

# Agenda



**HYNDBURN**

The place to be  
an excellent council

## Cabinet

**Wednesday, 13 March 2024 at 4.00 pm,**  
QER, Scaitcliffe House, Ormerod Street, Accrington

### Membership

Chair: Councillor Marlene Haworth (Leader of the Council)

Councillors Peter Britcliffe, Loraine Cox, Zak Khan, Sajid Mahmood, Kath Pratt, Steven Smithson and Mohammed Younis

## A G E N D A

### PART A: PROCEDURAL AND INFORMATION ITEMS

1. **Apologies for Absence**
2. **Declarations of Interest and Dispensations**

3. **Minutes of Cabinet** (Pages 3 - 26)

To approve the Minutes of the last meeting of Cabinet held on 13<sup>th</sup> February 2024.

4. **Minutes of Boards, Panels and Working Groups** (Pages 27 - 36)

To receive the minutes of the meetings of the following bodies:-



<b>Name of Body</b>	<b>Date of Meeting</b>
Learning and Development Panel	17 <sup>th</sup> October 2023

## **PART B: PORTFOLIO ITEMS**

### **5. Reports of Cabinet Members**

To receive verbal reports from each of the Portfolio Holders, as appropriate.

**Deputy Leader of the Council and Portfolio Holder for Resources (Councillor Peter Britcliffe)**

### **6. Draft People Strategy (Pages 37 - 40)**

Report attached.

### **7. National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme (Pages 41 - 66)**

Report attached.

### **8. Non Domestic Rates - Retail, Hospitality and Leisure Relief for 2024/2025 (Pages 67 - 82)**

Report attached.

### **9. Member Development - Update (Pages 83 - 116)**

Report attached.

## **PART C: EXEMPT ITEMS**

NIL

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## CABINET

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**Tuesday, 13th February, 2024**

**Present:** Councillor Peter Britcliffe (in the Chair), Councillors Loraine Cox, Zak Khan, Sajid Mahmood, Kath Pratt, Steven Smithson and Mohammed Younis

**In Attendance:** Councillor Carole Haythornthwaite

**Apologies:** Councillor Marlene Haworth (Leader of the Council)

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### **298 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Marlene Haworth, Leader of the Council, and on behalf of Councillors Munsif Dad BEM JP, Noordad Aziz and Melissa Fisher, who were standing invitees as Leader and Acting/Joint Deputy Leaders of the Labour Group respectively.

### **299 Declarations of Interest and Dispensations**

Councillors Zak Khan and Mohammed Younis both declared a disclosable pecuniary interest in Agenda Item 6, Council Tax Empty Property Liability, on the grounds that they had, or might have, an interest in properties which would be subject to the Council Tax Empty Property Liability Policy.

The Chair announced that he intended to defer Item 6 to the end of the meeting.

There were no reported dispensations granted.

### **300 Minutes of Cabinet**

The minutes of the meeting of the Cabinet held 24<sup>th</sup> January 2024 were submitted for approval as a correct record.

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

### **301 Minutes of Boards, Panels and Working Groups**

The minutes of the meeting of the following body were provided:

<b>Name of Body</b>	<b>Date of Meeting</b>
Leader's Policy Development Board	16 <sup>th</sup> January 2024

**Resolved** - **That the Minutes of the meeting of the above body be noted.**

### **302 Reports of Cabinet Members**

There were no verbal reports from Portfolio Holders on this occasion.

*With the agreement of the meeting, Item 6 was deferred to be taken as the last Agenda Item*

### **303 Medium Term Financial Strategy 2024/2025 to 2026/2027**

The Cabinet considered a report of Councillor Peter Britcliffe, Deputy Leader and Portfolio Holder for Resources, setting out the 3-year projections of income and expenditure for the Council ahead of formulating its 2024/25 Revenue and Capital Budgets.

Councillor Britcliffe highlighted that the Medium Term Financial Strategy (MTFS) identified the financial outlook for the next three years. In setting its Budget, the Council should have regard to the medium term situation and not take a narrow one year view.

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

#### *Reasons for Decision*

The Cabinet required an update on its medium term financial outlook ahead of setting the Budget for 2024/25 and determining the level of Council Tax for the new financial year

In summary, the Council's activities and finances had been dominated this year by the impact from the War in Ukraine and focussing on the Levelling Up / Town Centre regeneration along with ensuring it delivered its day-to-day services and other key strategic projects. It was expected that these key events and their impact on the Council's finances would continue over the next few financial years, with the potential for the effects to continue much longer.

The Council would operate a roll forward Budget for 2024/25 based on the 2023/24 Budget with adjustments for changes to salary and wages, energy and other cost pressures. This provided Service Managers the ability to respond to inflationary pressures and allowed a degree of stability for 2024/2025. In order to achieve a balanced Budget the Council would need to generate £106,300 of internal savings during the year. Overall expenditure would need to be contained at around £15.999m in 2024/25 to set a balanced budget.

If necessary, the Council might have to use some of its Reserves to help balance the Budget. This was particularly likely if the Government reduced the amount of financial support it provided the Council or reduced the amount of Business Rates it was allowed to retain. Additionally, it might be necessary to use Reserves if it was believed that in the current economic climate it would be inappropriate to raise Council Tax.

The Council would face significant financial challenges over the next three years as it sought to overcome the consequences of the War in Ukraine and ongoing conflict in the Middle East. Addressing the impact of any proposed Government funding reforms and increased pressures on spending would present it with further challenges over this period. As the extent of the Government financial reforms were unclear at this time, this produced great uncertainty and potentially significant variance around the forecasts contained in the MTFS.

Previously, for the last five years the expectation had been that the Government would implement what it termed as a "Fair Funding Review of Local Government Finance." This proposal would effectively end the Revenue Support Grant to the Council and potentially redistribute the amount of Business Rates the Council was allowed to retain to other Councils. The expected impact of these changes, if they were to go ahead, was a likely significant decrease in the funding available to the Council.

In these circumstances, the Council would need to make substantial reductions in its expenditure levels as a consequence. The changes would need to be made either immediately in the aftermath of the announcement or over a short period, if some form of transitional arrangements accompanied these changes to assist those councils most dramatically impacted.

After 5 years in which these reforms had been postponed for various reasons and with a new Government with Rishi Sunak as Prime Minister, the certainty around the introduction of Fair Funding was no longer as sure as it once appeared, and it might be the case that these reforms were postponed for a number of years or dropped altogether. This would allow the potential current levels of funding to the Council to continue.

As a consequence, the modelling now recognised that there was a real possibility that continuation of Government funding at current levels might be the most likely outcome over the next few years of all the potential different scenarios that could occur. However, many of the drivers around the need to reform the finances of Local Government still existed. Department of Levelling Up, Housing and Communities (DLUHC) officials continued to indicate that they wished to introduce some kind of Fair Funding Review to re-shape council finances and the prospectus of this occurring over the next few years remained a distinct possibility.

This presented the Council with two very different future budget scenarios. The first was a scenario in which funding from Government remained largely in its current shape and where the Council, while under financial pressure from high pay inflation and a steep rise in its energy costs, should be able to largely cope. While the second scenario, would see reform of local government finance, with a wide range of possible outcomes for the Council potentially occurring, from changes that were relatively small in consequence, all the way through a whole series of potential results, some of which would be large and very dramatic in terms of the challenges it presented to the Council.

These two scenarios were modelled within the report - the more severe of the two, as the Pessimistic Scenario and the other as the Standard Model. A third model was also presented which indicated the Council's potential position if the Government chose to provide local government with an injection of cash over and above current levels and locally the Council was able to boost its own tax revenue as a consequence of a buoyant tax base. This Optimistic model was considered to have a much lower probability of occurring compared to the other two models, but was provided to illustrate the wide range of potential outcomes.

In these circumstances, it was prudent for the Council to look to increase its reserves and revenue streams such as Council Tax and Business Rates whenever it could and to avoid committing to any new revenue expenditure while continuing to concentrate on its work to reduce internal costs.

The main MTFS document, provided as an Appendix to the report, included the following sections:

- Snapshot View;
- Corporate Strategy Summary;
- Summary;
- Elements of the MTFS;
- Background;
- Resources (including Government Grant, Council Tax, Business Rates);

- Changes in Costs;
- Budget Pressures;
- Capital Costs;
- Growth;
- Reserves;
- Other assumptions;
- Equality Impact Assessment;
- Scenarios (including Breakdown of Pessimistic, Standard and Optimistic Models);
- Robustness of the Forecast; and
- Overall Net Position

*There were no alternative options for consideration or reasons*

**Resolved** - **That the Cabinet approves the report and the accompanying Medium Term Financial Strategy (MTFS).**

**304 Prudential Indicators, Capital, Treasury Management and Investment Strategies 2024/25 - 2026/27**

Members considered a report of Councillor Peter Britcliffe, Deputy Leader of the Council and Portfolio Holder for Resources, providing the Council's policy and objectives with respect to treasury management, to explain how it would achieve its objectives and manage its activities; and to agree an investment strategy for 2024/25.

Councillor Britcliffe indicated that this was a largely technical report, which demonstrated compliance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Guidance and Local Government Act 2003.

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

*Reasons for Decision*

The Cabinet required an update on the Council's Capital and Treasury Management activities, and the strategy for the upcoming year.

Treasury Management was defined as follows:

"The management of the Council's investment and cash flows, its banking, money market and capital market transactions;

The effective control of the risks associated with these activities; and.

The pursuit of optimum performance consistent with those risks."

The Council was required to operate a balanced budget which meant that cash raised during the year would meet cash expenditure. Part of treasury management was to ensure the cash flow was properly planned with cash available when needed. Surplus monies were invested in line with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of treasury management was funding the Council's capital plans. The plans gave a guide to the future borrowing need of the Council. The management of this longer-term cash flow might involve arranging long or short-term loans or using longer

term cash flow surpluses. Occasionally outstanding debt might be restructured to reduce Council risk or meet cost objectives.

The report had been prepared in line with the Treasury Management Code and Guidance (2021) written by CIPFA. In the case of local authorities in England and Wales, the Code was significant under the provisions of the Local Government Act 2003. This required local authorities 'to have regard (a) to such guidance as the Secretary of State may issue, and (b) to such other guidance as the Secretary of State may by regulations specify'. The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, in Paragraph 24, required local authorities to have regard to the guidance. Acceptance of this report fulfilled those obligations.

CIPFA had published revised codes on 20<sup>th</sup> December 2021 and the Council had now adopted the liability benchmark treasury indicator to support the financing risk management of the capital financing requirement.

Appendix 1 of the report comprised the Treasury Management Strategy 2024/25-2026/27 document, which included the following detailed sections:

- Background;
- Prudential Code and Prudential Indicators;
- Capital Expenditure and Capital Financing Requirement;
- International Financial Reporting Standard (IFRS) 16;
- Minimum Revenue Provision;
- Affordability Prudential Indicators;
- Current Treasury Position;
- Expected Movement in Interest Rates;
- External Debt overall Limits;
- External v Internal Borrowing;
- Liability Benchmark;
- Limits on Activity;
- Debt rescheduling;
- Investment Strategy;
- Environmental Social and Governance (ESG);
- Treasury Management Practices (TMP);
- Policy on the use of External Service Providers; and
- Treasury Management Strategy In-Year and Year End Reporting.

Appendix 2 of the report comprised the Council's Treasury Management Policy Statement 2024/25.

Appendix 3 set out the authority's Treasury Management Practices 2024/25, comprising the 12 identified TMP areas, as follows:

1. Risk Management;
2. Performance Management;
3. Decision-Making and Analysis;
4. Approved Instruments, Methods and Techniques;
5. Organisation, Clarity, Segregation of Responsibilities and Dealing Arrangements;
6. Reporting Requirements and Management;
7. Budgeting, Accounting and Audit Requirements;
8. Cash and Cash Flow Management;

9. Money Laundering;
10. Training and Qualifications;
11. Use of External Service providers;
12. Corporate Governance.

Appendix 4 provided the Capital Strategy 2024/25, which included information on the following:

- Overview and Scope;
- Capital Expenditure;
- Capital v Treasury Management;
- Service and Commercial Investments;
- Council Objectives;
- Capital Budget Setting Process;
- Monitoring of the Capital Programme Expenditure;
- Multi-Year schemes;
- Funding Strategy and Capital Policies;
- Procurement and Value for Money;
- Partnerships and Relationships with Other Organisations;
- Management Framework;
- Performance Management;
- Risk Management; and
- Other Considerations

*There were no alternative options for consideration or reasons*

**Resolved**

**- That Cabinet agrees to recommend Council to:**

- (1) Adopt the prudential indicators and limits detailed in the report;**
- (2) Approve the Treasury Management Strategy, and associated indicators, as set out in Appendix 1 to the report;**
- (3) Approve the Investment Strategy as set out in Section 13 of Appendix 1 to the report;**
- (4) Approve the Minimum Revenue Provision Policy for the year 2024/25 – as set out in Section 5 of Appendix 1 to the report;**
- (5) Approve the Treasury Management Policy Statement for 2024/25 – Appendix 2 of the report**
- (6) Approve the Treasury Management Practices Statement 2024/25 – Appendix 3 of the report;**
- (7) Approve the Capital Strategy 2024/25 – Appendix 4 of the report.**



## 305 General Fund Revenue Budget 2024/2025

The Cabinet considered a report of Councillor Peter Britcliffe, Deputy Leader of the Council and Portfolio Holder for Resources, setting out the Budget proposals contained in the main Revenue Budget Report 2024-2025, provided as Appendix A. The report also provided an overview of key issues arising from the Medium Term Financial Strategy.

Councillor Britcliffe highlighted that the Council intended to set a balanced budget for 2024/25 without drawing on its reserves, reducing services or staffing levels. This represented a very stable position, notwithstanding cost pressures caused by uncertainty around the award of Government grant (approximately £2m), the war in Ukraine, rising energy costs, inflation and the possible resurgence of pandemic issues. On-going conflict in the Ukraine and Middle East was unlikely to dissipate soon. The Budget included provision for the staff pay award (£1.2m). The total net expenditure increase was £1.72m.

The Budget would be financed mainly by Government grant, Business Rates growth, Council Tax increases and Council Tax Base growth. The Council Tax increase for Hyndburn would be 2.99%, which would give rise to an increase in a Band D property of £7.79 per year. The majority of Hyndburn properties were in Band A, for which the increase would be £5.20 per year. Members were reminded that there had been no Council Tax increase for Hyndburn in 2023/24. This year's increase would cover inflation and some growth as well as protecting staff pay, pensions and jobs.

The final precept requirements of Lancashire County Council, the Police and Crime Commissioner, Lancashire Combined Fire Authority and Altham Parish Council would be available before the Council meeting on 27<sup>th</sup> February 2024.

Following successful lobbying by the local MP, the Government had now announced the award of a further £123k grant per year, in addition to the amount indicated in the provisional finance settlement. Accordingly, it was the intention of the controlling group to propose an amendment to the published Budget proposal to provide additional investment to support the reopening of Oswaldtwistle Civic Theatre, repurposing of Mercer Hall and the introduction of a food waste collection service in 2026.

In response to a question by Councillor Loraine Cox, the Chair listed a number of projects in Great Harwood, which had recently received funding.

Councillors Steven Smithson, Mohammed Younis and Loraine Cox welcomed the report and highlighted the financial support made available for the Persistent Organic Pollutants (POPs) waste service, Civic Theatre, various projects in the townships and Leisure Transformation. The Chair added that close to £100k of Community Chest funding had recently been earmarked for local community and voluntary groups, although this had been delayed due to the operation of the call-in procedure.

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

### *Reasons for Decision*

The recommendations in the report provided an appropriate platform on which the Cabinet could recommend a Budget to the Council which would meet the objectives and key priorities of the people of Hyndburn.

This report set out the Council's Revenue Budget for 2024/25. This would require net expenditure of £15,998,500.

Under these proposals, Council Tax for Hyndburn residents would incur a rise in charge for Hyndburn Council provided services and the charge for a Band D property will increase from £260.64 in 2022/2023 to £268.43.

The impact of the war in the Ukraine had undoubtedly had an impact on the Council's budgets and this along with the impact of higher inflation and higher than forecast pay settlements had contributed to the Council raising its element of the Council Tax by the maximum 2.99%, an increase of £7.79 on a Band D property.

Lancashire County Council, the Police & Crime Commissioner and the Lancashire Combined Fire Authority had not yet formally taken their decisions on Council Tax Levels for 2024/25. It was expected that the County Council would raise its Council Tax for each household by a general increase of 2.99% and a 2.0% increase to assist with meeting the cost of Adult Social Care which equated to a £78.58 (4.99%) increase overall. It was expected that the Police Commissioner would increase a Band D Property by £13.00 (5.17%) and that the Lancashire Combined Fire Authority had proposed a £2.46 (2.99%) increase.

Altham Parish Council had set a separate precept for its activities. This year the Parish Council had decided to increase its precept by 5.14% and the Band D charge for Altham Parish Council would therefore increase from £41.07 for 2023/2024 to £43.18 for 2024/2025. The Parish Council would precept the Collection Fund for £13,668 for 2024/2025. Details of the proposed position on other Bandings for properties in Altham were shown in Appendix 6 of the report.

In setting the Budget for 2024/25 the Council faced continued volatility around some of the most significant items within its Budget. Major reforms of local government finance had transferred the risk of business rate revenues and Council Tax benefits to the Council. The certainty on which the Council could budget and manage its finances had therefore decreased since 2013 and it would be important going forward to plot any deviations away from the expected figures and take appropriate action if these should start to emerge. The ongoing impact from the War in Ukraine was also difficult to predict at this time. This might result in the need to reduce spending during the year, if revenue monitoring started to indicate the amounts of funds received would fall short of the target or if the Council faced an upsurge in spending.

The Cabinet intended to continue the good financial stewardship of the Council's affairs by continuing its successful policies to manage costs effectively and promote appropriate service investment. This Budget would therefore deliver:

- A continuation of the Council's established approach of limiting enhancements on early retirement, continuing its rigorous approach to absence management and committing to minimising borrowing costs. These actions had already stemmed the build-up of unproductive costs within the organisation. In each of these cases the Council had put a stop to the costly and financially damaging policies of the past and created a healthier and more financially stable culture within the Council.
- The Capital Programme for 2024/25 would continue to deliver key investment in council and public facilities adding another £4.40m to £46.29m that the Council currently had approved.
- A large proportion of the Capital Programme would be phased over the next few financial years and this included the delivery of £24m investment in Accrington Town Centre with £20m coming from the Government's Levelling Up Fund and a £12m

investment into the authority's Leisure Estate to modernise it and significantly boost the number of people making use of the facilities to keep fit and healthy.

- The additions to the Programme in 2024/2025 of £4.40m included:
  - a) £495,000 of investment into Parks and Play areas of which the Council had been able to attract £40,000 of external grant funding to contribute to the improvements.
  - b) £1,095,958 to provide Disabled Facility Grants this year which was fully funded from the Better Care Fund.
  - c) £490,000 to maintain and invest in its operational assets and vehicle fleet.
  - d) £300,000 further investment in the Leisure Estate, which was a condition of the Council being awarded £2.4m from Sport England for the new facility at Wilsons Playing Fields.
  - e) £85,000 to improve and develop new ICT and technical equipment to deliver services in a more efficient way.
  - f) £764,000 of works required as part of the Levelling Up programme / Town Centre Regeneration.
  - g) £241,447 on Energy efficiency / Decarbonisation works, of which all was fully funded from external grant funding.
  - h) £267,000 on Community projects that involved bringing the Oswaldtwistle Theatre back into use.
  - i) £665,600 from a new Capital grant from the government to provide vehicles and equipment required for the introduction of the new Food Waste service to be introduced in 2026.
- Despite costs of over £85,000 to provide car parking in Hyndburn for residents and visitors and particularly for shoppers, the Council would continue to provide this facility free of charge and not introduce charges for parking in Hyndburn. The Council believed this action would help bolster its town centres through these difficult economic times and provide an incentive for people to shop locally rather than drive and pay to shop elsewhere across the North-West.
- Further reductions in the Council's accommodation costs, building on the success over the last 15 years including further rationalising its accommodation and looking at more ways of using the accommodation more effectively. The authority would also continue its actions to reduce its carbon emissions and energy costs and continue contributing to the improvements of its environmental footprint by positive action.

