

Agenda



HYNDBURN

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an excellent council

Cabinet

Tuesday, 11 June 2024 at 5.00 pm,
QER, Scaitcliffe House, Ormerod Street, Accrington

Membership

Chair: Councillor Munsif Dad BEM JP (in the Chair)

Councillors Vanessa Alexander, Noordad Aziz, Scott Brerton, Stewart Eaves, Melissa Fisher, Kate Walsh and Kimberley Whitehead

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 - 24*)
To approve the Minutes of the last meeting of Cabinet held on 13th March 2024.
4. **Portfolio Responsibilities 2024/25** (*Pages 25 - 26*)
Cabinet Portfolios for 2024/25 attached, for noting.



PART B: PORTFOLIO ITEMS

5. Reports of Cabinet Members

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

Leader of the Council (Councillor Munsif Dad BEM JP)

6. Appointment of Cabinet Committees and Cabinet Groups 2024/25 *(Pages 27 - 34)*

Report attached.

PART C: EXEMPT ITEMS

NIL

CABINET

Wednesday, 13th March, 2024

Present: Councillor Marlene Haworth (Leader of the Council), Councillors Peter Britcliffe, Loraine Cox, Sajid Mahmood, Kath Pratt, Steven Smithson and Mohammed Younis

Apologies: Councillor Zak Khan

347 Apologies for Absence

An apology for absence was submitted on behalf of Councillor Zak Khan, Cabinet Portfolio Holder for Economic Development & Sustainability, and on behalf of Councillor Munsif Dad BEM JP who is a standing invitee as Leader of the Labour Group.

348 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations declared at the meeting.

349 Minutes of Cabinet

The minutes of the last meeting of Cabinet held on 13th February 2024 were submitted for approval as a correct record.

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

350 Minutes of Boards, Panels and Working Groups

To receive the minutes of the meeting of the Learning and Development Panel held on 17th October 2023 for noting.

Resolved - That the Minutes of the meeting of the Learning and Development Panel held on 17th October 2023 be noted.

351 Reports of Cabinet Members

Councillor Peter Britcliffe, Acting Leader of the Council

Report on HMOs and Care Homes

The Acting Leader of the Council, Councillor Britcliffe reported that at Full Council on 27th February 2024, he had announced that a report would be brought before Cabinet in respect of an increase in the number of planning applications for Houses in Multiple Occupation (HMO's) and for Children's Care Homes. The increase in the number of applications had given rise to objections from neighbouring residents and concerns about their impact on an area. Due to the Council not having a policy in place for this, he had requested that a policy framework for managing these planning applications was produced with the procurement of Consultants to undertake this work. However, he reported that this report had been withdrawn in order to confirm funding arrangements. He explained that due to no further

meetings of the Cabinet being held until after the elections, a decision on the item was likely to be taken using emergency powers and that Members would be informed of this in the usual way.

Return of the Leader of the Council, Councillor Marlene Haworth

Councillor Britcliffe welcomed back the Leader of the Council, Councillor Marlene Haworth, and informed the meeting that she would be resuming an active role as Leader of the Council, after today. He referred to a busy period for all concerned and thanked all involved for their hard work during this time. He also mentioned the success of the Member of Parliament for Hyndburn, Sara Britcliffe, in achieving significant funding for the borough.

Councillor Loraine Cox thanks Acting Leader of the Council, Councillor Britcliffe for his leadership during the absence of Councillor Marlene Haworth.

Councillor Marlene Haworth thanked all Cabinet Members, Members of the Opposition and Officers of the Council for their support during her absence.

Verbal reports were received from the following Portfolio Holders:

Councillor Steven Smithson, Cabinet Portfolio Holder for Environmental Services

Councillor Smithson updated Cabinet on the refurbishment of two play areas:

Masefield Close Play Area, Great Harwood – he informed the meeting that tenders were currently being sought and funding had been confirmed. The contract would be awarded April 2024 with works completed by August 2024.

Mercer Park Play Area – he informed Cabinet that refurbishment of the play area should be completed by June 2024.

Recruitment of a Dog Warden – He informed Cabinet that the process of recruiting a new Dog Warden for the borough was currently being undertaken.

Councillor Fisher referred to enquiries from members of the public who had been concerned by how works scheduled for Mercer Park would impact them. They had requested more detail on if works would be completed in phases or if areas would be closed off. Councillor Smithson indicated that he would seek a more detailed response and report back to her.

Councillor Mohammed Younis, Cabinet Portfolio Holder for Levelling Up

Market Hall Redevelopment – Councillor Younis advised Cabinet that the decanting of traders had been completed and the outside pavilions demolished. He informed the meeting that canopies had been started and progress had been made with leases and freeholders.

He referred to successful meetings with Morgan Sindall and other business partners with regards to Burtons Chambers and the Market Hall. He pointed out that there had been a lot of interest in the work taking place in the town centre and that an official opening of the Market Square would take place on Saturday, 16th March 2024. He encouraged Councillors and members of the public to attend.

The Leader of the Council, Councillor Marlene Haworth, congratulated Councillor Younis on the success of the work in the town centre and thanked him for all of his hard work.

352 Draft People Strategy

Members considered a report of Councillor Peter Britcliffe, Acting Leader of the Council, setting out details of a proposed draft People Strategy for 2024-28.

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

Reasons for Decision

Cabinet was informed that the success of any organisation was dependent on the effectiveness of its People Strategy. As the landscape of work within local government continued to evolve and bring challenges, it was crucial that the Council also continued to adapt. The People Strategy would support the Council in attracting and retaining skilled staff, and nurturing a culture of engagement, continuous development, and well-being. It should help the council to position itself as an employer of choice and ensure the successful delivery of its corporate priorities.

The proposed strategy (Appendix 1 in the report) had 3 key themes:

- Leadership and Culture: Compassionate value-based leadership that guides, empowers, motivates and drives engagement
- Talent and Skills: Skilled staff who were able to respond to what's needed and work with partners to deliver results
- Wellbeing and Inclusion: A workplace where people were supported to be authentic and have a sense of belonging, where we actively value diversity

The draft document had already been shared with Service Managers and Trade Unions and presented to the Resources Overview & Scrutiny Committee for consultation.

There were no alternative options for consideration or reasons

Resolved - That the People Strategy be agreed to cover the period 2024-28.

353 National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme

Members considered a report of Councillor Peter Britcliffe, Acting Leader of the Council, which sought 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 – Outline in paragraphs 3.10 to 3.12 of the revised policy

Members had also been requested to consider approval for amendments of the National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme to remove the following rate reliefs, as these reliefs were no longer applicable:

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

Approval of the report was not deemed a key decision.

