

EXECUTIVE BOARD

Thursday, 11th April, 2019

PRESENT

COUNCILLOR:

Councillor Maureen Bateson MBE
Councillor Andy Kay
Councillor Mohammed Khan OBE
Councillor Phil Riley
Councillor Jim Smith
Councillor Damian Talbot
Councillor Brian Taylor

PORTFOLIO:

Children, Young People and Education
Resources
Leader of the Council
Regeneration
Environment
Leisure and Culture
Health and Adult Social Care

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALL IN ATTENDANCE:

Uday Akram
A'Aishah Patel
Corey McPartland

Youth MP
Deputy Youth MP
Deputy Youth MP

	Item	Action						
1	<u>Welcome and Apologies</u> The Leader of the Council, Councillor Mohammed Khan, welcomed all present to the meeting. Apologies were received from Councillor Shaukat Hussain.							
2	<u>Minutes of the Previous Meeting</u> The Minutes of the meeting held on 14 th March 2019 were agreed a correct record.	Approved						
3	<u>Declarations of Interest</u> No Declarations of Interest were submitted.							
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> In accordance with Part 4 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:- <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Name of Person asking the Question</th><th style="text-align: center;">Subject Area</th><th style="text-align: center;">Response by</th></tr> </thead> <tbody> <tr> <td>Vicky McKinlay</td><td>Use of 106</td><td>Councillor Phil Riley –</td></tr> </tbody> </table>	Name of Person asking the Question	Subject Area	Response by	Vicky McKinlay	Use of 106	Councillor Phil Riley –	
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	Item		Action
		money for Pelican Crossing, Cravens Brow, Balckburn.	Executive Member for Regeneration
Shelagh and Jack Ellison	Open Space at Tower Road, Blackburn		Councillor Phil Riley – Executive Member for Regeneration
Leigh Keen	Consultation – Fenisccliffe Bank Development, Blackburn		Councillor Phil Riley – Executive Member for Regeneration
Sean Rogers	Statutory Site Transfer of Blackburn Central High School with Crosshill		Councillor Maureen Bateson, Executive Member for Children, Young People and Education
	<p>Councillor Phil Riley provided responses to the questions and supplementary questions arising for questions 1-3.</p> <p>Councillor Maureen Bateson provided a response to the statement and supplementary question arising from Sean Rogers (see also Agenda Item 8.2) and advised that the concerns raised by Mr Rogers would be further looked into and that a further report would be submitted to the Executive Board before any transfer documentation was formalised.</p>		
6	<u>Questions by Non-Executive Members</u>		
	No questions were received from Non-Executive Members.		
7	<u>Youth MPs Update</u>		
	<p>The Youth MPs updated the Executive Board on recent activities including:</p> <ul style="list-style-type: none"> • Attendance at a YPS residential event near Burnley, for a variety of outdoor team-building activities and workshops focussed on social integration. • A CAHMS re-design meeting facilitated by BwD Healthwatch and the Youth MPs contributed with ideas including a potential CAHMS young people's panel. • Access for young people to 'Kooth' an on-line counselling and wellbeing platform for children and young people from 1st April. • Attendance at the regional Youthforia residential in Ambleside at the end of April, where key campaign issues would be discussed. • An update from Corey on the food poverty work she had recently been involved in. 		

	Item	Action
8.1	<p><u>Lancashire Enterprise Partnership – Change in Company Membership</u></p> <p>Members received a report seeking approval for the Council to become a member of the Lancashire Enterprise Partnership company, as part of a wider change programme to ensure compliance with new Government guidance, in advance of new local growth funding streams.</p> <p>To drive separation and strengthen independence, as required by the Government review, the Lancashire Enterprise Partnership and County Council agreed at the Board meeting on 19 March to accept additional company members. It was agreed that the five local authorities currently represented on the Board of the Lancashire Enterprise Partnership Board (Blackburn with Darwen, Blackpool, South Ribble, Burnley and Lancashire), along with Lancashire's two Chambers of Commerce (East and North West), would form the new nucleus of the company membership, subject to confirmation.</p> <p>This membership change was agreed by the Board as a necessary initial change to demonstrate greater separation between the County Council and the Lancashire Enterprise Partnership, with the company membership ultimately reflecting the public/private sector composition of the Board, which operated with a two-thirds private sector majority. This outcome was to be achieved within the next 6 months, as part of a wider change programme further clarifying the role of the accountable body, and the creation of an independent secretariat to provide the Lancashire Enterprise Partnership with the capacity to compete with neighbouring city-regions for new growth funding.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> 1. Note the changing national context influencing the Lancashire Enterprise Partnership and the need for strengthened independence with greater separation from Lancashire County Council; 2. Approve the Council's membership of the Lancashire Enterprise Partnership company, with financial liabilities of members limited to £1; and 3. Subject to 2 above, authorise the Director of Growth & Development and the Director of HR, Legal & Governance, in consultation with the Executive Member for Resources and the Executive Member for Regeneration, to agree and finalise the Members Agreement and other documentation necessary to formalise the Council's membership. 	<p>Noted</p> <p>Approved</p> <p>Approved</p>

