

# Public Document Pack

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## CABINET

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**Wednesday, 17th March, 2021**

**Present:** Councillor Miles Parkinson OBE (in the Chair), Councillors Paul Cox (Vice Chair), Loraine Cox, Munsif Dad BEM JP, Jenny Molineux and Joyce Plummer

**In Attendance:** Councillors June Harrison, Marlene Haworth and Kath Pratt

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This was a virtual meeting held using MS Teams and livestreamed on You Tube.

### **166 Apologies for Absence**

There were no apologies for absence submitted on this occasion.

### **167 Declarations of Interest and Dispensations**

There were no reported declarations of interest or dispensations.

### **168 Minutes of Cabinet**

The minutes of the meeting of the Cabinet held on 10<sup>th</sup> February 2021 were submitted for approval as a correct record.

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

### **169 Minutes of Committees, Boards, Panels and Working Groups**

The minutes of the following meeting were submitted:

- Cabinet Committee (Street Naming) – 10<sup>th</sup> February 2021

The Leader of the Council, Councillor Miles Parkinson OBE, commented that a further meeting of the Cabinet Committee (Street Naming) would take place after this meeting.

### **170 Reports of Cabinet Members**

There were no verbal reports provided on this occasion.

### **171 Rent and Service Charge Concessions for the Indoor Market Hall**

Councillor Paul Cox, Deputy Leader of the Council, provided a report seeking approval for the existing Cabinet approved scheme, which allowed for support to be provided to registered charitable organisations, to be extended to unregistered charitable organisations or such other social or community organisations whose aims, objectives or purposes were for public benefit and/or not for profit basis.

Councillor P Cox highlighted that this proposal followed a report taken in August 2020 to support charitable organisations. However, it had become apparent that there were other

bodies established on a not for profit basis, which were not covered by the previous approval. The intention was to standardise the approach taken in respect of all such bodies.

Councillor Marlene Haworth, Leader of the Opposition, commented that she understood the rationale for the decision, but had some concerns that the change would lead to the indoor Market Hall becoming filled with charity stalls. There was already a large number of such outlets within the Borough. She suggested that a cross-party working group be established to develop a new plan for the Market Hall. A lot of money had already been invested in the Market Hall infrastructure and more might be required. Councillor Haworth and others had a wealth of ideas about its future and were passionate about the need for it to be successful. Councillor Kath Pratt, Deputy Leader of the Opposition, suggested that there should be an overall limit on the number of charitable stalls allowed.

The Leader of the Council indicated that, yesterday evening, the first meeting had taken place of the Steering Group to discuss use of the Levelling Up Fund monies. The project envisaged all stakeholders working together to secure the best possible outcomes.

Councillor P Cox responded that he appreciated Councillor Haworth's comments and acknowledged that the report could be interpreted as opening the floodgates to charity stalls. However, the reality was that this was a change to ensure that all not for profit organisations were treated equally. Individual lettings would be at the discretion of the Market Hall management. Such lettings were on very short term leases only.

Over the last 12 months lots of schemes had been implemented to draw in businesses into the Market Hall, including staggered rent for new stall holders, gradually increasing from zero over a period of 4 months. Take up on the balcony had already started to increase. However, growth was difficult in the face of the pandemic. Councillor P Cox had visited the Market last Wednesday to speak to traders. They were optimistic that footfall was starting to increase. Not for profit organisations would be only part of the mix of stalls inside the Market Hall. Councillor Parkinson summarised by stating that the Market Hall would not be considered in isolation. Last night's meeting on Levelling Up had demonstrated that the right expert advice was needed and the right stakeholders would need to be involved in the regeneration of the high street.

Approval of the report was not a key decision.

#### *Reason for Decision*

Cabinet had approved a scheme in August 2020 which supported registered charitable organisations. However, it was now acknowledged that some organisations whose purposes might be 'not for profit' or for 'community benefit', did not fall within the general definition of a registered charity, but which Cabinet might nevertheless wish to support.

Some charitable organisations might not necessarily be registered at the Charity Commission due to their low income levels. Some community or not for profit organisations and social enterprises might adopt a legal structure which meant that they were not registered at the Charity Commission e.g. a Community Benefit Society regulated by the Financial Conduct Authority, or they might be non-charitable but not for profit e.g. a Community Interest Company.

