

EXECUTIVE BOARD

Thursday, 9th November 2023

PRESENT

COUNCILLOR:

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

PORTFOLIO:

Leader
Digital & Customer Services
Growth & Development
Finance and Governance
Children, Young People & Education
Environment
Leisure and Culture
Adults Social Care and Health

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALL IN ATTENDANCE:

Kazim Shah

Deputy Youth MP

	Item	Action
1	<u>Welcome and Apologies</u> The Leader of the Council, Councillor Phil Riley, welcomed all to the meeting. No apologies were received.	
2	<u>Minutes of the Previous Meeting</u> The minutes of the previous meeting held on 12 th October 2023 were agreed and signed as a correct record.	Agreed
3	<u>Declarations of Interest</u> Councillor Vicky McGurk submitted a Declaration of Interest in relation to agenda item 8.1 Regional Fostering Recruitment and Retention Hub.	
4	<u>Equality Implications</u> 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.	Confirmed
5	<u>Public Forum</u> No questions had been received from Public Forum.	
6	<u>Questions by Non-Executive Members</u> No questions from Non-Executive Members has been received.	

Youth MPs Update**Noted**

The Youth Forum representative verbally reported on recent events and activities including:

- The launch of Young Blackburn with Darwen Foundation were over 100 young people from across the borough's youth organisations participated in many activities. The event empowered and promoted services that support children and young people in Blackburn with Darwen.
- North West Youth Forum which focused on Black History Month and types of racism.
- The upcoming attendance at the House of Commons to debate current issues.
- A meeting had been setup with Cllr Damian Talbot and Martin Eden to discuss leisure facilities prices for students
- The Youth Forum due to take place in December will focus on mental health and self-harm.

Councillor Julie Gunn praised the work and involvement reported and thanked the Youth Forum representative for their hard work.

Councillor John Slater also praised the work that the Youth Forum were doing especially with mental health.

Leader**Noted**

Councillor Phil Riley updated the Executive Board on the progress of devolution discussions for Lancashire and that the document was still being signed. Councillor Riley was traveling to London with the other participating Unitary Councils for the deal to be signed and announced on 27th November. A report would be presented at Policy Council on 30th November.

Regional Fostering Hub

The Executive Board was provided with a report that Blackburn with Darwen, Cumbria, Furness, Blackpool and Lancashire Children's Services have collaborated together and had been successful in regional bid to be a pathfinder for the Regional Fostering Recruitment and Retention Hub. The Pathfinder has been awarded £1.2 million. The pathfinder would help others learn how to successfully implement these regional approaches nationally. Blackburn with Darwen Borough Council were the lead local authority (LA).

The report informed the Executive Board about the Regional Fostering Recruitment and Retention Hub and, amongst other matters, seeks agreement for the Council to act as Accountable Body for the Project and to put in place the necessary budget provision for it to operate.

RESOLVED –

That the Executive Board:

- Notes the Regional Fostering Recruitment and Retention Hub work and the Council's role as the lead local authority
- Gives approval for the Council to act as the Accountable Body for the Regional Fostering and Retention Hub, subject to review and approval of any terms and conditions
- Approves a supplementary revenue budget of £295,900 in 2023/24 to be funded via the Department for Education Grant
- Approves a supplementary budget of £727,800 in 2024/25 to be funded via the Department for Education Grant.
- Give delegated authority to the Strategic Director of Children's and Education, in consultation with the Executive Member of Children, Young People and Education following legal approval to enter into a Partnership Agreement with the other Councils involved in this project.
- Requests that a further report be presented to Executive Board should any additional unfunded financial implications be identified throughout the duration of the project including, for example, those arising from the harmonisation of the offer to Foster Carers;
- That in view of the uncertainty of funding for the project post 2024/25, that this matter be subject to a further report to the Executive Board by no later than December 2024 setting out how the project will be funded from 2025/26 onwards

Noted

Approved

Approved

Approved

Approved

Approved

Noted

8.2

Youth Commissions

The Executive Board received a report that advised Blackburn with Darwen Borough Council currently commission Blackburn Youth Zone (BYZ) and Blackburn Rovers Community Trust (BRCT) to deliver a town centre and a neighbourhood youth offer respectively. The total value of the commission was £320K, made up of £170k contributing to BYZ revenue budget and £150k to BRCT, which was matched funded by the organisation from their existing Premier League Kicks funding. Both commissions were now up for renewal coming to an end following extensions.