The Council intended to continue to deliver all of the above and remain committed to a radical agenda of improvement while managing within its available resources. This would be more difficult in the years to come, given the authority's reduced resources from the Government. However, there remained a firm commitment and absolute determination amongst Members and Officers of the Council to control the finances of the Council, drive forward on the efficiency agenda and continue to improve service delivery. Everyone wished to continue to push forward on the drive for delivering value for money as a key priority for the Council.

The rewards of strong financial control remained clearly evident. The Council had built itself back from experiencing major difficulties in controlling expenditure and a position of negative reserves in 2003/04 to a situation by March 2023, in which general reserve

balances were over £1.8m. The authority had been able to operate within its existing financial resources over the last three years during the pandemic, through good financial management and would continue to deliver strong financial performance in the years to come.

Within the Budget for 2024/25 there were a number of areas which were subject to a best estimation. There were therefore a number of risks around the Budget, should these estimated costs or revenue amounts vary during the year. The Council had assumed that extra costs from another pandemic were containable within the funds previously provided by Government or that additional funds would be made available if required.

After the introduction of the Government reforms to Business Rates Funding of Local Government, the Council now carried a significant risk around the level of monies available, fluctuating substantially from this source. In addition, as the calculation of how much funds would be available was dependent on a number of factors, including debt collection rates, the size of appeals against business rates assessment and the success of these appeals, new rules around levies, safety nets and pooling, the introduction of new rules on rates relief on retail premises and small businesses, as well as predicted levels of growth or decline in business activities and the estimation of a number of figures which would only truly emerge after the end of the financial year, the imprecision in these estimates was regarded as high and could be subject to variations of hundreds of thousands of pounds. The volatility around these forecasts had increased due to the impact that the War in Ukraine had had on the Business Community. There had been growth in the calculation of business valuations within Hyndburn that showed positive signs, although this could remain uncertain for a number of years.

The main Budget Report was provided as Appendix A to the covering report and included the following detailed information:

- Background;
- Medium Term Financial Strategy;
- Continuation Budget;
- Growth and inflation Pressures;
- Available Resources and Summary;
- Budget Proposal;
- Budget Savings Proposals;
- Reserves;
- Risks and Management;
- Consultation; and
- Conclusion.

The overall Revenue Budget 2024/25 was set out at Appendix 2 of the main Budget Report. In summary, the Budget for 2024/25 would be £15,998,500 and would be supported by a Council Tax levy of £268.43 for a Band D property - translating into a revenue source of £5.931m to meet services to the local community. The Budget had been determined in light of continuing upward pressure on costs, the additional costs associated with the War in Ukraine, previous financial difficulties that continued to overhang the Council, the available funding from Government and the Council's strong desire to provide high levels of service to the community in line with its priorities.

*Alternative options considered and the reasons for rejection*

There had been a wide number of individual proposals put forward to produce a Balanced Budget. Options had been rejected on a variety of grounds including policy objectives, practicalities and the potential for additional costs to be incurred. However, further options might be presented at the Council meeting.

**Resolved**

- (1) That Cabinet recommends to Council the proposal to increase Council Tax for 2024/25 by 2.99%, increasing the charge for a Band D property to £268.43.**
- (2) The Budget for 2024/25 will therefore be £15,998,500 as detailed in Appendices 1 to 3 of the Revenue Budget 2024-2025 report, attached at Appendix A to the covering report.**
- (3) That Cabinet recommends approval of the changes in budget requirement through including inflation, growth and savings identified in Appendix 3 of the Revenue Budget 2024-2025 report, to ensure the Council can set and approve a balanced budget.**
- (4) That Cabinet notes the significant improvement made in relation to budget monitoring and cost reduction within the Authority over the past 20 years and confirms its commitment to continuing this approach in the year ahead.**
- (5) That Cabinet recommends during the financial year 2024/25, the Executive Director (Resources) be delegated responsibility to amend the Budget (following consultation with the Leader of the Council) for technical reasons, such as the restructuring of cost centres, the re-apportionment and re-allocation of overheads etc., provided such amendments have an overall neutral impact on the Budget.**
- (6) That Cabinet recommends during the financial year 2024/25, the Executive Director (Resources) be delegated responsibility to amend the Budget (following consultation with the Leader of the Council) should the estimate of Business Rates not be sufficiently accurate, by drawing on reserves if needed or paying over additional contributions to reserves.**
- (7) That to aid future financial management planning any surpluses generated during 2024/25 are set aside to help the Council reduce its cost base over the next three years, to support its long term capital programme or to strengthen its overall reserve position.**

- (8) That Cabinet recommends that the Services, Funding Guarantee and New Homes Bonus Grants awarded for 2024/25 are used to help balance the Council's Budget.**
- (9) That Cabinet recommends that any additional funds from Government that are not ring-fenced funding as well as any other surplus funds can be used if required to support Capital expenditure as determined by the Executive Director (Resources) in the overall financing of capital expenditure or be transferred to Reserves.**

### **306 Capital Programme 2024/2025 to 2026/2027**

Members considered a report of Councillor Peter Britcliffe, Deputy Leader of the Council and Portfolio Holder for Resources, informing the Cabinet of the proposed Capital Programme for 2024/25 - 2026/27.

Councillor Steven Smithson commented that he was pleased to support the Programme, which included numerous projects, such as the refurbishment of Oswaldtwistle Civic Theatre and Rhyddings Park Play Area, as well as works at Jackhouse Nature Reserve and King George V Playing Fields pavilion and pitches. Councillors Younis welcomed the overall investment in Hyndburn and thanked those involved in developing the projects. Councillor Pratt was particularly keen to support the King George V development, which could facilitate a move there by Accrington Amateur Football Club, thereby freeing up their Livingstone Road ground for potential sale to Accrington Stanley FC.

The Chair expressed his delight at the proposed Capital Programme and was pleased that the ambition to reopen the Civic Theatre had received cross-party support at the recent Council meeting.

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

#### *Reasons for Decision*

The report and its main Appendix set out the Council's Capital Programme for 2024/25, including forecast slippage on schemes from 2023/24 and the additions of new schemes to the Council's Capital Programme for 2024/25.

The significant level of investment in previous years had only been possible by the Council obtaining external financial support, as well as the Council's own effective financial management over recent years, which had allowed it to have the funds necessary to finance these major projects when other funding had become available.

The new additions to the Capital Programme for 2024/25 had reduced to £4.404m, compared to £8.374m in 2023/24. External funding of £2.543m had been secured towards the cost of these new capital schemes.

The additions to the Programme in 2024/25 would bring the total approved capital programme to £36.104m, including forecast slippage of the unspent Programme from 2023/24 of £31.700m, which could be seen in Appendix 1 of the main report. The forecast

slippage from the 2023/24 programme included £10.885m for the Leisure Estate Investment Programme and £17.116m for the Levelling Up Programme, which were projects that were expected to be ongoing for the next 1-2 years.

The Council intended to continue its strong policies of financial management and to look only to borrow what it needed to fund these major investment projects. The Council would continue to rely on securing external sources of funding, using capital receipts, making revenue contributions to capital projects and would use unspent monies to fund its programme. It would also apply a rigorous approach to selecting projects by examining all proposals against its corporate objectives and only selecting the most pressing and deserving projects to fund. This was in accordance with Council policy.

The Revenue implications to finance the Capital Programme continued to be a key element in the affordability issues on the Revenue Budget this year. The Programme contained a limited amount of risk this year. The level of risk remained elevated compared to previous years due to the size of programme. However, to further reduce the risk the Council had supplemented its own project management and cost control capacity by the appointment of experienced professionals in both disciplines for its two largest projects. The Council's overall resources and management systems were believed to be sufficiently robust to effectively monitor these risks and ensure appropriate action was taken if they should materialise.

The Council would continue with its strategy to reduce its level of debt wherever possible by restricting borrowing and repaying debt and would continue to work extensively with external funders to bring forward realistic plans for Capital investment in the area.

A detailed report on the Capital Programme was provided as an Appendix to the covering report, which set out information on the following:

- Summary of the major additions to the Capital Programme;
- Improving the management of Capital Investments;
- Conclusion;
- Appendix 1 - Capital Programme 2024/25 (Summary);
- Appendix 2 - Capital Programme 2024/25 (Detailed); and
- Appendix 3 - Capital Programme 2024/25 (New Additions).

*Alternative options considered and the reasons for rejection*

A wider programme of funding had not been considered due to the Council's policy commitment to limiting capital expenditure to affordable levels and seeking to repay debt.

**Resolved**

**- That Cabinet recommends to Council:**

- (1) To approve the Capital Programme for 2024/25 including new scheme additions of £4,404,015 with a net cost to the Council of £1,861,000 as set out in Appendix 3 of the Appendix to the covering report.**
- (2) To approve the funding of the programme by the use of newly anticipated direct external grants totalling £2,543,015 with the remaining funding of £1,861,000 to come from the Council's resources.**

- (3) To note the expected new scheme additions for 2025/26 and 2026/27.**
- (4) That delegated authority is given to the Executive Director (Resources), in consultation with the Portfolio Holder for Resources to flex the programme in accordance with the available funding, provided this does not require any additional borrowing.**
- (5) That the individual projects with the Capital Programme require the written authorisation of the Executive Director (Resources) following consultation with the Portfolio Holder for Resources before commencing and incurring expenditure and that Service Managers provide the Executive Director of Resources with written details of estimated costs of schemes with full justification of the need and benefits from undertaking the capital investments before approval is provided and that approval to commence is delegated to the Executive Director (Resources), in consultation with the Portfolio Holder for Resources. That where he deems it appropriate, the Executive Director (Resources) be given authority to release funding in stages to ensure effective financial control can be maintained and the project risk managed.**
- (6) That in-year underspends are not made available to fund new projects during the year**

### **307 LUF Project and Other Funding Submission Updates**

The Cabinet considered a report of Councillor Mohammed Younis, Portfolio Holder for Levelling Up, which provided an update on recent progress with the LUF funded Accrington Town Square projects and confirmation of the recent success with regards to the Department for Levelling Up, Housing and Communities (DLUHC) Long-Term Plan for Towns (LTPT), High Street Accelerators Pilot Programme (HSAP) and National Lottery Heritage Funding (NLHF) submissions.

Councillor Younis introduced the report and outlined the latest position. The Market Hall decant was around 90% complete. Some concerns had been raised about rain water ingress to the cabins and a possible solution was being considered. Overall, traders were satisfied and some good news stories had emerged. For example, the pet stall had reported significantly increase trade since moving into the cabin and the bakery shop had reported that it was doing well and would switch from opening 3 days per week to 6 days per week. Councillor Younis thanked all those who were working to make the project successful. Some minor issues had been identified and these were currently being addressed. The cabins would be fully open soon and a celebratory event was due to be held.



Work to remove the pavilions on Peel Street was due to start in the next few weeks and work inside the Market Hall would also commence shortly. The start of these works would be a major milestone in the transformation of the Market Hall.

A useful meeting had taken place recently about the creation of a dedicated space for the flea-market traders who operated on Thursdays and Sundays. It was important not to lose this trade. A solution was close to being identified.

The projects at Burtons Chambers and Market Chambers were also progressing well. The use of the compulsory purchase order (CPO) powers might ultimately be required, but negotiations were still on-going with a view to reaching an agreement with the relevant freehold and leaseholders.

The Chair reported that he was due to attend a site visit on Broadway tomorrow to view a selection of pop-up stalls, which could be used by the flea-market traders. The flea-market helped to maintain footfall on Thursdays and Sundays, which benefitted other town centre businesses.

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

#### *Reasons for Decision*

#### LUF Funded Projects

Cabinet had received regular updates on progress of the Accrington Town Square projects and this report provided a brief update on progress to date. The Council had created a dedicated Accrington Town Square website where all relevant information about the projects, latest news and documents were available to view. Key recent outcomes to note were:

- Submission of all planning applications for Burtons Chambers, Market Chambers, the Market Hall / Trader Decant and listed building consent for the Market Hall. At the time of writing this report, planning permission had been approved for Burtons Chambers and the Market Trader Decant. The remaining applications were due to be determined in February and March 2024.
- Appointment of Delivery Partner – Morgan Sindall had initially been appointed to undertake the enabling works, which included liaising with the existing project team on the relocation of the market traders to the new temporary market on the town square, although the contractual arrangements gave the Council the ability to extend the scope of their appointment subject to satisfactory performance.
- Procurement of operators for both Burtons Chambers and the Market Hall commenced and identification of a preferred operator was likely to be March for the Burtons Chambers and May for the Market Hall, with signing of the legal agreements following afterwards.
- Nineteen temporary market trader cabins had been erected on the town square and traders had been relocating in groups. There were two other traders and two businesses who were decanting into other Council owned properties in the town centre. These properties required some remodelling works, which was likely to be completed in March, along with some improvement works needed to reopen the toilets on Peel Street whilst the Market Hall was closed.

- Plans were being drawn up to allow for a small number of casual traders to utilise gazebos erected along Broadway. All existing businesses along Broadway had been consulted and raised no objections.
- Property acquisitions continued to progress, with the Council likely to achieve the fourth freehold interest and vacant possession of a ground floor unit in Market Chambers during February. Discussions were continuing with the other leaseholders in Market Chambers and the remaining tenant in Burtons Chambers, who had identified their preferred relocation property within the town centre and was in discussions with the owner.
- The fifth and final freeholder in Market Chamber had now engaged with the Council's property acquisition consultant.
- The Council continued to progress a CPO on both Burtons Chambers and Market Chambers, as an alternative way forward if sale by agreement and vacant possession / surrender of lease by agreement could not be achieved within the project timescale.
- Plans were in place for a 'Getting Connected' event with Morgan Sindall, the main contractor, for Friday 8<sup>th</sup> March 1pm-3pm in Accrington Town Hall. (A leaflet/poster was provided as an Appendix to the report).

#### Long-Term Plan for Towns funding (LTPT)

On the 18<sup>th</sup> December 2023, the Government had announced 55 towns, (which included Accrington) would each receive funding and support as part of a £1.1 billion levelling up investment to enable towns to develop their long-term plan.

The LTPT funding would ensure local people could develop plans that delivered their community priorities and were given the tools to change their town's long-term future. The published guidance set out that the 55 towns would:

- receive up to £20 million of endowment-style funding and support for local people's priorities, like regenerating local high streets and town centres, or securing public safety, over a 10 year period;
- be required to set up a Town Board by 1<sup>st</sup> April 2024 which would bring together community leaders, employers, local authorities and the local MP who would develop and deliver the Long-Term Plan for their town following consultation with local people; and
- make use of a suite of new regeneration powers and interventions currently progressing through the legislative process to boost pride and unlock private sector investment, for example, by auctioning empty high street shops, creating and maintaining parks/green spaces and / or improving heritage sites.

The Government had also confirmed £13.75 million of additional capacity funding for each of the benefiting local authorities. An initial £50k had immediately been made available and a further £200k would be paid once the appointment of an Independent Chair and Town

Board was in place to begin community engagement. The published guidance required the new Town Board to develop and submit its long term plan by 1<sup>st</sup> August 2024 at the latest.

The published guidance also confirmed that the Town Board should be led by an independent chair, who would act as a champion for the town. The chair could be anyone who held a prominent role in the community, such as heads of charities, education establishments or football clubs and who would provide leadership to ensure the Town Board was community-led and embedded within the local area.

The Town Board would have to include the relevant local MP, alongside a senior representative from the police. Other members should be respected local figures with an obvious passion for their area and could be drawn from community partners such as local businesses/property owners, health, cultural, arts, heritage and sporting/leisure organisations. In order to successfully deliver the funding requirements a project team with the following skills will be required:

- Communications, consultation and engagement;
- Regeneration and place making;
- Economic advisory;
- Procurement; and
- Programme management.

In addition, wider design and project team services would be required to support the review and development of the existing TCIP into a long term plan for areas such as town centre master planning and programme management.

#### High Street Accelerators Pilot Programme (HSAP)

In March 2023, the Government had published its Anti-Social Behaviour Action Plan, setting out an ambitious new approach to working with local agencies to tackle the blight of anti-social behaviour facing communities across England and Wales. The action plan recognised that significant levels of vacancy on the high street could make people feel unsafe and that, as our town centres continue to transform following the growth of online shopping, it would require leadership from the public, private and third sector to make sure our high streets regenerated successfully, and in a way that appealed to the people living, working, and visiting the area.

As part of this action plan, the Government had committed up to £2.5 million of funding to launch the High Street Accelerators in 10 pilot areas across the Country. The objective of the High Street Accelerators Pilot Programme was for local stakeholders to work in partnership to empower and incentivise residents, businesses, community groups and other stakeholders to work together with the local authority to develop and deliver a long-term vision to revive and regenerate the high street. The published guidance set out that each pilot authority:

- would receive £237,000 revenue funding split between 2023/24 and 2024/25 until March 2025, with funding available from the date the specific high street was agreed and grant agreements were put in place; and
- could submit an Expression of Interest (EOI) for additional funding to build parklets and green spaces on their high street by 1<sup>st</sup> March 2024. This additional funding was part of the Anti-Social Behaviour Action Plan announced investment in green spaces which would allocate up to £5 million between the 10 pilot authorities.

At the launch event on 6<sup>th</sup> December, the 10 pilot areas participating had been informed of the following mandatory elements:

- they must to form a partnership with a precise geographical boundary, develop a vision and a financial plan for the partnership, and identify and start to deliver projects to revive and regenerate the high street; and
- the new partnership must include representatives from the local authority, business, community, and property owners. The partnership was required to invite the Member of Parliament representing the area to be involved in some way – potentially in a consultative capacity. Although not mandatory, it was encouraged that additional partners be involved in the partnership, although these partners might vary depending on the characteristics of the area; and
- the Chair must be a non-Local Authority person; and
- the partnership must develop a terms of reference, governance structure, and meet regularly; and
- the partnership must have a project delivery plan and clear plans for the monitoring and evaluation of progress and results and the partnership was strongly recommended to use Key Performance Indicators to evaluate its work.

The Council had reached out to Peter Holden (President of the Great Harwood Civic Society and Secretary of the Great Harwood Community Action Group) who had agreed to be the independent chair of the new partnership. With his agreement, the Council had also reached out to representatives from four local businesses, a youth organisation, two community groups, two local councillors and the Cabinet Member for Levelling Up. Further discussions were ongoing to secure a representative from the Police and health sector.

The first meeting of the new partnership had been held on 22<sup>nd</sup> January in Bank Mill House Community Centre and further meetings had been planned during February.

#### National Lottery Heritage Fund (NLHF)

Whilst the Council was acquiring the Market Chambers building and undertaking external façade restoration and roof repairs through the LUF funding, at its meeting on 21<sup>st</sup> June 2023, Cabinet had approved a £5m funding bid submission to the National Lottery Heritage Fund. This application had been submitted on Wednesday 16<sup>th</sup> August 2023 to transform the internal space of the building into a heritage, culture and arts space.

On 29<sup>th</sup> November 2023, the Council had been informed it had been successful and would receive development stage funding to the value of £463k, with an agreement that a further £370k of match funding would be provided by the Council. This development stage would last for approximately 15 months and required the Council to undertake community engagement, develop the designs and project costs further, and to submit a Delivery Stage submission by a deadline date of 30<sup>th</sup> November 2025. If the Council was successful with its submission, it would then unlock the remaining circa £4.5m NLHF funding to undertake the capital and revenue element of the project.

#### Procurement / Appointment of Consultants

With the Council's externally funded town centre square projects progressing in parallel, there was limited capacity within the existing project management team's structure and additional resource would be required to deliver the other projects referred to above.

Due to the extremely tight timescales involved with the three funders highlighted in the report, many principles of the existing procurement strategy developed for the Levelling Up funded Accrington Town Square projects, (agreed by Cabinet in July 2022) were appropriate for the other projects. This included the recommendation that frameworks were likely to be the route that was most suitable for procuring the project teams, some examples being the use of SCAPE, NHS SBS, CCS, etc. The frameworks, (direct appointment and/or mini tender appointment) would be carefully considered for each consultant procurement to ensure the most appropriate framework or Dynamic Purchasing System for that particular work requirement was selected, whilst giving due consideration to achieving value for money, project continuity and deliverability within the required timescales.

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

The Council could choose not to use existing Government compliant frameworks and simply operate open tenders. This had been discounted due to the tight deadlines set by the funders and need to appoint resources and commence work quickly.

