

Public Document Pack

Executive Member Decisions

Friday, 5th January, 2024
10.00 am

AGENDA

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Date Published: 5th January 2024
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



REPORT OF: Executive Member for Growth and Development

LEAD OFFICERS: Strategic Director of Environment & Operations

DATE: 05 January 2024

PORTFOLIO/S AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

SUBJECT: Highway Structure Maintenance Framework 2023-2026

Proposed Framework for the delivery of Highway Structure Maintenance Schemes for 2023-2026.

1. EXECUTIVE SUMMARY

The Council has procured a list of suitably qualified and experienced contractors for inclusion in a framework of contractors to be invited to tender for highway structure maintenance schemes for the 2023-2026 period.

This framework will facilitate the efficient procurement of maintenance works for highway structure assets using established and pre-quality approved contractors to provide works at competitive prices.

2. RECOMMENDATIONS

That the Executive Member:

Approves the proposed framework of contractors for the delivery of bridgeworks and highway structure maintenance schemes for the 2023-2026 period.

Approves the use of the framework and its listed contractors for the future procurement of works via either a mini competition or direct call off exercise and delegate the authority to Procurement and Commercial team to award under the framework, each individual tender following a mini competition.

3. BACKGROUND

The Framework is designed to provide a wide range of high-quality services delivered by suitably qualified and experienced contractors. All appointed contractors must be registered and qualified organisations.

Upon implementation of the Framework, contractors will be asked to price for and deliver works in accordance with details set out in the Framework documents through invitation to participate in either a mini competition or direct call-off exercise.

Upon agreement, the Framework will be established to operate for two years, with the option to extend for further periods of one year up to a maximum of two years.

The Framework is split into two Lots to provide the most economically advantageous way of procuring

works, offering opportunities for small local enterprises and larger corporate organisations alike to give us a broad and innovative supply base to provide value for money on schemes of varying size, complexity and overall value.

Lot one includes minor maintenance works up to a value of £80k with Lot two being for larger and more complex schemes with a value over £80k

The Framework was advertised as an open opportunity on the CHEST as a single stage process. Contractors were asked if they would like to be included for Lot one, Lot two or both Lots inclusively.

Included was a list of scored quality questions and references relating to the delivery of this and similar schemes in the form of Method Statements and Social Value criteria with carbon reduction featuring as part of the quality questions.

Lot 1 required contractors to score a minimum of 14 for quality out of a maximum of 28 with a pass/fail score for social value.

Lot 2 contractors must have passed all the requirements under Lot 1 and score 2 or above for the additional quality question demonstrating having experience of higher value works

Social Value will be evaluated on a Project by Project basis through the Mini Competition tendering process.

All tenders were evaluated and scored against the criteria approved by the Council. In total Twelve responses were received, the details of which, along with the relevant scores are outlined in the tables below for Lots one and two respectively:

Lot One up to £80k

Criteria	Scoring %	AE Yates	AJ Bretherton	BDB Special projects	Bethell Group	Cheetham Hill	Coating Services	Craftsman Restoration	JDR Construction	NEOM Engineering	Sancus	Volker Laser	Eric Wright
Quality	score of 14 or above	23.00	22.00	20.00	22.00	20.00	21.00	20.00	20.00	21.00	19.00	22.00	22.00
Social Value	Pass/Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
Total score %		23.00	22.00	20.00	22.00	20.00	21.00	20.00	20.00	21.00	19.00	22.00	22.00
		PASS	PASS	PASS	PASS	PASS	PASS	PASS	PASS	PASS	PASS	PASS	N/A

* Eric Wright not applied for Lot 1

Lot Two over £80k

Criteria	Scoring %	AJ Bretherton	BDB Special Projects	Bethell Group Plc	Cheetham Hill Construction	Coating Services Ltd	Craftsman Restoration Ltd	Eric Wright	Neom Engineering	Volker Laser
Quality	2 or above	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Total score %		3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
		Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass

It is therefore the intention to award places on the Framework contract to the contractors listed below:

Lot One:

AE Yates
AJ Bretherton Groundwork & Plant Hire
BDB Special projects
Bethell Group Ltd.
Cheetham Hill Construction
Coating Services
Craftsman Restoration
JDR Construction
Neom Engineering
Sancus
Volker Laser

Lot Two:

AJ Bretherton Groundwork & Plant Hire
BDB Special projects
Bethell Group Ltd
Cheetham Hill Construction
Coating Services Ltd
Craftsman Restoration Ltd
Eric Wright
Neom Engineering
Volker Laser

4. KEY ISSUES & RISKS

There is currently no specific highway structures framework or contract in place. We are currently relying on external frameworks which are not entirely suitable and do not include enough local, highway structures contractors. We also have little control over the terms and conditions of these contracts which are already pre-set.