RESOLVED –

That the Executive Board:

- Considers information included in the report
- Accepts recommendation laid out in 1.5 of the report:
 - Reduce total budget by £80k per year to support council budget pressures
 - Accepts decision to remodel and tender available budgets on youth hub model
- Continues to support Town Centre and Neighbourhood Based Youth Work (with particular focus on Youth Investment Fund (YIF) based projects)
- Continues to support the development of Young BwD

Noted

Approved

Approved

Approved

8.3

Changing Futures Lancashire Funding and Financial Plan

The Executive Board were notified of the additional year’s funding award of £2,027,000 for Changing Futures Lancashire (CFL) from 1st April 2024 to 31st March 2025.

Executive Board were provided details of the commitments from across Lancashire to remove the 3- month cost pressure (Jan 2024-31 March 2024) totalling £124,547, as service delivery needs to continue beyond the original anticipated end point and closedown of existing Changing Futures Grant Funding to the end of December 2023.

Prior to submitting the funding bid for the additional year, a financial risk assessment showed that although the programme finances had been managed within the set parameters, there was an unfunded gap to bridge, with funded delivery needed. The original programme plan, for the funding of £6.499m was to end direct delivery on 31st December 2023 and then have a 3 month closedown and evaluation period, delivered by the core programme team of four (based at BwD), four locality managers and four locality administrators from 1st January 2024 – 31st March 2024.

With the successful bid for the additional year, funding would need to found for delivery of services over Jan – March 2024. As the additional year does have a reduced service offer, calculations for the financial resources needed for the gap are based on a reduced service offer.

RESOLVED –

That the Executive Board:

- Note the report and its contents;
- Approved the receipt of £2.027million for the delivery of Changing Futures Lancashire from 1st April 2024 to 31st March 2025 and that appropriate adjustments to the Council’s budgets are made to reflect this;
- Approved the financial gap plan and income streams identified to remove the potential shortfall

**Noted
Approved**

Approved

8.4

Future of Daisyfield Pools and the impact on users

Following the Executive Board approval on 7th September 2023 a Final Notice to end all use and occupation of Daisyfield Swimming Pools, Blackburn was served on the Directors of Half Fish HQ CIC on 21 September 2023. The Council took possession of the building and secured the premises on 20th October 2023.

A public consultation process took place between Monday 18th September 2023 and Sunday 15th October 2023 to determine the impact on users of the continued closure of Daisyfield swimming pools. A total of 294 responses to the consultation were received

including views from local residents, casual users, parents or guardians of young people who use the pools, local schools, swim clubs, trainee swimmers, and more.

In addition to the consultation process, supporters of Daisyfield Pool started two petitions. One petition was organised on line through change.org and received 2183 signatures. A second petition was handwritten with 206 names, addresses and signatures.

The Council had undertaken measures to mitigate the impact of the ongoing closure of Daisyfield Pools on users, including making changes to the pool programme at Blackburn Leisure Centre, introducing additional swimming lessons and taking steps to ensure that customers attending the women only swimming sessions can do so in a private environment.

A building conditions survey report on the building had been completed which estimates that the Council would need to spend in excess of £3.135M plus VAT to undertake significant repairs and maintenance work to make the building fit for purpose. Spending in excess of £3.135M plus VAT on a swimming pool facility, which was originally constructed in 1905 would not pass a value for money test and it is highly likely that further costs would be incurred in addition to the budget estimate due to the age, size and condition of the building. It is therefore recommended that the building be permanently closed.

The permanent closure of Daisyfield Pools would result in an under-provision of public swimming pool facilities for the residents of the Borough in accordance with the Sport England facilities planning model for public swimming pools. A meeting is therefore planned with senior officers from the Place Directorate, including the facilities team at Sport England in November 2023 to discuss the implications from the closure of the existing Daisyfield Pools facility.

A further report will be submitted to Executive Board regarding the future of the site.