	Item	Action
8.2	<p><u>Statutory Site Transfer of Blackburn Central High School with Crosshill</u></p> <p><i>Councillor Maureen Bateson moved an amendment to the published recommendations as follows – removal of (1st May 2019) in recommendation 2.1 and an additional recommendation (2.4) as below:</i></p> <p><i>2.4 Notes that prior to formalising the transfer documentation, a further report will be presented at a future meeting of the Executive Board to update on the outcome of the negotiations and any agreements reached.</i></p> <p>The Executive Board received a report which advised that on the 20th September 2018, Blackburn with Darwen Borough Council received formal notification from the Secretary of State for Education giving permission for Blackburn Central High School with Crosshill to become an academy sponsored by Champion Education Trust (CET). The sponsorship by CET had the full support of the Department for Education (DfE). Officers from Schools and Education had been working with school colleagues and CET to ensure the proposed date for conversion of 1st May 2019 was met.</p> <p>The Board of Directors would be responsible for the key strategic decisions relating to Blackburn Central High School with Crosshill. The school would have a local governing body that reported into the multi academy trust. Under the Academies Act 2010, the Council was required to transfer any land and building related assets wholly or mainly used for the purposes of a maintained school to the academy trust subject to the approval of the Executive Board.</p> <p>Blackburn Central High School with Crosshill was a PFI school and therefore subject to a Private Finance Initiative contract with a private sector contractor. Appropriate legal documents had been developed by the Department for Education to help address the additional complexities which could arise when a PFI school converted to an academy. Following the conversion the Local Authority would still be required to manage the PFI contract for the remaining concession of 19 years.</p> <p>The report submitted also highlighted the key issues and risks arising.</p> <p>As referenced when the report was introduced, the proposed date of 1st May 2019 would not be met, and a further report would be submitted to a future Executive Board meeting before any transfer documentation was formalised.</p> <p>RESOLVED - That the Executive Board approves:</p> <p>2.1 The transfer of the Council's freehold interest in the site, which includes the Buildings, associated hard play areas and playing</p>	<p>Approved</p>

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	fields to the Trust on its commencement date in accordance with Schedule 6 para 2 of The School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007. This relates to the area of land shown, edged red on the attached plan in Appendix 1.	
	2.2 Officers to negotiate and enter into the Commercial Transfer Agreement (CTA) between the Council, the Governing Body and the CET.	Approved
	2.3 Officers to negotiate and enter into revised Private Finance Initiative agreements in respect of the conversion to an Academy Trust to deal with the PFI status of the school; and	Approved
	2.4 Notes that prior to formalising the transfer documentation, a further report will be presented at a future meeting of the Executive Board to update on the outcome of the negotiations and any agreements reached.	Noted
8.3	<p><u>Local Safeguarding Children Board Reforms</u></p> <p>The Executive Board received a report which set out the recommended option for the replacement of the Local Safeguarding Children's Board (LSCB) to comply with the new area children's safeguarding arrangements. This was being presented to the three Lancashire Councils, (Blackburn with Darwen, Lancashire and Blackpool) the Executive bodies of the Clinical Commissioning Groups (CCGs) and the Police.</p> <p>The report sets out proposals for the three Local Safeguarding Children Boards in Blackpool, Blackburn with Darwen and Lancashire to be replaced by new arrangements that would cover all areas. It was proposed that the new arrangements were called the Blackpool, Blackburn with Darwen and Lancashire Safeguarding Children Strategic Partnership Board.</p> <p>The Council and its partners in safeguarding were required to publish their plans for the new arrangements by 29th June 2019 and have the new arrangements implemented by 29th September 2019 in order to comply with the provisions of the Children Act 2004 (as amended by the Children Social Work Act 2017).</p> <p>Following publication of arrangements, safeguarding partners had up to three months from the date of publication to implement the arrangements. All new local arrangements needed to be implemented by 29th September 2019.</p> <p>Once the arrangements had been published and implemented, the three LSCBs in Blackpool, Blackburn with Darwen and Lancashire would cease to exist.</p> <p>Consultations had taken place with key agencies as defined in the</p>	