#### **Resolved**

#### **- That Cabinet:**

**(1) Notes the recent progress on the LUF projects.**

**(2) Acknowledges the recent funding announcements and grants delegated authority to the Executive Director (Environment), following consultation with the Executive Director of Finance (Section 151 Officer) and Executive Director (Legal & Democratic Services) to accept in accordance with the relevant terms and conditions of each of the following funders:**

- **Long-Term Plan for Towns - £20m over a 10 year period, plus £250k revenue capacity funding split over 2023/24 & 2024/25, for Accrington Town Centre;**
- **High Street Accelerator Pilot - £237k revenue funding split over 2023/24 & 2024/25, plus the potential for an additional £500k of capital funding for 2024/25, for Great Harwood;**
- **National Lottery Heritage Fund - £463k revenue funding split over 2023/24 and 2024/25 for Accrington Market Chambers.**

**(3) Approves expenditure of the LTPT, HSAP and NLHF funding and grants delegated authority to the Executive Director (Environment) to take all reasonable steps to deliver each of the funders required project outcomes, subject to the**

**financial amounts highlighted in paragraphs 3.2.2, 3.2.3, 3.3.2 and 3.4.2 of the report.**

- (4) Agrees that due to the extremely tight deadlines required by the funding agreements for each of these funding streams, the procurement strategy previously agreed to deliver the LUF funded Accrington Town Centre projects is applied to the HSAP, LTPT and NLHF funded projects.**

*Councillors Zak Khan and Mohamed Younis, having previously declared a disclosable pecuniary interest in the following Item, left the meeting and did not take part in the debate or vote upon the matter.*

### **308 Council Tax Empty Property Liability**

Members considered a report of Councillor Peter Britcliffe, Deputy Leader of the Council and Portfolio Holder for Resources, seeking to further the Council's strategy to improve its housing stock and the regeneration of Hyndburn by adopting new Government provisions on premium rates of Council Tax in the following circumstances:

- (i) for properties that were left vacant for over one year; or
- (ii) for properties classed as second homes.

Councillor Britcliffe outlined the main purpose of the report and highlighted that 250 properties were currently empty, and would be subject to a 200% Council Tax liability in April 2024 if, following implementation of these recommendations, they remain unoccupied.

Councillor Kath Pratt suggested that the impact of the revised Policy should be carefully monitored and that a review of the effects of its implementation should take place after six months. Members agreed to consider this suggestion within the recommendations.

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

#### *Reasons for Decision*

The national problem of a housing shortage and many existing properties that were empty was well documented. Hyndburn had historically suffered from a higher than normal percentage of empty properties, many being left vacant for long periods and blighting their neighbourhoods. The Council had attempted to address the number of empty properties for a considerable time as part of its efforts to regenerate Hyndburn and provide better places to live. The Council had welcomed and had acted upon the Government's initial introduction of a premium on Council Tax in 2013 for long term empty properties, as a means of encouraging their occupation, together with the incremental changes effective from April 2019. While the initial Government legislation that had taken effect in 2013, and subsequent legislation in 2019 had helped reduce the number of empty properties, there were still over 800 empty properties that remained in Hyndburn that caused damage to the local housing market and neighbourhoods. The Council was therefore proposing to introduce the new Government rules fully, to further help reduce the overall number of empty properties.

The Local Government Finance Act 2012 had granted local authorities greater flexibility over certain Council Tax discounts and exemptions from April 2013. In January 2013,

Cabinet had approved the Council's proposal to implement changes to empty property discounts and changes had been made to the following percentage rates of normal Council Tax liability:

**Table 1 – Empty Property Liabilities implemented in 2013**

<b>Properties which are empty and substantially unfurnished</b>		
	Pre-2013	From April 2013
Up to 6 months	0%	50%
From 6 months to 2 years	50%	100%
From 2 years	50%	150%

<b>Properties which are empty and in need of or undergoing major repair</b>		
	Pre-2013	From April 2013
Up to 6 months	0%	50%
From 6 months to 2 years	50%	100%
From 2 years	50%	150%

Owners of properties being actively marketed for sale or rent could apply to have the premium rate reduced to 100% of normal Council Tax liability.

Since 2013, the number of properties in the Borough classified as empty and unfurnished for Council Tax purposes on 1<sup>st</sup> April each year had reduced as outlined in Table 2 below. It should be noted that these figures represented those dwellings subject to former Class C empty and unfurnished discounts, not all empty dwellings in the Borough. Other empty properties included those undergoing major repairs and those subject to other exemptions.

**Table 2 – Council Tax Empty Properties from 2012/2013 to 2022/2023**

<b>Financial Year</b>	<b>0-6 months</b>	<b>6-24 months</b>	<b>24+ months</b>	<b>Total</b>
2012/2013	746	1275*	-	2021
2013/2014	593	751	593	1937
2014/2015	596	609	368	1573
2015/2016	576	523	357	1456
2016/2017	585	399	278	1262
2017/2018	437	553	252	1242
2018/2019	432	486	276	1194
2019/2020	489	442	243	1174
2020/2021	459	458	207	1124
2021/2022	193	364	193	750
2022/2023	258	372	166	796
2023/2024	225	411	166	802

The measures introduced to incentivise re-occupation or sale of empty property had been combined with other regeneration efforts, the work of the Council's Empty Properties Officer and work to survey and monitor empty properties each year since 2013.

Overall, the implementation of the Council Tax premium on empty properties could be said to have had a positive impact on the number of empty dwellings in the Borough, had supported the Council's regeneration efforts and had helped to increase the Council's New Homes Bonus allocations.

### New Legislation

From April 2024, the Levelling Up and Regeneration Act 2023 amended section 11B of the Local Government Finance Act 1992 and granted local authorities the discretion to apply Council Tax premiums on empty dwellings that had been empty for one year.

The new legislation provided that the applicable premium and incremental implementation as follows:

**Table 3 Empty Property Charges from April 2024**

<b>Duration</b>	<b>Amount</b>
Up to 6 months	50% of normal liability
From 6 months to 1 years	100% of normal liability
From 1 years to 5 years	200% of normal liability
From 5 years to 10 years	300% of normal liability
From 10 years	400% of normal liability

The increased premiums that would apply from April 2024 could apply to any empty property which became empty at any time; the date of last occupation did not have to fall within the period of the amended premiums and, as such, some currently empty properties would fall into the increased premium categories immediately.

Currently, there were 250 properties which were empty and, if they remain unoccupied at April 2024, would be subject to a 200% Council Tax liability in 2024, if these measures were introduced. Of these properties 193 (74%) were in Band A, with 57 properties in Bands B – G.

**Table 4 – Second Home Charges from April 2024**

<b>Duration</b>	<b>Amount</b>
Second Home	100% of normal liability

The Levelling Up and Regeneration Act 2023 inserted section 11C of the Local Government Finance Act 1992 and granted authorities the discretion to apply higher amounts for properties that were occupied periodically (Second Homes).

**Table 5 – Second Home Charges from April 2025**

<b>Duration</b>	<b>Amount</b>
Second Home	200% of normal liability

Currently there were 20 properties which were classed as second homes and, if they were classed as such at April 2024, they would be subject to a 200% Council Tax liability in 2025, if these measures were introduced. This was because, in relation to the changes for second homes, a billing authority would have to allow at least one year before the beginning of the financial year to which it related. As such, the first financial year for which the premium could be applied to property classed as a second home would be from 1<sup>st</sup> April 2025.



## Implementation

Should these measures be implemented, the Council was required to publish its intentions in at least one local newspaper at least 21 days prior to implementation.

In addition, it was the service's intention to write to all owners of empty properties and second homes to inform them of the increased premiums and the timescale for implementation, allowing them the opportunity to sell or occupy any empty properties they might have prior to any further premiums being applied.

The Council would review the administration of this policy in accordance with any guidance, as issued, by the Secretary of State

The report included a number of Appendices, which comprised the following:

- Appendix 1 - Council Tax Empty Property Liability Policy;
- Appendix 2 - Council Tax Premium Reduction Application Form
- Appendix 3 - Council Tax Discount Application Form (Major Structural Repairs)
- Appendix 4 – Customer First Analysis

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

Do Nothing - The new legislation provided local authorities with the discretionary power to apply premiums to empty properties and there remained the option to retain the premium levels currently applicable or to delay the implementation of further premiums.

Alternative premium levels - Having considered the positive contribution that the existing premium had made towards bringing empty properties back in to use, it was recommended that the new premium structure be applied in full up to the maximum levels. Provisions remained within existing policy and legislation to lower the premiums if properties were being actively marketed for sale or rent, as well as discretionary powers to remit Council Tax liabilities in exceptional circumstances.

### **Resolved**

- (1) That the revised Council Tax Empty Property Liability Policy, attached as Appendix 1 to the report, is approved and the empty property premiums, and, premium for property classed as a second home, are revised as set out in Paragraphs 3.10 to 3.16 of the report in accordance with the provisions in the Rating (Property in Common Occupation) and Council Tax (Empty Dwelling) Act 2018, and the Levelling Up and Regeneration Act 2023**
- (2) That a review of the effects of the implementation of the above Policy should take place after six months.**

Signed:.....

Date: .....

Chair of the meeting

At which the minutes were confirmed

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## LEARNING AND DEVELOPMENT PANEL

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**Tuesday, 17th October, 2023**

**Present:** Councillor Judith Addition (in the Char), Councillors Andrew Clegg, Terry Hurn and Kate Walsh

**Apologies:** Councillor Joyce Plummer

**In Attendance:** Jane Ellis, Executive Director – Legal and Democratic Services  
Kirsten Burnett, Head of Policy and Organisational Development  
Claire Beattie, Head of ICT Services  
Shaheen Amaan, Learning and Development Officer  
Julian Joinson, Member Services Manager

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### **1 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Joyce Plummer.

### **2 Minutes of Last Meeting**

This item was withdrawn, as the last meeting had taken place in 2016 and no Members who had attend that meeting were now present.

### **3 Introduction and Background**

Ms Ellis provided a verbal report on the proposal to refresh the Council's approach to member development.

Officers had met around one month ago to discuss reviving this Panel, as there was currently an increased focus on member development. The Chair noted that the group had not met since 2016, but that lots of training had in fact been provided since then. Ms Ellis acknowledged this statement, but added that the landscape had changed with new ways of working following the COVID pandemic and numerous individuals being new to the councillor role. In addition, the training budget had dwindled significantly and it might be necessary to ask Cabinet to recommend more funding in the Council's budget for 2024/25.

Other issues included the low level of Member attendance at certain training events. It was not currently understood whether this was due to training being scheduled at the wrong time of day, the wrong development topics being programmed, or that the presentation of development opportunities was unappealing. In addition, it was not clear whether Members preferred face to face training or virtual training. Anecdotal evidence suggested that attendance was better at sessions held on MS Teams. A view from Members as to whether they would prefer in-house sessions or external providers would also be helpful.

Furthermore, it was hoped that this Panel could be the champion for member development, by providing feedback and encouragement to the political groups to raise the profile of training, in order to increase professionalism within the councillor role. Councillors should, *inter alia*, have a sound grasp of the Code of Conduct, ICT and social media. Training

should support the key knowledge-base and core skill-set required to fulfil the role of a councillor.

Previously, there had been a comprehensive programme of '60 Minutes' (quick-dive) training sessions. For example, one such session had successfully been delivered in November via MS Teams on 'Changes to Elections'. Members felt that MS Teams was useful for this type of information session.

Ms Ellis reminded Members that there used to be a system of carrying out 1:1s with elected Members to identify their training needs and aspirations. Anonymised information from that exercise had then been used to develop a training plan. An item on this appeared elsewhere on the Agenda.

The Council used to hold NW Member Development Charter status, which set out quality standards for the delivery of member development. The accreditation lasted for approximately 2 or 3 years, but required renewal and reassessment thereafter. The current iteration of the Charter did not appear to be overly difficult to obtain.

It was further proposed that the feedback from questionnaires completed after any training should be reported to the Panel.

Overall, there was a sense that attention to member development had faded and that it needed to be rekindled. Ms Burnett added that, at one time, there had been a large Organisational Development team, but staffing had been slimmed down, contributing to the current situation. The Council had previously reached a high standard in relation to member development, but this had gradually slipped.

Ms Ellis noted that at the most recent face-to-face training sessions for a number of statutory committees, numbers had varied from between 2 to 5 attendees. Annual training on Standards attracted less than 50% of all councillors. Ms Burnett added that some training sessions used to be delivered before full Council meetings and included a food offer. Early evening sessions, say at 6pm could interfere with meal-times, but training commencing at 7pm might be too late. Training in the day-time was often inaccessible for working councillors. Councillor Clegg noted that younger councillors were more likely to be in employment and unavailable during working hours and that virtual training in the evenings might be preferable.

The Chair commented that the Conservative Group had not been in control of the Council for some 11 years and that there would naturally be development needs flowing from the change in political power, including chairing committee meetings and working on outside bodies. She added that when candidates stood for public office they did not always appreciate the need for training and the time commitment involved. Often candidates came from a background of community work or political activism, but this did not fully prepare them for the role. It might be the case that political group leaders did not do enough to promote the Council's training offer.

**Agreed** - To note the case for refreshing the Council's approach to member development and to support this proposal.

#### **4 North West Employers - Member Development Framework**

Members considered proposed best practice in the provision of Member Development, as set out in the *Self-Assessment Tool for the North West Charter for Elected Member Development*. Key principles were as follows:-

1. Clear commitment to councillor development;
2. Promoting learning and development opportunities;
3. Having a councillor led approach to developing learning and development; and
4. Having a strategy that included impact measures within a continuous improvement framework.

The Panel was asked to consider whether it wished to adopt this framework to guide the authority's approach to member development.

A template, based on the Self-Assessment Tool, was circulated at the meeting to enable Members to record how the Council currently scored against this matrix. Responses were as summarised in the table below:

Sub Criteria	Hyndburn BC Self-Assessment
<b>1. Clear commitment to councillor development</b>	
1.1 Does the Council have a signed Declaration of Commitment to the principles of the North West Charter shared with all councillors?	<b>No</b> – Subject to the Panel's views, a report will be required from this Panel to Cabinet to seek approval to rejoin the Charter. Then, officers should inform NWE of HBC's interest and ask the Chief Executive, Leader and Chair of the Panel to sign Declaration
1.2 Is there a cross party designated group of councillors that is focused on supporting councillor development, that takes into account the changing role of the councillor and shares development opportunities outside of the group?	<b>Yes</b> – However, the Panel will need to meet regularly (say at 2 monthly intervals). The actual frequency may depend on the work to be undertaken. A further meeting may be required around Christmas, particularly if there are Budget implications.
1.3 Are there financial resources available for councillor learning and development and are these used in a cost-effective way?	<b>Yes</b> – There is a Budget of c.£1,000 p/a. E-learning is also available at no additional cost. Members may be invited to officer training, as appropriate, e.g. equalities, lone working, etc. Free training and networking is available from other sources, including LGA, CfGS and NWE
<b>2. Promoting learning and development opportunities</b>	
2.1 Is there clear reference to learning and development opportunities during the induction process for new councillors?	<b>Probably Not</b> – There is an induction programme which does mention learning and development opportunities, but access routes are not clearly signposted.
2.2 Is there an appropriate communication process in place to publicise and promote the development opportunities that are available to councillors? Does it actively encourage take up and development? Are councillors informed of who to contact for information on development opportunities?	<b>Yes, but this could be more focused</b> - The Council's Learning and Development Officer, provides regular updates to councillors via e-mail. Additional training opportunities are circulated by Member Services.
2.3 Is there take up of learning and development opportunities by councillors with evidence to show how councillors are actively engaged and is this shared across all political parties? How is non-engagement	<b>This is limited</b> - Some sessions attract low levels of engagement. Poor take up is not currently followed up. For any training booked individually by councillors no central record is available, giving an incomplete

by councillors in respect of development opportunities actively dealt with?	picture of overall attainment.
<b>3. Having a councillor led approach to developing learning and development</b>	
3.1 Are councillors actively involved with officers in identifying their development needs and how these might be met to ensure they suit their preferred ways of learning and take into account their changing role? There is a continued drive to increase the quality of development planning.	<b>No</b> – However, the Council and officers already have experience of facilitating this arrangement and could easily restart this process.
3.2 Is there a mechanism in place which involves councillors analysing the information gathered from a training needs analysis or personal development plan?	<b>No</b> - This task would fall to the Panel to undertake, but is not currently taking place.
3.3 Is there a clear link between councillors' personal development plans and their learning needs, and the development opportunities offered to councillors?	<b>No</b> – Personal Development Plans are not currently in use
3.4 In what way are councillors supported in their role as leaders of their local community? Does the support take into account citizens' expectations and the current climate, e.g. technology, links to digital champions and the 21st century councillor?	<b>Unknown</b> - Further work will be needed to understand the requirements of this criterion. The reference to digital champions is not fully understood, but may relate to the need to provide skills training for councillors who are less familiar with ICT, such as tablet devices.
<b>4. Have a strategy that includes impact measures within a continuous improvement framework</b>	
4.1 Is there a strategy which sets a clear direction for councillor development? The strategy takes into account the impact of councillor development and is reviewed regularly to ensure there is a focus on continuous improvement.	<b>No</b> – However, a draft Member Development Strategy is available (included elsewhere on the Agenda).
4.2 Is there a clear link between the councillor development strategy and the corporate aims and objectives of the council, including integrated services and combined authorities? (Where applicable).	<b>No</b> - The Corporate Strategy is due to be considered by Council on 2 <sup>nd</sup> November 2023. This criterion will require further consideration to ensure that the 2 strategies are linked.
4.3 Is there evidence of an evaluation process to assess the impact and effectiveness that councillor development has on their learning at a number of levels and does this evaluation include practical and knowledge-based skills development?	<b>No</b> – Further work will be required to develop an evaluation process. However, this would normally flow from the information obtained during the annual 1:1 discussions to assess personal achievements and future development needs, as well as achievement of organisational priorities.
4.4 Show how councillor development is scrutinised.	<b>N/A</b> – councillor development is not currently scrutinised.

Some of the assessment criteria were discussed in more detail and the issues raised are outlined below.

### Criterion 2.1

In relation to Criterion 2.1, Councillor Clegg noted that he had been given a tour of the building (Scaitcliffe House) upon induction, but that a more comprehensive welcome pack would have been useful. In particular, a list of departments, structure chart, and a list of key officers with e-mail addresses would have been helpful. Training about knowledge for specific committees was also essential. Advice on ward-work would help new councillors, as they tended to receive numerous e-mails from constituents when first elected. Councillor Walsh commented that the first year of office was often a steep learning curve.

The Chair reported that councillors were generally encouraged to use the Council's generic contact facilities. Councillor Walsh responded that use of the Council's Enquiries facility did not always produce a timely response to Member queries. It was sometimes helpful to copy in the responsible officer to the enquiry e-mail. Another issue was that councillors were not always copied into the officer's final reply to the enquirer/complainant, so were unaware when the case had been resolved. The Chair added that Overview and Scrutiny could review the operation of the Contact Centre and might consider this issue. Ms Ellis confirmed that it should be possible to circulate a list of Service Managers e-mail addresses to councillors. Members noted that, where there was a high turnover of staff, a contact list which was a snapshot in time might be of limited use.

The Enquiries telephone service was not always helpful to councillors, as officers tended to read from a script provided as part of the workflow process. Often, Contact Centre responses were slow if the query involved multiple agencies, such as in the case of environmental services or animal welfare issues. Some of the longest-serving councillors had built up a network of officer contacts and newer councillors often relied on their experience to signpost them to the correct officer. Ms Ellis agreed that officers would look into this further and would review the information provided at induction.

Councillor Hurn indicated that there used to be a mentor scheme in operation. Councillor Walsh added that this worked well if another councillor serving in the same ward was from the same political group, but otherwise this approach could be difficult.

### Criterion 2.3

In connection with Criterion 2.3, Councillor Walsh noted that Members sometimes attended training provided by political parties. Officers commented that it would probably be useful to record that information. Members could e-mail any details directly to Shaheen Amaan for inclusion in their training record.

Ms Burnett highlighted the importance of dealing with non-engagement with the training programme. Ms Ellis expressed concern that in some instances the Council could not meet the target of half of eligible councillors attending the training. It remained the case that some Members attended lots of training, whereas others rarely engaged. Councillor Clegg remarked that councillors did not always receive advice from within their own political groups about their responsibilities when serving on committees. For example, the responsibility to appoint a substitute was not always understood. On quasi-judicial committees it was essential to nominate a substitute whose training was up to date.

