the areas above can be undertaken.

For example, a deeper analysis of the Indicator 'HMBI 01 - Condition of road surfaces' which had the lowest public satisfaction results in the postal survey shows the distribution of all authority's results below, with Blackburn with Darwen's result highlighted in blue where we scored 28% and are ranked 85 out of 111 authorities:

Result distribution

The graph below shows the distribution of results in this year's survey from low to high, with Blackburn's result highlighted in blue.



Whilst this means that there is definitely room for improvement as to how the public perceive the condition of our roads, it is worth looking at this in context to our immediate neighbouring authorities whose results for this indicator were as follows:

Bury Council	24%
Lancashire County Council	26%
Bolton Council	29%
Blackpool Council	29%
Wigan Council	31%

This would suggest that the public's satisfaction (or dissatisfaction) has a regional context to it and improving our individual score may be difficult.

Another example are the individual reports which can be run comparing our results to different peer groups. These reports show the top performers in each group together with the biggest improvers. This enables officers to contact relevant colleagues in these authorities to ascertain any practices that may be transferrable to our way of working in order to improve our services.

Officers will use this more detailed analysis capability as a further tool to inform any policy and budget proposals going forward.

Recommendations

1. To improve awareness of the survey and the surveys response rates, particularly to the online surveys which had a poor response rate this year. It is felt that greater response rates across a greater cross section of the population would bring more accurate results.

This can be done by actively advertising the survey and perhaps offering some incentive to taking part.

2. To use the results of the survey to guide how we can improve on Public Satisfaction, Performance and Cost Efficiencies internally.

We will review the delivery of our services focusing on those areas highlighted by the survey to seek out and implement any changes or efficiencies that may be found to ensure these services are running as effectively as possible and more importantly that they are spreading awareness of their efficiencies and successes to our customers.

This will be done by sending individual reports to service leads tailored to their delivery area to inform them of the results and to discuss ways in which improvements can be made where possible. Data and individual reports can be generated during this process to target specific areas upon request.

This process will also look at the data we submit, the format of the data and how this may affect our results when comparing our data to others.

3. To promote awareness of areas where we have been successful and provide information to the public to keep them informed of activities and upcoming works.

By sharing positive information our aim is to improve the public's perception of our services. We can do this through various channels, for example:

- Introducing the use of scheme sign boards at works to give information on site about the scheme and how it has been funded.
- Providing more positive information on our website and social media channels about our successes, for example:
 - How many pothole repairs we have undertaken in the previous month/year

- How many gullies we have cleared in the previous month/year,
- About our funding where it comes from and where/how it is spent.
- List or locations of schemes to be undertaken in the next 5 years.
- Information on schemes we have planned for the current year
- Information on schemes we have successfully completed in the previous year and the improvements they have brought about.
- Actively asking for feedback following schemes whilst satisfaction is high and posting positive feedback on our website and social media channels.

4. POLICY IMPLICATIONS

None – Any changes or updating of existing policies as a result of the review of the results will be taken separately through the Council's approval procedure with any revised policies submitted individually for approval.

6. FINANCIAL IMPLICATIONS

Continued participation in the NHT Network is a key element of the DfT Incentive Funding Self-Assessment process and non-participation could reduce the council's self-assessment grade which would impact negatively on future DfT Incentive Funding.

The cost of participation in 2023 is £23,268 (inc VAT).

7. LEGAL IMPLICATIONS

None

8. RESOURCE IMPLICATIONS

None

9. EQUALITY AND HEALTH IMPLICATIONS

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

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

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

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

10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

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

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION:	1
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CONTACT OFFICER:	Mark Berry
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DATE:	9 th May 2023
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BACKGROUND PAPER:	2022 NHT CQC Authority Report 2022 NHT CQC Executive Summary 2022 NHT Public Satisfaction Survey Authority Annual Report 2022 NHT Public Satisfaction Survey Executive Summary 2022 NHT Public Satisfaction Survey Highlights Report 2022 PMF Authority Annual Report
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