Reasons for Decision

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 were reviewed, amended and updated regularly to ensure that the Council's policies were relevant and reflected current practices.

As the Government was moving further towards higher levels of local business rate retention, it was essential that the Council's policies and practices were reviewed regularly and updated as required in order to remain relevant, accurate and legal.

There had 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.

While the discretionary relief provisions in this policy had not changed, the policy did now include provisions announced by the Government in 2023 and had consolidated guidance for officers and taxpayers that had previously been contained in a number of separate documents.

Alternative Options

The administration of business rates reliefs' works within legislative frameworks. The three new reliefs to be included in the policy were mandatory reliefs.

A failure to revise our NDR Mandatory, Discretionary and Hardship Relief policy may result in local businesses missing out on vital financial support.

Regular review of this policy would also ensure that details of relevant rate reliefs were available to business ratepayers, and that the Council's policies and practices were transparent and robust.

Resolved

- **That the revised National Non Domestic Rates Mandatory, Discretionary and Hardship Relief Scheme, updated in line with recent legislation, attached as Appendix 1 in the report, be approved and adopted.**

354 Non Domestic Rates - Retail, Hospitality and Leisure Relief for 2024/2025

Members considered a report of Councillor Peter Britcliffe, Acting Leader of the Council, that presented an extension of Retail, Hospitality and Leisure Non Domestic Rate Relief for the period 1st April 2024 to 31st March 2025 providing eligible businesses with a 75% rate relief on their business rates liability for this period.

The Head of Benefits, Revenues and Customer Contact provided Cabinet with a background to the scheme and referred to the announcement by the Chancellor at the

Autumn Statement, of an extension to the business rates relief scheme for retail, hospitality and leisure properties. He referred to how this would benefit and support businesses.

Approval of the report was not deemed a key decision.

Reasons for Decision

Cabinet was informed that at the Autumn Statement on 22 November 2023, the Chancellor had 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 would support the businesses that make the high streets and town centres a success and help them evolve and adapt to changing customer demands.

Government had 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 2033.

The administration of the discount scheme within this report was subject to restrictions laid out in Section 47 of the Local Government Finance Act 1988 which stipulated 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 1st April 2024, the council's administration of business rates relief remained within its discretionary powers.

Further details were provided on:

- Retail, Hospitality and Leisure Relief Scheme 2024/2025
- Cash Caps
- State Aid/Subsidy Control

Alternative Options

The scheme outlined in this report was provided to local ratepayers at no additional cost to the Council as discounts provided under the schemes were subsidised by Government. Written and published guidance allowed for a consistent and fair application of the discount schemes.

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 was therefore considered not to be required.

Resolved

- (1) That the Retail, Hospitality and Leisure Non Domestic Rate Relief Scheme 2024/2025 attached to the report, as Appendix 1, be 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; and,**
- (2) That delegated authority be given to the Executive Director of Resources 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.

355 Member Development - Update

Cabinet was requested to consider a report of Councillor Peter Britcliffe, Acting Leader of the Council, to update Members about the recent work of the Learning & Development Panel and to seek support for a new Member Development Strategy.

Approval of the report was not deemed a key decision

Reasons for Decision

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 Members 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. The report reflected the work and proposals of the Panel.

The Panel had developed the attached draft Member Development Strategy, which was presented to Cabinet for approval. In summary, the Strategy proposed that:

- All members would 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 would be offered in addition to the compulsory elements;
- The 'Sixty Minute' sessions would be relaunched as short, focussed, interactive sessions, giving members the chance to ask questions about key services and activities;
- All members would be offered a one-to-one meeting each year to focus on their individual training needs, which would lead to the production of their own personal development plan.

To show the Council's commitment to delivering a diverse training programme for members, an additional £5000 had been set aside for member training in 2024-25, giving a total training pot of £10,000. This would hopefully give more scope to vary training provision, which in recent years had been delivered almost exclusively in-house by HBC officers.

The Learning & Development Panel had also recommended that, by 31st 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 to members. An explanation of the level 1 requirements and the evidence needed to demonstrate compliance was attached as Appendix 2 to the report. Working towards level 1 accreditation would also provide a useful frame work for improving the Council's member development 'offer' over the coming year and would guide the work of the Learning & Development Panel.

The Learning & Development Panel was very keen to revamp the member induction process for newly elected councillor which will run as soon as possible after the May elections. All members had been consulted about this, but only a very limited response had

been received. A summary of the responses received and the proposed changes to the induction process were set out in Appendix 3 of the report.

Alternative Options

Cabinet could have decided not to approve the strategy and/or the proposal to pursue accreditation, however, this was not recommended. The role of Councillor had become increasingly complex and demanding in recent years and renewing efforts to equip Councillors with the skills they needed should support the Council's ability to meet its strategic objectives.

Resolved

- (1) That, Cabinet approved the draft Member Development Strategy 2024 – 2027 attached as Appendix 1 to the report;**
- (2) That Cabinet agreed to work towards achievement of level 1 of the North West Employers Member Development Charter by 31st March 2025;**
- (3) That Cabinet welcomed the proposal to recommence individual member development meetings with each member of the Council and urged all Councillors to support the process and make the most of the training opportunities available;**
- (4) That Cabinet welcomed the additional £5,000 funding for member development in the 2024-25 budget and a report be requested from the Learning & Development Panel setting out its proposals for expenditure of the same; and**
- (5) That Cabinet noted and supported the proposals for the 2025 member induction process as set out in Appendix 3 of the report – Member Personal Development Review.**

356 Appointment of Operator for Burtons Chambers

Members considered a report of Councillor Mohammed Younis, Cabinet Portfolio Holder for Levelling Up, to update Cabinet on the outcome of the recent tender evaluation process to appoint an operator for the shared office/workspace within Burtons Chambers.

The Cabinet Portfolio Holder, Councillor Mohammed Younis, reported on success in identifying an operator for Burtons Chambers which had extensive experience for this appointment. He reported that under the Management Agreement model, the Council would be liable for all costs associated with operation of the facility, either directly or via payment to the operator. A revenue return may be receivable by the Council where a profit was generated in the event that revenue exceeded the costs of operation in a contract year. The share would be 60% for the Council and 40% for the operator.

Members referred to the success in securing the expertise of appointed operator.

Councillor Fisher asked if there had been any shortfalls identified in the appointment and if the risk was all on the Council's side and what plans were in place after the 2 year period to reduce risk. The Cabinet Portfolio Holder for Levelling Up expressed confidence in the operator and that half million pound was being held in reserve.

Approval of the report was not deemed a key decision.