It was proposed that the Executive Director Environment be given delegated authority, following consultation with the Leader of the Council and Portfolio Holder, and at their sole discretion, to offer charitable organisations or other such organisations which were not for profit and whose purposes were for community or public benefit, a lease at a peppercorn

rent and no service charge. This was on condition that the lease was excluded from statutory security of tenure and could be terminated by the Council on short notice (such as two months or otherwise as the Executive Director decided, where a new tenant was offering to pay full rent and service charges).

*Alternative Options considered and Reasons for Rejection/*

If the recommendation was not approved, unregistered charitable organisations, and such other organisations whose aims objects or purposes were for public benefit and/or not for profit would either have to sign up to a lease at the appropriate full rent and service charges or leave the indoor Marker Hall.

- Resolved**
- **That Cabinet approves a discretionary scheme which permits support for both registered and unregistered charitable organisations, and such other organisations whose aims, objectives or purposes are for public benefit and/or not for profit, through peppercorn rents and no service charge as set out in paragraph 3.3 of this report and that authority be delegated to the Executive Director (Environment) to implement the discretionary scheme, following consultation with the Leader of the Council and Portfolio Holder accordingly.**

**172 DFT Statutory Guidance - Proposed Amendments to the Taxi & Private Hire Licensing Policy**

Councillor Joyce Plummer, Portfolio Holder for Resources, provided a report to advise Members of the outcome of the recent consultation relating to the changes to the taxi licensing policy, following the release of the new Statutory Guidance introduced by the Secretary of State for Transport relating to taxi and private hire licensing. The report also sought approval of the new Taxi and Private Hire Licensing Policy.

Councillor Plummer advised that the focus of the statutory standards was on protection of children and vulnerable adults, but would benefit all. Common standards were required, which had been discussed nationally with the trade. The Department for Transport (DFT) expected the standards to be implemented. The Council had considered them carefully and reviewed its own policy in the light of the new guidance and carried out appropriate consultations with the taxi trade, public and other stakeholders. No responses had been received to the consultation. The report included a summary of the changes required to Hyndburn Borough Council's Licensing Policy.

Approval of the report was not a key decision.

*Reason for Decision*

In July 2020 the Department for Transport (DFT) had issued new statutory guidance to licensing authorities responsible for the issuing of licences and regulating those in the taxi and private hire industry. The guidance set out taxi and private hire vehicle standards. The guidance stated that *'the Department has carefully considered the measures contained in the Statutory Taxi and Private Hire Vehicle Standards and had recommend that these should be put in to practice and administered appropriately to mitigate the risk posed to the public. The purpose of setting standards was to protect children and vulnerable adults, and by extension the wider public, when using taxis and private hire vehicles.'*

The DFT had stated that the Statutory Guidance had been issued because *'there is evidence to support the view that taxis and private hire vehicles are a high-risk environment. In terms of risks to passengers, this can be seen in abuse and exploitation of children and vulnerable adults facilitated and in some cases perpetrated by the trade and the number of sexual crimes reported which involve taxi and private hire vehicle drivers. Links between the trade and child sexual abuse and exploitation have been established in many areas and other investigations continue. Data on reported sexual assaults by taxi and private hire vehicle drivers evidence the risk to passengers; data from Greater Manchester and Merseyside suggest that, if similar offence patterns are applied across England, 623 sexual assaults per year are reported. These figures do not however account for the under reporting of crime which is estimated to be as high as 83 percent in the Crime Survey for England and Wales.'*

The Policing and Crime Act 2017 enabled the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who were over 18 from harm when using these services. For the purposes of this document, a child was defined as anyone who had not yet reached their 18th birthday; and the term "vulnerable individual" had the same meaning as the definition of a 'vulnerable adult' for the purpose of section 42 of the Care Act 2014, which applied where a local authority had reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

- (a) had needs for care and support (whether or not the authority was meeting any of those needs),
- (b) was experiencing, or was at risk of, abuse or neglect, and
- (c) as a result of those needs was unable to protect himself or herself against the abuse or neglect or the risk of it.

Further the guidance went on to say *'whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.**'* (DFT emphasis).

