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# CABINET

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**Wednesday, 5th June, 2019**

**Present:** Councillor Miles Parkinson (in the Chair), Councillors Munsif Dad, Joyce Plummer and Jenny Molineux

**In Attendance:** Councillors Noordad Aziz, Tony Dobson, Glen Harrison, June Harrison and Eamonn Higgins

**Apologies:** Paul Cox and Loraine Cox

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**20 Apologies for Absence**

**21 Declarations of Interest and Dispensations**

There were no reported declarations of interest or dispensations.

**22 Minutes of Cabinet**

The minutes of the meeting of Cabinet held on 20th March 2019 were submitted for approval as a correct record.

**Resolved** – **That the Minutes be received and approved as a correct record.**

**23 Minutes of Boards, Panels and Working Groups**

The minutes of the following meeting were submitted:-

- Cabinet Committee – Street Naming – 20th March 2019

**Resolved** – **That the Minutes be received and noted.**

**24 Accrington and Rossendale and Nelson and Colne Colleges**

Members received a presentation by Amana Melton, Chief Executive, Accrington and Rossendale and Nelson and Colne Colleges, about the vision and progress of the new merged college for Pennine Lancashire.

Ms Melton outlined the merger of the colleges with effect from 1 December 2018 and explained that although the corporate body was Nelson and Colne College, both Accrington and Rossendale College and Nelson and Colne College were equal partners and would retain their separate identities. The group also encompassed Lancashire Adult Learning, which had been taken on board by Nelson and Colne College in 2016. That body looked at working with partners to provide development opportunities for adults in need.

The background to the merger with Accrington and Rossendale College was the difficult financial position experienced by that college, in the wake of borrowing for investments, which had not ultimately improved the number of students on roll. The college had found it

difficult to reduce its costs and had also suffered as a result of declining funding for adult education. A proposed merger with Burnley College had not come to fruition.

Subsequently, central Government had approached Nelson and Colne College to develop a partnership and some funding had been provided to address the legacy financial issues. Ms Melton was optimistic that the Accrington and Rossendale College was now on a firm financial footing. The meeting today was important to the college, because it would be reliant on the support of key local partners, such as the Borough Council, to be successful.

Ms Melton outlined her own background. She had been Principal at Nelson and Colne College for some 7½ years. It was one of the highest performing Colleges in the country across several metrics. The college had a strong relationship with Pendle Borough Council and the local community. It had also established a Multi-Academy Trust (MAT), the Pendle Education Trust, which included Colne Primet Academy, Pendle Primary Academy and other local schools, which were highly successful. It was hoped to replicate those levels of partnership working and successes within both Accrington and Rossendale College and Lancashire Adult Learning.

The funding secured for Accrington and Rossendale College would help to address some in-year financial pressures and the pension deficit. In addition, costs were being reduced. Across the whole college group there was a turnover of around £30M and next year's budget would create a small surplus. The new leadership of Accrington and Rossendale College wished to increase the college's market share of new students and to repair any reputational damage. The college had been strong in the past and was already on the way back to a position of strength.

An improvement programme was being developed which would support three main themes:

- Improving the quality of education – addressing the challenges in the region, such as poor Maths skills and lack of preparedness for work;
- Provision of academic qualifications;
- Growing the higher education offer with part-time courses leading to HNC and HND level qualifications for people already in work.

The approach would also build upon experience that Nelson and Colne College had developed through its partnerships with Burnley FC, Calico Homes and East Lancashire Hospitals NHS Trust. The Council was asked to think about who were the largest employers in Hyndburn. Accrington and Rossendale College would work with large employers to produce memoranda of understanding.

Overall there was a need to work collaboratively with other colleges to manage oversupply in the region.

Ms Melton had recently been appointed to the Lancashire Local Enterprise Partnership (LEP) and was Chair of the Lancashire Skills and Employment Advisory Panel. Although it was early days yet, she hoped to be able to influence investment in skills in the region. Ms Melton was also a member of the Council of the East Lancashire Chamber of Commerce. A dialogue with the Borough Council was essential to ensure the future economic success of the area.