Reasons for Decision

The Levelling Up Fund had been announced at the 2020 Spending Review and focused on capital investment in local infrastructure projects that require up to £20m of funding and builds on prior programmes such as the 'Local Growth Fund' and 'Towns Fund'.

Cabinet gave its formal approval in support of the Town Centre Stakeholder Board's recommendations that the Council's LUF submission should focus around the following three principal interventions, noting that at the time of submission 2 and 3 had not been in the Council's ownership;

1. Redevelopment within the Indoor Market Hall and outdoor pavilions along Peel Street – the intervention known as Market Hall.
2. Improvements and redevelopment to the block of properties at 43-59 Blackburn Road/2-4 Church Street – the intervention known as Market Chambers.
3. Improvements and redevelopment to the block 61-69 Blackburn Road – the intervention known as Burtons Chambers.

Paragraph 3.3 of the report referred to: 'At its meeting on 13 January 2022, Council approved the creation of a Levelling Up Bid Contingency Reserve in the sum of £2 million. The purpose of this reserve is to support the delivery of the LUF interventions with the Budget Holder for these funds being the Council's Chief Executive. Furthermore, at its meeting in February 2023, Cabinet delegated authority to the Executive Director (Environment), following consultation with the Leader of the Council and Chief Executive, to approve expenditure from this reserve, where it is deemed essential and/or economically advantageous to the Council to deliver the LUF interventions.'

The Council appointed CBRE through the Crown Commercial Service Framework as lead consultant for the procurement of operators for Burtons Chambers and the Market Hall. CBRE have a specialist and very experienced team advising clients on shared office/workspace and utilised consultants Barker Proudlove who have a very experienced team in advising on market redevelopments.

The work procured from CBRE for both Burtons Chambers and the Market Hall included:-

- Reviewing the proposed product and identifying any key issues or concerns that should be addressed prior to procurement.
- Providing an initial assessment on the market, competition and precedent developments that provide an opportunity for lessons to be learnt.
- Summarising the optimum models that could be considered, including viability and potential revenue models.
- Setting out the delivery method that is most likely to be suitable, informed by feedback gained from operators/potential operators, including a funding compliant procurement approach, explaining the team structure that would best support the procurement process.
- Presenting its finding in a report that clearly sets out recommendations for the operating model and procurement process.
- Undertaking a compliant tender/procurement process to identify a preferred operator for Burtons Chambers and the Market Hall.

Both consultants reviewed the designs and requirements for Burtons Chambers and the Market Hall, identifying the optimum contracting models which would most likely attract a strong operator interest. These being a Management Agreement model for the share office/workspace in Burtons Chambers, and a Lease for the Market Hall.

CBRE have managed the whole tender process to identify a preferred operator for Burtons Chambers. The invitation to tender was published on the Government's complaint 'Find a Tender' portal on the 13 November 2023 and closed on the 22 January 2024.

The procurement of an operator for the Market Hall was still ongoing and once concluded, a further report would be presented to Cabinet.

Further information was provided on the evaluation of tenders including the following paragraphs which were referred to in the recommendation 1 of the report:

Paragraph 4.1 - A panel containing the Council's Executive Director (Environment) and Principal Accountant for the LUF funded projects, plus LUF Project Director (employed by Rider Levett Bucknall) met on Friday 16 February to evaluate the two tenders submitted. The panel was moderated and overseen by a representative of CBRE in their capacity as lead consultant for the tender procurement process; and

Paragraph 4.2 – Following a rigorous evaluation process, a clarification meeting with 2-Work representatives and the Cabinet Member for Levelling Up was held on Tuesday 20 February 2024. In light of the responses to the questions raised at this meeting and the subsequent financial clarification meeting with CBRE, the panel's recommendation was that Cabinet accept the tender submitted by 2-Work as the preferred operator for Burtons Chambers.

Paragraph 4.7 – The shared office/workplace facility will be new and untested to the area/potential customers and therefore it is unknown if the first two years net operating income for Burtons Chambers will align with income generation projections proposed by the operator.

Paragraph 4.8 – As highlighted in paragraph 4.4 above, the Council is required to cover all the operator's annual operating costs. Where this cannot be met from the income generated, the Council will be required to make up the balance from its own resources. Good financial planning would therefore recommend the Council set aside funds to cover any potential liability which is contractually due to the operator during the initial start-up period. CBRE have confirmed £450k is an appropriate sum to mitigate the financial risk to the Council for the first two years. The income projections for year three and onwards, indicate income exceeding operating costs (profit).

Alternative Options

The Council could have chosen not to appoint an operator and managed the facility itself. This had been rejected as it was recognised that the Council did not have specific knowledge or experienced staff 'in-house' to manage a facility in this sector and on such a high profile LUF funded project.

The Council could have chosen not to set aside funds from the existing approved Levelling Up Contingency Reserve fund. This was not recommended and failing to make the suggested provision could have placed future in-year financial pressures on the Council's revenue budget.

Resolved

- (1) That the report be noted and the recommendation from the Evaluation Panel and CBRE set out in paragraphs 4.1 and 4.2 of the report (and as above), to appoint 2-Work Group Limited of Innovation House, Hornbeam Business Park, Harrogate, North Yorkshire, as the Council's preferred operator for Burton's Chambers, be supported;**
- (2) That authority be delegated to the Executive Director (Legal & Democratic Services) following consultation with the Portfolio Holder for Levelling Up and/or Leader of the Council to agree and sign the Management Agreement with 2-Work Group Limited for a five year term with an option to extend this a further two years at the Council's sole discretion; and**
- (3) That it be noted that the allocation of £450k from the £2m Levelling Up Bid Contingency Reserve, to cover any shortfall in the first two years net operating income for the shared office/workspace as set out in paragraphs 3.3, 4.7 and 4.8 of the report (or as above).**

357 Casual Market Traders

Members considered a report of Councillor Mohammed Younis, Cabinet Portfolio Holder for Levelling Up, which outlined the various options in providing facilities for casual market traders during the Market Hall redevelopment.

Councillor Younis referred to the successful increase in footfall for casual traders on the Thursday and Sunday markets. He referred to the proposed options for providing facilities and to option 1, which proposed a casual market based on 14 stalls and achieving 100% hire rate. He reported that conversations with business located on Broadway and been positive and no concerns had been raised. The proposed market would see stalls erected along the bottom half of Broadway towards the junction with Union Street. Broadway, between Union Street and Cornhill, is unadopted and administered by Hyndburn Council. The individual stalls would be charged out at the going rate for a stall type, and on that basis there would not be any subsidy provided to the traders concerned. A simple daily letting agreement would be entered into with the traders.

