

# EXECUTIVE BOARD

## Thursday, 7 March 2024

**PRESENT** – Councillor, Riley (Chair), Floyd, Gunn, Hussain M, Mahmood, McGurk, Smith J and Talbot.

**ALSO PRESENT:** Councillor John Slater, Leader of the Opposition Group

### **RESOLUTIONS**

#### **1 Welcome and Apologies**

The Leader of the Council, Councillor Phil Riley, welcomed all to the meeting. Apologies were received from the Youth Forum representatives.

#### **2 Minutes of the Previous Meeting**

The Minutes of the Meeting held on 8<sup>th</sup> February 2024 were agreed as a correct record.

#### **3 Declarations of Interest**

A Declaration of Interest was received from Cllr Vicky McGurk in relation to items 8.3 and 8.4 and that she was a foster carer.

#### **4 Equality Implications**

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.

#### **5 Public Forum**

No questions from members of the public had been received.

#### **6 Questions by Non-Executive Members**

No questions from Non-Executive Members had been received.

#### **7 Youth MPs Update**

No update.

#### **8 Executive Member Reports**

### **ADULT SOCIAL CARE & HEALTH**

#### **8.1 Community Day Support Services**

A report was submitted to set out a series of recommendations which provided a summary of current and proposed arrangements for the commissioning of Community Day Care Support.

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

Cllr John Slater raised concerns about the Council's Procurement Procedure Rules and felt that they would be breached if the report was approved. Asad Laher, Deputy Director of Legal and Governance advised the committee that the recommendations for this report were compliant.

## **RESOLVED –**

That the Executive Board notes and approves the following recommendations:

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

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

- The current daycare commission is interdependent with the utilisation and review of community centres in Blackburn. Age UK are one of the current day care providers and the service is delivered from Little Harwood, Accrington Road and Greenfields community centres. In the proposed new commission, the appointed provider will source their own venue/s.
- The development of a transport policy and an approach to managing non-attendance.
- The final tender will consider updated models of day support and reflect that linked transport services will be considered as part of the process.

## **CHILDREN, YOUNG PEOPLE & EDUCATION**

### **8.2 Wrap Around Childcare Programme**

Wraparound childcare was childcare that 'wraps around' the conventional school day. It could also refer to provision in the school holidays. This provision can be offered by schools and private, voluntary and independent (PVI) providers (including childminders and early years settings) and could

be run on a school site or at another setting in the area. It should not require parents to pick their children up from school and drop them off at another location.

Many schools already offered enrichment and extra-curricular activities before and after the school day. The principal aim of the Wrap Around Childcare programme was to ensure childcare provision is regular, has longer hours and is more dependable for working parents.

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

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

#### **RESOLVED –**

That the Executive Board:

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

### **8.3 Quarter 3 Fostering Report**

*Cllr Vicky McGurk left the meeting due to her Declaration of Interest*

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

#### **RESOLVED –**

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

### **8.4 Uplift of Foster Carer Payments 24/25**

An annual payment review considered the ongoing Local Authority

challenges in terms of the recruitment and retention of foster carers. It continued to consider allowances from competitors in neighbouring Authorities, moreover this year as a regional cluster is formed of a brand new, fostering recruitment and retention hub. The Department for Education (DfE) had funded and awarded a twelve-month pilot for BwD (as lead), Lancashire County Council (LCC), Blackpool, Westmorland and Furness and Cumberland Councils to come together and deliver a collaborative recruitment service. The hub aimed to launch in May 2024 and was based on the premise that it regionally supported the increase from enquiry to approval of foster carers. To add to this, consideration was also been given to Independent Fostering Agencies in terms of rates of pay.

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

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

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

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

## **RESOLVED –**

That the Executive Board:

- Agrees to uplift foster carer allowances so that they are in line with the new national minimum allowances for 2024/25
- Considers and agrees the proposed uplift for Parent and Child to a competitive one-off payment of £850 weekly plus additional child feed as outlined, as well as the Short Break carers uplift and the payment for 'Staying Put' which is proposed at 6.88% in line with national minimum allowances

*Councillor Vicky McGurk returned to the meeting*

## **8.5 Variations to School Capital Programme**

A report was submitted to consider and approve variations to the 2023/24 schools capital programme.