The document set out a framework of policies that, under section 177(4), licensing authorities "**must have regard**" to when exercising their functions. These functions included developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. "Having regard" was more than having a cursory glance at a document before arriving at a preconceived conclusion.

"Having regard" to these standards required public authorities, in formulating a policy, to give considerations the weight which was proportionate in the circumstances. Given that the standards had been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards could not be overstated. It was not a question of box ticking; the standards would have to be considered rigorously and with an open mind.

Although it remained the case that licensing authorities would have to reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it might be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority's practice, and that any failure to adhere to the

standards without sufficient justification could be detrimental to the authority's defence. In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these. The Department had undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).

It followed then that the Council, as the licensing authority, must have regard to the statutory guidance and amend its policy accordingly and, unless there were compelling local reasons not to do so, the statutory guidance should be followed.

On the whole Hyndburn Borough Council's Policy aligned quite well with the new guidance. Members were reminded that in October 2018 the Council had adopted the Institute of Licensing (IOL) Policy on determining the suitability of applicants in the hackney carriage and private hire trade and the DFT had consulted with the IOL and had adopted the same convictions policy.

The new guidance did require some amendments to the Council's policy if it were to be brought totally in line. The amendments, as detailed in the report, are summarised below:

- 6 monthly DBS checks on drivers;
- Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence;
- All existing licence holders would be required to undertake safeguarding training, which must include County Lines training. New applicants would be dealt with differently, as set out in the report;
- Private hire operators would be required to keep a register for 6 months of staff who were concerned with the booking and despatching of vehicles; and
- Private hire operators would be required to produce a policy on employing ex-offenders.

Accordingly, there were only minimal changes required to the Council's policy to bring it in line with the statutory requirements, and the proposals had been consulted upon locally. The Council had not received any response to the consultation other than verbal approval to some of the changes from some of the larger operators.

The Policy had, therefore, been updated to include the changes and to consolidate all of the information relating to the rules and regulations and the Council's convictions policy into one document. A copy of the proposed policy had been appended to the report.

*There were no alternative options for consideration or reasons*

**Resolved** - **That Cabinet approves the introduction of the updated Taxi and Private Hire Licensing Policy to bring it in line with DFT requirements.**

**173 Proposed Sale of Land at Church Canal Gateway, Blackburn Road, Church, Accrington**

Councillor Loraine Cox, Portfolio for Housing and Regeneration, provided a report informing Cabinet of the interest and bids received for the land on Church Canal Gateway, Blackburn Road, Church, Accrington, BB5 4HP, and seeking Cabinet's approval to dispose of the Council's interest in the site to the preferred bidder as set out in this report.

Councillor L Cox confirmed that she was delighted to bring this report to the Cabinet, which would involve disposal of the site for retail or leisure use. The site had been advertised and significant interest had been shown with the top four highest bids listed in the report. Acceptance of the highest offer, Bid A, was being recommended, subject to satisfactory terms being agreed and with the necessary delegations in place to finalise the arrangements.

The Leader of the Council commented that he was pleased to see another brownfield site released for regeneration, as this site had remained undeveloped for some time. The area was a key site at the Church Gateway and its redevelopment would provide new amenities for the residents of Church.

Councillor Marlene Haworth registered her support for the project and asked if she could be made aware of the type of retail or leisure development proposed. The Leader indicated that this could be made available privately to her, but at present the retailer wished to remain unnamed to protect commercial confidentiality.

Councillor Munsif Dad also expressed support for the sale of the land and thanked the Portfolio Holder and officers for their work in bringing this project to fruition over the last four years, or so. This was a prime spot for redevelopment.

Approval of the report was not a key decision.

#### *Reason for Decision*

The Church Canal Gateway site extended to approximately 1.57 acres. The site had formerly been housing and was, therefore, not designated within the local plan, but discussions with the planning team had indicated support for mixed use, especially employment. Retail use was not ruled out, but would require a sequential test to show that the town centre or other sites were not practical in terms of availability, suitability, or viability. The site was also subject to "Planning Advice for Developments near Hazardous Installations" (PADHI) due to its close proximity to Blyth's. Previous advice had indicated that employment and retail uses were likely to be supported by the PADHI requirements, but this would need confirming.