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	<p>legal requirements and more broadly with existing members of the three LSCBs via their meetings.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ol style="list-style-type: none"> 1. Approves the formation of the Blackpool, Blackburn with Darwen and Lancashire Safeguarding Children Strategic Partnership Board which has been agreed in principle with safeguarding partner agencies; and 2. In Blackburn with Darwen the business unit covering both the children and adult safeguarding boards has been one unit since 2009. In order to continue the efficiencies realised, the Executive Board are asked to approve the new arrangements for the children board subject to the same adult board arrangements being agreed. 	<p>Approved</p> <p>Approved</p>
8.4	<p><u>LTP/Capital Monitoring Scheme 2019/20</u></p> <p>A report was submitted requesting Executive Board's approval for the detailed Local Transport Plan 3 (LTP3) programme for financial year 2019/20 and in outline for 2020/21. The LTP3 Strategy covering the period 2011 – 2021 was originally approved by the Council Forum on 28th April 2011.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1) Approves the Local Transport Plan 3 detailed programme for 2019/20; 2) Approves the Local Transport Plan 3 outline programme from 2019/20 to 2020/21; and 3) Delegates authority to the Director of Growth and Development, in consultation with the Executive Member for Regeneration, to amend, seek and accept tenders subject to adequate budget provision. 	<p>Approved</p> <p>Approved</p> <p>Approved</p>
9.1	<p><u>Disposal of Former Market Site</u></p> <p>Members received a report outlining the outcome of the Informal Tender for the site of the former Blackburn market and seeking approval to dispose of the site via an initial exclusivity agreement to the recommended preferred bidder.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 2.1 Approves the appointment of Bidder A as Preferred Developer Partner. 2.2 Grants an exclusivity period for 12 months to the Preferred Developer Partner to progress with developing scheme proposals. 2.3 Approves the provisionally agreed terms relating to the disposal of the land as detailed in this report. 	<p>Approved</p> <p>Approved</p> <p>Approved</p>

	Item	Action
	2.4 Grants permission for Council officers to negotiate the Heads of Terms to finalise the terms of the disposal.	Approved
	2.5 Delegates authority to conclude negotiations, including terms for the land sale and contracts to the Growth Programme Director and Deputy Chief Executive in consultation with the Executive Members for Resources and Regeneration; and	Approved
	2.6 Authorises the Director of HR, Legal and Governance to complete the necessary legal formalities.	Approved
11.1	<p><u>PART 2 – THE PRESS AND THE PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS</u></p> <p><u>LTP/Capital Monitoring Scheme 2019/20</u></p> <p>Further to the report submitted at Agenda Item 8.4, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED – That the Executive Board:</p> <p>1) Approves the Local Transport Plan 3 detailed programme for 2019/20.</p> <p>2) Approves the Local Transport Plan 3 outline programme from 2019/20 to 2020/21; and</p> <p>3) Delegates authority to the Director of Growth and Development, in consultation with the Executive Member for Regeneration, to amend, seek and accept tenders subject to adequate budget provision.</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p>
11.2	<p><u>Disposal of Former Market Site</u></p> <p>Further to the report submitted at Agenda Item 9.1, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <p>2.1 Approves the appointment of Bidder A as Preferred Developer Partner.</p> <p>2.2 Grants an exclusivity period for 12 months to the Preferred Developer Partner to progress with developing scheme proposals.</p> <p>2.3 Approves the provisionally agreed terms relating to the disposal of the land as detailed in this report.</p> <p>2.4 Grants permission for Council officers to negotiate the Heads of Terms to finalise the terms of the disposal.</p> <p>2.5 Delegates authority to conclude negotiations, including terms</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

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	<p>for the land sale and contracts to the Growth Programme Director and Deputy Chief Executive in consultation with the Executive Members for Resources and Regeneration; and</p> <p>2.6 Authorises the Director of HR, Legal and Governance to complete the necessary legal formalities.</p> <p>Signed at a meeting of the Board</p> <p>on Thursday, 13th June 2019</p> <p>(being the ensuing meeting on the Board)</p> <p>Chair of the meeting at which the Minutes were confirmed</p>	<p>Approved</p>