Relying on these contracts often leads to the use of large contractors who are based some distance away, resulting in inflated prices as the contractors on the frameworks have large preliminary and set up costs to undertake relatively small works and schemes. The larger contractors on these frameworks often sub-let the contract upon award to one of their sub-contractors who may not be suitable for us, which represents a lack of control for the Council as the client.

Relying on procuring each scheme individually through an open tender process currently provides the most cost effective option however, this requires a large input from officers in highways and procurement and a lengthy tender and appointment period with each scheme requiring its own evaluation and qualification process and is an inefficient use of our resources.

The introduction of this framework would give greater control over our terms and conditions, it would enable the Council to employ more local and suitable contractors and workforce with the pre-evaluated skill sets we require. It would greatly reduce the officer input into procuring schemes and would provide greater efficiency and overall value for money

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

Estimated contract value of up to £700k per year with funding from the LTP programme for Bridgeworks and Highway Structures maintenance.

Each scheme will be priced via a mini competition or tender and analysed on an individual basis to demonstrate the best value for money.

It is anticipated 20% of the projects will be over the threshold of £80k. The remaining projects will be made up of multiple lower value contracts.

7. LEGAL IMPLICATIONS

Any resulting works will be advertised through the CHEST as a mini competition or tender advertised on FTS in line with the Public Contracts Regulations 2015. The Procurement process will be managed by the Procurement Team.

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.

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CONTACT OFFICER:	Mark Berry
DATE:	
BACKGROUND PAPER:	

Agenda Item 2

EXECUTIVE MEMBER DECISION



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	<u>03 January 2024</u> 02 January 2024

PORTFOLIO/S AFFECTED: Children, Young People and Education

WARD/S AFFECTED: Blackburn South East;

SUBJECT: Proposed addition of an SEN unit at Shadsworth Infant School

1. EXECUTIVE SUMMARY

Proposal to increase the overall capacity of school places in the borough for pupils with special educational needs and disabilities through the addition of an SEN Unit at Shadsworth Infant School.

2. RECOMMENDATIONS

That the Executive Member:

Approves the addition of a SEN Unit at Shadsworth Infants School, commencing Spring 2024.

3. BACKGROUND

It is the duty of the Local Authority to ensure sufficient school places for all children and young people, including those with SEND who may need additional support or more specialist provision. Blackburn with Darwen's pupil place modelling informs a current and predicted future shortfall of places in resourced provisions, special schools, and alternative provision schools. Locally and nationally the number of students with an EHCP is on the rise and the need for special school places is increasing.

There is a rising demand for SEND places across the borough which, along with an increase in housing growth, would put additional pressure on SEND places within the locality of the school and across the Blackburn with Darwen Authority.

Most students with special educational needs and/or disabilities can generally be supported in mainstream schools, however a number of students are unable to access the National Curriculum at age related expectations and for those pupils a SEN Unit can provide a full, broad and balanced education in an environment that is more suited to their needs.

Following feasibility studies in 2020, and subsequent Executive Board approval (Sept 2020) capital funds for the provision of specialist places for children aged 4 – 11 years was agreed to be spent at Shadsworth Infant School in the form of an extension to the school to provide for up to a maximum of 20 specialist places.

Shadsworth Infant School currently operates as a 3 to 7 year old intake nursery and infant school. This means that the school admits children from nursery age until they reach junior school age. The addition of a SEN Unit would have no detrimental impact on admissions to the school's nursery and/or reception class.

Admission to a SEN unit is via a request from the Local Authorities statutory assessment team (as the Admissions Authority), and includes consideration of transport should a child not live within reasonable distance to the school, and the school is considered to be the next nearest suitable school.