Ms Ellis responded that the draft Member Development Strategy (reported at Agenda Item 5) would address what training should be compulsory and what would be optional. In future, officers would report to this Panel about attendance levels at training, including data about which councillors did not attend. Information could then be fed back to political group leaders, or to a member development champion within each group.

Members noted that complacency could creep in where Members believed that they had undertaken the training previously and believed that they would learn nothing new.

### Criteria 3.1 – 3.3

Ms Burnett reported that previously 1:1 discussions with councillors had been carried out by officers, which had provided key information to shape the member development programme. The interview format was flexible and could involve any of the following methods:

- An informal chat with an officer (from Member Services or Learning and Development);
- A pro forma filled in by an individual Member themselves;
- Direct questioning, at an opportune moment, targeted towards any Member who failed to engage voluntarily.

### Summary

Ms Burnett reported that overall the authority had slipped in its approach to member development. A greater focus was also needed on induction. Members confirmed that they would like to revitalise the Council's member development offer. Ms Burnett asked Members if the Council should seek re-accreditation under the Charter. It might be possible to make a submission in the latter half of next year, but informal discussions would take place with NWE to ascertain a realistic timescale. NWE would usually visit the council to interview key figures, which meant that the systems would need to be embedded before accreditation was sought. The Chair noted that 2025 was a fallow year for Borough elections, which should provide a period of stability for Members.

Councillor Hurn commented that training and development helped to shape better elected Members. A further benefit was that it helped councillors to work together more effectively for the good of the residents. Councillor Clegg added that induction should help to provide assurance to new councillors about their role. Induction could, perhaps, include mock meetings for planning, licensing and overview and scrutiny, as well as sample case studies. Ms Ellis agreed that mock meetings might be useful, but would be difficult where the numbers in attendance were low. Learning from peers of different ages, experience and political backgrounds was invaluable.

Councillor Walsh advised that the training format would need to take account of any neurodiversity and disabilities of individuals to ensure that this was accessible and to prevent individuals from 'zoning out' during sessions. Officers agreed to include a disabilities question on the Personal Development Review form. Training sessions could be tailored to include sufficient breaks or other reasonable adjustments.

Councillor Clegg raised the issue of the annual quasi-judicial committee training provided and the difficulty of pitching this at a level which sufficiently engaged individuals who had received the training previously, whilst also catering for councillors who were new to the topic in question. Catch-all training would need to be carefully structured, or alternatively existing and new councillors should attend separate sessions.

### **Agreed**

- (1) To note the *Self-Assessment Tool for the North West Charter for Elected Member Development*, as best practice and to adopt this framework to guide the authority's approach in the provision of Member Development.**



- (2) To note the Council's current score against the assessment matrix and the observations of the Panel as outlined above.**
- (3) To recommend that Cabinet pursues re-accreditation under North West Charter for Elected Member Development and requests officers to draft an Action Plan setting out the steps required to meet the assessment criteria and the relevant timescales.**
- (4) To request officers to ensure that disabilities information is captured during the training needs evaluation process, which will inform the annual member development programme and that reasonable adjustments are factored into the design of all development sessions.**

## **5 Draft Member Development Strategy**

The Panel considered a draft of Hyndburn's Member Development Strategy 2023-2027. The Strategy included sections on the following:

- Foreword;
- Aims;
- Equality of opportunity;
- Roles and Responsibilities;
- The Member Development Offer;
- Budget; and
- Appendices:
  - The Panel's Terms of Reference,
  - Ideas for Future Learning and Development and
  - Personal Development Plan template

Ms Ellis indicated that, if approved by the Panel, it was proposed to circulate the draft to all councillors and senior officers for comment. The document might require further modification to link it to the Corporate Strategy (Criterion 4.2 of the self-assessment framework refers).

Ms Amaan reported that she maintained the list of training that councillors had attended. Councillor Clegg noted that the quasi-judicial training was concentrated around the post-election period. He suggested that an on-line, self-service log of councillors' own training achievements might be useful. It was not known whether the new Civica Finance/HR system could accommodate a self-service query function. However, Ms Ellis confirmed that officers could certify whether councillors had attended all of the relevant mandatory training and provide a print-out, if requested.

Councillor Hurn reiterated the comments recorded at Minute 4 regarding training for councillors with different levels of experience and expressed a preferred for Planning Committee training, in particular, to be split between current and new Members. Councillor Clegg noted that training should include the handling of personal abuse directed at councillors by the public, for example towards those making planning decisions. Councillor Walsh added that some training about the Rules of Debate and other procedures for Council meetings would be useful for new Members. Ms Ellis commented that this had

been arranged previously, but take up had been low. Guidance on the operation of executive arrangements (the split of decision-making between Cabinet and Council) might also be useful.

Councillor Clegg repeated his call a welcome pack for councillors as part of the induction process. Ms Ellis noted that the elections were not too far away and that it might be useful to consult soon with councillors about the induction programme and supporting information. Ms Burnett added that induction could include taking new councillors on a tour of the Borough. Mr Joinson commented that the time allowed for a face-to-face induction session had become very compressed in recent years. Options were to spread out the session over several days, or to have a short session on a single date backed up by a comprehensive induction pack. Councillor Walsh suggested that photographs of service managers might be helpful to councillors. This could be presented in the style of an organisational structure chart.

Ms Ellis indicated that it might be possible to video/record training sessions, so that attendees could refresh their knowledge at a later date and councillors who had not been present could view the training at a more convenient time. Councillor Clegg emphasised the need to seek course evaluation information from participants at the end of each training session and suggested that this might be captured on-line.

**Agreed**

- (1) To note the draft Member Development Strategy 2023-2027 as presented.**
- (2) To request the Executive Director - Legal and Democratic Services to circulate the draft Strategy to all councillors and senior officers for comment.**
- (3) To report any comments received under (2) above to the Panel, with a view to recommending a final draft of the Strategy to Cabinet early in the New Year.**
- (4) To request that the Executive Director – Legal and Democratic Services consults all councillors on the induction programme and supporting information, seeking suggestions on how to improve this, and brings back any proposals for improvement to the Panel.**

## **6 Members Personal Development Review – Draft Template**

The Panel considered the process for capturing information about councillor development needs and for regularly reviewing progress as to learning. This process should meet both the aspirations of the individual learner and the ambitions of the authority as a whole.

A draft Personal Development Review template was provided, which could be used during annual face to face discussions between councillors and Democratic Services/ Organisational Development staff. The document would serve as the councillor's Personal Development Plan.

Feedback obtained from the process overall would ultimately help to shape the content of a responsive annual training programme across the Council.

Members considered that the draft document was clear and not overly complicated. The Chair added that the document could also capture information about achievements in

relation to political or community-focused activities over the last 12 months. The evaluation would also record which training was mandatory and which was elective.

Officers noted that, where achievements were linked to the corporate objectives, this should be recorded. The form should also capture whether training undertaken had achieved its overall objectives. Ms Ellis suggested that some rewording of the form would be required and that tick boxes could be added to make the document more user-friendly.

The Chair commented that the public often expected members to know everything, which was unrealistic. Criticism levelled on social media could be very offensive. Often abuse of this nature went unreported by councillors. Resilience training might be a useful topic to include in the development programme.

**Agreed**

- (1) To endorse the proposed approach to carrying out an annual review of the training undertaken by councillors, and the evaluation of future development needs both for individuals and the organisation.**
- (2) To note draft Members Personal Development Review form.**
- (3) To request officers to refine the wording of the form at (2) above to make the document more user-friendly**

**7 The Way Forward**

Members noted that the proposed actions had already been discussed and agreed and were recorded elsewhere in the Minutes.

**8 Date of Next Meeting**

A date would be arranged as and when required. This was likely to be around Christmas 2023.

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# Agenda Item 6.

<b>REPORT TO:</b>		Cabinet	
<b>DATE:</b>		13 March 2024	
<b>PORTFOLIO:</b>		Councillor Peter Britcliffe - Deputy Leader of the Council, Resources	
<b>REPORT AUTHOR:</b>		Kirsten Burnett, Head of Policy and OD	
<b>TITLE OF REPORT:</b>		Draft People Strategy	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:	

## 1. Purpose of Report

- 1.1 To propose a draft People Strategy for 2024-28.

## 2. Recommendations

- 2.1 That Cabinet agrees the proposed People Strategy to cover the period 2024-28.

## 3. Reasons for Recommendations and Background

- 3.1 The success of any organisation is dependent on the effectiveness of its People Strategy. As the landscape of work within local government continues to evolve and bring challenges, it is crucial that we also continue to adapt. Our People Strategy will support us to attract and retain skilled staff, and nurture a culture of engagement, continuous development, and well-being. It should help us position ourselves as an employer of choice and ensure the successful delivery of our corporate priorities.
- 3.2 The proposed strategy (Appendix 1) has 3 key themes:
- Leadership and Culture: Compassionate value-based leadership that guides, empowers, motivates and drives engagement
  - Talent and Skills: Skilled staff who are able to respond to what's needed and work with partners to deliver results.
  - Wellbeing and Inclusion: A workplace where people are supported to be authentic and have a sense of belonging, where we actively value diversity

#### 4. **Alternative Options considered and Reasons for Rejection**

4.1 Not applicable.

#### 5. **Consultations**

5.1 The draft document has been shared with service managers and trade unions, and feedback used to shape the proposed Strategy. It was also shared with Resources Overview and Scrutiny at its meeting on 12 December 2023.

#### 6. **Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	N/a – covered by existing budgets
<b>Legal and human rights implications</b>	The Strategy is underpinned by a suite of HR policies, procedure and guidance which complies with employment legislation and good practice.
<b>Assessment of risk</b>	Risks around staffing issues are reflected in the appropriate Risk Register and this Strategy is designed to mitigate those risks.
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	Not required for this overarching Strategy as CFAs will be conducted for relevant policies and decisions which enable its delivery.

#### 7. **Local Government (Access to Information) Act 1985:** **List of Background Papers**

7.1 N/A

# PEOPLE STRATEGY

2024 to 2028



**Customer  
Focus**



**Integrity**



**Positive  
Attitude**



**Teamwork**



This People Strategy has been designed to support our Corporate Strategy. It outlines how we will attract, develop, retain and inspire our workforce, so they can be agile, innovative, and supported to adapt to an ever-changing and often challenging environment. It will be underpinned by relevant performance indicators as part of our wider Performance Management Framework.

Our workforce and organisational culture is crucially important if we are to deliver our priorities. This includes providing a welcoming, inclusive and supportive working environment.

# PEOPLE STRATEGY

2024 to 2028



## LEADERSHIP & CULTURE

**Compassionate value-based leadership that guides, empowers, motivates and drives engagement. We will:**

- expect our leaders to be authentic, visible and accessible and to communicate our key objectives and progress to their teams
- encourage and listen to ideas and feedback from our staff, involving them in decision-making where possible
- keep our Service Managers and wider staff group up to date on key issues
- have processes in place to support respectful and responsive member / officer relationships
- use our valued partnerships with our recognised trade unions and staff working groups to help us plan for the future



## TALENT & SKILLS

**Skilled staff who are able to respond to what's needed and work with partners to deliver results. We will:**

- facilitate continuous development in a variety of ways, so that individuals and teams have the skills, knowledge and qualifications to deliver our organisational priorities
- make better links between our staffing and finance information to improve our management information
- use our Performance and Development Review process to ensure all staff members have the opportunity to access training and development opportunities and to support us to spend our training budget most effectively
- continue to try different ways of addressing recruitment and retention challenges for hard-to-fill posts, including work placements and apprenticeships, promoting ourselves as a great employer
- promote the Hyndburn Partnership Principles - we achieve better outcomes when we work collaboratively
- reward and recognise good performance and examples of people working in line with our corporate values (including via our Big Thank You awards)



## WELLBEING & INCLUSION

**A workplace where people are supported to be authentic and have a sense of belonging, where we actively value diversity. We will:**

- ensure our Smart Working Strategy is delivering operational benefits to our customers as well as improved working conditions
- update and deliver our employee health and wellbeing strategy
- continue to analyse and address the causes of preventable sickness absence
- ensure that staff understand the principles of our Dignity at Work Policy and promote kindness in the workplace
- improve the information presented to potential candidates to support our equality objectives
- work with our Equality, Diversity and Inclusion team to review and recommend changes to policies and other interventions
- celebrate and recognise diversity



**Hyndburn**  
Borough Council



<b>REPORT TO:</b>		Cabinet	
<b>DATE:</b>		13 March 2024	
<b>PORTFOLIO</b>		Councillor Peter Britcliffe - Deputy Leader of the Council, Resources	
<b>REPORT AUTHOR:</b>		Lee Middlehurst Head of Benefits, Revenue and Customer Contact	
<b>TITLE OF REPORT:</b>		National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:	

## 1. Purpose of Report

1.1 To seek Cabinet approval for amendments of the National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme to include new rate reliefs:

- Include Heat Network Relief, with effect 01 April 2024 – Outlined in paragraphs 3.13 to 3.15 of the revised policy
- Include Improvement Relief, with effect 01 April 2024 – Outlined in paragraphs 3.17 to 3.20 of the revised policy
- Include Public Lavatory Relief, retrospectively with effect 01 April 2020 – Outlined in paragraphs 3.10 to 3.12 of the revised policy

1.2 To seek Cabinet approval for amendments of the National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme to remove the following rate reliefs, as these reliefs are no longer applicable:

- Business rate relief for public houses.
- Discretionary Revaluation Rate Relief

## 2. Recommendations

2.1 That the revised National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme, updated in line with recent legislation, attached at Appendix 1 is approved and adopted.

### **3. Reasons for Recommendations and Background**

- 3.1 The administration of Mandatory, Discretionary and Hardship Relief for business rates forms part of the Council's mandate for the billing, collection and recovery of National Non Domestic Rates. While the legislative framework for this remains largely unchanged, the policies used by officers in the administration of reliefs is reviewed, amended and updated regularly to ensure that our policies are relevant and reflect current practices.
- 3.2 As the Government is moving further towards higher levels of local business rate retention, it is essential that our policies and practices are reviewed regularly and updated as required in order to remain relevant, accurate and legal.
- 3.3 There have been a number of legislative changes, introduced by the Non Domestic Rating Act 2023, affecting this policy and administration of the various reliefs available within business rates remains within the relevant legislative framework and guidance.
- 3.4 While the discretionary relief provisions in this policy have not changed, the policy does now include provisions announced by the Government in 2023 and has consolidated guidance for officers and taxpayers that was previously contained in a number of separate documents.

### **4. Alternative Options considered and Reasons for Rejection**

- 4.1 The administration of business rates reliefs' works within legislative frameworks. The three new reliefs to be included in the policy are mandatory reliefs.
- 4.2 A failure to revise our NDR Mandatory, Discretionary and Hardship Relief policy may result in local businesses missing out on vital financial support.
- 4.3 Regular review of this policy will also ensure that details of relevant rate reliefs are available to business ratepayers, and, that our policies and practices are transparent and robust

### **5. Consultations**

- 5.1 N/a – The amendments are in accordance with legislation.

### **6. Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	The collection of local taxes remains a priority for the Benefits, Revenues and Customer Contact service and having up to date policies provides the necessary framework for officers. While there is no direct financial
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	obligation for the Council as a result of this policy review, having up to date policies underpins the efforts to increase collection rates annually.
<b>Legal and human rights implications</b>	<p>The administration of business rates is done within legislative frameworks and guidance. Any and all legal and human rights implications have been considered and balanced against the rights of the individual and the obligations placed on the authority for the collection of local taxes.</p> <p>The protection of vulnerable groups and individuals has been considered extensively as have the rights of our residents and customers. Legal implications and human rights have been considered at each stage and the policy intentions within this report are considered proportionate and justifiable when balanced against the rights of the individual.</p>
<b>Assessment of risk</b>	Having up to date policies reinforces the department's mandate to collect taxes on behalf of the Council and provides necessary transparency for rate payers – both of which lessens the risk of accusations of maladministration.
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> <li>• eliminate unlawful discrimination, harassment and victimisation; and</li> <li>• advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and</li> <li>• foster good relations between those who share a relevant protected characteristic and those who don't.</li> </ul> <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. To</p>

	assist the Cabinet in this regard a Customer First Analysis has been carried out and is presented with this report. Cabinet is advised to consider the Customer First Analysis and associated obligations in respect of the public sector equality duty when making a decision in respect of the recommendations contained in this report.
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7. **Local Government (Access to Information) Act 1985:**  
**List of Background Papers**

- 7.1 Non Domestic Rates Mandatory, Discretionary and Hardship Relief policy – Cabinet Report 10 October 2018. **Available from Member Services on request.**



**HYNDBURN**

The place to be  
an excellent council

# National Non Domestic Rates Mandatory, Discretionary and Hardship Relief

April 2024

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## **1. Introduction**

- 1.1 Rate relief and exemptions are available to ratepayers liable to pay business rates on premises within Hyndburn. The reliefs covered by this policy are
- Mandatory rate relief
  - Discretionary rate relief
  - Local Discretionary Discounts
  - Hardship relief
- 1.2 This policy covers the main processes adopted by Hyndburn Borough Council and is intended only as an overview and not as a comprehensive explanation of the National Non Domestic Rates system. As such there are aspects of National Non Domestic Rates law and practices not included in this document but which are nevertheless followed and applied by us in the billing, collection and recovery of National Non Domestic Rates.

## **2. Legislation**

- 2.1 The Local Government Finance Act 1988, as amended, provides the legal framework for the granting of rate relief:-
- Mandatory Relief: Sections 43, 44, and 45
  - Discretionary Relief: Sections 44A, 47 and 49

## 2.2 Other legislation includes:

- Non Domestic Rating (Contributions) Regulations 1992, (as amended) and
- Non Domestic Rating (Rates Retention) Regulations 2013.
- Local Government Act 2003 - Section 64 (Charity Shops)
- The Local Government Finance and Rating Act 1997- Schedule 1 (Rural Rate Relief)
- The Localism Act 2011, Section 69 (relief to ratepayers other than registered charities or not-for-profit organisations)
- Non Domestic Rating (Public Lavatories) Act 2021
- Non Domestic Rating Act 2023
- Non Domestic Rating (Heat Networks Relief) (England) Regulations 2023
- Non Domestic Rating (Improvement Relief) (England) Regulations 2023
- Non Domestic Rating (Consequential and Other Amendments) (England) Regulations 2023

## 3. Mandatory Rate Relief

- 3.1 Mandatory Rate Relief is provided for premises used by registered charities, sports and social clubs and not-for-profit organisations.

### Charities

- 3.2 Registered charities that are using non-domestic premises for the main purpose or objective of the charity may claim 80% relief if certain conditions are met. The charity must be:

- A registered charity or trustees for a registered charity, registered with the Charity Commission under Section 29 of the Charities Act 2011; and
- The property must be used wholly, or mainly, for charitable purposes.

- 3.3 If the property is empty, mandatory relief of 100% can be claimed if, when next in use, the property will be used wholly or mainly for charitable purposes.

### Community Amateur Sports Clubs

- 3.4 Sports clubs can claim 80% relief by applying for Community Amateur Sports Club (CASC) status. This can be done through the [HM Revenues and Customs website](#).

### Not-for-profit Organisations

- 3.5 A not-for-profit organisation may not be registered as a charity but may be treated as a charity/not-for-profit for UK tax purposes which may entitle the organisation to mandatory rate relief of up to 80% under this scheme.
- 3.6 Whilst Charity *shops* are conducted for profitable purposes to provide income for the charitable organisation, relief may be granted provided that the goods sold are wholly or mainly donated to the charity.

### **Rural Rate relief**

- 3.7 The Occupier of a general store, Post office or food shop in a settlement appearing in a billing authority's rural settlement list is entitled to rate relief if it is the only such business in that settlement and its rateable value is less than £8,500, or if it is the only Public House or Petrol Station and the rateable value is less than £12,500.
- 3.8 Relief is up to 100% of the full rates bill, or of the transitional bill where transitional arrangements apply.
- 3.9 Authorities also have a discretion to remit all or part of the rates bill on other properties in a settlement on the rural settlement list if the rateable value is £16,500 or less and the authority is satisfied that the property is used for a purpose which benefits the local community.