Approval of the report was not deemed a key decision.

Reasons for Decision

The Market Hall and external pavilions along Peel Street are being redeveloped as one of the Council's Levelling Up funded projects. The Council has relocated the leaseholder traders who wish to continue trading into temporary cabins on the town square or other commercial units within the town centre. A small number have also made their own arrangements to relocate into the town centre. In addition, there are a number of casual market traders who trade from outdoor stalls under the pavilions who simply pay per day if and when they wish to trade. By far the most popular casual market is the 'pre-loved' market on a Thursday and the 'flea' market on a Sunday. The 3 day casual 'new goods' market, (Tuesday, Friday and Saturday) did not have anywhere near the same level of take-up from traders and on occasions only had three or four traders due to the fact that there are already a number of 'new goods' traders located in the cabins.

The Market Manager has highlighted the fact that Thursday and Sunday markets have the greatest uptake and therefore income figures in this report are calculated on just providing for Thursday and Sunday trading. It should be noted that income figures are based on 100% of stalls (14 or 20) being hired out for 50 weeks of the year (there would be no provision over Christmas/New Year period). Any reduction in these rates will reduce income levels to the Council. Whilst under the covered pavilions, market traders had the facility of lighting and power. The temporary nature of the stalls being proposed means this would not be an option and that customers would not be under cover. This may have an effect on traders and potential customers. It should be noted that the Market Manager has estimated a more realistic hire number, (to take into account the summer and winter periods) would be an average of 10 stalls per day.

Income – Hire of Stalls

Hire income is based on maintaining the Council's existing charge rate of £20 per stall per day. Stall bookings and payment will need to be in advance and via card (for security reasons cash will not be accepted).

Revenue Expenditure – Market Porters

Market staff have timed the collection from storage, erection, dismantling and placing back in storage the traditional market stalls and estimate the additional labour required to establish the casual trader market. The staffing figures are based on providing resource during the 12 month market decant period between April 24 - April 25, cover for sickness and holidays and includes an allowance for weekend working.

Capital Expenditure – Trader Stalls

Two priced options were shown to the Acting Leader of the Council and Portfolio Holder for Levelling Up:

Option (a) 2.4mx1.2m 'traditional' market stall frame with table top, small customer canopy, skirt, table cover, back/side walls and weights.

Option (b) 3mx3m 'gazebo' stall with roof, 3 walls and weights (no table top included).

Discounts were given for greater numbers ordered.

Option (a) was the preferred choice in standard 'off the shelf' green and white (with stripes). It is not proposed for any Council branding as this would extend the order time and increase the costs.

The costs and maximum possible income of providing a casual market trader market on a Thursday and Sunday over 50 weeks based on 14 and 20 stalls are detailed below.

Option 1

Casual Market based on providing up to 14 stalls and achieving 100% hire rate

Income Thursday Market: £14,000

Sunday Market: £14,000

Revenue Costs 1.5 members of staff: £51,275 (including on-costs)

Revenue cost to the Council: £23,275

(not achieving 100% hire rate will increase this cost) Capital

Cost to the Council: £19,836 + VAT

Option 2

Casual market based on providing up to 20 stalls and achieving 100% hire rate

Income Thursday Market: £20,000
 Sunday Market: £20,000

Revenue Costs 2 members of staff £69,338 (including on-costs)

Revenue Cost to the Council: £29,338
(not achieving 100% hire rate will increase this cost)
Capital Cost to the Council: £28,134 + VAT

Option 3

The Council does not provide a casual trader market and therefore this option has no additional revenue or capital costs.

Whilst there is no legal requirement for the Council to make provision for casual market traders, there is a political wish to support these traders during the decant period. This eliminates Option 3. The decision on whether to choose Option 1 or Option 2 is purely one of capital costs and the revenue risk the Council wishes to accept.

As the number of traders who would hire a stall is unknown, i.e. there is no legal/formal commitment from a casual trader to hire a stall every market day, a smaller number of stalls purchased reduces the capital outlay, has a reduced staff cost and most likely, greater opportunities for reuse within the Market Way pavilion in the future. The larger number of stalls has the potential for increased income to the Council but has increased staff costs and likelihood not all the stalls would be utilised in the future.

When considering the advantages v disadvantages of option 1 and option 2, the officer recommendation is that Cabinet consider agreeing Option 1 for the purchase of 14 stalls. This reduces the Council's capital outlay, reduces the revenue costs and a smaller number of stalls more likely to be reused.

Alternative Options

The Council could choose not to establish the casual market on Thursday's and Sunday's during the markets decant period. This has been discounted due to the Acting Leader of the Council's and Portfolio Holder for Levelling Up wish to provide a facility for these traders.

Resolved

- (1) That the report be noted;**
- (2) That Option 1 to provide facility for casual market traders during the Market Hall decant period as set out in the report be accepted; and**
- (3) That authority be delegated to the Executive Director (Environment) to make the necessary arrangement for the purchase of the 'traditional' market trader stalls and recruitment of temporary market staff.**

358 Lease to Friends of Rhyddings Park

Members were requested to consider a report of Councillor Stephen Smithson, Cabinet Portfolio Holder for Environmental Services, to seek approval to enter into a new lease of the Coach House, Glass House, Boot Room & Walled Garden to The Friends of Rhyddings Park ('FORP')(charity number 1175682), as shown on the plans in appendices 1 and 2 of the report.

Councillor Smithson reported that the Coach House opened 6 days per week with activities attracting over 400 visitors each week. The report responded to a request from the Friends of Rhyddings Park for a new lease including additional financial support. Councillor Smithson indicated that the Council would not be charging a rent for this lease and picking up the building running costs, would be value for money in terms of community benefit.

Approval of the report was not deemed a key decision.

Reasons for Decision

In July 2018 Cabinet agreed to lease the Coach House within Rhyddings Park to Friends of Rhyddings Park (FORP) to assist the Council in delivering outcomes expected in connection with £1,461,900 Heritage Lottery Funding (HLF) it received in 2016. The HLF grant conditions would apply until 2038. The lease was granted to FORP for a term of 5 years commencing 1st October 2018

The funding secured from the HLF grant was reported in 2018 to be for:

- The restoration of the Coach House as a community venue;
- Returning the derelict walled garden to its traditional use of food growing, including the construction of Victorian style greenhouse;
- Working with Bootstrap Enterprises to develop a social enterprise based in the restored former Coach House, generating income for the park from meeting rooms, a cafe and a training kitchen;
- Creating a performance space area and developing a programme of community arts ;
- Establishing a training and volunteering programme linked to park management, community engagement and health promotion;
- Providing education resources and opportunities for local schools;
- Developing programmes of guided walks and family fun activities.