Blackburn with Darwen as the Admissions Authority for Shadsworth Infant School are required to undertake statutory processes to make an addition of a SEN Unit at the school. The Local Authority carried out a pre-statutory publication consultation from 18th April 2023 to 5th June 2023. Following this, as prescribed in statutory guidance, the Local Authority published their statutory proposal to establish this new SEN provision (Appendix 1). After publication, the local authority is required to undertake a 4-week period of formal consultation ("the representation period"). The Local Authority consulted for 4 working weeks from 9 October to 3 November 2023 (Appendices 1, 2 and 3). The Local Authority is now required to decide that proposal within 2 months of the end of the Representation period. If a decision is not made within that timescale, then the Local Authority is required to refer the proposal to the Schools Adjudicator.

4. KEY ISSUES & RISKS

If a decision to create a SEN Unit at Shadsworth Infant School is agreed and approved the arrangements would be introduced from Spring 2024 onwards.

Places in the SEN Unit will not negatively impact on the Infant Schools Published Admissions Number, or on normal round/in-year infant school admissions. Staff currently employed to work at Shadsworth Infant School will not be adversely affected.

Whilst the age range of the SEN Unit will be for pupils of primary school age (aged 4 – 11 years), this age range will only apply to the SEN Unit only and the Infant School age range will remain at being for pupils aged 4 – 7 years.

The creation of a SEN Unit at Shadsworth Infant School will not have a detrimental effect on other local infant, primary and junior schools. In relation to the impact on other resourced provisions, special schools, and pupil referral units, it would positively impact as it would decrease place pressure in those establishments.

The Local Authority operates a family information service called the local offer, which provides advice and guidance for families about supporting children and young people with special educational needs and disabilities aged 0-25 and their families. If approved, the SEN Unit will be included within the information available to families online.

Not increasing the capacity of SEN provision in Blackburn with Darwen will mean the Local Authority purchasing more places out of borough which are typically more costly and mean that pupils are spending large amounts of time travelling to and from school. Alternatively, more pupils may need to stay on the roll at a mainstream school, which may not be conducive to their learning and developmental needs.

5. POLICY IMPLICATIONS

None.

6. FINANCIAL IMPLICATIONS

Each place within the SEN Unit is commissioned and funded by Blackburn with Darwen Borough Council. The estimated cost is £56,000 for the financial year 2023/2024, going forward commissioned places will be funded at £10,000 per pupil. The total cost per financial year of the commission will be dependent upon the number of places filled, up to a maximum of 20 places.

This is to be funded from the High Needs DSG and will prevent children being placed out of borough at a higher cost to the local authority.

Typical costs for a placement in a SEN Unit that is within Blackburn with Darwen is less than that of an out of borough SEN Unit placement.

7. LEGAL IMPLICATIONS

Section 27 of the Children and Families Act 2014 places a statutory duty on Local Authorities to keep under review, the educational provision, training provision and social care made in its area for children and young people who have special educational needs or a disability. The current position advises that there is a need for more places in SEND provisions to meet the rising demand.

Under the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations) Regulations 2007 and 2013, establishment of provision reserved for children with special educational needs (i.e. this proposed unit) is a prescribed alteration, which can only be made by following the required 5 stage statutory process as set out in legislation and the statutory guidance, "Making significant changes (prescribed alterations) to maintained schools, January 2023". The steps of the process taken by the Local Authority up to this point are summarised above, and as noted, the Local Authority must now ensure that the decision is made on this proposal before 3 January 2025 (i.e. 2 months from the end of the representation period), and then implement the decision as set out in the statutory proposal.

(NB - In respect of a proposal of this nature, the legislation permits the Blackburn Diocesan Board of Education and the RC Bishop of Salford to refer the LA's decision to the Schools Adjudicator within 4 weeks of the LA decision being made. Should a referral be made, the LA will forward the proposal and representations received to the Schools Adjudicator who will then determine the proposal. It is not anticipated that either Blackburn or Salford Diocese will make such a referral in this case).

8. RESOURCE IMPLICATIONS

This will be met by existing internal resource at the school.

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

The "Making significant changes ('prescribed alterations') to maintained schools guidance, January 2023" informs that Blackburn with Darwen as the Admissions Authority for Shadsworth Infant School were required to undertake a statutory representation period of formal consultation. (This was done in addition to a consultation in the summer prior to publication of the statutory proposal to make an addition of an SEN Unit at the school). The Local Authority formally consulted on the published statutory proposal from 9th October 2023 to 3rd November 2023 (Appendices 1 & 2). Results of this consultation are included in the detailed consultation analysis (Appendix 3).

