

EXECUTIVE BOARD

Thursday 8th February 2024

PRESENT

COUNCILLOR:

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

PORTFOLIO:

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

ALSO PRESENT:

Fatima Asif

Member of the Blackburn with Darwen
 Youth Forum

	Item	Action						
1	<p><u>Welcome and Apologies</u></p> <p>The Leader of the Council, Councillor Phil Riley, welcomed all to the meeting. Apologies were received from Councillors Jim Smith and John Slater.</p>							
2	<p><u>Minutes of the Previous Meeting</u></p> <p>The Minutes of the Meeting held on 11th January 2024 were agreed as a correct record.</p>	Agreed						
3	<p><u>Declarations of Interest</u></p> <p>No Declarations of Interest were received.</p>							
4	<p><u>Equality Implications</u></p> <p>The Chair asked Members to confirm that they had considered and understood any Equality Impact Assessments associated with reports on the agenda ahead of making any decisions.</p>	Confirmed						
5	<p><u>Public Forum</u></p> <p>In accordance with Part 3 of the Executive Board Procedure Rules for questions/statements by members of the public, the following questions/statements have been received, details of which are set out below:-</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;"><u>Name of Person asking the Question</u></th> <th style="text-align: center;"><u>Subject Area</u></th> <th style="text-align: center;"><u>Response by</u></th> </tr> </thead> <tbody> <tr> <td style="height: 30px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	<u>Name of Person asking the Question</u>	<u>Subject Area</u>	<u>Response by</u>				
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Item		Action
Chris Walton	Demolition of the Fleece Inn	Councillor Quesir Mahmood, Growth & Deevlopment
	<p>Councillor Quesir Mahmood gave a response to Mr Walton's questions relating to the planned demolition of the Fleece Inn, which had formerly been part of the regeneration plans for the town centre, but which had suffered a fire in 2022. Councillor Mahmood advised that a comprehensive fire inspection and an independent cost plan report have been undertaken. The cost of refurbishment was estimated as £1.2m. The Council's insurance provider had been notified and a claim was progressing, however, a settlement had not been concluded. Unfortunately, there were no external funding opportunities, as the building was neither listed or in a conservation area, and therefore not a priority for funders.</p> <p>In response to a Supplementary Question from Mr Walton, Cllr Mahmood advised that even in the event of an insurance settlement, there would still be a significant funding gap, and therefore the decision to demolish the building would regretfully stand, but that any heritage items that were salvageable would be saved.</p>	
6	<p><u>Questions by Non-Executive Members</u></p> <p>No questions from Non-Executive Members had been received.</p>	
7	<p><u>Youth MPs Update</u></p> <p>Fatima Asif gave an update on recent events and activities including:</p> <ul style="list-style-type: none"> • Preparations for the forthcoming Youth MP Elections, with 9 candidates standing, with the results being announced on 11th March 2024. • Attendance at a residential in January, the main theme was Democracy. • Involvement in consultation on the renewing of the Council's Corporate Parenting Strategy. <p>Councillor Julie Gunn commended the ongoing work, stressing the importance of feedback and engagement with the Youth Forum.</p>	
8	<p><u>Leader's Update</u></p> <p>Councillor Phil Riley verbally updated the Executive Board on the</p>	

Noted

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

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

	Item	Action
8.2	<p data-bbox="336 174 1286 210"><u>Development and Procurement of Stop Smoking Service 2024</u></p> <p data-bbox="336 248 1241 356">Members received a report which advised that the government was investing an additional £70 million per year to support local authority led stop smoking services and support.</p> <p data-bbox="336 394 1289 539">This report set out proposals to utilise the additional Department of Health & Social Care (DHSC) Grant funding allocations announced in November 2023 by commissioning a comprehensive Stop Smoking Service for Blackburn with Darwen.</p> <p data-bbox="336 577 1259 757">The new service would be in addition to the pharmacy-led model of stop smoking support available to residents currently in place. Data drawn from the Local Tobacco Control Profiles (POF) that noted that smoking prevalence in Blackburn with Darwen rose to 19.4% in 2022 from 15.5% in 2021.</p> <p data-bbox="336 835 544 871">RESOLVED –</p> <p data-bbox="336 909 831 945">The Executive Board are asked to:</p> <ul data-bbox="336 983 1289 1749" style="list-style-type: none"> <li data-bbox="336 983 1171 1090">• Note the national allocation to Blackburn with Darwen of £237,341 per annum for a five year period from 2024/25 to 2028/29. <li data-bbox="336 1128 1278 1274">• Approve commencement of a tender exercise for a new Community Stop Smoking Service within the financial envelope of the national allocation of £237,341 and existing £51,730 Public Health grant for community smoking cessation activities. <li data-bbox="336 1312 1286 1570">• Approve continuation of the current pharmacy based Stop Smoking support offer via the Provider Selection Regime (PSR) direct award element for the Local Improvement Service contracts to local pharmacy providers to meet the condition of the new allocation that local authorities must maintain their existing spend on stop smoking services, based on the stop smoking service data they have submitted for the year 2022 to 2023. <li data-bbox="336 1608 1211 1749">• Decision to award the contract for the new community Stop Smoking Service delegated to the Director of Public Health in consultation with the Executive Member for Public Health, Prevention and Wellbeing. 	<p data-bbox="1362 983 1458 1019">Noted</p> <p data-bbox="1347 1128 1498 1164">Approved</p> <p data-bbox="1335 1312 1490 1348">Approved</p> <p data-bbox="1335 1608 1490 1644">Approved</p>
8.3	<p data-bbox="336 1827 812 1863"><u>Bus Service Improvement Plan</u></p> <p data-bbox="336 1901 1241 2047">A report was submitted, which advised that in October 2021 the Council's Bus Service Improvement Plan (BSIP) was approved securing circa £3.7million of funding for capital and revenue improvements to bus service provision across the Borough.</p> <p data-bbox="336 2085 1267 2148">As part of the Government's commitment to its National Bus Strategy, additional BSIP funding has been secured in a further 2</p>	

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

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

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

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