Many of the outcomes of the HLF grant had been achieved, but the community engagement and volunteering requirements were on-going and as such, a new lease of the Coach House was required to continue to meet HLF grant funding terms.

Friends of Rhyddings Park are a registered charity (number 117562). The FORP Trustee Annual Report for the period 1st November 2021 to 31st October 2022 states they are working to support the Rhyddings community events programme in addition to running a community café in the park using produce grown in the kitchen garden. FORP's charitable objects as detailed in the report are:

- To benefit the inhabitants of Oswaldtwistle and surrounding area.
- To prove or assist with the provision of facilities for recreation and other leisure time occupations in the interest of social welfare
- To improve the conditions of life for the inhabitants of the area
- To preserve, promote, support and assist with the improvement of Rhyddings Park

FORP have requested an extension of their current lease for an additional 5 year term, which in addition to the Coach House would include the Walled Garden, the Glass House and Boot Room. These areas had been used by FORP since Bootstrap and Newground,

both former partners in the project and lease, removed their support or ceased to exist between 2018 and 2020.

The new lease would assist FORP in any future funding bids such as, the Reaching Communities strand of the National Communities Lottery Fund, which would enable them to extend and develop activities, further widening the social and economic benefits to the community. This in turn would assist the Council to meet its ongoing obligations of the HLF grant received in 2016.

The current uses of the Rhyddings Park buildings and walled garden are:

Coach House (shaded green on the plan, attached as appendix 1 in the report)

- Café – currently opening 3 days per week
- Overcoming depression and low mood group
- Carers support group (people living with loved ones with mental health illness)
- Mindful movement
- Mindful crafts
- Rhyddings walkers
- Zen Yoga
- Qi Gong
- Wellbeing Qi Gong
- Exercise to music
- Pilates
- Art friendship Group

Boot room (shaded red on the plan, attached as appendix 1 in the report)

- Rest, relaxation and canteen area for use of the FORP volunteers (Park operatives will share WC facilities within the boot room shaded purple)

Walled Garden (unshaded area on the plan, as attached in appendix 1 of the report) – Park operatives would need access through this area)

- Garden club
- Social events
- Qi Gong, Mindful Movements (summer months)

Glass House (shaded blue on the plan, as attached in appendix 1 of the report)

- Garden club
- Potting plants
- Garden arts and crafts

FORP also employ a Community Gardener and Community Activator on fixed term contracts and these posts are funded by external grants awarded to FORP.

It was proposed that under the terms of the new lease (similar to the current lease as agreed by Cabinet on 18 July 2018), the Council, would forgo a rental income or premium receipt (valued at £19,321 for commercial use or £10,606 for community use) and continue to pay the running costs associated with the demised areas up to a cost of £27,500. These running costs included building health and safety compliance checks (which the Council routinely undertakes on all its buildings), utility costs, repairs & maintenance and replacement of any equipment named in the original lease.

To strike a balance between supporting FORP in delivering their community activities and managing Council budgets it was proposed that the terms of the lease limit the Councils liability for costs associated with running the Coach House, Glass House, Boot Room & Walled Garden to £27,500 per annum. Should running costs exceed this amount a further report would be brought back to Cabinet.

As per the original lease, it was proposed that FORP would be asked to contribute 50% of any profits towards the running costs of the Coach House, Glass House, Boot Room & Walled Garden. To date FORP has not yet been in a position to contribute to these costs as FORP has not yet made a profit in relation to its community activities. FORP are currently in the process of developing a business plan to enable their activities to continue sustainably for the longer term.

FORPs activity schedule (which follows the NHS 5 steps to well-being) meant the coach house was open 6 days each week, staffed by volunteers operating for 120 volunteer hours per week (or 6,240 volunteer hours per year). This in turn meant that the activity schedule run by FORP and their volunteers realised approximately 400 user visits each week to Rhyddings Park, which equated to approximately 20,000 user visits per year. As such, even with the Council not charging a rent for this lease and picking up the building running costs, officers believed this represented value for money in terms of community benefit and contribution to community wellbeing.

Alternative Options

The Council could decide not to lease the Coach House, Glass House, Boot Room & Walled Garden building to FORP. This was not recommended, as it was a key requirement of the HLF funding that the Council had received for the project at Rhyddings Park. In addition, the social and well-being benefits provided by FORPs activity programme and by volunteers giving their time and expertise to the community, would be lost.

The Council could also have chosen to re-charge all costs (compliance, repairs & maintenance, utility costs) but this would have taken funding away from the delivery of community activities and events that provided social and community benefits. In addition FORP had indicated that this would be financially unsustainable for them.

Resolved

- (1) That the lease of the Coach House, Glass House, Boot Room & Walled Garden in Rhyddings Park to the Friends of Rhyddings Park for a term of 5 years at nil rent and nil premium and Council support for running costs, be agreed;**
- (2) That authority be delegated to the Head of Regeneration to agree the terms of the lease and thereafter instruct Legal and Democratic Services to draft, negotiate and complete the lease with the Friends of Rhyddings Park;**
- (3) That a contribution to the annual costs associated with running the Coach House, Glass House, Boot Room & Walled Garden up to £27,500 per annum be agreed; and**
- (4) That the costs associated with running the Coach House, Glass House, Boot Room & Walled Garden be reviewed annually to enable further reports to be brought back to Cabinet in the event the running costs exceeded the budgeted figure of £27,500 per annum.**

359 Huncoat Garden Village

Members considered a report of Councillor Kath Pratt, Cabinet Portfolio Holder for Housing and Regeneration, in respect of Huncoat Garden Village. The report explained that there had been a lengthy period of due diligence, following which, Homes England had been expected to consider and determine the Council's business case and £29.9 million bid for infrastructure funding for the Huncoat Garden Village project before the end of March 2024. The purpose of the report had been, therefore, to update Cabinet on the Huncoat Garden Village project, and to seek a series of approvals should the circa £30 million Brownfield, Infrastructure and Land Fund (BIL) submission be successful.

The report also recognised that the next Cabinet would follow the local elections in May and, in the meantime, Homes England would be likely to determine the Council's BIL funding bid, therefore, the purpose of this report was to put into place a number of precautionary recommendations to enable officers to continue to progress the Huncoat Garden Village project in accordance with the project timetable.

Councillor Pratt informed Cabinet that the purpose of the report was to provide an update on progress and to highlight important work taking place. She referred to the key risks as set out in the report and indicated that there would be further updates at future meetings.