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

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

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

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

**RESOLVED –**

That the Executive Board approves:

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

## **DIGITAL & CUSTOMER SERVICES**

### **8.6 Microsoft Licence Agreement for server and database estate**

Members received a report seeking approval to enter into a new 3-year contract for Microsoft server and database licences along with the associated financial implications.

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

Microsoft, the department is planning to execute the agreement with Phoenix Software Limited through the KCS framework with the supplier providing the licences at cost.

If the Council did not renew these agreements, we would be in breach of Microsoft licencing terms as software assurance was required to run the software in the current format. The Council periodically had audits from Microsoft which would pick up any licencing shortfall and would result in the Council incurring additional costs. The new agreement would allow the Council to deploy any new versions of the software released over the term of the agreement allowing it to keep up to date with the latest software available. The agreement will fix the price of the agreement for the next three years.

## **RESOLVED –**

That the Executive Board:

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

## **GROWTH & DEVELOPMENT**

### **8.7 Highways Capital Programme 2024/25**

Members received a report to seek the Executive Board's approval for the allocation of funds detailed in the Highways Capital Programme for the financial year 2024/25.

## **RESOLVED –**

That the Executive Board:

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

### **8.8 Biodiversity First Considerations**

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

## **RESOLVED –**

That the Executive Board-

- Approve the 'First Considerations' Report setting out how the Council is fulfilling the biodiversity duty.

### **8.9 Biodiversity Net Gain Planning Advisory Note**

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

## **RESOLVED –**

That the Executive Board:

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

### **8.10 Update on District Wildlife Sites**

The Council had undertaken ecological studies of all District Wildlife Sites (DWS) within the Borough, as part of preparatory works for the Local Plan (2021-2037), the introduction of Biodiversity Net Gain (BNG) and the development of the Local Nature Recovery Strategy (LNRS). The report was submitted to Members to seek approval of a series of recommended actions arising from that work and explains the Council's intended approach with regard the use of these (and other) sites to support the provision of off-site BNG opportunities in the Borough.

## **RESOLVED –**

That the Executive Board:

- Approve the recommendations of the DWS Study Summary report (Background Paper 1) to:
  - I) retain all qualifying sites as District Wildlife Sites;
  - II) retain all non-qualifying sites as District Wildlife Sites with the condition that actions will be prioritised to restore and enhance

habitat at those locations. This includes Knuzden Brook (Abbot Clough) DWS, Meadowhead Pastures DWS, Blacksnape/Taylor's Green and Robin Bank DWS; and retaining the current site areas for Darwen Golf Course DWS and Knuzden Brook (Haslingden Road) DWS;

- III) amend the boundaries of three sites - Davyfield Brook DWS, Eccleshill Quarry/Pastures DWS and Stones Bank Brook to reflect physical features / boundaries or SSSI designations; and,
  - IV) update the boundaries of Bog Height Tip to reflect the housing allocation in the northern parcel so that only the southern parcel is retained as a District Wildlife Site.
- Grant delegated authority to the Strategic Director for Growth and Development, in consultation with the Executive Member for Growth and Development, to make all relevant decisions on the use of Council-owned land to facilitate the supply and delivery of off-site BNG, and to authorise registration of the sites on the national off-site register.

## **FINANCE & GOVERNANCE**

### **8.11 Treasury Management Strategy 2024/25**

A report was submitted for Members to approve the proposed Treasury Management Strategy for 2024/25. Treasury risk management was conducted within the framework of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Treasury Management in the Public Services: Code of Practice 2021 Edition (the Treasury Management Code) which requires the Council to approve a Treasury Management Strategy before the start of each financial year. This report fulfilled the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

#### **RESOLVED –**

That the Executive Board:

- Approved the proposed Treasury Management Strategy for 2024/25, detailed in Appendix 1, including the proposed Treasury Management Indicators.