The Leader of the Council commented that all residents would wish to see improvements in the prosperity of the Borough, which would be driven through quality primary, secondary and tertiary education. It was hoped that Accrington and Rossendale College would be

able to engage not only with large scale employers, but also with small and medium enterprises (SMEs) and that that would stimulate the growth of the manufacturing base within the region.

Questions were asked by Members present and answers given, on the following matters:

Given the possible oversupply of provision, would the college site remain in Accrington? - Around £3.5m was due to be invested to transform and update the site to make it fit for purpose. This would include the levelling of one building and upgrading of standards in the remaining buildings. It was estimated that the site improvements alone would lead to a 15% increase in student numbers. Works had already been commissioned for improvements to heating and lighting and IT infrastructure. The group's central administrative offices would relocate to the Accrington and Rossendale College site. Improvements were planned for the Construction Centre to improve its attractiveness to students and to create a central hub for Lancashire. Tim Webber MBE, Chair and Managing Director, Barnfield Construction, would join the Board to provide experience and help to build links to the construction sector. The college would be rebranded as Accrington and Rossendale Technical College. However, the timescale for remodelling was challenging, with Government funding required to be committed by March 2020 and construction completed by March 2021.

What was the reason for the loss of the Catering Department at the college, given that it had earned a good reputation? - The catering provision had not gone, but would refocus on support for apprenticeships in that sector, as the current trend was for those students to go straight into employment, so as to earn money while learning. Provision would still be available for people with learning disabilities to serve food in the college restaurant. However, overall occupancy of that part of the site was very low.

Nationally there was not much money available for further/higher education. How had this impacted on the College? - The college would focus on (i) adults who did not have sufficient Maths and English skills to undertake employment, to look after themselves or their families' health, or to contribute economically to the region; (ii) adults who wanted to access higher education such as HNC and HND; and (iii) adults looking to re-skill or upskill. However, funding was under pressure.

Did the need to borrow for student loans impact on the take up of courses? - Overall, it was not believed that the student loan system had adversely affected Accrington and Rossendale College, but there were issues around too many students going to university, but receiving a product that did not meet their needs and expectations. A Level 4 qualification in a college or an apprenticeship, might be a more appropriate educational route for those individuals.

Given the lessons learned from over-borrowing and reputational damage caused, how would the college ensure that the situation was not repeated in the future? -- It was understood that the college had increased its debt at a time when its income was falling, but that its business model, to spend its way out of a problem, had not worked. The college had been under some pressure to deliver a new building, but that had not generated sufficient new students in the catering side. The college's current borrowing levels were affordable and its leadership was prepared to make savings, if necessary, to balance the budget. The overhanging debt had been addressed by the Government funding.

Could the college provide a centre of excellence for the health sector? - As a general rule NHS organisations were hard for colleges to engage with. However, the East Lancashire Hospitals NHS Trust had a jointly funded post, which helped to provide access to temporary posts in areas such as IT, cleaning, porters, post rooms, and healthcare. Nelson and Colne

College currently worked with the Trust to provide staff with the skills they needed, which might lead to wider opportunities across the college group.

There had previously been an adult learning outreach site in Great Harwood. How would Lancashire Adult Learning continue to operate in the current challenging financial climate? - It was envisaged that Lancashire Adult Learning would continue to develop. It was grant funded, but the aim was to get a better return on investment for the grant available. The focus would be on going to venues where there was the greatest need, for example by attending primary schools where the parents themselves were unable to read. The overall number of people supported to learn would not reduce, but the focus of that support might change.

Would the college be subject to more mergers in the future, particularly in the light of strong competition from Burnley and Blackburn Colleges? - There were currently no plans for more mergers. However, all East Lancashire colleges would need to work together strategically to plan for the future.