RESOLVED –

That the Executive Board:

- Note the progress made to terminate the existing arrangement with Half Fish HQ CIC in relation to its occupation and operation at Daisyfield Swimming Pools.
- Note the results of the public consultation and the actions taken and proposed to mitigate the impact of the continued closure of Daisyfield Pools.
- Note and consider the online petition which was organised via the website Change.Org and the hand written petition which has been submitted by supporters of Daisyfield Pools.
- Agree to the permanent closure of Daisyfield Pools due to the poor state of repair and condition of the building and the

Noted

Noted

Noted

Approved

requirement for significant investment, estimated to be in excess of £3.135M plus VAT, for the required repairs and maintenance.

- Note the planned meeting with senior officers from the Place Directorate and facilities team of Sport England to discuss public pool provision in the Borough and the likely impact on public swimming if Daisyfield Pools was to permanently close.

Noted

8.5

Revenue Budget Monitoring Quarter 2 2023/24

The report was submitted to the Executive Board to provide an update on the Council's Revenue Budget for 2023/24 on the basis of a budget monitoring exercise undertaken at the end of September 2023 (Quarter 2).

RESOLVED –

It is recommended that Executive Board:-

- Gives approval to the Portfolio Cash Limit Adjustments
- Notes the General Fund Budget Summary position as at September 2023;
- Notes the current forecast overspend of £1.450m at the end of Quarter 2 and request Portfolio Holders to review their budgets for the remainder of 2023/24 with a view to identifying potential mitigating actions.
- Notes the Earmarked Reserves and General Fund Balance position as at 30th September 2023

**Approved
Noted**

Noted

Noted

8.6

Capital Programme Monitoring 2023/24

A report was submitted to the Executive Board to report the overall financial position of the Council in respect of the capital programme as at 30th September 2023, highlighting key issues and explaining variations to the first 6 months of the year.

The total cost of the Council's capital investment programme for 2023/24 had now reduced from £65.820 million, as approved by Executive Board on 7th September 2023, to £59.215 million at 30th September 2023. The net variation of £6.605 million (detailed in Appendix 2) reflects;

- Budget increases of £2.050 million (of which £1.550 million is funded by transfers from existing capital scheme budgets), for which approval was requested.
- An increase of £0.798 million in the unallocated schools capital grant budget to reflect alternative contributions to previously approved school schemes, for which approval is requested.
- Budget reductions of £0.238 million.
- Slippage and re-profiling of budgets of £7.665 million, for which approval is requested. b) As at 30th September 2023, the capital expenditure across the portfolios was £6.262

million (representing 10.58% of the current, revised projected capital spend)

The estimated capital receipts expected in 2023/24 is £5.592 million; £1.241 million had been received in the first six months of the year.

RESOLVED –

That the Executive Board;

- Approve the revised capital programme
- Approve the variations to the programme

**Approved
Approved**

8.7

Mid-Year Treasury Management Report 2023/24

A report was submitted to the Executive Board to update Members with regard to the Treasury Management position to date, and the proposed Strategy for the remainder of 2023/24.

It is recommended that the Executive Board:

- Notes the Treasury Management position for the last quarter and the year to date, and approves the proposed Strategy for the remainder of the year
- Approves that there are no changes to the existing Treasury and Prudential Indicators for 2023/24, as set at Executive Board on 9th March 2023.

Noted

Approved

9.1

Intermediate Care at Albion Mill

A report was submitted to the Executive Board regarding the Intermediate Care at Albion Mill and the proposal for transfer of services and commissioning arrangements. Intermediate care at Albion Mill had been operational since January 2022. The current model was delivered in partnership through Blackburn with Darwen (BwD) Borough Council, Lancashire and South Cumbria NHS Foundation Trust (LSCFT), and BwD Local Primary Care (LPC). The service is funded through the Better Care Fund which was a pooled budget between the Council and the Integrated Care Board (ICB).

Since the Intermediate Care service opened in January 2022, it had been successful in mobilising a maximum of 50% of the total rehabilitation placements available. In practice, this had resulted in only one of the two Floors of the unit being utilised (13 suites and 2 apartments). This was due to a combination of difficulties relating to operationalising a new service within a new building and the complexities of working across several organisations. An alternative solution was required to ensure full utilisation of the scheme and subsequently the provision of sufficient high quality intermediate care provision to support the residents of the Borough. System partners across health and social care have been working together for some time to develop an optimal model

for intermediate care to support Blackburn with Darwen residents. The outcome of several working groups, a due diligence exercise and specialist procurement advice, was to recommend that a single Provider arrangement and care model is agreed.