## **9 Corporate Issues**

### **9.1 Adult Social Care Provider Uplifts for 2024/25**

Members received a report on the Adult Social Care Provider Fee Uplifts for 2024/25 and which sought approval for a percentage increase in fees for the various services set out in the recommendations.

#### **RESOLVED -**

That the Executive Board:

- 1) Approve a percentage increase in fees for the following services:



- Residential and nursing care including Intermediate Care beds, fee increase of 8.48% effective from 1 April 2024.
- A revised schedule of rates relating to the Residential and Nursing Care Quality Assurance scheme including a minimum fee increase of 8.48% as above.
- Older People and Physical Disability Domiciliary Care, framework fee increase of 10.1% from £19.46 to £21.44 per hour in line with the Real Living Wage increase, effective from 1 April 2024.
- Shared Lives, day support fee increase of 8.4% in line with the National Living Wage increase effective from 1 April 2024.
- Shared Lives, weekly banding fee increase of 8.4% in line with National Living Wage increase effective from 1st April 2023.
- LD Supported Living Providers, fee increase of 10.1% in line with Real living wage increase and equivalent to the hourly rate of domiciliary homecare providers. This represents an increase to £21.44 per hour effective from 1st April 2024.
- Direct Payments, Personal Assistant, fee increase of 10.1% to £12.00 per hour in line with the Real Living Wage increases.
- Direct Payments - it is proposed to revise the existing direct payment agency rates (standard, enhanced and exception), in line with Domiciliary rates proposed above.

2) Further approves that:

- Supporting People and other specialist services commissioned on block contracts are increased by 4.7% in line with Consumer Price Index (CPI)

3) Further approves that:

- The Extra Care schemes that are commissioned on a block contract basis will receive an uplift of 8.6% to support providers to pay at NLW effective from 1 April 2024 where they have been agreed in the contract.
- Where 1:1 hours are contracted separately they will remain aligned to the domiciliary care rate of £21.44

## 9.2 Early Years Expanded Payments

A report was submitted to advise the Executive Board of the plans for the use of the Early Years (EY) Dedicated School Grant (DSG) including proposed plans for the delivery of the expanded entitlements for 2024/25.

### **RESOLVED –**

That the Executive Board:

1. Approves the use of the DSG EY Grant at appendix A which includes approval for the retention of up to 5% of the total grant to cover the cost of administration.
2. Approves the proposed hourly rates payable to providers (Appendix A)
3. Notes the content of the report with regards to the expansion of early years entitlements for children aged from 9 months upwards (under 2s) and

2 year olds of working parents.

4. Notes the allocation of the funding for under 2s will be adjusted to fund 26 weeks entitlement instead of the original 22 weeks included in the Dec 23 allocation.

5. Approves the use of the project delivery funding to support an increase in staffing to manage the successful implementation of the expanded entitlement offer.

6. Approves the use of project delivery funding to support the purchase of new modules to enhance the existing management information system to support the efficient delivery of early years entitlements.

7. Approve the use of capital funding to create new places if required to meet demand

### **9.3 Our Strategy to reduce Child Poverty 2024-2028**

Members received a report on Blackburn with Darwen: Our Strategy to Reduce the impact of Child Poverty 2024-2028. This strategy aimed to reduce and mitigate the impact of child poverty and reduce inequalities for children and families. It had been co-produced with children, young people and families across the Borough to ensure that the solutions resonated with the challenges they faced daily. This empowered young people by valuing their insights, but also enriched the approach with an understanding of the diverse issues that were uniquely experienced by them. Ultimately, involving children and young people in this strategy's development made certain that it was well-informed and reflective of the needs and aspirations of the younger generation.

The strategy was designed to make a tangible and timely difference in the lives of those experiencing poverty whilst acknowledging the larger societal issues that required systematic and societal change.

Members of the Board praised and welcomed the child poverty strategy.

#### **RESOLVED –**

That the Executive Board:

- Commits to the child poverty key themes and objectives contained within this strategy
- Approve Blackburn with Darwen's Strategy to Reduce the Impact of Child Poverty

Signed at a meeting of the Executive Board  
on Thursday, 11 April 2024  
(being the ensuing meeting on the Executive Board) by