The Leader of the Council thanked Ms Melton for her attendance and engaging presentation, which highlighted an exciting future for Accrington and Rossendale College. The Council wanted all age groups, young and old to maximise their levels of achievement. It was hoped to invite Ms Melton to address the meeting again at some future date and an offer was extended to hold the meeting at the college.

*There were no alternative options for consideration or reasons for rejection.*

**Resolved**                      – **That the presentation on the future of Accrington and Rossendale College be noted.**

## **25 Reports of Cabinet Members**

The Leader of the Council reported that an item appeared later in the private part of the Agenda, in relation to the leasing of part of King George V Playing Fields, car park and associated changing pavilion to Accrington Stanley FC, but it would be useful to highlight some key facts in the public arena.

Approval of the public report was not deemed a key decision.

Accrington Stanley FC had progressed a long way in the Football League and wanted to develop further. The lease would bring investment into the site, including an upgraded playing surface. The details of the lease were confidential, but there was an opportunity here to praise the club for the contribution that they had made to their home town and their drive to move up the League. The Council had a good relationship with club which had seen development of the Crown Ground (Wham Stadium), a Sports Hub, Highams Playing Fields and now the King George V Playing Fields. The Team featured regularly on television, which provided good publicity for the town and attracted visitors to the Borough. It was hoped that the new training facilities would improve the quality of football, keep players fit and injury free and help the club to greater glory.

Councillor June Harrison commented that the site was in Barnfield Ward and that the residents had been supportive of the development, as the playing fields space was currently underused. The Leader of the Conservative Group concurred with the sentiments expressed and welcomed the investment. He had been disappointed by the initial proposals to build the training ground near Read, so the revised site was good news. The players, club, local residents and the Council would work together to make this facility a

success. This was particularly encouraging, as the asset had been struggling to find a role for the future.

*There were no alternative options for consideration or reasons for rejection.*

**Resolved** – **That Cabinet noted the public report on the leasing of part of King George V Playing Fields, car park and associated changing pavilion to Accrington Stanley FC.**

## **26 Appointment of Cabinet Committees and Cabinet Groups**

The Leader of the Council reported on the establishment of Cabinet Committees and Cabinet Groups for the 2019/20 Municipal Year and the appointment of Members to the Committees and Groups

Approval of the report was not deemed a key decision

### *Reasons for Decision*

In June 2015, Cabinet established the Cabinet Committee (Scrap Metal Dealers Act 2013). The Cabinet Committee determines whether to grant, renew, revoke or vary scrap metal licences pursuant to the Scrap Metal Dealers Act 2013, where the applicant or licensee (as the case may be) has informed the Council that they wish to make oral representations. This enables compliance with statutory requirements.

In December 2017, Cabinet established the Cabinet Committee (Street Naming). The Cabinet Committee discharges the Council's functions in respect of the naming and renaming of streets pursuant to Sections 17 and 18 Public Health Act 1925.

In June 2018 the Cabinet established the Cabinet Committee (Digital Committee). The Cabinet Committee provides a forum for Cabinet to consider the impact of the digital economy on the Borough and its town centres in particular.

In June 2015, Cabinet also established the following three Cabinet Groups, which act in an advisory capacity to Cabinet and do not have any delegated or decision making powers:

- Accrington Pals Centenary Commemorations Group;
- Cabinet Public Transport Group; and
- Cabinet Waste and Recycling Group.

The above Groups will continue into 2019/20, with the name of the Accrington Pals Centenary Commemorations Group, being amended to the Covenant Commemoration Working Group and the terms of reference being amended accordingly. The change is intended to reflect the broader agenda of the Armed Forces Covenant, which comprises a pledge between public and private sector partners that together we acknowledge and understand that those who serve or who have served in the armed forces, and their families, should be treated with fairness and respect in the communities, economy and society they serve with their lives.

### *Alternative Options Considered and Reasons for Rejection*

An option not to appoint any of the proposed Panels and Groups was considered, but would not meet the Cabinet's need to establish effective arrangements for the discharge of specialist areas of its business.