### **Public Lavatory relief**

- 3.10 In 2021 the Non-Domestic Rating (Public Lavatories) Bill came into force which gives public lavatories 100% relief from business rates effective 1 April 2020.
- 3.11 The relief will not apply to toilets of a larger unit of rateable property (a "hereditament"), for example, toilets in public libraries. It amends Part 3 of the Local Government Finance Act 1988 to ensure that, in relation to an eligible hereditament which consists wholly or mainly of a public lavatory, the chargeable amount will be zero.
- 3.12 Relief is 100% of the full rates bill. The relief will be applied automatically to the business rates account.

### **Heat Network relief**

- 3.13 Effective from 01 April 2024, Relief is available at 100% of the chargeable amount for the hereditament for any day on which the eligibility criteria are met, in accordance with the Non Domestic Rating (Heat Networks Relief) (England) Regulations 2023.
- 3.14 Heat networks take heat or cooling from a central source(s) and deliver it to a variety of different customers such as public buildings, shops, offices, hospitals, universities and homes.
- 3.14 By supplying multiple buildings, they avoid the need for individual boilers or electric heaters in every building. Heat networks have the potential to reduce bills, support local regeneration and be a cost-effective way of reducing carbon emissions from heating.
- 3.15 To be eligible for Heat Network Relief the hereditament must:
- Have their own business rates assessment
  - Be wholly or mainly used for the purpose of a heat network, and



- The heat, over the next 12 months, is expected to be generated from a low carbon source (irrespective of whether that source is located on the hereditament or on a different hereditament)

### Improvement relief

- 3.17 Effective from 01 April 2024, Section 1 of the Non-Domestic Rating Act 2023 created a new mandatory relief to support businesses making improvements to properties they occupy.
- 3.18 From 1 April 2024, businesses that have made qualifying improvements may benefit from 100% relief from higher bills for 12 months. The scheme will be reviewed in 2028, with the current end date of this scheme being
- 3.19 To be eligible for Improvement Relief, ratepayers will need to demonstrate that their property meets two conditions:
- the Valuation Office Agency (VOA) must be satisfied that the improvements meet the definition of qualifying works - the ***'qualifying works' condition***, and have issued a certificate of the increase in rateable value which is attributable to any works falling within meaning of qualifying works , and
  - the Council must be satisfied that in the period since the qualifying works commenced the property has remained occupied and that the ratepayer has not changed – the ***'occupation' condition***.
- 3.20 For the purpose of Improvement Relief, “qualifying works” are
- increase the area of any building in or on the hereditament,
  - otherwise improve the physical state of the hereditament, or
  - adding rateable plant and machinery to the hereditament.
  - The condition is that the qualifying improvement works are completed on or after 1st April 2024, and, before 01 April 2028.

## 4. Discretionary Rate Relief

- 4.1 The Council has discretion to grant relief or to top up mandatory relief up to 100% on properties occupied by certain non-profit making bodies.

### Charities

- 4.2 The council may consider applications for discretionary relief top up of up to 20% from charities based on a case by case basis.

## Community Amateur Sports Clubs and not-for-profit Organisations

- 4.3 In deciding whether to grant discretionary relief, the Council will look at the contribution that the organisation makes to the area. Qualifying organisations will generally be working within social welfare, education or are wholly or mainly used for recreation.
- 4.4 Other criteria assessed include access, membership fees and joining restrictions:
- Membership fees should not be restrictive or excessive
  - Membership should be open to everybody
  - 75% of the membership should come from the Hyndburn area
- 4.5 The level of effort made by the organisation to encourage membership from groups such as young people, disabled people, ethnic minorities and unemployed people will be considered:
- The facilities should be open to people other than members
  - Differential fee structures for some groups should be in place, for example younger people, older people or the unemployed
  - The building should be accessible to disabled people or have plans to become accessible
- 4.6 Discretionary relief is unlikely to be granted if the majority of the organisation's income is generated from a licensed bar, however the existence of a licensed bar does not disqualify an application.
- 4.7 Discretionary relief will not be considered for the following types of businesses:
- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers);
  - Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors);
  - Professional Services (e.g. solicitors, accountants, insurance agents/financial advisors, tutors);
  - Post Office sorting offices;
  - Other services (e.g. estate agents, letting agents, employment agencies).

## Amount of discretionary relief

- 4.8 The table below shows the current maximum discretionary relief approved within this policy. These levels are given in addition to any mandatory relief up to a maximum of 100%.

Type of organisation/Property	Maximum discretionary relief
Voluntary schools	Nil
Local Sporting Clubs	80%
League Cricket Clubs	80%
Scout Huts	20%
Welfare clubs, Community Centres	100%
Miscellaneous	20 to 100%

National organisations	Nil
Working Men's and Social Clubs	80%
Charity Shops	
• Primary shopping zones	Nil
• Secondary shopping zones	10%
• Others	20%

## 5. Part occupied properties

- 5.1 Where a property is partly occupied for a short time, for example when a phased occupation takes place or where there is ongoing refurbishment, we have the discretion to award relief of up to 100% in respect of the unoccupied part.
- 5.2 To calculate the rates on each part, we can ask the Valuation Office Agency (VOA) to revalue the property to accurately apportion the rateable value between the occupied and unoccupied areas of the property.
- 5.3 If agreed, the rates on each part will be calculated so that full rates are charged on the occupied part and empty rates are charged on the unoccupied part.
- 5.4 Rate reductions will only apply for up to three months for commercial premises and six months for industrial premises. After that, the full charge will be reapplied (unless the empty part is otherwise exempt).

## 6. Localism Act 2011 – Local Discretionary Discount

- 6.1 Section 69 of the Localism Act 2011 amends the section 47 of the Local Government Finance Act 1988 which allows the Council the discretion to award rate relief to all types of businesses.
- 6.2 This power recognises that the current business rates scheme is broadly prescribed by central government and its aim is to provide increased flexibility to local authorities to support organisations, recognising the variations in economic conditions and within local authority boundaries.
- 6.3 On this basis, the council will consider exceptional applications for a local business rates discount from organisations, based on their own merits and on a case by case basis.
- 6.4 Applications for rate relief under The Local Discretionary Discount will normally only be considered favourably where the Council is satisfied that an award will result in tangible benefits to local residents and in particular where the award will directly result in attracting businesses, investment or jobs to the local area.

- 6.5 The Local Discretionary Discount may provide temporary financial assistance to rate payers by reducing their Non Domestic Rates liability. The operation of this scheme is at the total discretion of Hyndburn Borough Council.
- 6.6 There is no statutory right to awards from the scheme.
- 6.7 Local discretionary relief will not be considered for the following types of businesses:
- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers);
  - Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors);
  - Professional Services (e.g. solicitors, accountants, insurance agents/financial advisors, tutors);
  - Post Office sorting offices;
  - Other services (e.g. estate agents, letting agents, employment agencies).
- 6.8 The Local Discretionary Discount awards will not be awarded in the following circumstances:
- Where the full Non Domestic Rates liability is being met by any other reduction scheme such as Small Business Rates Relief;
  - Where the Non Domestic Rates liability is nil as a result of any other discount or exemption;
  - For any other reason other than to reduce the Non Domestic Rates liability;
  - To reduce any Non Domestic Rates relief overpayment caused through the failure of the applicant to notify the Council of any changes which may affect their claim in a timely manner or where the application has failed to act correctly or honestly;
  - To cover previous years Non Domestic Rates arrears; or;
  - For properties unoccupied for more than 12 months;
  - Where other reduction schemes or reliefs may apply but for which the rate payer has not applied.
- 6.9 All applications for a Local Discretionary Discount should be one of last resort after any entitlement to financial assistance, discounts or exemptions or Valuation Office/Valuation Tribunal action and appeal has been explored.

## **7. Hardship**

- 7.1 The Non Domestic Rates Hardship Scheme is available to all ratepayers in Hyndburn who may be suffering exceptional hardship.

- 7.2 The Non Domestic Rates Hardship Scheme may provide temporary financial assistance to rate payers by reducing their Non Domestic Rates liability. The operation of this scheme is at the total discretion of Hyndburn Borough Council.
- 7.3 There is no statutory right to awards from the scheme, although the Council will consider all applications which have been properly made.
- 7.4 Hardship relief may not be considered for the following types of businesses:
- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers);
  - Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors);
  - Professional Services (e.g. solicitors, accountants, insurance agents/financial advisors, tutors);
  - Post Office sorting offices;
  - Other services (e.g. estate agents, letting agents, employment agencies).
- 7.5 The Non Domestic Rates Hardship Scheme awards will not be awarded in the following circumstances:
- Where the full Non Domestic Rates liability is being met by any other reduction scheme such as Small Business Rates Relief;
  - Where the Non Domestic Rates liability is nil as a result of any other discount or exemption;
  - For any other reason other than to reduce the Non Domestic Rates liability;
  - To reduce any Non Domestic Rates relief overpayment caused through the failure of the applicant to notify the Council of any changes which may affect their claim in a timely manner or where the application has failed to act correctly or honestly;
  - To cover previous years Non Domestic Rates arrears; or;
  - For properties unoccupied for more than 12 months;
  - Where other reduction schemes or reliefs may apply but for which the ratepayer has not applied.
- 7.6 All applicants must be able to provide evidence of hardship or potential hardship and any application made to the Hardship Relief Scheme should be one of last resort after any entitlement to financial assistance, discounts or exemptions or Valuation Office/Valuation Tribunal action and appeal has been explored.
- 7.7 The principle purpose of an award of hardship relief is to provide short-term assistance to businesses that are suffering unexpected hardship, arising from circumstances beyond the

business's control and outside of the normal risks associated with running a business of that type, to the extent that the viability of the business would be threatened if an award was not made.

## **8. Applications**

- 8.1 All persons/organisations liable to pay Non Domestic Rates for a property within Hyndburn can apply to reliefs or discounts outlined in this policy, including owners, occupiers or persons appointed to act on their behalf e.g. a solicitor, appointee or rating agents.
- 8.2 Applications cannot be made by
- Landlords of properties where the tenant is liable;
  - Estate agents/managing agents on behalf of a landlord;
  - Friends/relatives of the liable person (unless acting as an appointee or under a power of attorney);
  - Support agencies (unless acting as an appointee, rating agent or under a power of attorney);
  - Banks or other holders of a mortgage or other legal charge on a property;

### **Applying for National Non Domestic Rates relief**

- 8.3 Mandatory relief may be applied as part of the main administrative billing process and an application form is not normally required. However, in ensuring that awards are made correctly, applicants from organisations or charities applying for mandatory relief for the first time may be required to provide additional information.
- 8.4 Applications for discretionary awards should be made using a Discretionary Business Rates Relief form provided by the Council and attached at Appendix 2. Once issued there is no deadline by which the form must be submitted but applicants are encouraged to apply as soon as possible.
- 8.5 An application for a discretionary award must be received in order for an award to be considered.

### **Duties of the Applicant**

- 8.6 A person or business claiming any award or relief under this policy is required to:
- Submit an application form, or in the case of mandatory awards notify the Council of their charitable status;
  - Provide the Council with such information as it may require to make a decision;

- Inform the Council of any changes of circumstances that may be relevant to their on-going claim.

### **Subsequent and multiple applications**

- 8.7 Applicants may make subsequent applications for any discretionary award once their award has expired or if their circumstances change again or worsen if they have previously been refused. There is no limit to the number of applications that can be made.
- 8.8 The Council will only accept one application at a time.

## **9. Awards**

- 9.1 Both the amount and period of any discretionary award is at the discretion of the Council and will be reviewed every 12 months or by 31<sup>st</sup> March each financial year, whichever comes first.
- 9.2 Any award or appropriate discount will be a reduction in National Non Domestic Rates liability. The reduction will be applied to the applicant's account and a revised bill will be issued – this reduction will not be given to the applicant as a sum of money, and no cash alternative is available.
- 9.3 Discretionary relief decisions will be made by the Council's Revenues Manager.

## **10. Backdating**

- 10.1 Discretionary awards made under this policy will not normally be backdated and will be awarded from the date the application is recorded as received by the Council. However, in exceptional circumstances consideration may be given to as award for a retrospective period where the ratepayer can demonstrate good cause for not applying sooner. Ignorance of the scheme does not constitute good cause.
- 10.2 A discretionary award or mandatory relief will not normally be made for a retrospective period where the Council is not able to verify that qualifying criteria was present during that time, however mandatory relief may be backdated if provision is made within legislation.
- 10.3 The Non Domestic Rating Act 2023, and, the Non Domestic Rating Act (Consequential and Other Amendments) Regulations 2023, remove with effect from 01 April 2023, the restrictions on making a decision to apply reliefs administered under LGFA 1988, Section 47, of no more than six months after the end of the financial year.

## **11. Notification letters**

- 11.1 Adjustment notices will be sent to all successful applicants.
- 11.2 Letters sent to refuse an application will contain the Council's reasons for refusing the application.
- 11.3 Notification letters sent to successful applicants will contain:

- The amount of the discount,
- The period of the discount,

## **12. Overpaid Awards**

12.1 Overpaid awards applicable to this policy will generally be recovered directly from the applicant's National Non Domestic Rates account, thus increasing the amount due and payable. Overpayments may occur as a result of administrative error by the Council or where the Council is induced to make an award (or a higher rate of relief than it might otherwise have done) as a result of false, inaccurate, incomplete or misleading information provided to the Council by the applicant or by another person on the applicant's behalf or at their request.

## **13. Appeals against decisions**

- 13.1 Any applicant may request that their application is reconsidered. If, in the case of either mandatory or discretionary relief, new information is provided as part of a reconsideration request, this may be considered a new application.
- 13.2 Appeals against an incorrect decision regarding mandatory relief may be made to the Valuation Tribunal.
- 13.3 While there are no formal rights of appeal against discretionary relief decisions, applicants may request that their application is reconsidered. All requests for reconsideration should be made within one calendar month of the original decision notice being issued. The application will be reconsidered by the Head of Benefits, Revenues and Customer Contact.
- 13.4 All applications for reconsideration must be made in writing or by email and must outline the reasons for the reconsideration request. The outcome of the reconsideration of a discretionary relief award will be final. The applicant will be notified in writing detailing the decision made and the reasons for the decision.

## **14. Fraud**

- 14.1 The Council is committed to protecting public funds and to ensuring that funds are awarded to the people who are rightly eligible to them.
- 14.2 Any applicant who tries to claim an award under this policy by declaring false circumstances or providing false statements or evidence in support of their application, may have committed an offence under the Fraud Act 2006.
- 14.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.



## **15. State Aid / Subsidy Control**

- 15.1 Reliefs under this policy will not be awarded in any circumstances where it appears that an award will result in the ratepayer breaching Minimal Financial Assistance (MFA) level. Each application must be accompanied by a statement signed by the appropriate person representing the business setting out the MFA, including but not limited to discretionary rate relief, which the ratepayer has received within the previous three years. Applications shall not be considered until this statement is received.
- 15.2 To the extent that a local authority is seeking to provide relief that falls within the Minimal Financial Assistance (MFA) thresholds, the Subsidy Control Act allows an economic actor (e.g. a holding company and its subsidiaries) to receive up to 315,000 in a three-year period (consisting of the 2024/2025 year and the two previous financial years). MFA subsidies that fall with the category of “Minimal or SPEI financial assistance” BEIS COVID-19 business grants and any other subsidies claimed under the Small Amounts of Financial Assistance limit of the Trade and Corporation Agreement should be counted towards the £315,000 allowance.
- 15.3 In those cases where it is clear to the Council that the ratepayer is likely to breach the MFA limit then the Council will automatically withhold the relief. Otherwise, the Council may include the relief in bills and ask the ratepayers, on a self-assessment basis, to inform the authority if they are in breach of the MFA limit.

## **16. Complaints**

- 16.1 The Council’s Complaints Procedure will apply in the event of any complaint about the application of this policy.

## **17. Policy Review**

- 17.1 This policy will be reviewed annually and may be subject to change. The Council will undertake a review of the scheme each year to ensure that the scheme remains fair, equitable and affordable.
- 17.2 This policy will also be reviewed in line with any relevant changes in legislation

## **18. Equalities**

- 18.1 The Council’s intention is to make this policy fair and equitable for all applicants.
- 18.2 This policy has undergone an equalities review (Customer First Analysis) which has been produced in response to the Council’s obligation to the Public Sector Equality Duty as outlined in the Equality Act 2010. No adverse impact on any protected characteristic has been identified as a result of this policy.

## **19. Data protection**

Information about how we use your information can be found on the Council's website at [www.hyndburnbc.gov.uk/privacy-notice](http://www.hyndburnbc.gov.uk/privacy-notice)

# National Non Domestic Rates 2023 Supporting Small Business relief Scheme

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April 2024

## 1. Introduction

- 1.1 In the Autumn Statement 2022, the Government announced a new Supporting Small Business (SSB) relief scheme which will cap bill increases at £600 per year for any business losing eligibility for Small Business Rate Relief or Rural Rate Relief for businesses affected by the revaluation of National Non Domestic Rates effective from April 2023. This document covers Hyndburn Borough Council's policy on:

- Supporting Small Businesses Relief

## 2. Supporting Small Businesses Relief

- 2.1 The standard transitional relief scheme provides for changes to rateable values and does not provide support in respect of changes in relief such as small business rates relief and so the Supporting Small Businesses Relief is available to business rates payers who, as a result of the revaluation, are losing some or all of their small business or rural rate relief and are facing large increases as a result.
- 2.2 This relief will ensure that the increase per year in the bills of these ratepayers is limited to the greater of:
- A cash value of £600 per year (£50 per month). This cash minimum increase ensures that those ratepayers currently paying nothing or very small amounts are brought into paying something, or
  - The matching cap on increases for small properties in the transitional relief scheme.
- 2.3 Awards of SSB are made under section 47 of the Local Government Finance Act 1988. Central government will reimburse billing authorities and major precepting authorities for the actual cost to them under the rates retention scheme of the 2023 Supporting Small Business relief
- 2.4 The Council will administer SSB in accordance with the guidance issued by Government - <https://www.gov.uk/government/publications/business-rates-relief-2023-supporting-small-business-relief-local-authority-guidance>

## Appendix 2 - Application Form – Discretionary Hardship Relief

### Section 1: Your details

Your National Non Domestic Rates reference number

1	0							
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Your Title:

Your surname:

Your first name(s):

Company Name

Your position at the company or business

Your full address (if used as a billing address):

	Postcode:
--	-----------

Preferred telephone number:

Email address:

Address of property for which this Discount is being applied:

	Postcode:
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If someone else is helping you with this form, please give their details:

Their surname:

Their first name(s):

Their full address:

	Postcode:
--	-----------

Their preferred telephone number:

Relationship to you and your business:

### Section 2: your application.

National Non Domestic Rates Relief being applied for

Please provide a written statement outlining how your business meets the criteria of the National Non Domestic Rates Discretionary Discount you are applying for. For example, please detail how your business contributes to the local economy in terms of local investment and job opportunities.

Do you own or operate from any other properties both within and outside Hyndburn? If so please provide details:

--

Is the property undergoing any major structural renovations?

--

Is the property occupied? If not by you, please provide the occupant's details:

--

### Section 3: statement of income and expenditure

Please provide a verified statement of accounts for the period for which you are claiming discretionary relief.

Please provide a full verified statement of accounts for the last full financial year.

We may require further information from you in order to consider your application, we will contact you if this is the case.

### Section 4: declaration

I declare that the information I have given on this form is true and correct. I understand that I may be prosecuted if I try to get a National Non Domestic Rates Discretionary Hardship award dishonestly. I authorise Hyndburn Borough Council to make enquiries necessary to verify the details I have given on this form.

Your signature:

Date

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### Section 4a: declaration to be signed if you have completed this form on behalf of someone

**else:**

I declare that the information I have given on this form is true and correct. I understand that I may be prosecuted if I try to get a National Non Domestic Rates Discretionary Hardship award dishonestly on behalf of the person named in Section 1 as the applicant. I confirm that I have been given permission by the applicant to complete this form on their behalf. I confirm that I understand that I may not be entitled to any information about this applicant or this application as a result of completing this form. I authorise Hyndburn Borough Council to make enquiries necessary to verify the details I have given on this form.

Your signature:

Date:

Our data privacy notice can be found at [www.hyndburnbc.gov.uk/privacy-notice](http://www.hyndburnbc.gov.uk/privacy-notice)

## Appendix 3 – Customer First Analysis

# Non Domestic Rates Mandatory, Discretionary and Hardship Relief Customer First Analysis

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The Council's response to the public sector equality duty is a compressive Customer First Analysis which has been adapted here to encompass this policy.