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

Reasons for Decision

Huncoat Garden Village (HGV) forms a major part of Hyndburn Borough Council's growth plans including a once in a lifetime opportunity to diversify Hyndburn's housing offer and provide new housing in a fabulous setting. The Garden Village is a game changing opportunity for market making housing in Hyndburn, at a scale that not only helps the Borough retain those households that otherwise would leave to meet their housing aspirations elsewhere, but also attract new economically active households to the Borough.

Over several years the Council had worked with a range of stakeholders and been supported by Homes England, in developing the Huncoat Garden Village Masterplan and project. In October 2023 the Council had submitted an updated Treasury Green Book compliant business case to Homes England which had sought grant funding of £29.9 million from the new Brownfield, Infrastructure and Land Fund (BIL). The overall estimated cost of delivering the HGV was estimated at £463.24 million of which the Council was seeking £29.9 million infrastructure funding support. The infrastructure grant bid to Homes England includes a number of specific items, as set out in the report.

Homes England continued to support the Council in bringing forward Huncoat Garden Village for residential development. Earlier this month Homes England confirmed that it had awarded a £200,000 revenue grant to help the Council meet ongoing consultancy costs ensuring that the Council continued to benefit from specialist advice and support.

Since the Council's bid had been submitted, Homes England had been carrying out a detailed assessment of the business case and bid. Homes England has now indicated that the due diligence period is near conclusion, and they expected to consider and make a decision on the Council's bid on the 27th of March, 2024. In the meantime, the Council had been progressing key aspects of the project to ensure the Council was well placed to spend the infrastructure funding and deliver enabling infrastructure by the end of March 2026. Details of this was included in the report.

The Brownfield, Infrastructure and Land Fund (BIL) had been announced and released by the Government at the end of July 2023. It was a £1 billion fund for projects across England with the intention of unlocking strategic housing sites where brownfield, infrastructure or land projects faced delivery and, or, viability challenges. Homes England are responsible for allocating and managing BIL for the Government. Following Hyndburn's updated business case submission in October 2023 Homes England had been carrying out a very thorough due diligence assessment.

Determination of the Council's bid had been delayed whilst National Highway's concerns with the capacity and therefore safety at Junction 8 of the M65 motorway have been resolved, or at least a process to an agreed solution agreed to the satisfaction of National Highways. National Highways lodged an objection to an outline planning application for a residential development of up to 451 units on the site of the former Huncoat power station. National Highways lodged an objection to this application due to the safety concerns described above. Whilst the objection only related to this application, National Highways indicated that in advance of securing sufficient funding to fund the required improvement works at Junction 8, other planning applications in the area would likely to be treated with similar holding objections, and therefore preventing progress with HGV, especially deliver of BIL funded works by the end of March 2026 (which would be a fundamental requirement of a BIL grant award). Following discussions between the Council, Homes England and National Highways a process for funding and securing the required improvements at Junction 8 had been agreed in principal (refer to in 3.8 of the report and set out below)

Should the Council's funding bid be approved in March the Council will be required to enter a grant funding agreement with Homes England before it could access the circa £29.9 million grant allocation. This would be a standard agreement and therefore not negotiable, however it would be subject to a range of yet unknown special conditions specific to Huncoat Garden Village that would be subject to negotiation, but these were not known at the time of writing this report. The agreement would impose conditions on the Council with varying degrees of obligations and risk (refer to in 3.9 of the report for a summary of the key risks and mitigation measures proposed).

In the meantime, to enable officers to progress the HGV project, especially if the Council's bid was approved in March 2024, it was important that Cabinet delegated authority to officers in consultation with the Council Leader and Portfolio Holder to negotiate and finalise terms with Homes England to enable the Council to make progress with the project. This report therefore takes a precautionary approach, to enable officers to progress the HGV project, and should it prove necessary, officers would report back and seek further approvals at future Cabinet meetings.

A project of this size and scale comes with a number of risks as highlighted in 3.6 of the report. The biggest risk to the project was National Highway's holding objection to potential planning applications close to Junction 8 as described in "3.5" of the report. Until the threat of objection was removed, or a process agreed to remove the objection, Homes England could not approve the Council's funding bid. This had frustrated and delayed Homes England's due diligence of the Council's BIL funding bid. Following senior officer meetings a process for removing the holding objection had been agreed in principle to the satisfaction of Homes England, sufficient for Homes England to now consider the Council's funding bid. The process for removing the objection and any potential future objections was subject to the Council and National Highways entering a legal agreement which would underpin the steps to be taken by both parties sufficient for National Highways to remove the holding objection. The key draft heads of terms were as follows:

- Hyndburn BC (HBC) are awarded BIL grant including a £2.19 million contribution to improvement work at J8.
- At this point National Highways (NH) retract their holding objection to residential development at HGV, and NH will not issue further or future objections to development within the Huncoat area where it is identified within the emerging Hyndburn Local Plan.
- Following HBC signing the BIL grant funding agreement, HBC and NH enter into a legal agreement.
- Once funding is made available to the Council, the Council will at the earliest opportunity transfer the monies to NH.
- NH will, once the money is received, immediately place the £2.19 million into an Escrow account (to be agreed by both parties) until the time funding deployment is required.
- NH will agree a drawdown profile for the J8 works with HBC in advance of the works to be funded.
- Monies will be held in Escrow until eligible expenditure is confirmed and completed.
- Monies will be released and paid to NH in arrears and on a quarterly basis, subject to HBC's satisfaction with works
- Works to be delivered by national Highways no later than the end of March 2035, or date to be agreed between both parties.

Other key risks to the HGV project and HBC included:

- Land assembly for the proposed residential relief road – there was a risk of not acquiring land to enable the road to be constructed.

Mitigation: the funding bid included funding to acquire land at market value for the road. Expert advisors are appointed to advise the Council on value and process including negotiations with land owners. Should terms not be agreed the Council would take steps to put in place a compulsory purchase process (CPO) to acquire land.

- Ransom value demanded by landowners who derive no direct benefit from the road – this was potentially a significant financial risk to the Council should values determined by Lands Tribunal exceed grant funding available for land acquisition.

Mitigation: It is hoped that this could be avoided by paying market value for land. However, expert and legal advice was being sought on this matter to understand the potential and amount of ransom value. Initial advice on this matter was that any significant value that owners could demand was limited, but this advice would be firmed up with expert opinion and legal advice including counsel advice. This risk could be further mitigated via agreements with landowners benefitting from housing development by way of an equalisation arrangement whereby all the sites that benefit from housing development agreed to contribute towards any additional cost for the proposed road including land assembly costs, above those costs budgeted for within the BIL grant.