- Resolved**
- (1) That Cabinet agreed to the establishment of the Cabinet Committees and Cabinet Groups, and with the terms of reference, as set out in the Appendix to the report; and,**
  - (2) That the membership of the Cabinet Committees and Cabinet Groups, as set out in paragraph 3.7 of the report was approved.**

## **27 Financial Position - February 2019 - Outturn Report for Year Ending 31 March 2019**

Councillor Joyce Plummer, Portfolio Holder for Resources, had submitted a report informing Cabinet of the financial spending of the Council up to the end of February 2019 and the financial forecast outturn position for the Accounting Year 2018/19.

Approval of the report was not deemed a key decision.

### *Reasons for Decision*

The spend for the first 11 months of the financial year to the end of February 2019 is £9,900,378 compared to a Budget of £10,190,518 giving a positive variance of £290,000 over the first 11 months of the year.

The current forecast spend to the end of the financial year in March 2019 is £10,852,000 compared to a Budget of £11,174,000. This forecast produces a positive variance of £322,000. Parks & Cemeteries and Planning & Transportation are predicting small adverse variances. Town Centre & Markets and Regeneration & Property Services are forecasting larger adverse variances. All other Budget Areas are indicating a surplus position compared to their Budget by the year-end.

Details of the most significant adverse variances are as follows:

The Town Centre & Market Budget shows an overall adverse variance of almost £175,000. This is attributable to the continuing economic pressures limiting the generation of funds from the Market Hall in Accrington by £179,000 compared to Budget and other income down £7,000, offset by £9,000 of salary savings and £2,000 of miscellaneous additional costs.

Regeneration & Property Services are predicting a negative variance position for the year of £73,000, with income up by £198,000, offset by an extra £16,000 of salary costs and £160,000 of miscellaneous costs, plus £95,000 of additional emergency repairs and maintenance expenditure.

*There were no alternative options for consideration or reasons proposed for rejection.*

- Resolved**
- That Cabinet noted the report on the Financial Position at February 2019 and the financial forecast outturn position for the year ending 31 March 2019.**

With the consent of the meeting the following agenda item was taken next.

## **28 Restructuring Kingdom Services Group Limited**

The Leader of the Council had submitted a report to inform the Cabinet that following a restructure of Kingdom Services Group Limited, of Kingdom House, 1 Woodlands Park, Ashton Road, Newton-le-Willows, WA12 0HF, the Division formerly known as EPD/LAS

would, from the 1st May 2019, become a stand-alone company within the Kingdom Group under the title 'LA Support Limited'.

Approval of the report was not deemed a key decision.

#### *Reasons for Decision*

At its meeting on 18 July 2018, Cabinet approved the appointment of Kingdom Services Group Limited to provide litter and dog fouling enforcement services to the Council for a 12 month pilot, commencing Monday 5 November 2018.

Notification has been received from Kingdom Services Group Limited, confirming the creation of LA Support Limited as a standalone company with company number 11850540 and with VAT registration number 318945571. Details of the relevant insurances in the name of LA Support Limited have also been supplied to the Council.

A letter sent to the Executive Director (Environment) gives assurances as to the service continuing to be supplied by the existing staff engaged on the pilot agreement with the Council.

#### *Alternative Options Considered and Reasons for Rejection*

An alternative option for the Cabinet not to agree to the novation/assignment and to withdraw from the pilot arrangement was considered, but would not provide the continuity of service required.

- Resolved**
- (1) That Cabinet agreed to the novation of its existing service level agreement from Kingdom Services Group Limited to LA Support Limited; and**
  - (2) That Cabinet delegated authority to the Executive Director (Environment) following consultation with the Executive Director (Legal & Democratic Services) to agree the terms of, and sign, the relevant Deed of Novation agreement; and**
  - (3) That Cabinet delegated authority to the Executive Director (Environment), following consultation with the Executive Director (Legal & Democratic Services) and the Portfolio Holder, to agree the terms of, and sign, any further amendments to the agreement between the Council and LA Support Services Ltd during the remainder of the pilot agreement.**

## **29 Exclusion of the Public**

- Resolved**
- That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following items, when it was likely, in view of the nature of the proceedings that there would otherwise be disclosure of exempt information within the Paragraph at Schedule 12A of the Act specified at the item.**

The Leader of the Council and Councillor Tony Dobson both declared a personal interest in the following item, by virtue of their appointments as directors of Globe Enterprises Limited.