If agreed, the proposal was to move the current provision of nursing and therapy from LSCFT, and social care support from BwD Council, to a single provider. The proposal includes a phased approach to full implementation, commencing with the mobilisation of Floor 1 from December 2023.

Phase 2 would include the opening of the remaining suites and the diversion of the Discharge to Assess pathway through Albion Mill.

The lead Commissioner for the whole service would be Lancashire & South Cumbria ICB, who currently commissioned the nursing, therapy, clinical oversight and pharmacy elements of the existing model.

RESOLVED –

That the Executive Board:

- Notes the significant challenges with the current operating model and the need for urgent change.
- Approve that the ICB becomes the lead commissioner for the intermediate care service at Albion Mill.
- Approve the plan to commission a single provider to deliver the nursing, care and therapy services that make up the intermediate care service within Albion Mill.
- Support the intention to utilise a phased approach to opening the two floors
- If required, approve the transfer of existing Council staff at Albion Mill, via TUPE, to the new Provider;
- Give delegated authority to the Strategic Director for Adults and Health, in consultation with the Executive Member for Adult Social Care and Health and the Deputy Director for Legal and Governance, to conclude any agreements necessary to facilitate the recommendations above

Noted

Approved

Approved

Approved

Approved

Approved

9.2

Academy Conversions

A report was submitted regarding the Academies Conversion and that it was a Central Government Policy and initiated by an Order by the Secretary of State. As result of this Order, the school site occupied by the schools, together with all the relevant associated rights, liabilities and staff would transfer over to the Academy Trust. The Local Authority was required to grant a 125 year lease of the school site and the playing fields and also complete a Commercial Transfer Agreement (CTA).

The report informed the Executive Board of the obligation arising from each Academy Order to execute and complete legal documentation associated with the conversions, primarily in the form required by the Department for Education (DfE). The report

also outlined the financial processes that may be necessary to minimise or mitigate the risk for the Local Authority to absorb a School(s) deficit budget at the point of the school converting to an Academy.

RESOLVED –

Under Section 4 of the Academies Act 2010, the Secretary of State for Education makes an Academy Order, which recommended the named school to become an Academy.

The Executive Board notes that:

- The Strategic Director of Children & Education in consultation with the Executive Member for Childrens, Young People and Education will agree conversions in line with:
 - The Academies Act 2010
 - The Academy Conversions (Transfer of School Surpluses) Regulations 2013
 - The Schools and Early Years Finance (England) Regulations 2023; and
- The Deputy Director of Legal and Governance will complete all necessary legal agreements including any lease necessary as outlined in the legal implications in order to execute such conversions; and
- Where it is considered necessary to do so, and in accordance with the approved Scheme of Financing Schools, the Strategic Director of Finance and Resources may issue a “notice of concern” letter to schools in respect of financial delegation in order to safeguard the financial position of the Local Authority and/or a school ahead of a school becoming a sponsored academy.

Noted

Noted

Noted

11.1

Intermediate Care at Albion Mill

Further to the request submitted at agenda item 9.1, a report was submitted regarding the Intermediate Care at Albion Mill and the proposal for transfer of services and commissioning arrangements containing commercially sensitive information.

RESOLVED –

That the Executive Board:

- Notes the significant challenges with the current operating model and the need for urgent change.
- Approve that the ICB becomes the lead commissioner for the intermediate care service at Albion Mill.
- Approve the plan to commission a single provider to deliver the nursing, care and therapy services that make up the intermediate care service within Albion Mill.
- Support the intention to utilise a phased approach to opening the two floors
- If required, approve the transfer of existing Council staff at

Noted

Approved

Approved

Approved

Approved

- Albion Mill, via TUPE, to the new Provider;
- Give delegated authority to the Strategic Director for Adults and Health, in consultation with the Executive Member for Adult Social Care and Health and the Deputy Director for Legal and Governance, to conclude any agreements necessary to facilitate the recommendations above.

Approved

Signed at a meeting of the Board

on Thursday, 7 December 2023

(being the ensuing meeting on the Board)

Chair of the meeting at which the Minutes were confirmed