### 1. Purpose

- What are you trying to achieve with the policy / service / function?

National Non Domestic Rates legislation provides for mandatory relief for rate payers – this policy outlines the Council's approach to this requirement.

Legislation also requires billing authorities to consider discretionary and hardship relief policies – this policy outlines the Council's approach to these requirements.

- Who defines and manages it?

The Council manages and defines this scheme. The provision of a scheme nationally is defined through various pieces of legislation including the Local Government Finance Act (1988), the Localism Act 2011, the Non Domestic Rating Act 2023,

- Who do you intend to benefit from it and how?

Business ratepayers in Hyndburn who may be eligible for rate relief in any of these categories

- What could prevent people from getting the most out of the policy / service / function?

Lack of awareness of the existence of any applicable reliefs. However, staff are fully trained, policies are available online and in paper format and a number of the reliefs are generally well known and have been available for some time.

### 2. Evidence

- How will you get your customers involved in the analysis and how will you tell people about it?

Discount applications will be made. The empty property premiums are levied in part to support the Council's efforts to reduce the number of empty properties in Hyndburn – a reduction in empty properties would benefit the borough in general

- How will you know if the policy delivers its intended outcome / benefits?]

Eligible business ratepayer will benefit from a relief being applied to their Non Domestic Rates account.

- How satisfied are your customers and how do you know?

Very few applications for reconsiderations are made, fair and consistent decisions are evident.

- What existing data do you have on the people that use the service and the wider population?

We hold extensive and detailed data about our current Non Domestic Rates customer base.

Data we hold includes business type, property description (e.g. shop, warehouse, etc.)

- What other information would it be useful to have? How could you get this?

Not applicable at this stage.

- Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?

Not relevant to this scheme, as the scheme is based on property details.

- Are you using partners, stakeholders, and councillors to get information and feedback?

The policy is based on published Government guidance, and, relevant legislation.

### **3. Impact**

- Are some people benefiting more – or less - than others? If so, why might this be?

No – only eligible businesses will benefit from any relief



#### 4. Actions

- If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?

Not applicable – Legislative requirements form the basis of eligibility for the relief.

- Is it discriminatory in any way?

No

- Is there a possible impact in relationships or perceptions between different parts of the community?

Not known at this stage. We do not hold enough data on the protected characteristics of ratepayers or their customer profile to identify any issues, however this will be monitored.

- What measures can you put in place to reduce disadvantages?

Not known at this stage. The policy and any unintended consequences will be monitored throughout.

- Do you need to consult further?

No.

- Have you identified any potential improvements to customer service?

Not as part of this policy review

- Who should you tell about the outcomes of this analysis?

This analysis will form part of our published policy and will be publically available.

- Have you built the actions into your Business Plan with a clear timescale?  
n/a

- When will this assessment need to be repeated?

As and when this policy is updated and reviewed, in line with any legislative changes.

**Name: \_Lee Middlehurst**

**Service Area: \_\_Benefits, Revenues and Customer Contact \_**

**Dated: \_\_April 2024**

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REPORT TO:		Cabinet	
DATE:		13 March 2024	
PORTFOLIO:		Cllr Peter Britcliffe, Finance and Resources	
REPORT AUTHOR:		Lee Middlehurst, Head of Benefits, Revenues and Customer Contact	
TITLE OF REPORT:		Non Domestic Rates - Retail, Hospitality and Leisure Relief for 2024/2025	
EXEMPT REPORT:	No		
KEY DECISION:	No	If yes, date of publication:	

## 1. **Purpose of Report**

This report presents an **extension** of Retail, Hospitality and Leisure Non Domestic Rate Relief for the period 1<sup>st</sup> April 2024 to 31<sup>st</sup> March 2025 providing eligible businesses with a 75% rate relief on their business rates liability for this period.

## 2. **Recommendations**

2.1 It is recommended that the Retail, Hospitality and Leisure Non Domestic Rate Relief Scheme 2024/2025 attached to this report, as Appendix 1, is approved and applied to business rates bills as soon as is reasonably practicable in order to provide businesses with certainty around their business rates liabilities for 2024/2025.

2.2.1 That the Executive Director of Resources is given delegated power to undertake the calculation, collection, administration and recovery of National Non Domestic Rates in accordance with the Local Government Finance Act 1988, (as amended from time to time) and further government regulations that may be issued pursuant to the same.

## 3. **Reasons for Recommendations and Background**

3.1 At the Autumn Statement on 22 November 2023, the Chancellor has announced the extension of the business rates relief scheme for retail, hospitality and leisure properties, worth nationally an estimated £2.4 billion in 2024/2025. This will support the businesses that make our high streets and town centres a success and help them evolve and adapt to changing customer demands.

- 3.2 Government has supported billing authorities and their preceptors by funding, in full, the discretionary reliefs awarded under these measures using grants delivered under Section 31 of the Local Government Act 2003.
- 3.3 The administration of the discount scheme within this report is subject to restrictions laid out in Section 47 of the Local Government Finance Act 1988 which stipulates that any variation or termination of a discount scheme under Section 47 that would result in an increased financial liability for the ratepayer must be done at the end of a financial year and with 12 months' notice. By implementing this new scheme from 1<sup>st</sup> April 2024, the Council's administration of business rates relief remains within our discretionary powers.

#### **4. Retail, Hospitality and Leisure Relief Scheme 2024/2025**

- 4.1.1 Since 2019/20 the Government has provided a Business Rates Retail Discount for retail properties, which for 2020/21 it expanded to include the leisure and hospitality sectors. On 22 November 2023 the Government confirmed an extension of the Retail, Hospitality and Leisure Relief to apply in 2024/2025 providing a 75% rate relief for the period 1<sup>st</sup> April 2024 to 31st March 2025.
- 4.2 For 2024/2025, the Retail, Hospitality and Leisure Relief is applied after mandatory reliefs and other discretionary reliefs funded by grants made under section 31 of the Local Government Act 2003 have been applied. Other locally applied discounts under section 47 of the Local Government Finance Act 1988 must be applied after the Retail, Hospitality and Leisure relief.
- 4.3 Retail, Hospitality and Leisure Relief awards are made under section 47 of the Local Government Finance Act 1988 as amended.
- 4.4 For the 2024/2025 scheme, the Council have identified approximately 200 businesses that are considered to meet the relevant eligibility criteria from 1<sup>st</sup> April 2024 to 31th March 2025 with a total of £1.5M in business rates relief to be awarded. As a pro-active measure, and in line with DLUHC guidance, the Council intend to apply the Retail, Hospitality and Leisure Relief for these businesses automatically as part of the annual billing process for 2024/2025.
- 4.5 For the 2024/2025 scheme, awards of Retail, Hospitality and Leisure Relief are capped at £110,000 per business. In light of this, the Council will request applications to be made for Retail, Hospitality and Leisure Relief from businesses that are part of a national chains, or a subsidiary of another business.

- 4.6 For the 2024/2025 scheme, ratepayers will be given the right to refuse the discount.

## **5. Cash Caps**

- 5.1.1 For the Retail, Hospitality and Leisure Relief 2024/2025, no ratepayer can in any circumstances exceed the £110,000 cash cap across all of their hereditaments in England.
- 5.1.2 Where a ratepayer has a qualifying connection with another ratepayer then those ratepayers should be considered as one ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another:
- a. Where both ratepayers are companies, and
    - i. One is a subsidiary of the other, or
    - ii. Both are subsidiaries of the same company, or
  - b. Where only one ratepayer is a company, the other ratepayer (the “second ratepayer”) has such an interest in that company as would, if the second ratepayer were a company, result in its being the holding company of the other..

## **6. State Aid/Subsidy Control**

- 6.1 Retail, Hospitality and Leisure Relief is likely to amount to subsidy. Any relief provided by local authorities under this scheme will need to comply with the UK’s domestic and international subsidy control obligations.
- 6.2 To the extent that a Local Authority is seeking to provide relief that falls within the Minimal Financial Assistance (MFA) thresholds, the Subsidy Control Act allow an economic factor (eg a holding company and its subsidiaries) to receive up to £315,000 in a three-year period (consisting of the 2024/2025 year and the two previous financial years). MFA subsidies cumulate with each other and with other subsidies that fall within the category of “minimal or SPEI financial assistance”. BEIS COVID-19 business grants and any other subsidies claimed under the Small Amounts of Financial Assistance limit of the Trade and Cooperation Agreement should be counted towards the £315,000 allowance. This means that local authorities may lawfully award relief to all eligible properties up to the caps specified in the guidance.
- 6.3 In those cases where it is clear to the Council that the ratepayer is likely to breach the cash cap or the MFA limit then the Council will automatically withhold the relief. Otherwise, the Council may include the

relief in bills and ask the ratepayers, on a self-assessment basis, to inform the Council if they are in breach of the cash caps or MFA limit.

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

- 7.1 The scheme outlined in this report is provided to local ratepayers at no additional cost to the Council as discounts provided under the schemes are subsidised by Government. Written and published guidance allows for a consistent and fair application of the discount schemes.
- 7.2 The Council may extend the Retail, Hospitality and Leisure Relief Scheme for each applicable time period to include more business types, however any expansion would be at additional cost to the authority and all business types are already covered within the Council's broader discretionary powers via application and consideration on a case by case basis. A further expansion of the scheme is therefore considered not to be required.

## **8. Consultations**

- 8.1 No formal consultation has taken place with the public on this scheme. The scheme is temporary, is of limited scope and is based on Government guidelines.

## **9. Implications**

<p><b>Financial implications (including any future financial commitments for the Council)</b></p>	<p>The collection of local taxes remains a priority for the Council and having relevant and up to date policies provides the necessary framework for officers. While there is no direct financial implication for the Council as a result of these discount schemes, having a published scheme provides guidance and transparency for local ratepayers.</p> <p>The Government will reimburse billing authorities and major precepting authorities for their loss of income under the rates retention scheme as a result of awarding the relief that falls within this policy. Local authorities will be asked to provide an estimate of their likely total costs for providing this relief in their National Non-Domestic Rates Return 1 (NNDR1) for 2024/2025. Central Government will provide payments to authorities to cover the local share. Local</p>
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	<p>Authorities will also be asked to provide outturn data on the actual total cost for providing the relief, via the National Non-Domestic Rates 3 (NNDR 3) forms. Any reconciliations will then be conducted at these points.</p> <p>Each billing and major precepting authority's loss of income from relief will be reconciled against the on-account payments made over the course of the year, and any difference paid or recovered.</p>
<b>Legal and human rights implications</b>	<p>The administration of business rates is done within legislative frameworks and guidance. Any and all legal and human rights implications have been considered and balanced against the rights of the individual and the obligations placed on the authority for the collection and administration of local taxes. The protection of vulnerable groups and individuals has been considered extensively as have the rights of our residents and customers. Legal implications and human rights have been considered at each stage and the policy intentions within this report are considered proportionate and justifiable when balanced against the rights of the individual.</p>
<b>Assessment of risk</b>	<p>Having written guidance reinforces the Council's mandate to administer taxes on behalf of the Council and its preceptors and provides necessary transparency for rate payers – both of which lessens the risk of accusations of maladministration.</p>
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Council must have regard to the need to:</p> <ul style="list-style-type: none"> <li>• eliminate unlawful discrimination, harassment and victimisation; and</li> <li>• advance equality of opportunity</li> </ul>

	<p>between those who share a relevant protected characteristic and those who don't; and</p> <ul style="list-style-type: none"> <li>• foster good relations between those who share a relevant protected characteristic and those who don't.</li> </ul> <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. To assist the Council in this regard a Customer First Analysis has been carried out and is presented with this report at Appendix 2. Council is advised to consider the Customer First Analysis and associated obligations in respect of the public sector equality duty when making a decision in respect of the recommendations contained in this report.</p>
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**10. Local Government (Access to Information) Act 1985:  
List of Background Papers**

[DLUHC Business Rates Relief 2024/2025 Retail, Hospitality and Leisure Scheme](#)

**11. Freedom of Information**

11.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.





**HYNDBURN**  
The place to be  
an excellent council

# Non Domestic Rates Retail, Hospitality and Leisure Relief Scheme 2024/2025

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January 2024

## **1 Introduction**

- 1.1 This guidance is intended to support businesses in their application for and understanding of the Retail, Hospitality and Leisure Relief for 2024/2025.
- 1.2 The Government announced in the Autumn Statement in November 2023 that it will provide a Business Rates relief scheme for eligible, occupied, retail, hospitality and leisure properties in 2024/2025.
- 1.3 This scheme will support the businesses that make our high streets and town centres a success and help them evolve and adapt to changing consumer demands, by providing a 75% rate relief, up to a cash cap limit of £110,000 per business.
- 1.4 For 2024/2025, the Retail, Hospitality and Leisure Relief is applied after mandatory reliefs and other discretionary reliefs funded by grants made under section 31 of the Local Government Act 2003 have been applied. Other locally applied discounts under section 47 of the Local Government Finance Act 1988 must be applied after the Retail, Hospitality and Leisure Relief.
- 1.5 Retail, Hospitality and Leisure Relief awards are made under section 47 of the Local Government Finance Act 1988 as amended.
- 1.6 The scheme end date is 31<sup>st</sup> March 2025.

## **2 Eligibility**

- 2.1 Eligibility criteria for the Retail, Hospitality and Leisure Relief Discount includes occupied hereditaments that are wholly or mainly being used:
  - 2.1.1 for the provision of services to visiting members of the public, shops, restaurants, cafes, drinking establishments, cinemas and live music venues;

- 2.1.2 for assembly and leisure; or
- 2.1.3 as hotels, guest and boarding premises and self-catering accommodation.
- 2.2 We consider hereditaments used for the provision of services to visiting members of the public, shops, restaurants, cafes, drinking establishments, cinemas and live music venues to mean:
  - 2.2.1 Hereditaments that are being used for the sale of goods to visiting members of the public such as:
    - a) Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets etc.);
    - b) Charity shops;
    - c) Opticians;
    - d) Post Offices;
    - e) Furnishing Shops/display rooms (such as carpet shops, double-glazing, garage doors);
    - f) Car/caravan show rooms;
    - g) Second hand car showrooms or lots;
    - h) Markets;
    - i) Petrol stations;
    - j) Garden centres;
    - k) Art Galleries (where art is for sale/hire)
  - 2.2.2 Hereditaments that are being used for the provision of the following services to visiting members of the public:
    - a) Hair and beauty services (such as hairdressers, nail bars, beauty salons, tanning shops etc.);
    - b) Shoe repair/key cutting;
    - c) Travel Agents;
    - d) Ticket offices i.e. for theatres;
    - e) Dry cleaners;
    - f) Launderettes;
    - g) PC/TV/Domestic appliance repair;
    - h) Funeral directors;
    - i) Photo processing;
    - j) Tool hire;
    - k) Car hire;
  - 2.2.3 Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:
    - a) Restaurants;
    - b) Takeaways;
    - c) Sandwich shops;

- d) Coffee shops;
- e) Pubs;
- f) Bars.

2.2.4 Hereditaments which are being used as cinemas;

2.2.5 Hereditaments which are being used as live music venues;

- a) Live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- b) Hereditaments can be a live music venue even if used for other activities, but only if those other activities (i) are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members) or (ii) do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).
- c) There may be circumstances in which it is difficult to tell whether an activity is a performance of live music or, instead, the playing of recorded music. Although we would expect this would be clear in most circumstances, guidance found in Chapter 16 of the statutory guidance issued in April 2018 under section 182 of the Licensing Act 2003 may be used to help make a determination as to the eligibility for this relief.

2.3 We consider assembly and leisure to mean hereditaments that are being used wholly or mainly for the provision of sport, leisure and facilities to visiting members of the public (Including for the viewing of such activities):

- a) Sports grounds and clubs;
- b) Museums and art galleries;
- c) Nightclubs;
- d) Sport and leisure facilities;
- e) Stately homes and historic houses;
- f) Theatres;
- g) Tourist attractions;
- h) Gyms;
- i) Wellness centre, spas, massage parlours;
- j) Casinos, gambling clubs and bingo halls.

2.4.1 Hereditaments that are being used for the assembly of visiting members of the public:

- a) Public halls;
- b) Club houses, clubs and institutions.

2.5 We consider hotels, guest and boarding premises and self-catering accommodation to mean:

- a) Hotels, guest and boarding houses;
- b) Holiday homes;
- c) Caravan parks and sites.

2.6 The above lists are not exhaustive and we will consider representations from individual businesses that believe they have similar characteristics to those listed above but who have not been included to date.

2.7 Eligibility for Retail, Hospitality and Leisure Relief is a test on use rather than occupation. Therefore, hereditaments which are unoccupied or which are occupied but not wholly or mainly used for the qualifying purposes will not qualify for this discount.

2.8 Hereditaments occupied for mixed use will be considered with qualification being determined by the main use of the property.

2.10 Retail, Hospitality and Leisure Relief award will not be available for hereditaments being used for the provision of the following services:

- a) Financial services (e.g. banks, building societies, cash points, bureaux de change, short-term loan providers, betting shops);
- b) Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors);
- c) Professional Services (e.g. solicitors, accountants, insurance agents/financial advisors, employment agencies, estate agents, letting agents);
- d) Post Office sorting offices;

2.11 In addition, the Retail, Hospitality and Leisure Relief Scheme will not be available for premises that are not reasonably accessible to the public.

2.12 The relief will be applied on a daily basis. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, will be considered afresh for relief on that day.

### **3 Amount and Duration of Relief**

3.1 The total amount of government-funded discount available for each hereditament under this scheme is 75% of the bill. This discount is applied after mandatory reliefs and, other discretionary reliefs funded by grants provided under section 31 of the Local Government Act 2003.

3.2 Retail, Hospitality and Leisure Relief will be applied as a reduction to the overall business rates liability for 2024/2025; no cash alternative is available.

3.3 Ratepayers who occupy more than one hereditaments may be entitled to the Retail, Hospitality and Leisure Relief for each of their eligible hereditaments, subject to a maximum cash cap of £110,000 per business.

#### **4. Retail, Hospitality and Leisure Relief Scheme Cash Caps**

4.1 Under the cash cap, no ratepayer can in any circumstances exceed the £110,000 cash cap across all of their hereditaments in England.

4.4 Where a ratepayer has a qualifying connection with another ratepayer then those ratepayers should be considered as one ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another:

- a. where both ratepayers are companies, and
  - i. one is a subsidiary of the other, or
  - ii. both are subsidiaries of the same company; or
- b. where only one ratepayer is a company, the other ratepayer (the “second ratepayer”) has such an interest in that company as would, if the second ratepayer were a company, result in its being the holding company of the other.

4.5 In those cases where it is clear to us that the ratepayer is likely to breach the cash caps then we will automatically withhold the discount. In all cases, we will ask the ratepayers, on a self-assessment basis, to inform us if they are in breach of the cash caps.

4.6 Furthermore, the Retail Hospitality and Leisure Scheme is likely to amount to subsidy. Any relief provided by local authorities under this scheme will need to comply with the UK’s domestic and international subsidy control obligations (See the [BEIS guidance for public authorities](https://www.gov.uk/government/collections/subsidy-control-regime) (<https://www.gov.uk/government/collections/subsidy-control-regime>) which contains guidance and information for the UK subsidy control regime.

#### **5. State Aid/Subsidy Control**

5.1 Retail, Hospitality and Leisure Relief is likely to amount to subsidy. Any relief provided by local authorities under this scheme will need to comply with the UK’s domestic and international subsidy control obligations.

5.2 To the extent that a Local Authority is seeking to provide relief that falls within the Minimal Financial Assistance (MFA) thresholds, the Subsidy Control Act allow an economic factor (eg a holding company and its subsidiaries) to receive

up to £315,000 in a three-year period (consisting of the 2024/2025 year and the two previous financial years). MFA subsidies cumulate with each other and with other subsidies that fall within the category of “minimal or SPEI financial assistance”. BEIS COVID-19 business grants and any other subsidies claimed under the Small Amounts of Financial Assistance limit of the Trade and Cooperation Agreement should be counted to the £315,000 allowance. This means that local authorities may lawfully award relief to all eligible properties up to the caps specified in the guidance.

- 5.3 In those cases where it is clear to the local authority that the ratepayer is likely to breach the cash cap or the MFA limit then the authority should automatically withhold the relief. Otherwise, local authorities may include the relief in bills and ask the ratepayers, on a self-assessment basis, to inform the authority if they are in breach of the cash caps or MFA limit.

## **6. Scheme Review**

- 6.1 The discount scheme will be reviewed in line with any changes made by Government in order to ensure that eligibility remains within Government guidance and relevant legislation.

## **7. Data Protection**

- 7.1 Details of our data privacy policy can be found at [www.hyndburnbc.gov.uk/privacy-notice](http://www.hyndburnbc.gov.uk/privacy-notice)

## **8. Equality and Diversity**

- 8.1 The Council remains committed to its obligations under the Public Sector Equality Duty and a ‘Customer First Analysis’ has been provided with this scheme.

## **9. Appeals and complaints**

- 9.1 As a discretionary power, appeals against decisions made under this Discount Scheme are by way of judicial review and all complaints made directly to the authority will be handled in line with the Council’s complaints policy available at [www.hyndburnbc.gov.uk/complaints](http://www.hyndburnbc.gov.uk/complaints)

# Non Domestic Rates Retail, Hospitality and Leisure Relief Scheme Customer First Analysis

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## 1. Purpose

- What are you trying to achieve with the policy / service / function?

This analysis covers the Retail, Hospitality and Leisure Relief Scheme payable in the financial year 2024/2025. The schemes provide guidance to local businesses which may be eligible to a discount on their business rates. The schemes are delivered locally by billing authorities.

- Who defines and manages it?

The discount schemes are based on eligibility guidance provided by the Department for Levelling Up, Housing and Communities issued December 2023. Hyndburn's schemes are managed by the Benefits, Revenues and Customer Contact department under its remit to administer and collect business rates on behalf of the Council and preceptors.

- Who do you intend to benefit from it and how?

It is intended that eligible local businesses will benefit from the discount schemes and that in turn will generate benefit for the local high street, local residents and visitors to the area.

- What could prevent people from getting the most out of the policy / service / function?

The schemes are clear on eligibility and the Council will be applying the discount proactively in order to prevent any business not applying through lack of awareness.

- How will you get your customers involved in the analysis and how will you tell people about it?

The scheme has followed Government guidelines and as such customer involvement is not considered necessary at this stage. Customers will be informed via normal communication methods and the schemes will be available online as well as in hard copy.

## 2. Evidence

- How will you know if the policy delivers its intended outcome / benefits?]

Eligible businesses will benefit from a lower business rates bill which may support their staff and the viability of their business.

## Appendix 2

- How satisfied are your customers and how do you know?

In relation to this schemes it is not possible to say at this stage, this scheme has to be implemented as quickly as is reasonably possible.

- What existing data do you have on the people that use the service and the wider population?

We hold relevant data on our Business Rates customers which allows us to identify eligible businesses and make awards.

- What other information would it be useful to have? How could you get this?

None at this stage.

- Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?

Not relevant to this scheme.

- Are you using partners, stakeholders, and councillors to get information and feedback?

Not relevant to this scheme.

### 3. Impact

- Are some people benefiting more – or less - than others? If so, why might this be?

T N/A - The scheme follows guidance set out by Government.

### 4. Actions

- If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?

N/A – The scheme follows the guidance set out by Government.

- Is it discriminatory in any way?

No – the only defining criteria is the size of the hereditament and the type of business, none of which are based on any protected characteristics of the businesses or the customers.

- Is there a possible impact in relationships or perceptions between different parts of the community?



## Appendix 2

The discount is available to a broad range of businesses throughout Hyndburn.

- What measures can you put in place to reduce disadvantages?

n/a

- Do you need to consult further?

Not at this stage.

- Have you identified any potential improvements to customer service?

The discounts will be administered proactively with an opt-out declaration for those who may not be eligible or who wish to refuse the discounts. It is intended that this will provide immediate financial support to eligible businesses, eliminate any application delays and provide the discounts to ratepayers who may be ignorant of the schemes and would therefore miss out by not applying.

- Who should you tell about the outcomes of this analysis?

This analysis forms part of the submission of the discount scheme to Council.

- Have you built the actions into your Business Plan with a clear timescale?

n/a

- When will this assessment need to be repeated?

With any major changes to the scheme in the future.

**Name: \_Lee Middlehurst**

**Service Area: \_\_Benefits, Revenues and Customer Contact \_**

**Dated: \_\_January 2024**

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REPORT TO:		Cabinet	
DATE:		13 March 2024	
PORTFOLIO:		Councillor Peter Britcliffe - Deputy Leader of the Council, Resources	
REPORT AUTHOR:		Jane Ellis – Executive Director (Legal & Democratic Services)	
TITLE OF REPORT:		Member Development - Update	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

## 1. Purpose of Report

- 1.1 To update members about the recent work of the Learning & Development Panel and to seek support for a new Member Development Strategy

## 2. Recommendations

- 2.1 That Cabinet approve the draft Member Development Strategy 2024 – 2027 attached as Appendix 1 to this report; and
- 2.2 Agrees to work towards achievement of level 1 of the North West Employers Member Development Charter by 31<sup>st</sup> March 2025; and
- 2.3 Welcomes the proposal to recommence individual member development meetings with each member of the Council and urges all councillors to support the process and make the most of the training opportunities available;
- 2.4 Welcomes the additional £5000 funding for member development in the 2024-25 budget and requests a report from the Learning & Development Panel setting out its proposals for expenditure of the same.
- 2.5 Notes and supports the proposals for the 2025 member induction process as set out in Appendix 3.

## 3. Reasons for Recommendations and Background

- 3.1 Until recently, the Council's Learning & Development Panel had not met for some considerable time. The Council's accreditation against the North West Employers Member Development Charter had also lapsed and member take up of training opportunities was inconsistent, with some training events very poorly attended. In response to member feedback it was decided that the member development process needed to be reinvigorated and the Learning & Development Panel met in October 2023 to agree a way forward. This report reflects the work and proposals of the Panel.
- 3.2 The Panel has developed the attached draft Member Development Strategy, which is presented to Cabinet for approval. In summary, the Strategy proposes that:
- All members will attend "core" training in the basic skills required for the role (e.g. code of conduct, social media awareness, decision-making and data protection, plus training linked to serving on certain statutory committees such as Planning or Audit)
  - A further programme of training will be offered in addition to the compulsory elements;
  - The "Sixty Minute" sessions will be relaunched as short, focussed, interactive sessions, giving members the chance to ask questions about key services and activities;
  - All members will be offered a one-to-one meeting each year to focus on their individual training needs, which will lead to the production of their own personal development plan.
- 3.3 To show the Council's commitment to delivering a diverse training programme for members, an additional £5000 has been set aside for member training in 2024-25, giving a total training pot of £10,000. This will hopefully give us more scope to vary our training provision, which in recent years has been delivered almost exclusively in-house by HBC officers.
- 3.5 The Learning & Development Panel has also recommended that, by 31<sup>st</sup> March 2025, the Council should seek accreditation to level 1 of the North West Employers Development Charter to demonstrate the Council's commitment to improving the training and development opportunities available for members. An explanation of the level 1 requirements and the evidence needed to demonstrate compliance is attached as Appendix 2 to this report. Working towards level 1 accreditation will also provide a useful framework for improving our member development "offer" over the coming year and will guide the work of the Learning & Development Panel.
- 3.6 The Learning & Development Panel was very keen to revamp the member induction process for newly elected councillors which runs as soon as possible after the May elections. All members were consulted about this, but only a very limited response was received. A summary of the responses received and the proposed changes to the induction process are set out in Appendix 3 to this report.

#### **4. Alternative Options considered and Reasons for Rejection**

- 4.1 Cabinet could decide not to approve the strategy and / or the proposal to pursue accreditation. However this is not recommended. The role of councillor has become increasingly complex and demanding in recent years and renewing our efforts to equip

councillors with the skills they need should support the Council's ability to meet its strategic objectives.

## **5. Consultations**

- 5.1 The Learning & Development Panel has been consulted in respect of the recommendations in this report. A copy of the draft strategy has also been circulated to all councillors, with no objections being received

## **6. Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	The training programme will be delivered within the member training budget.
<b>Legal and human rights implications</b>	None identified.
<b>Assessment of risk</b>	No specific risks identified.
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	No specific issues. The draft strategy acknowledges that members should have equal access to training opportunities irrespective of their membership of an equality target group.

## **7. Local Government (Access to Information) Act 1985: List of Background Papers**

- 7.1 *Copies of documents included in this list must be open to inspection and, in the case of reports to Cabinet, must be published on the website.*

***If the report is public, insert the following paragraph. If the report is exempt, contact Member Services for advice.***

## **8. Freedom of Information**

- 8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.



# **HYNDBURN**

## **MEMBER DEVELOPMENT** **STRATEGY** **2024 – 2027**

Developed by the Learning & Development Panel

Approved by Cabinet [            ] 2024

## Foreword

Proposed forward by Chair of L&D Panel:

Our ambition: **Increasing Opportunities, Improving Outcomes.**

Our Members are at the heart of everything the Council does. So at Hyndburn we are committed to providing high quality development opportunities for our Elected Members, with every Member having access to the learning and development they need to effectively fulfil their roles, now and in the future, as the role of Member becomes ever more challenging. We hope this strategy will enable Members to perform their vital role representing residents and supporting their local communities to the best of their abilities.

The Learning & Development Panel (LDP) is proud of its role in producing this Strategy, ensuring that Member development is Member-led, supported and advised by Council Officers.

The LDP will be responsible for the success of this Strategy going forward, ensuring that Members retain ownership of design and delivery of member development – by Members, for Members.



## **Aims**

The aims of this Member Development Strategy are to:

- Ensure that every Member has access to the learning and development they need to perform their role, support their electorate and support delivery of the Council's Corporate Strategy objectives
- Promote the importance of learning and development for Members as key element of a Member-Led authority
- Outline the roles and responsibilities of Members in relation to personal development
- Outline the roles and responsibilities of Officers in the provision of Member Development
- Secure the resources required to deliver the Member Development Strategy

Member development plays a vital part in achieving our shared goals. To achieve our aims, we will adhere to the following principles:

- We will involve Members in the design of their learning and development provision
- We will align the training and development we provide to the Council's values and corporate strategy
- We will focus on the needs of individual Members and build on their existing knowledge and skills
- We will design our learning and development provision to be both effective and efficient (making best use of time and resources, using a range of providers and drawing upon best practice, both locally and nationally)

## **Equality of Opportunity**

We are committed to providing equal opportunities and promoting diversity in everything we do. We will therefore ensure that all Members have access to learning and development opportunities irrespective of:

- Political affiliation
- Number of years service as a Member
- Seniority

- Age
- Disability
- Gender or gender reassignment
- Marriage or partnership status
- Pregnancy or maternity
- Race, nationality, ethnicity or national origin
- Religion or belief
- Sex or sexual orientation.

## **Roles and Responsibilities**

### **Learning and Development Panel (LDP)**

The LDP ensures that development is member led and is accountable to the Council.

The LDP's terms of reference can be found in Appendix 1. The LDP is comprised of Members who work closely with officers to identify learning needs, encourage the take up of learning and development opportunities and evaluate the effectiveness of the Member Development Strategy.

The LDP will:

- Ensure that all Members receive an adequate induction
- Engage with Members individually and collectively to identify their learning needs and priorities
- Work in partnership with officers to identify Member learning needs at an organisational level
- Promote the availability of learning and development opportunities
- Encourage member participation and take up of learning and development opportunities
- Promote knowledge sharing amongst Members
- Keep this Strategy under review and assess its effectiveness
- Support the Council's ambition to regain Member Development Charter accreditation

### **Officer support**

Officers will:

- Advise and support the LDP generally
- Support the LDP to review the Member Development Strategy on an annual basis
- Devise and deliver a comprehensive induction for all Members
- Work in partnership with Members to identify individual learning and development needs
- Research and share insight on development opportunities and best practice
- Design and deliver an annual training and development plan for Members that meets the needs of individuals as well as the Council as a whole
- Support the promotion of available development opportunities
- Assist the LDP to evaluate the effectiveness of the Member Development Strategy
- Lead and support the work necessary to acquire external accreditation.

## **Members**

All Members have a personal responsibility to develop and maintain the knowledge and skills that are necessary for them to perform their role effectively.

All Elected Members have a responsibility to:

- Develop and maintain their knowledge of the Council's governance, constitution, structure, services, functions and statutory responsibilities
- Develop good working relationships with Council officers
- Develop and maintain an understanding of Member's responsibilities when taking decisions on behalf of the Council
- Act appropriately and in accordance with the Member Code of Conduct
- Take accountability for their personal development needs and actively engage with and participate in learning and development opportunities

## **Our Member Development “Offer”**

### **Our approach**

Member training will be organised into:

Core content – this will be compulsory for all Members and comprises the basis knowledge Members need to enable them to perform their role effectively; and

Elective content - we will offer a range of additional development opportunities designed to support Members, meeting their individual knowledge and skills requirements.

### **Core Content**

- Induction programme
- Code of conduct
- Data Protection and IT skills
- Decision making (constitutional requirements and Member's role)
- Social Media awareness
- Statutory committee training – planning, licensing , audit, standards, overview & scrutiny

### **Elective**

Local government is an ever changing environment and we will arrange further training and development opportunities to meet changing demands. Examples and ideas of possible areas for provision can be found in Appendix 2. Training requirements will be regularly reviewed based on individual and organisational need.

### **Member Induction**

The induction programme is essential for all new Members of the Council. The overall aim is welcome Members and provide them with the skills and knowledge they need to be able to quickly make an impact, support their communities and undertake their roles and responsibilities at an organisational level.

### **“Sixty Minute” Sessions**

We will restart our Sixty Minute Sessions. We recognise that Members are busy people and these short, focussed sessions will enable Members to learn more about key services, policies, activities and outcomes whilst optimising Member's time. These Sessions will be interactive, enabling Members to ask questions and develop relationships across the Council, facilitating future Member/Officer collaboration.

## **Training delivery**

Training will be delivered through a variety of media:

- Face-to-face workshops and seminars delivered by internal and external experts
- E learning programmes
- Attendance on External conferences and seminars as identified by members
- Training in collaboration with other council's and partner organisations
- Personal development planning discussions

Training delivery will also focus on making best use of Members' limited time and promoting equality of access. We will:

- Ask Members for their input into development scheduling
- Scheduling face-to-face development sessions to align with dates that Members will be coming into the Council for Cabinet, Committee and other formal meetings to make attendance easier
- Repeat key sessions via recorded webinar as appropriate
- Offer face-to-face sessions on different days and times of the week to give Members as many opportunities as possible to attend training whilst meeting their other commitments
- Provide copies of materials, notes and presentations
- Make more use of e-Learning to deliver knowledge that does not require discussion or skills development and can be completed at a time that is convenient to individual Members
- Explore why there hasn't been more take-up of e-Learning by Members and address this if possible

## **Personal development plans**

Members will be encouraged to complete an individual personal development plan every year, as soon as practically possible after the start of each municipal year and all Members will be offered a confidential, individual meeting to formulate their plan – see Appendix 3 for the template personal development plan.

Personal development planning is designed to help Members develop the knowledge and skills they require for their current role, as well as supporting

their future aspirations. The personal development plan encourages individual reflection and prioritises learning needs.

Individual development needs will be anonymised, collated and shared with the LDP.

## Evaluation

It is important that we measure the effectiveness of Member development to ensure that it is fit for purpose and meets Members' needs.

Measurement methods will include:

- **Participation levels** – Are Members attending events and making use of learning content?
- **Member feedback** – Are learning and development interventions effective in meeting the stated learning outcomes? Are Members confident that they can put the knowledge and skills they have developed into practice?
- **Observation** – Are Members demonstrating the knowledge and skills identified in the agreed learning outcomes?

The LDP will review evaluation data on a regular basis and take action as required. Evaluation data will also be used to inform annual reviews and updates of this Member Development Strategy.

## Budget

The Council has provided a budget specifically to support member development. The LDP will keep the expenditure and adequacy of this budget under review and will report to Cabinet when it considers necessary in respect of the same.

## **Appendix 1 - LDP Terms of Reference**

### **LEARNING & DEVELOPMENT PANEL**

**REPORTS TO:**            Leader and Cabinet

**MEMBERSHIP:**        5 Councillors

### **TERMS OF REFERENCE**

- To support the review and development of organisational learning and development strategies for elected members
- To enable councillors and officers to discuss and promote issues relating to the planning, delivery and evaluation of member development activities
- To assist in identifying elected member training needs and providing information on resources
- To monitor and evaluate performance regarding elected member development to ensure that all activities are planned and implemented within agreed budgets
- To benchmark and improve activities against quality standards such as the North West Charter on Elected Member Development

## Appendix 2 – Ideas For Future Learning And Development

Role of the council	Information security, governance and GDPR
Overview of key services	Health, Safety and Wellbeing - Available on Hyve
Role of an elected member	Personal effectiveness and time management - Available on Hyve
Member expenses and allowances	Equalities Available on Hyve
Financial policy, budget and treasury management	Antifraud and corruption
Procedural rules – debate, motions, tabling questions and decision making	Lone working
Media/social media policy	Recruitment and Selection
Critical thinking and analysis	Planning
Economic development & renewal	Partnership working
Procurement & contract management	Public speaking
Safeguarding - Available on Hyve	Effective writing - Available on Hyve
Community engagement and leadership	Interpreting reports
Spotlight on Directorates	Digital awareness
Chairing skills	Political awareness
Personal presence and impact	Scrutiny and challenge
Influencing skills	Leadership skills
Personal resilience and stress management - Available on Hyve	Media training



## Appendix 3 – Personal Development Plan

## Appendix 1

### Member Personal Development Review



Name:

Date:

Positions held:

Newly Elected Councillors Only	
Difficulties encountered	Help required

REVIEW OF ACTIVITY	REFLECTION
<b>Achievements over the last 12 months</b> <i>(Including personal, political &amp; community success)</i>	<b>Development activities that helped to achieve those objectives</b>
<b>Training Activities Undertaken</b> <i>(Indicate 'M' for mandatory &amp; 'E' for elective training)</i>	<b>Outcomes</b> <i>(What did you learn? – What was the benefit?)</i>
<b>General Comments</b>	

FORWARD VIEW	SUPPORT REQUIREMENTS
<b>Priorities for coming year</b> <i>(Individual/Group/Corporate)</i>	<b>Knowledge and skills needed</b>
<b>Central Government Initiatives</b>	<b>Learning/development needs</b>
<b>Current role(s)</b>	<b>Learning and development Needs</b>
<b>Future interests and plans</b> <i>(Where you want to be?)</i>	<b>Learning and Development Needs</b>
<b>Other development topics of interest</b>	<b>IT Skills needed or desirable</b>

Signed .....(Councillor)

Signed .....(Officer)

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# North West Charter for Elected Member Development

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## Self-Assessment Tool

To help bring the charter principles to life, we've set out the assessment framework here along with more information on what level of evidence is needed to meet the assessment criteria. You can use this at any time as a mini self-assessment to gauge where your council is now in relation to councillor development and identify any particular areas you might like to concentrate on over the coming months.

You could share this with your Member Development Steering Group and invite members to do a review using the framework.

This can be really helpful in providing some focus and developing a forward plan for your councillor development strategy.

If the self-assessment puts you in a strong position, it might be worth considering going for the charter award. If so, let us know and we'll be delighted to support you!



You can contact us [here](#) if you would like to have a further conversation about this.



Sub-Criteria	Level 1 Review (Standard Met)	Level 1 (Standard Met)	Standard Not Met
<b>1. Clear commitment to councillor development</b>			
<b>1.1</b> Does the council have a signed Declaration of Commitment to the principles of the North West Charter that has been shared with all councillors?	The council has reviewed and re-stated their commitment to the North West Charter within the last three years and councillors have been updated on this continued commitment to developing its councillors. The request for review is supported by a statement from the development group that sets out progress made since the last assessment and why they are now ready for re-assessment.	The council has a Declaration of Commitment to developing its councillors which reflects the political make-up of the organisation and reflects strategic 'buy-in' from the top (i.e. signed by the current Chief Executive, Leader and political group leaders) and has been communicated to all councillors through a variety of methods.	The council is aware of the North West Charter principles, but commitment has not been demonstrated and there is little evidence of communication to councillors regarding the council's statement of its commitment to developing its councillors.
<b>1.2</b> Is there a cross party designated group of councillors that is focused on supporting councillor development, that takes into account the changing role of the councillor and shares development opportunities outside of the group?	The designated cross-party group meets regularly and continues to lead and inform on councillors' learning and development. The group is actively engaged in the decisions that take into account the changing role of the councillor and ensure development opportunities are shared outside of the group. (A member of the NWE assessment team to attend a group meeting).	The designated cross-party group meets regularly and is involved in supporting and shaping councillor development that takes into account the changing role of the councillor.	There is no cross-party designated group of councillors within the council that supports councillor learning and development activity.
<b>1.3</b> Are there financial resources available for councillor learning and development and are these used in a cost-effective way?	Resources are used in a creative and cost-effective way to ensure that they are utilised to full effect i.e. financial, in-house expertise and partnership arrangements.	There is designated financial resources available to support councillor learning and development that are used in a cost-effective way.	There is little evidence to suggest financial resources are available to support councillor learning and development.