**30 Disposal of Shareholdings in Globe Enterprises Limited and Sale of Freehold Land at Viaduct Accrington**

*Exempt Information under the Local Government Act 1972, Schedule 12A, Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

The Leader of the Council, who had submitted an exempt report, and Councillor Joyce Plummer, Portfolio Holder for Resources, reported jointly in connection with an offer to purchase the Council's shareholding in Globe Enterprises Limited and the sale of freehold land at Viaduct, Accrington.

Councillor Noordad Aziz asked a question in relation to whether, or not, the Council would retain any shares in Globe Enterprises Limited, to which a verbal response was provided by David Welsby, Chief Executive.

Approval of the report was considered to be a key decision.

*Reasons for Decision*

The reasons for the decision were set out in the exempt report.

*Alternative Options Considered and Reasons for Rejection*

The alternative options considered and reasons for rejection were set out in the exempt report.

**Resolved** – **That the recommendations as set out in the exempt report be approved.**

**31 Leasing of King George V Playing Fields, Car Park and Associated Changing Pavilion to Accrington Stanley FC**

In accordance with Regulation 5(6)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, approval was given by Councillor Noordad Aziz, Chair of the Resources Overview and Scrutiny Committee, to the following decision being made by Cabinet on 5th June 2019 in private, on the grounds that the decision was urgent and could not reasonably be deferred.

*Reason for Urgency*

To enable progress to be made on the arrangements for a formal lease for the use of the site, at the earliest opportunity, to enable the lessee to commence development of the site.

*Exempt Information under the Local Government Act 1972, Schedule 12A, Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

Councillor Munsif Dad, Portfolio Holder for Education, Leisure and Arts, had submitted an exempt report seeking approval from Cabinet to grant a lease for King George V Playing Fields in Accrington, including associated car park and changing pavilion to Accrington Stanley Football Club Ltd. and to agree arrangements for the grant of the proposed lease

Approval of the report was not deemed to be a key decision.



*Reasons for Decision*

The reasons for the decision were set out in the exempt report.

*Alternative Options Considered and Reasons for Rejection*

The alternative options considered and reasons for rejection were set out in the exempt report.

**Resolved** – **That the recommendations as set out in the exempt report be approved.**

**32 Former Bowling Green Bullough Park Accrington BB5 0LW**

In accordance with Regulation 5(6)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, approval was given by Councillor Noordad Aziz, Chair of the Resources Overview and Scrutiny Committee, to the following decision being made by Cabinet on 5th June 2019 in private, on the grounds that the decision was urgent and could not reasonably be deferred.

*Reason for Urgency*

To enable progress to be made on the arrangements for a formal lease for the use of the site, at the earliest opportunity, to facilitate access by the lessee to any grant funding available.

*Exempt Information under the Local Government Act 1972, Schedule 12A, Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

Councillor Munsif Dad, Portfolio Holder for Education, Leisure and Arts, had submitted an exempt report seeking approval from Cabinet to the grant of a lease to a local Community Interest Company of the former Bowling Green and associated buildings at Bullough Park, Accrington, for a period of 5 years.

The Leader of the Conservative Group enquired about alternative provision available for bowlers in the area and the possible implications of leasing small parts of the Park site on a piecemeal basis. The Leader of the Council and Portfolio Holder for Education, Leisure and Arts gave verbal responses.

Approval of the report was not deemed to be a key decision.

*Reasons for Decision*

The reasons for the decision were set out in the exempt report.

*Alternative Options Considered and Reasons for Rejection*

The alternative options considered and reasons for rejection were set out in the exempt report.

**Resolved** – **That the recommendations as set out in the exempt report be approved.**

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed