

EXECUTIVE BOARD

Thursday, 8th August, 2019

PRESENT

COUNCILLOR:

Councillor Maureen Bateson MBE
 Councillor Mustafa Desai
 Councillor Andy Kay
 Councillor Mohammed Khan OBE
 Councillor Quesir Mahmood
 Councillor Phil Riley
 Councillor Jim Smith
 Councillor Damian Talbot

PORTFOLIO:

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

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALSO IN ATTENDANCE:

A'Aishah Patel, Deputy Youth MP

	Item	Action
1	<p><u>Welcome and Apologies</u></p> <p>The Leader of the Council, Councillor Mohammed Khan, welcomed all present to the meeting. Apologies had been received from the Youth MP, Uday Akram and the Deputy Youth MP, Corey McPartland.</p>	
2	<p><u>Minutes of the Previous Meeting</u></p> <p>The Minutes of the Meeting held on 13th June 2019 were agreed as a correct record.</p>	
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>No questions had been received from members of the public.</p>	
6	<p><u>Questions by Non-Executive Members</u></p> <p>No questions had been received from Non-Executive Members.</p>	
7	<p><u>Youth MPs Update</u></p> <p>The Deputy Youth MP, A'Aishah Patel, updated the Executive Board on recent activities and events including:</p>	Noted

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	<ul style="list-style-type: none"> • The BwD Youth Integration Forum successfully planned and delivered the “Eat, Rave, Repeat” event as part of The Great Get Together at Restricted Rocks in Witton Park at the end of June. It was a fantastic day with a big turnout and the Youth MPs had enjoyed meeting new people and hearing about their views on integration in our town. A video had been shown at the commencement of meeting showing highlights of the event. • Young people from the BwD Youth Forum had also been supported by YPS to apply for the Political Minds residential delivered by the University of Lancaster. • The BwD Youth Forum were continuing with their Youth Work curriculum on knife crime and were planning a residential in September to Kenmere and were hoping to link this to the Takeover Challenge in November. • Uday attended the annual Youth MP conference at Leeds University. The Youth MP’s voted on 44 motions. The top 9 would form this year’s Make Your Mark Ballot. There would be a 10th option for young people this year which would be a community/local issue, and the next Executive Board would receive feedback on the 10 issues chosen. 	
<p>9.1</p>	<p><u>Update on Sport England's Local Delivery Pilot, Together an Active Future</u></p> <p>Members were advised that through Sport England’s 2016-2021 Strategy ‘Towards an Active Nation’, Sport England had committed to working in partnership with 12 Local Delivery Pilot (LDP) areas to tackle inactivity and learn through small scale pilots how to develop a blue print for delivering population level behaviour change and to increase activity levels through system change. They wanted to encourage wider, collaborative partnerships which looked at how all parts of a community could better work together to help the most inactive. The Local Delivery Pilot process was a different way of working and Blackburn with Darwen had been working with the Imagination Lab at Lancaster University to utilise creative engagement techniques to have different conversations and fundamentally change how engagement was carried out with people and partners.</p> <p>Sport England had shared their guidance for a phased approach to the planning and delivery of LDPs with investment resource identified and aligned to each stage:</p> <ul style="list-style-type: none"> • Pathfinder (small scale test & learn) -funding of £3m for Pennine Lancashire • Accelerator (scaling up) - in principle up to £7m for Pennine 	

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	<ul style="list-style-type: none"> Lancashire based on proof of concept and robust business cases of need. <p>75% of the Pathfinder £3m (£2.25M) had been allocated across the 6 Local Authority areas of Pennine Lancashire for delivery at a community level through local networks, neighbourhoods and locality partnerships e.g. Primary Care Networks (PCNs). Blackburn with Darwen's apportionment being £600,000.</p> <p>Guidance from Sport England confirms that the awarding and commitment of funding (Pathfinder and Accelerator) would run up to March 31st 2021. However, they recognised that spending of the committed budget will go beyond this date, but could not exceed March 31st 2025.</p> <p>Blackburn with Darwen's Pathfinder plan, to be submitted as part of Pennine Lancashire's overall bid would seek to secure approval for £600,000 of investment into Blackburn with Darwen. Delivery would commence in the Autumn following Sport England's internal approval process.</p> <p>RESOLVED - That the Executive Board:</p> <ul style="list-style-type: none"> Notes the update on Sport England's Local Delivery Pilot process. Notes the progress to date with regard to Pennine Lancashire's Local Delivery Pilot. Notes the progress to date with regard to Blackburn with Darwen's Pathfinder Planning. 	<p>Noted</p>

CHILDREN, YOUNG PEOPLE AND EDUCATION

Councillor Maureen Bateson verbally updated the Executive Board as **Noted** follows:

- The third year of the free lunchbox scheme had once again been a great success and thanks were passed to all the volunteers involved.
- The results of the recent SEND Inspection had now been published and Councillor Bateson outlined the key findings. The report highlighted a lot of strengths, with some areas for improvement, and an action plan would be submitted to the Executive Board at its next meeting.

ENVIRONMENTAL SERVICES

9.2 Kerbside Recycling Contract

The Executive Board was advised that the Kerbside Recycling contract had recently been tendered. Unfortunately, no bids were

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	<p>3. To note that taking the kerbside collection of recycling in-house at the end of the current contract with Biffa, on 31st March 2020 is likely to have TUPE implications; and</p> <p>4. To approve the procurement of a contract for the reception, haulage and processing of the recyclates collected, as part of the doorstep recycling service through an Open Tender Procurement exercise, the outcome of which and the proposed award of contract will be reported to the Executive Board in the coming months for approval.</p>	<p>Noted</p> <p>Approved</p>

GROWTH AND DEVELOPMENT

9.3 Local Growth Fund 3 - Blackburn South East Side Roads Order

A report was submitted which sought the approval of the Executive Board for the making of the Side Roads Orders (SROs) under sections 14, 124, 125, 126 and 129 of the Highways Act 1980 (as amended) in order to deliver highways infrastructure associated with the Local Growth Fund 3 Blackburn South East major transport project in the Haslingden Road and Blackamoor Road / Roman Road areas of Blackburn with Darwen.

RESOLVED - Subject to the classification application to the Department for Transport for the new lengths of road, and upon being satisfied that:

- a) It is necessary in relation to the classified roads to stop up, divert, improve, raise, lower or otherwise alter a highway that crosses or enters the classified roads or will be affected by the construction or improvement of the classified roads, or to construct a new road or means of access;
- b) In relation to any road that is stopped up that another reasonable convenient route is available or will be provided before any highway is stopped up;
- c) Existing rights of access need to be extinguished and new rights over land need to be created, but that in relation to the stopping up of any private means of access that either no other means of access is reasonably required or that another reasonable current means of access is available or will be provided before the means of access is stopped up;
- d) The proposed SROs will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area;
- e) There are sufficient funds available to implement the SROs and to stop up, divert, improve, raise, lower or otherwise alter the highways or to construct new highways or new means of accesses;

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	<p>f) The SROs comply with the Council's Local Plan and Local Transport Plan 3 policies;</p> <p>g) There is a compelling case in the public interest as the interference with Human Rights involved is proportionate in the interests of bringing about the improvements that would follow from the carrying out of the highway works;</p> <p>h) Land affected by the SROs is reasonably required for the purposes of the SRO schemes underpinning the Orders and to carry out the highways works;</p> <p>i) That no impediments exist to the implementation of the schemes (subject to the making of the orders) and there is a reasonable prospect of its implementation should the orders be made.</p>	
	<p>It is recommended that:</p>	
	<p>1) The support of the Council for the construction of new highways infrastructure in Haslingden Road and Blackamoor Road / Roman Road areas of Blackburn with Darwen as indicated on General Arrangement Drawings (see appendix 1, 2, 3) CS094960 (3 of 3) and (see appendix 4) CS097547 (1 of 1) is reaffirmed</p>	<p>Approved</p>
	<p>2) The Director of HR, Legal and Governance be authorised to prepare two Side Roads Orders as indicated in drawing numbers (see appendix 5, 6, 7, 8 and 9) CS094960 (3 of 3) and CS097547 (2 of 2) for the purposes of:</p> <ul style="list-style-type: none"> a) constructing new highways infrastructure and the improvement of existing highways b) the provision of new forms of access to premises c) the stopping up of highways and existing means of access d) the use by the Council of new rights in relation to the construction, improvement and maintenance of the improved highways; 	<p>Approved</p>
	<p>3) The Director of HR, Legal and Governance be authorised to take all steps necessary for the confirmation of the SROs, including the publication and service of all statutory notices and the presentation of the Council's case at any public inquiry or other hearing, and</p>	<p>Approved</p>
	<p>4) The Director of HR, Legal and Governance be authorised (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Orders) to confirm the Orders, if he is satisfied that it is appropriate to do so</p>	<p>Approved</p>
	<p>5) The Director of HR, Legal and Governance be authorised in consultation with the Director of Growth and Development to make deletions from, and/or minor amendments, and modifications to the proposed SROs and Order Plans</p>	<p>Approved</p>

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	<p>including where appropriate amendments and modifications to achieve the withdrawal of any objections to the Orders</p> <p>6) The Director of HR, Legal and Governance be authorised in consultation with the Director of Growth and Development to make applications to amend the planning applications/permissions where necessary to accord with any amendments and modifications to the Orders and Plans.</p>	<p>Approved</p>

DIGITAL AND CUSTOMER SERVICES

Councillor Quesir Mahmood verbally reported on the recent successful implementation of the Council's new website, which had led to increased hits. IT staff were now looking at Google Analytics to improve business processes by digitising services.

Noted

FINANCE AND GOVERNANCE

9.4 Disposal Policy Review

The Executive Board received a report advising that the Council's Disposal Policy had been reviewed to ensure that the policy adopted by the Council for the disposal of its land and property assets followed RICS (Royal Institution of Chartered Surveyors) Registered Valuer compliance, ensured best value, that corporate objectives were achieved and complied with current Legislation and Case Law.

RESOLVED - That the Executive Board: Approves the revised Disposal Policy.

Approved

10.1 Loan Sharks Charter

Members received a report which provided background information on the features and impacts of illegal money lending and sought agreement for Blackburn with Darwen Council to work with local partners to adopt the Stop Loan Sharks Charter in order to;

- Send a clear message that loan sharks will not be tolerated in the Borough and make Blackburn with Darwen a challenging place for loan sharks to prosper.
- Increase awareness within partner organisations and local communities of illegal money lending activity and the support available.
- Increase confidence of residents to safely report illegal money lending activity.
- Encourage the financial capability of residents so that they could make informed choices about affordable lending and saving.

	Item	Action
	<p>RESOLVED - That the Executive Board:</p> <ul style="list-style-type: none"> • Agree to work with local partner agencies to adopt a Stop Loan Sharks Charter for Blackburn with Darwen • Support a programme of joint work with the England Illegal Money Lending Team (IMLT) to tackle illegal money lending in Blackburn with Darwen 	<p>Approved</p> <p>Approved</p>
10.2	<p><u>Update on Air Quality</u></p> <p>The Executive Board received a report providing information for Members about the following:</p> <ul style="list-style-type: none"> • The UK Clean Air Strategy published in January 2019. • DEFRA's response to the Blackburn with Darwen Annual Status Report on Air Quality for 2018. • Ongoing work to improve air quality in Lancashire and Cumbria. 	
	<p>RESOLVED - That the Executive Board: Note the report.</p>	Noted
10.3	<p><u>Review of the Council's Residential Parking Bay Policy</u></p> <p>Members were advised that the current policy regarding disabled parking bays in residential areas across Blackburn and Darwen was introduced in 2000. Since the introduction of the policy, the number of applications for a residential disabled parking bay had increased significantly.</p> <p>The provision of Residential disabled parking bays was a "discretionary service" therefore the Council had a choice whether or not to provide the service at all.</p> <p>There were considerable, and increasing costs and resources spent on the provision of residential disabled parking bays and these costs were becoming unaffordable within the Department's cash limited budget.</p> <p>The increase in residential disabled parking bays could have an adverse impact on residents who lived on the same street where multiple bays were present, as these bays could take up the majority of the available parking space on the street. This also caused traffic congestion in some areas of the Borough where there were multiple bays within a short span of the public highway.</p> <p>A robust public consultation on the Council's current policy for residential disabled parking bays had been undertaken throughout January 2019 and May 2019 to inform the options available regarding the future provision of residential disabled parking bays. The results of the two consultation processes were appended to the report along with recommendations for amendments to the current policy for consideration by the Executive Board.</p>	

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	<p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> Notes the results and findings of the public consultation processes undertaken in January and May 2019. Approves changes to the current policy for residential disabled parking bays (RDPB) to enable a restriction to be placed on the number of RDPBs in a street, i.e. residential disabled parking bays should be 40m away from each other (around 8 terraced houses apart). This restriction would apply to new applications for a RDPB, not for existing RDPB or for applications for the renewal of existing RDPBs. Approves the introduction of a £120.00 charge as a contribution towards the overall cost of installing new residential disabled parking bays. Approves the introduction of a £60 charge as a contribution towards the process of renewing a residential disabled parking bay. The renewal process takes place every three years and as part of this process, the Council will re-paint the lines on the RDPB to ensure the lines remain visible and that the Council can enforce against cars parked in the bay without a blue badge. Approves the removal of Residential Disabled Parking Bays when they are no-longer in use. Approves amendments to the RDPB Policy to reflect the introduction of a contributory charge towards the cost of the RDPB, the contributory charge for the renewal of a bay and a 40m restriction on the location of residential disabled parking bays in a street. 	<p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
10.4	<p><u>Corporate Revenue Budget Monitoring Report Quarter 1-2019/20</u></p> <p>Members received the latest report on the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the first quarter of the financial year.</p> <p>RESOLVED - The Executive Board is asked to approve:</p> <ul style="list-style-type: none"> the portfolio cash limit adjustments outlined in Appendix 1. the Earmarked reserves position shown in Appendix 2 the variations to revenue expenditure, as listed in Section 6, giving rise to a balance of £7.022 million in the unallocated General Fund revenue reserve. 	<p>Approved</p>
10.5	<p><u>Corporate Capital and Balance Sheet Monitoring Report</u></p>	

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	<p><u>2019/20 - Quarter 1 (3 months to 30th June 2019)</u></p> <p>A report was submitted on the overall financial position of the Council in respect of the capital programme as at 30th June 2019, highlighting key issues and explaining variations in the first 3 months of the financial year.</p> <p>RESOLVED – 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>Approved</p> <p>Approved</p>
11.1	<p><u>Petition: Red Rake Garage Site</u></p> <p>The Executive Board was advised that a petition was received by the Council containing 13 names with 12 signatories from 9 individual residencies from properties fronting Red Rake Garage site, Revidge Road, Blackburn requesting the Council withdraw the sale of freehold interest of land known as Red Rake garage site Blackburn. The petition was received after the auction date of February 19th 2019 with legal completion taking place on 2nd April 2019.</p> <p>Garage tenants and Councillors were informed of the proposed disposal of Red Rake in advance of the auction and notified that existing rolling monthly tenancies would transfer to the new freeholder upon completion of the sale. Further advice and guidance was given to tenants highlighting that other sites had created ‘tenants groups’ with appointed persons attending auction and successfully purchasing the site on behalf of the current tenants.</p> <p>RESOLVED - That the Executive Board: Acknowledge the local residents petition and respond to the lead petitioner. Note the sale was a legally binding agreement entered into upon fall of the gavel at auction on 19th February 2019.</p> <p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND THE PUBLIC WERE EXCLUDED FROM THE MEETING</p>	<p>Approved</p>
12	<p><u>Kerbside Recycling Contract</u></p> <p>Further to the report submitted at Agenda Item 9.2, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - Given the fact that no bids were submitted in the tender exercise and that the Council must discharge its statutory responsibilities as a Waste Collection Authority and a Waste Disposal Authority, the Executive Board is recommended;</p>	<p>Noted</p>

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	<ol style="list-style-type: none"> 1. To note the recommendation of the Council's Waste and Recycling Programme Board and the 'default position', to accept taking the kerbside collection of recycling in-house at the end of the current contract with Biffa, on 31st March 2020. 2. To note the Leaders decision to approve capital funding for the purchase of six refuse collection vehicles at a capital cost of approximately £1,050,000 to be procured through an appropriate Procurement Framework Agreement in order to ensure a seamless transition to the new, in-house service for the collection of the recyclates from 1 April 2020 3. To note that taking the kerbside collection of recycling in-house at the end of the current contract with Biffa, on 31st March 2020 is likely to have TUPE implications. 4. To approve the procurement of a contract for the reception, haulage and processing of the recyclates collected, as part of the doorstep recycling service through an Open Tender Procurement exercise, the outcome of which and the proposed award of contract will be reported to the Executive Board in the coming months for approval. <p style="text-align: center;">Signed at a meeting of the Board</p> <p style="text-align: center;">on Thursday, 12 September 2019</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 style="text-align: center;">Noted</p> <p style="text-align: center;">Noted</p> <p style="text-align: center;">Approved</p>