- There was a risk of not delivering the interventions within the BIL funding timescale i.e. by April 2026.

Mitigation: The Council had appointed and is in the process of appointing various specialist advisors to support delivery. In addition, work was underway to ensure the deadline could be achieved e.g. planning application for the proposed new relief road, discussions and negotiations with landowners, development of a detailed delivery programme, procurement of a contractor to deliver the new residential relief road, etc.

- There was a risk that expenditure exceeds the funding made available via BIL grant.

Mitigation: This was covered in part, for the land acquisition element. However, funding for land remediation on the main two brownfield sites and the contribution to J8 are grants that would be capped at the BIL funded allocations and “pass ported-on” to the landowners and National Highways respectively and therefore removing any risk of spend exceeding the grant available. This would not apply however to the construction of the road where the Council was developer and therefore took full financial risk. Here to mitigate risk the Council employed cost consultants to help determine the likely cost of the road. The costings included an allowance for inflation at 11.5% and a contingency of 15% on cost. This risk had recently been mitigated further following the procurement and tender exercise to appoint a contractor to build the road. Based on the tender the cost would be below the amount of grant available. Any additional cost could also be met through an equalisation arrangement.

- Grant agreement provisions where the actions of landowners could cause the Council to breach its obligations with Homes England.

Mitigation: the Council through agreements it enters with landowners sought to get indemnities in respect of any liabilities the Council incurs in respect of any liabilities incurred to Homes England, especially in relation to grant repayment as a result of landowners actions and defaults or as a result of their failure to achieve defined outputs.

- Grant agreement requirement to have all necessary warranties and indemnities from the landowners regarding title to their sites.

Mitigation: HBC and its appointed solicitors to carry out detailed and comprehensive due diligence on title to sites which would benefit from grant or would be used for housing development and ensure the Council had all warranties and indemnities from the landowners regarding their title to the sites.

- Other grant agreement terms with obligations on HBC.

Mitigation: HBC and its appointed solicitors to ensure that all the grant agreement terms with obligations on HBC to be “pass-ported” onto landowners within legal agreements that the Council enters into with landowners. This would include grant recovery and clawback provisions.

Reasons for Decision

Cabinet could choose not to enter a BIL grant funding agreement with Homes England and therefore subsequently not to enter into legal agreements with landowners and with National Highways. However this was not recommended as this would jeopardise the Council's chance to secure circa £30 million enabling funding which supports the development of just over 1,800 much needed new homes in the Borough. Huncoat Garden Village is a once in a lifetime opportunity to bring forward market making, high quality homes in a fabulous setting, which form a significant number of new homes in the new, emerging Local Plan. The funding is critical to bringing the sites forward at Huncoat, and without the funding the additional housing to meet future needs and support the Council's growth plans would be potentially jeopardised.

Resolved

- (1) That progress with the Huncoat Garden Village project be noted;**
- (2) That, in the event of the Council's business case and bid to Homes England for £29.99 million for infrastructure funding for the Huncoat Garden Village project being approved, Cabinet delegates authority to the Head of Regeneration and Housing following consultation with the Executive Director (Legal & Democratic Services) to negotiate and enter into a Brownfield, Infrastructure and Land Fund Grant Funding Agreement with Homes England noting the risks detailed in 3.9 of the report (and set out in the minutes above under paragraph heading 'Other key risks to the HGV project and HBC');**
- (3) That Cabinet noted that the draft Heads of Terms in relation to Junction 8 of the M65 motorway described in paragraph 3.8 of the report (or as set out in the minutes above) and authority be delegated to the Head of Regeneration and Housing following consultation with the Executive Director (Legal & Democratic Services) to finalise terms and enter into a legal agreement with National Highways, subject to the funding agreement with Homes England having been completed pursuant to paragraph 2.2 of the report (and as set out in the second recommendation above);**
- (4) That authority be delegated to the Head of Regeneration and Housing, following consultation with the Executive Director (Legal & Democratic Services) to agree heads of terms and enter into legal agreements with landowners to enable delivery of Huncoat Garden Village where such agreements relate to:**
 - Acquisition by the Council of land for the purpose of constructing the proposed new residential relief road at Huncoat (Huncoat Lane)**

- The award of BIL grant by the Council to landowners to facilitate remediation of their land (former Colliery and Power Station sites)
- Equalisation arrangements between landowners in respect of non-grant funded infrastructure and enabling costs, any costs that exceed grant awarded for the residential relief road, and for strategic open space.

In all cases, subject to completion of the Homes England grant funding agreement pursuant to recommendation 2, as set out above;

- (5) That the additional £200,000 revenue funding awarded to the Council by Homes England to support the Council's enabling and delivery costs, be noted and welcomed;
- (6) That, subject to the send recommendation as set out above, authority be delegated to the Head of Regeneration and Housing in consultation with the Executive Director (Resources) to authorise eligible BIL funded expenditure and to recover the expenditure from approved BIL grant funding via Homes England's grant claim process; and
- (7) That it be noted that regular progress reports will be presented to the Council's Management Team and future Cabinet meetings.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed

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HYNDBURN
The place to be
an excellent council

LABOUR CABINET MEMBERSHIP AND PORTFOLIO RESPONSIBILITIES **2024/25**

Cabinet Member	Portfolio
Councillor Munsif Dad BEM JP	Leader of the Council <ul style="list-style-type: none"> • Overall responsibility for the Council's strategic and corporate direction • Planning & Transportation
Councillor Melissa Fisher (Deputising for the Leader of the Council) (Statutory deputy for the purposes of the Local Government and Public Involvement in Health Act 2007)	Deputy Leader of the Council (Housing and Communities) <ul style="list-style-type: none"> • Environmental Health • Housing and neighbourhoods • Liaison with housing associations and private sector housing providers • Health and social care • Licensing • Renewal and Regeneration
Councillor Noordad Aziz	Deputy Leader of Council (Transformation, Education and Skills) <ul style="list-style-type: none"> • Finance and the budget process (Joint) • Economic development and Growth (Joint) • Levelling Up Fund • UK Shared Prosperity Fund • Constitution and corporate governance (Joint) • Leisure In Hyndburn • Education, Skills, Employment & Worklessness • Economic development and Growth
Councillor Scott Brerton	Business & Growth <ul style="list-style-type: none"> • Economic development and Growth (Joint) • Community and voluntary sector liaison • Business Support • Community Wealth Building

Cabinet Member	Portfolio
Councillor Vanessa Alexandra	Resources and Council Operations <ul style="list-style-type: none"> • Finance and the budget process (Joint) • IT • Audit function • Human resources and organisational development • Health and safety • Revenues and Benefits Service
Councillor Kimberley Whitehead	Culture, Heritage and Arts <ul style="list-style-type: none"> • Parks and open spaces • Cemeteries and crematoria • Culture, Heritage and Arts • Police and Crime Commissioner • Town Centres and Markets • Tourism • Community safety • Equality and diversity • Cohesion and integration
Councillor Stewart Eaves	Environmental Services <ul style="list-style-type: none"> • CVMU • Grounds maintenance • Waste management and enforcement • Refuse and recycling collections • Street cleaning • Pest Control
Councillor Kate Walsh	Sustainability and Families <ul style="list-style-type: none"> • Asset management and maintenance • Climate change / Sustainability and Nett Zero • Allotments and Prospects • Older people and vulnerable adults • Customer focus • Children, young people and families

Agenda Item 6.