Sub-Criteria	Level 1 Review (Standard Met)	Level 1 (Standard Met)	Standard Not Met
<b>2. Promoting learning and development opportunities</b>			
<b>2.1</b> Is there clear reference to learning and development opportunities during the induction process for new councillors?	The induction for new councillors makes reference to learning and development opportunities, is accessible to all new councillors and is annually refreshed to reflect the current climate. e.g. 21st Century Councillor	Reference is made to learning and development opportunities during the new councillor induction process and is accessible to all new councillors.	There is little evidence that there is an induction process for new councillors that gives reference to learning and development opportunities.
<b>2.2</b> Is there an appropriate communication process in place to publicise and promote the development opportunities that are available to councillors? Does it actively encourage take up and engagement? Are councillors informed of who to contact for information on development opportunities?	Development opportunities are communicated to councillors using effective methods to encourage engagement and take-up that is tailored to councillors' preferences. Councillors know who to contact for information on development opportunities.	There is an appropriate communication process in place to engage councillors that publicises and promotes the development opportunities that are available to councillors. Councillors know who to contact for information on development opportunities.	Appropriate methods of communication to promote development opportunities for councillors have not been developed, with little evidence to suggest that councillors are informed of who to contact regarding information on development opportunities.
<b>2.3</b> Is there take up of learning and development opportunities by councillors with evidence to show how councillors are actively engaged and is this shared across all political parties? How is non-engagement by councillors in respect of development opportunities actively dealt with?	At least three quarters of councillors have taken up learning and development opportunities over the last twelve months, with a plan in place to actively engage all councillors across all parties on a continued basis. There is evidence in place to show how councillors are actively engaged to take up development opportunities.	At least half of all councillors have taken up learning and development opportunities over the last twelve months. There is evidence in place to show how councillors are actively engaged to take up development opportunities.	There is limited evidence to show the take up of learning and development opportunities by councillors with little attempt to encourage engagement.

Sub-Criteria	Level 1 Review (Standard Met)	Level 1 (Standard Met)	Standard Not Met
<b>3. Having a councillor led approach to developing learning and development</b>			
<b>3.1</b> Are councillors actively involved with officers in identifying their development needs and how these might be met to ensure they suit their preferred ways of learning and take into account their changing role? There is a continued drive to increase the quality of development planning.	There is a process in place that looks to engage all councillors in a development conversation at least once a year i.e. through PDP'S. This supports councillors in identifying development activities that suit their preferred way of learning and takes into account their changing role. At least three quarters of all councillors are engaged in this process. Evidence includes testimonials from councillors on how they are involved in identifying their own development requirements.	Officers are able to support councillors in identifying development activities that suit their preferred way of learning and take into account their changing role. At least half of all councillors are engaged in this process.	There is no support system in place to identify how councillors prefer to learn with little evidence to show that they are involved in identifying their development needs.
<b>3.2</b> Is there a mechanism in place which involves councillors analysing the information gathered from a training needs analysis or personal development plan?	The designated group, referenced in criteria 1.2, reviews training needs on an annual basis and uses this to inform a forward plan of development.  (Evidence to include a questionnaire from the NWE assessment team to a sample group of councillors, to gain feedback on their development experience).	There is a process in place that involves the designated group, referenced in criteria 1.2, analysing information gathered from a training needs analysis.	There is little evidence to show that a process is in place that involves councillors analysing the information gathered from a training needs analysis.
<b>3.3</b> Is there a clear link between councillors' personal development plans and their learning needs, and the development opportunities offered to councillors?	The learning and development opportunities on offer support personal development plans and adapt and evolve in response to external, national and local drivers.	There is evidence to show that learning and development opportunities on offer are based on councillors' personal development plans and learning needs.	There is no evidence to show how the development opportunities available are connected to the personal development plans.



<b>3.4</b> In what way are councillors supported in their role as leaders of their local community? Does the support take into account citizens' expectations and the current climate, e.g. technology, links to digital champions and the 21st century councillor?	Councillors are developed to maximise their changing role within their community. Development opportunities are in place to equip them with the foundational and relational skills and behaviours required. Learning is promoted through knowledge sharing and case studies. Digital champions are in place and receive development to support them in their role	Councillors are able to demonstrate an understanding of their changing role; the practical and relational skills required when working with citizens in their community together with their council wide role and are able to access the relevant learning.	There is little evidence of development activities reflecting the changing role of the councillor.
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Sub-Criteria	Level 1 Review (Standard Met)	Level 1 (Standard Met)	Standard Not Met
<b>4. Have a strategy that includes impact measures within a continuous improvement framework</b>			
<b>4.1</b> Is there a strategy which sets a clear direction for councillor development? The strategy takes into account the impact of councillor development and is reviewed regularly to ensure there is a focus on continuous improvement.	To ensure a focus on continuous improvement, the strategy and impact measures in respect of councillor development have been reviewed by a designated group at least twice in the last three years and communicated to all councillors. There is an action plan in place to drive forward continuous improvements.	The council has a councillor development strategy in place which has been formally approved and reviewed by the designated group.	There is no evidence to show the councillor development strategy has been reviewed by the designated group.



<p><b>4.2</b> Is there a clear link between the councillor development strategy and the corporate aims and objectives of the council, including integrated services and combined authorities?</p> <p>(Where applicable).</p>	<p>The councillor development strategy is updated regularly, in line with changes to the council's corporate aims and objectives and includes integrated services and combined authorities (where applicable) and specifies how councillor development contributes to achieving these outcomes.</p>	<p>There are links to the council's aims and objectives, including integrated services and combined authorities (where applicable) in the councillor development strategy.</p>	<p>There is little evidence to show a link between councillor development and the corporate aims and objectives of the council.</p>
<p><b>4.3</b> Is there evidence of an evaluation process to assess the impact and effectiveness that councillor development has on their learning at a number of levels and does this evaluation include practical and knowledge-based skills development?</p>	<p>There is a robust approach to measuring the impact of learning at a number of levels; individual, decision-making and community, and this includes an evaluation of practical and knowledge-based skills development. Evidence to include testimonies from councillors.</p>	<p>Councillors are able to describe why they did certain activities, what they learnt and what they have done differently in their role as a result, and this is used to inform future activities. Evidence to include testimonies from councillors.</p>	<p>There is little evidence to show councillor development is evaluated and reviewed to assess the impact councillor development has on their learning, skills and knowledge.</p>
<p><b>4.4</b> Show how councillor development is scrutinised.</p>	<p>Councillor development is scrutinised by a designated group at least once a year, with a process that enables feedback to the development group.</p>	<p>There is a process to show that councillor development is scrutinised once a year.</p>	<p>There is little or no evidence to show that councillor development is scrutinised.</p>

If you would like further information around our formal assessment and receiving the award, you can contact us [here](#).

Alternatively, you can take a look at what is involved in the process [here](#).



**North West Employers**

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Salford  
M5 3ED

[www.nwemployers.org.uk](http://www.nwemployers.org.uk)

**Page 106**  
0161 834 9362

### **Member Induction Questionnaire**

A questionnaire on Member Induction was circulated by e-mail to all councillors on 30<sup>th</sup> January 2024 and the deadline for completion was 16<sup>th</sup> February (extended to 23<sup>rd</sup> February 2024). A copy of the questionnaire is attached at **Annex A**. The preamble explained that the Council's Learning and Development Panel had recently met to discuss a refresh of Hyndburn's approach to member development for 2024/25 and were carrying out a survey to help shape the future Induction Programme for newly elected councillors.

A description was provided on the form of the format for the Induction Programme provided in recent years. Generally, this comprised a two-day or, latterly, a single day face to face session, with presentations from members of the Senior Management Team and several Heads of Service, mainly those who provided services directly to Elected Members, such as IT, standards, committee support and training and development. In addition, the programme has regularly included sessions on wider Council services including regeneration and housing, environmental services, planning and transportation services and financial services/Budget. The programme is usually delivered before the date of the Annual Council meeting in May.

Members were asked to answer a series of questions, based on their own experience of the induction process.

A disappointing response rate was achieved with only two questionnaires being returned. A summary of the questions and the responses is as follows:

<b>Question</b>	<b>Responses</b>
Date last elected?	The 2 respondents were elected in 2021 and 2022 respectively
Preferred format of live induction session? ½ day / Full-day / 2 x 3 hours over 2 days	Both preferred single full-day session
Am / pm / evening timeslot (if ½ day)?	Not applicable – full-day session preferred
Face to face or virtual session?	Both preferred face to face
Usefulness of current 'getting started/governance' presentation slots	Both ticked <u>all</u> sessions shown with an exception in that 1 cllr did not tick Contact Centre tour
Usefulness of current service-based presentation slots	Both ticked all sessions identified. 1 respondent expressed a view that these would be more suitable for 60 Minutes sessions. The other expressed no preference.
Content of follow up Information Pack <ul style="list-style-type: none"> <li>• Essential information</li> <li>• Getting organised</li> <li>• Your wider role</li> <li>• Useful policies</li> </ul>	Both ticked <u>all</u> of the documents currently included in the pack. 1 expressed the view that a number of the documents could be issued after a few months, rather than immediately. 1 respondent asked for a list of day to

	day contacts. Signposting to the up-to-date timetable of meetings, was suggested, rather than a copy providing a snapshot in time
Are in depth sessions on any of the 'useful policies' above required?	1 suggested planning, licensing equalities be provided at a later date or as part of a specific role/ appointment. The other respondent expressed no view
Anything missing from Induction Pack	1 respondent suggested: <ul style="list-style-type: none"> <li>• More about the Council – how to ask a question and who to consult;</li> <li>• Assurance about help with IT issues;</li> <li>• A named person to support new councillors</li> </ul>
Format for Induction Pack? Paper / USB stick / As requested	1 respondent would prefer a USB, the other wanted a printed document pack (due to a matter of preference rather than IT issues).
Take up of 'Life as a Councillor' induction by NW Employers and evaluation?	Both respondents had attended the NWE programme. 1 found the sessions 'somewhat useful', the other found it 'very useful'.
Other proposed offers? <ul style="list-style-type: none"> <li>• Buddying</li> <li>• Mock Council/committee meetings</li> <li>• Personal safety training</li> <li>• Tour of the Borough</li> </ul>	1 respondent favoured buddying. The other respondent favoured personal safety training and a tour of the Borough. Both respondents favoured mock meetings.
Any other suggestions?	Nil
Disability Support?	Nil

Officers have noted that when the induction programme is spread over more than one day this can be a significant time commitment for Members, particularly if they are in full-time employment. Conversely, a single day session tends to be very intensive with the risk of 'information overload' diluting key messages and the overall effectiveness of the session. To a large extent the service specific sessions are lengthy and have a tendency to overrun, placing pressure on the providers of other sessions to edit their information to fit the remaining time available on the day.

It is, therefore, proposed to limit the main induction programme to information on getting started and governance issues and to provide the service specific information at 60 Minutes sessions to be delivered in June. From the limited feedback obtained from the survey, a full day, face to face session is preferred for the main Induction Programme. The Contact Centre tour may be of limited appeal, but could feature as a separate stand-alone session. Mock Council/committee meetings could also be delivered at a bespoke training event.

The core content of the induction pack seems to be valued and Members may wish to continue to support its provision. A list of day to day contacts (not currently provided) would be useful, and if available could also support existing councillors. One issue might be how to ensure that the contact information is regularly updated and accessible in real-time. The various policy documents included in the pack (eg. Planning Code of Good Practice) may be better to be shared at a later date as part of role specific training.

It is proposed that officers review the detailed content of the documents included in the pack, as some of these may now require updating.

The provision of the document pack via USB stick represents an effective means of distributing a large number of documents without printing and postage costs. The cost of purchasing the USB devices can be contained within the overall budget. If individual members require a printed pack, this can be accommodated according to demand.

It is proposed to continue to promote attendance at the NW Employers virtual induction programme, which usually takes place in June. This provides information on some of the broader skills required by Members and the local government environment generally. The programme is delivered over three modules, with some options for dates for each module, and covers the following content:

- You've Been Elected, Now What?
- Motions & Emotions
- Developing as a Community Leader

In summary, only minor changes are recommended by officers to the Induction Programme comprising:

- (1) A refocused single day, face to face, event in May comprising welcome and essential getting started and governance information only;
- (2) Service specific information to be delivered in separate 60 Minutes events;
- (3) Induction pack to be slimmed down, with policies covered by other training modules, eg. quasi-judicial training, to be provided separately;
- (4) Inclusion of officer contact details and who does what in the induction pack; and
- (5) Detailed review and updating of induction pack documents.

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## MEMBER INDUCTION - CONSULTATION QUESTIONNAIRE

The Council's Learning and Development Panel met on 17 October 2023 to discuss a refresh of Hyndburn's approach to member development for 2024/25. The Panel also considered the Induction Programme for newly elected councillors.

In recent years the Induction Programme has comprised a two-day or (latterly) a single day face to face session, with presentations from members of the Senior Management Team and certain Heads of Service, mainly those who provide services directly to elected Members, such as IT, committee support and training and development. However, some sessions have included wider service-based information.

Please answer the following survey questions, based on your experience of the induction process. Your answers will help us to improve the induction process for new councillors.

The survey is designed to be completed anonymously. However, it would be useful to know the year of your election to the Council, so that we can correlate your response with the specific programme offered in that year.

1. In what year were you most recently elected to the Council?	<u>20YY</u>
2. If you were starting afresh as a newly elected councillor, what format for the induction session would you prefer?	
(a) Short (half-day) welcome session, with several follow up '60 minute' sessions	<input type="checkbox"/>
(b) Two-3 hour induction sessions in one week	<input type="checkbox"/>
(c) Two 3 hour induction sessions over a two week period	<input type="checkbox"/>
(d) A single full-day induction session	<input type="checkbox"/>
3. If you chose 'short' or '3 hour sessions' above (options (a) to (c)), what time of day would you prefer	
• Morning	<input type="checkbox"/>
• Afternoon	<input type="checkbox"/>
• Evening	<input type="checkbox"/>
4. Would you prefer a face to face induction sessions, or virtual sessions on MS Teams?	
(a) Face to face	<input type="checkbox"/>
(b) Virtual	<input type="checkbox"/>
If you answered (b) above, thinking about your own circumstances, would you have had access to suitable IT when first elected to enable you to join a virtual meeting	YES/NO

5. If the following were covered in your own induction session, which did you find useful (*tick all that were useful. Strike out those that you do not recall*):

- Overview – achievements and challenges for HBC ☐
- ICT Support ☐
- Standards and Ethics ☐
- Member Training and Development ☐
- Safeguarding ☐
- Contact Centre Tour ☐
- Council and Committee Meetings ☐
  
- *Regeneration & Housing Services* ☐
- *Environmental Services* ☐
- *Planning and Transportation Services* ☐
- *Financial Services and Budget* ☐

Previously, the induction programme has included presentations from Strategic Directors/Heads of Service about specific service areas (denoted by italics above). Experience has shown that these tend to be lengthy sessions with detailed content.

Do you think that it would be better to deliver these separately at bespoke '60 minutes' sessions?

YES/NO

5. In some years, the information listed below has been circulated following the 'live' induction sessions, as a formal induction pack.

Do you agree that all of these documents should be provided within a formal induction pack? (*tick all that apply*)

Essential Information

- Corporate Strategy ☐
- Contact details for Directors and Heads of Service ☐
- Councillors' Contact Details ☐
- Lancashire County Councillors' Contact Details (serving Hyndburn) ☐
- Guidance for New Councillors (LGA) ☐

Getting Organised

- Timetable of Meetings ☐
- Policy on Councillors' Use of ICT Services and Equipment ☐

Your Wider Role



<ul style="list-style-type: none"> <li>• Constitution - Summary Guide and Explanation <input type="checkbox"/></li> <li>• Protocol on Member Officer Relations <input type="checkbox"/></li> <li>• Guidance for Councillor Representatives on Outside Bodies <input type="checkbox"/></li> <li>• Protocol for Members' Training <input type="checkbox"/></li> <li>• Members Allowances Scheme <input type="checkbox"/></li> <li>• Personal Safety Advice for Councillors <input type="checkbox"/></li> <li>• Member Services Risk Assessment <input type="checkbox"/></li> <li>• Public Use of Mobile Phones, Social Media, Filming and Recording at Meetings <input type="checkbox"/></li> <li>• Advice for Elected and Prospective Councillors on Data Protection (ICO) <input type="checkbox"/></li> <li>• Guidance for Members on the General Data Protection Regulation (LGA) <input type="checkbox"/></li> </ul>
<p><u>Other Useful Policies</u></p> <ul style="list-style-type: none"> <li>• Planning Code of Good Practice <input type="checkbox"/></li> <li>• Licensing Code of Good Practice <input type="checkbox"/></li> <li>• Health and Safety Policy Statement <input type="checkbox"/></li> <li>• Equality Scheme <input type="checkbox"/></li> <li>• Safeguarding Policy <input type="checkbox"/></li> <li>• Complaints, Comments and Compliments Policy <input type="checkbox"/></li> </ul>
<p>6. Do you think that bespoke training sessions should be provided on any of the topics listed in the 'Other Useful Policies' section above? YES/NO</p> <p>If 'YES', which ones? <i>(enter details in box below)</i></p>
<p>7. Is there any other information that you would like to see included in the induction pack not listed above? <i>(Please describe this in the box below)</i></p>

<p>8. How should the induction pack information be circulated?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%;"> <p>(a) Printed document pack</p> <p>(b) USB memory stick</p> <p>(c) Either, as per demand</p> </div> <div style="width: 35%;"> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> </div> </div> <p style="margin-top: 20px;">If you answered (a) above, is this a matter of preference, or because you do not (or did not at the time) have a device with a standard USB port</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%;"> <ul style="list-style-type: none"> <li>• I prefer a hard copy</li> <li>• I DO/DID NOT have a suitable device</li> </ul> </div> <div style="width: 35%;"> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> </div> </div>
<p>9. Did you attend the 'Life as a Councillor' regional induction programme (delivered by North West Employers) in the year that you were elected? <span style="float: right;">YES/NO</span></p> <p style="margin-top: 10px;">If YES, how useful did you find this programme? <i>(tick the box that best fits your experience)</i></p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%;"> <ul style="list-style-type: none"> <li>• Very useful</li> <li>• Somewhat useful</li> <li>• Neither useful, nor poor</li> <li>• Poor</li> <li>• Very disappointing</li> </ul> </div> <div style="width: 35%;"> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> </div> </div>
<p>10. Would you have found any of the following useful? <i>(tick all items that apply)</i></p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%;"> <ul style="list-style-type: none"> <li>• Buddying with, or mentoring by an experienced councillor</li> <li>• Participation in practice or mock Council/committee meetings</li> <li>• Personal safety awareness training and LGA 'Debate, not hate' information</li> <li>• A tour of the Borough (Our People, Our Place)</li> </ul> </div> <div style="width: 35%;"> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> </div> </div>
<p>11. Are there any other comments or suggestions you wish to make to help us to improve the induction programme? <i>(Please enter these in the box below)</i></p> <div style="height: 40px; border: 1px solid black; margin-top: 10px;"></div>

12. If you consider that you have a disability, is there anything that would have helped you to better access or engage with the induction programme? <i>(Please describe the support desired in the box below)</i>

**When completed please return this form to:**

**Julian Joinson  
Member Services Manager  
Hyndburn Borough Council  
Scaitcliffe House  
Ormerod Street  
Accrington  
BB5 0PF**

**or e-mail the form to: [Julian.Joinson@hyndburnbc.gov.uk](mailto:Julian.Joinson@hyndburnbc.gov.uk)**

If you require a hard copy of this form posting to you please let me know

**TO BE RETURNED BY NO LATER THAN FRIDAY 16<sup>TH</sup> FEBRUARY 2024**

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