Overall, the Local Authority received three responses for this consultation. Two of the responses supported the proposal, no one had a view either way. There was one response against the proposal, as they felt that there needed to be larger schools for EHCP pupils from 3 – 18 years. However, by creating the SEN Unit at Shadsworth, this is creating places for EHCP pupils. The overall consensus from the pre-statutory publication and the statutory representation is in support of the SEN Unit at Shadsworth Infant School.

Section 24 of the Children and Families Act 2014 states that the "Local Authority has responsibility of a child or young person if he or she is in the authority's area and has been (a) identified by the authority as someone who has or have special educational needs". The SEN Unit at Shadsworth Infant School, would help to ensure that there is more supply of places for children with SEND needs within the borough and helping facilitate their access to education.

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:	Sarah Anderson, Carol Grimshaw, Sara Malone
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DATE:	
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BACKGROUND PAPER:	Appendix 1: Statutory Proposal Appendix 2: Consulting List – Stakeholders who were informed of the consultation. Appendix 3: Consultation Analysis Form
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Statutory Representation Period

Local Authority: Blackburn with Darwen
School: Shadsworth Infant School
Proposal: Statutory representation period on the proposed addition of a SEN Unit at Shadsworth Infant School.
Date of Implementation: Autumn 2023

Why are we consulting?

The guidance ["Making significant changes \('prescribed alterations'\) to maintained schools, January 2023"](#) informs that Blackburn with Darwen as the Admissions Authority for Shadsworth Infant School are required to undertake statutory processes to make an addition of an SEN Unit at the school. The Local Authority carried out a pre-statutory publication consultation from 18th April 2023 to 5th June 2023. The results of this pre-publication consultation has informed the specific proposal as detailed below.

As detailed within the statutory process the Local Authority will carry out a further consultation (i.e. 4 week period of formal representation).

The Local Authority is keen to hear the views of all interested stakeholders on the modified proposal.

Requirements for Notification and Publication

Under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the Local Authority must follow the required statutory process to make the proposed change.

Background

It is the duty of the Local Authority to ensure sufficient school places for all children and young people, including those with SEND who may need additional support or more specialist provision. Blackburn with Darwen's pupil place modelling informs of a current and predicted future shortfall of places in resourced provisions, special schools, and alternative provision schools. Locally and nationally the number of students with an Education, Health and Care Plan (EHCP) is on the rise and the need for special school places is increasing.

Most students with special educational needs and/or disabilities can generally be supported in mainstream schools, however a number of students are unable to access the National Curriculum at age related expectations and for those pupils a SEN Unit can provide a full, broad and balanced education in an environment that is more suited to their needs.

Shadsworth Infant School currently operates as a 3 to 7 year old intake nursery and infant school. This means that the school admits children from nursery age until they reach junior school age. The addition of an SEN Unit would have no detrimental impact on admissions to the schools nursery and/or reception class. Places at the SEN Unit will be in addition to the Schools published admission number (PAN).

The Prescribed Alterations Guidance says that there is a strong expectation that the Local Authority will consult interested parties prior to publication of statutory proposals in order to take account of all relevant issues. The Local Authority carried out a consultation from 18th April 2023 to 5th June 2023 and now proposes to follow the statutory process to make this change.

Specific Proposal

The local authority, as the admissions authority for Shadsworth Infant School, proposes to add an additional SEN Unit with effect from autumn 2023, in a purpose built extension to the existing Infant School.

Places in the SEN Unit will not impact on the Infant Schools Published Admissions Numbers. Admissions to the SEN Unit will be for those students with an Education Health Care Plan (EHCP) where the school is named in that plan.

The proposal will not negatively affect staff currently employed to work at Shadsworth Infant School.

The local authority, as the admissions authority, will consider any views from the statutory representation period before making a final decision on the specific proposal.

How would this Increase Educational Standards?

Most students with special educational needs and/or disabilities can generally be supported in mainstream schools, however a number of students are unable to access the National Curriculum at age related expectations. The SEN Unit provides an opportunity for those students to get a full well-rounded education in a setting which is more suited to their needs.

What is the Impact on other Educational Institutions?