REPORT TO:		Cabinet	
DATE:		11 June 2024	
PORTFOLIO:		Councillor Munsif Dad BEM JP – Leader of the Council	
REPORT AUTHOR:		Julian Joinson, Member Services Manager	
TITLE OF REPORT:		Appointment of Cabinet Committees and Cabinet Groups 2024/25	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	N/A

1. Purpose of Report

- 1.1 To confirm the establishment of Cabinet Committees and Cabinet Groups for the 2024/25 Municipal Year and to appoint members to the Committees and Groups.

2. Recommendations

- 2.1 That Cabinet agrees to the establishment of the Cabinet Committees and Cabinet Groups, as set out in paragraph 3.5, and with the terms of reference, as set out in Appendix 1 to this report;
- 2.2 That the membership of the Cabinet Committees and Cabinet Groups, as set out in paragraph 3.5 be approved.

3. Reasons for Recommendations and Background

- 3.1 In June 2015, Cabinet established the Cabinet Committee (Scrap Metal Dealers Act 2013). The Cabinet Committee determines whether to grant, renew, revoke or vary scrap metal licences pursuant to the Scrap Metal Dealers Act 2013, where the applicant or licensee (as the case may be) has informed the Council that they wish to make oral representations. Meetings take place only as and when required, but this body is needed to enable compliance with statutory requirements.
- 3.2 In December 2017, Cabinet established the Cabinet Committee (Street Naming). The Cabinet Committee meets from time to time and discharges the Council's functions in respect of the naming and renaming of streets pursuant to Sections 17 and 18 Public Health Act 1925.

- 3.3 In June 2015, Cabinet established the Cabinet Waste and Recycling Group. The body acts in an advisory capacity to Cabinet and does not have any delegated or decision making powers. This Group continues to meet on a regular basis and provides oversight of certain aspects of the Council's Waste Services.
- 3.4 On 21 September 2022, Cabinet established the Net Zero Working Group. The Working Group's remit is to support the work of Cabinet in addressing climate change, but it does not have any delegated or decision making powers. The Group is currently active.
- 3.5 The terms of reference for all of the bodies mentioned above are appended to the report. It is proposed that these bodies continue into 2024/25, with the membership as shown. The formal Committees must only comprise councillors who are Cabinet Members:-

Committees	
Cabinet Committee (Scrap Metal Dealers Act 2013)	3 vacancies (drawn from Cabinet Members)
Cabinet Committee (Street Naming)	3 vacancies (drawn from Cabinet Members) 1 Conservative vacancy (attending as observer)
Working Groups	
Cabinet Waste and Recycling Group	3 controlling group vacancies and 1 Conservative vacancy
Net Zero Working Group	3 controlling group vacancies

- 3.6 It is envisaged that the names of the proposed appointees will be made known before the meeting.

4. Alternative Options considered and Reasons for Rejection

- 4.1 None were considered, although the Cabinet can decide to create new or disestablish existing committees or working groups, as it sees fit. It may also decide not to make appointments to any of the approved panels and groups for the time being.

5. Consultations

- 5.1 Consultations have taken place with relevant members to determine membership of these bodies.

6. Implications

Financial implications (including any future financial commitments for the Council)	None.
Legal and human rights implications	None, other than those discussed in section 3 above.

Assessment of risk	None.
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	None identified.

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

- 7.1 Reports to Cabinet 14th June 2015, 6th December 2017 and 6th June 2018 and 21 September 2022.

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2186&Ver=4>

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2190&Ver=4>

<https://democracy.hyndburnbc.gov.uk/documents/s7680/Appointment%20of%20Cabinet%20Committees%20and%20Groups.pdf>

CABINET COMMITTEE (SCRAP METAL DEALERS ACT 2013)

MEMBERSHIP: 3 Members of Cabinet (with a quorum of 3)

REPORTS TO: Cabinet

TERMS OF REFERENCE

- To determine whether to grant, renew, revoke or vary scrap metal licences pursuant to the Scrap Metal Dealers Act 2013 where the applicant or licensee (as the case may be) has informed the Council that they wish to make oral representations in accordance with paragraphs (7) and (8) of Schedule 1 of that Act
- To discharge the Council's functions under paragraph 8 Schedule 1 of the Scrap Metal Dealers Act 2013.

CABINET COMMITTEE (STREET NAMING)

MEMBERSHIP: 3 Members of Cabinet (with a quorum of 3) and a councillor nominated by the Leader of the main opposition group may attend

REPORTS TO: Cabinet

TERMS OF REFERENCE

- To discharge the Council's functions in respect of the naming and renaming of streets pursuant to sections 17 and 18 Public Health Act 1925

CABINET WASTE AND RECYCLING GROUP

Membership

Four Councillors -

Three from the controlling administration;
One from the main Opposition Group;

Head of Environmental Services

The chair shall have discretion to invite other officers or Members as required.

Terms of Reference

1. To review current recycling streams and examine opportunities to mix materials and recycle additional waste.
2. To review the types and numbers of recycling containers and opportunities to make the service more attractive to residents
3. To review collection methods and the replacement of collection vehicles
4. To report findings to Cabinet with any recommendations and costed options for improving the service and increasing recycling rates

NET ZERO WORKING GROUP

REPORTS TO: Leader and Cabinet

MEMBERSHIP: 3 councillors

MAIN TERMS OF REFERENCE

- To provide advice and support to the Cabinet in addressing climate change and promoting a green agenda.

DETAILED TERMS OF REFERENCE:

- To consider strategies and policies to address climate change
- To be a consultation mechanism for the Council's initiatives to address climate change and contribute to environmental improvements
- To monitor the progress of climate change and environmental improvement projects and make recommendations for possible new environmental initiatives
- To report to Cabinet on the above and any recommendations arising

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