The addition of an SEN Unit would have no impact on other local infant, primary and junior schools. In relation to the impact on other specialist provision, it would positively impact, as it would decrease place pressure in those institutions.

Who are we consulting with?

During this statutory representation period, we want to seek views from all interested parties, this may include:

- Parents and carers of children;
- School staff;
- Trade unions;
- School Governors;
- Primary, infant, junior and specialist schools (including any associated Academy Trust) in Blackburn with Darwen;
- Councillors and MP's;
- Relevant local authority departments.

Timeline for the Consultation Period

Date	Action
9 th October 2023	Start of the statutory representation period.
3 rd November 2023	End of the statutory representation period/deadline for submitting views to the Local Authority.
November 2023	Analysis of statutory representation period views and preparation of information to be considered by the LA.
November 2023	Head teacher to present the statutory representation period outcomes to Shadsworth Infant School governing body.
November 2023	Executive decision meeting to consider views and agree future arrangements.

When would any Changes come into Effect?

If a decision to create an SEN Unit, at Shadsworth Infant School is agreed and approved; the arrangements would be introduced from autumn term 2023 term onwards.

Projected Costs

Each place within the SEN Unit is commissioned and funded by Blackburn with Darwen Borough Council.

Implementation

The Local Authority as the Admissions Authority would, if the statutory representation period was successful, begin admission in the autumn 2023 term.

How to Respond

This statutory representation period will run from **Monday 9th October 2023** (a period of 4 weeks). You are invited to submit views in writing about the statutory representation period above to the Local Authority. You can share your views via this [online form](#) , or send by post or email to the following addresses –

Blackburn with Darwen Council
Pupil Support & Admissions Team,
Children's Services & Education Department,
10 Duke Street,
Blackburn,
Lancashire,
BB2 1DH.
Phone: 01254 666605
Email: admissions@blackburn.gov.uk

All views must be received by **5pm on Friday 3rd November 2023**. Views received after this specified time and date will not be considered.

For further information please contact:

Carol Grimshaw

Phone: 01254 666605

Email: admissions@blackburn.gov.uk

Consultation List

School Name:	Shadsworth Infant School
Head Teacher:	Gillian Crompton
URN:	119220
Proposal:	Statutory representation period on the proposed addition of a SEN Unit at Shadsworth Infant School.

During this consultation period, we want to seek views from:	Tick
1. Parents and carers of children already attending the school	✓
2. School Governors	✓
3. Councillors and MP's	✓
4. All school staff including non-teaching (kitchen, maintenance etc.)	✓
5. All trade unions – even those that do not represent staff at your school	✓
6. Primary, infant and junior schools (including any associated Academy Trust) in Blackburn with Darwen.	✓
7. Resourced provisions, special schools and pupil referral units.	✓
8. Published for 1 day in the Lancashire Telegraph and for 30 days online.	✓

Statutory Representation Period Analysis

School: Shadsworth Infant School

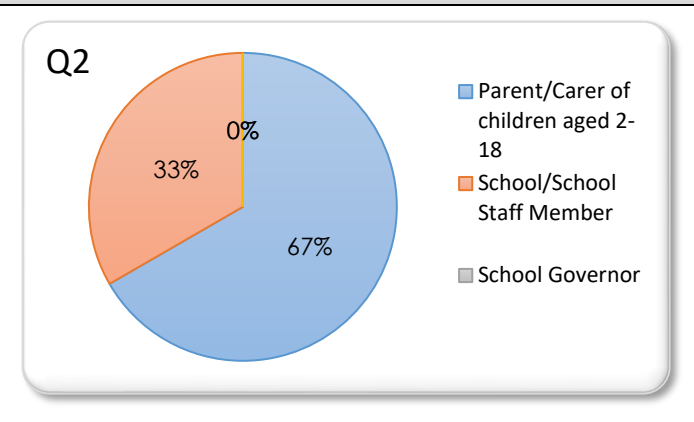
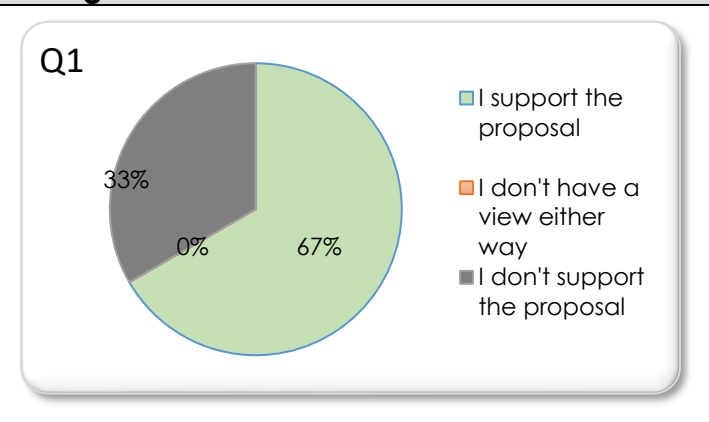
Proposal: Statutory representation period on the proposed addition of a SEN Unit at Shadsworth Infant School.

Start Date: 9th October 2023

End Date: 3rd November 2023

Q1. How do you feel about the proposed change?

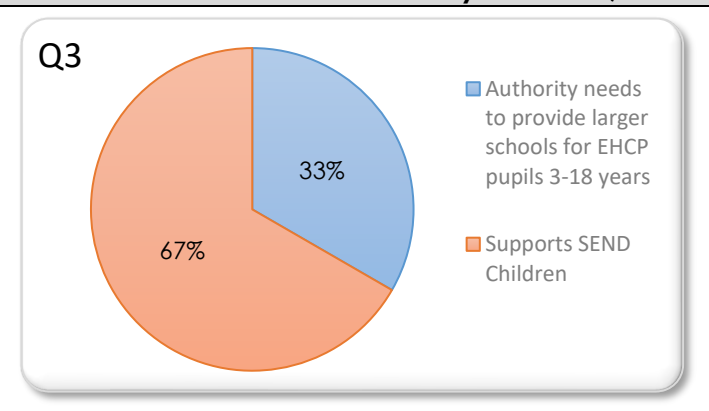
Q2. Which of the following best describes you?



There was a total of **3 replies** to the statutory representation period via the online questionnaire. There was an overall majority of **67% support for the SEN Unit**. **1 person was against the proposal (33%)**. However if you take into account the data collected from the pre-statutory publication consultation, the **overall consensus is that there is support for the SEN Unit at Shadsworth Infant School**.

The **majority of replies came from parents/carers of children aged 2 - 18** who offered their support with the proposal.

Q3. Please tell us the reason for your views, or write any other comments on this proposal.



Where responses were given for question 3 they were **mostly positive**. It was highlighted that there was a **need for more specialist provision for children with special educational needs**. Despite **one response against the proposal**, the comment linked to this **highlighted a need for larger schools for children with EHCP from 3 – 18 years**. By **opening the SEN Unit at Shadsworth Infant School, this goes some way in expanding the provision for specialist**

Additional Information:

- The local authority carried out a pre-statutory publication consultation from 18th April 2023 to 5th June 2023. The results of this pre-publication consultation showed an **overwhelming response in support of the SEN Unit (97%)**. There were no respondents opposed to the SEN Unit, with one person (3%) having no view either way.

Overall Consensus: Based on the pre-statutory publication and this representation, the majority consensus is in supporting the proposal.



Agenda Item 3

EXECUTIVE MEMBER DECISION

REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Director of Growth and Development
DATE:	December 2023

PORTFOLIO/S AFFECTED:	Growth and Development
WARD/S AFFECTED:	Blackburn South and Lower Darwen

SUBJECT: South East Blackburn Demolition and Site Assembly of former Blackamoor Inn and Car Park

1. EXECUTIVE SUMMARY

This report seeks approval to proceed with the demolition and site assembly of the former Blackamoor Inn and car park and to appropriate the former Inn site as highways land and the former car park as housing land in preparation for future development.

2. RECOMMENDATIONS

That the Executive Member:

1. Notes that the former Blackamoor Inn was acquired in 2019 from Thwaites and included a restrictive covenant to prevent any future use as a public house; and was used to provide temporary site accommodation and parking for the contractor as part of the South East Blackburn Growth Deal 3 highways scheme to reduce construction costs;
2. Notes that council officers have concluded the former car park has housing development potential, however the potential to convert the former Inn to residential use is unviable due to high construction costs associated with the refurbishing the building to a suitable standard and addressing various structural defects.
3. Approves the demolition of the former Blackamoor Inn and any remediation works required to the existing party wall with the adjoining property;
4. Approves the former Inn site to be appropriated as highways land and the former car park to be appropriated as housing land for planning purposes;
5. Delegates authority to the Growth Programme Director to proceed with the procurement and appointment of consultants and contactors to support the demolition and associated works as well as obtaining any approvals for the work including planning permission / party wall consent and associated award where required all in accordance with the Councils procurement procedures;

6. Notes the estimated capital costs of £200,000 will be drawn down from the Development Investment Fund with all capital to be expended in the financial years 2023/24 - 2024/25; and

7. Authorises the Growth Programme Director in liaison with the Deputy Director of Legal and Governance to finalise the contract terms of the consultant and contractor appointments for the demolition of the former Inn including party wall works and any landscaping to the cleared site

3. BACKGROUND

3.1 The Blackamoor Inn closed in 2019, and was subsequently acquired by the Council from Thwaites later that year, with the sale including a restrictive covenant to prevent any future use as a public house. The property incorporates an end terrace 2 storey building plus basement with a single storey outrigger to the rear and small yard. Vehicle parking was provided by a car park to the opposite side of the Roman Road junction.

3.2 The property was acquired to partly provide temporary accommodation for the civil engineering contractor working on the Growth Deal 3 highways scheme to reduce construction costs and also to support the land assembly for the future housing site to the south of the new Issa Way highway.

3.3 Following completion of the Growth Deal 3 highways scheme Capita were commissioned to undertake a detailed condition survey of the building and assess the potential for conversion to residential use. However, given the condition of the property, the significant structural defects observed, inherent issues complicating conversion and proximity to the highway, conversion has been considered as unviable by Council Officers and therefore demolition must be recommended.

3.4 The demolition of the property will also allow the Council to upgrade the pedestrian pavement on the corner of Stopes Brow and Roman Road which is currently well below standard, and increase visibility around the juncture itself improve road safety to pedestrians and motorists

4. KEY ISSUES & RISKS

4.1 Due to the proximity of the building to the carriageway on Stopes Brow a partial closure accumulating in a full closure will be required to ensure the safety of the public during the demolition works. Council Officers will engage with counterparts from the Local Highways Authority to ensure the safety of the public and to minimise disturbance and inconvenience.

4.2 Works will need to be undertaken to the party wall with the adjoining property of the former Inn following demolition and council officers will engage professional advice to support with this activity.

4.3 Following demolition of the former Inn, the land will be landscaped and the pavement provided to Stopes Brow, providing a benefit for the local community and road users. The land will be appropriated as highways land and offered for adoption by the Local Highway Authority, which will ensure future highway junction improvements can be constructed if future funding is available. The former car park is to be left vacant but secured and will be included as part of a future housing scheme brought forward with the adjoining Council land, known as the land to the south of Issa Way.

4.4 A number of approvals will be required and council officers will engage with all statutory stakeholders to obtain all necessary approvals, including planning, building control, highways and party wall.

5. POLICY IMPLICATIONS

None.

6. FINANCIAL IMPLICATIONS

6.1 The estimated capital costs of £200,000 will be drawn down from the Development Investment Fund with all capital to be expended in the financial year 2024/25 and therefore no additional capital is required.

6.2 It is proposed the works will be undertaken in two phases with the Contractors / Consultants for the initial enabling works being procured by quotes for packages sub £10,000 and a restricted ITQ via the Chest system utilising local suppliers (principally demolition contractors) for packages between £10,000 and £80,000.

6.3 The second phase including the temporary landscaping and pavement works will be designed and delivered by the Councils strategic partner and framework contractor/s.

6.4 No works packages are expected to exceed £80,000. The Councils procurement procedures are to be adhered at all times.

7. LEGAL IMPLICATIONS

The demolition contractor and building surveying consultant will be procured in accordance with the Council's Constitution and the Public Contracts Regulations 2015.

8. RESOURCE IMPLICATIONS

Current staff resources from the Council's Growth, Property, Planning, Procurement and Legal teams will be utilised to complete the legal agreements and supervise the design and demolition works on site.

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

Council Officers will ensure local residents and ward councillors are informed on the proposals through the statutory planning process. In addition, the necessary Party Wall consultations will take 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:	3.0
CONTACT OFFICER:	Simon Jones, Growth Programme Director, Growth and Development
DATE:	5 th December 2023
BACKGROUND PAPER:	None