The Council's in-house valuer had produced an updated valuation appraisal of the site based on a GDV (gross development value, costs and profit margin) that had resulted in a site value of £450,000, reflecting circa £260,000 per acre.

The site had been placed on the open market by Trevor Dawson at the end of November 2020, requesting that all offers be submitted to the Estates Team at HBC in writing by the 20<sup>th</sup> December 2020. In total, the Council had received 11 offers, all in varying degrees of detail, with the two highest offers (Bids A and B as set out in the report) in line with the Council's valuations. Cabinet was now being requested to review these two proposals and make a recommendation.

For comparison, the top four highest bids to acquire the freehold for the Church Canal Gateway site were summarised in the report. After careful consideration Cabinet were invited to support Bid A, an outline of which was as follows:

- Offer: £500,000 subject to an exclusivity agreement and planning consent.
- Use: Retail and Leisure.
- Business Rates Annually: Estimated at £126,000 to £150,000 per annum.

- Employment: 40/50 during construction and 25 once operational.
- Bidder: A specialised retail land promotion company with a regional presence.

The following reasons were given for Bid A being the preferred bidder:

- It was the highest bid for the site;
- There was a significant lack of retail locally and, therefore, the use as retail and leisure was the most suitable use in the locality; and
- The proposal would provide additional business rate revenue and provide local employment.

Bidder A was a specialist retail land company with a regional presence, representing a strong interest from a retailer that wished to remain unnamed at this stage to protect commercial confidentiality. The bidder was insisting on the Council granting an exclusivity agreement for a period of up to three months to finalise legal terms and to prepare a planning application. Bidder “A” was also seeking legal terms that would make the proposed disposal subject to securing a satisfactory planning consent for retail and leisure use.

*Alternative Options considered and Reasons for Rejection/*

The Council could consider not selling the site: however, subject to the response to the public open space consultation, this option was not recommended because the proposed disposal provided the Council with an opportunity to generate a capital receipt and at the same time, redevelop the area for the social, environmental and economic wellbeing of the Borough.

**Resolved**

- **That Cabinet:**

- (1) Considers the bids for the Council’s interest in the Church Canal Gateway site and agrees to the proposed disposal of the site to bidder “A” for the reasons set out in paragraph 3.5 of the report subject to a decision being made to proceed with the sale pursuant to recommendation (2) and subject to satisfactory terms being agreed in accordance with recommendation (3).**
- (2) Approves the advertisement of the Council’s intention to dispose of public open space in accordance with Section 123(2A) of the Local Government Act 1972 and delegates authority to the Head of Regeneration and Housing to consider any responses received and, following consultation with the Portfolio Holder for Housing and Regeneration, to decide whether to proceed with the disposal of the Church Canal Gateway site.**
- (3) Subject to a decision being made to proceed with the sale pursuant to recommendation (2):**
  - (i) Delegates authority to the Head of Regeneration and Housing to agree the terms for the disposal of the Council’s interest in the site at Church**

**Canal Gateway with bidder “A”, following consultation with the Executive Director (Legal and Democratic Services); and**

- (ii) Following agreement of terms for the disposal of the Council’s interest in the Church Canal Gateway site, authorises the Executive Director (Legal and Democratic Services) to finalise and execute all legal documents and arrangements to secure the disposal of the Church Canal Gateway site to bidder “A”.**

With the approval of the Cabinet the following two items were taken next on the Agenda.

**174 Grant of Lease of King George V Playing Fields, Car Park & Associated Changing Pavilion to Accrington Stanley FC**

Councillor Miles Parkinson OBE, Leader of the Council provided a report seeking approval from Cabinet to grant a lease of part of King George V Playing Fields in Accrington, including associated car park and changing pavilion to Accrington Stanley FC Limited and to agree the arrangements for the grant of the proposed lease.

The report also sought approval for the dedication of Oak Hill Park, Accrington, to Fields in Trust, and the dedication of King George V Playing Fields to Fields in Trust, if required, and the entry into all other ancillary agreements with third party interests as might be required in order to facilitate the grant of the above lease.

The Leader of the Council referred to a minor correction to paragraph 2.2 of the report, which should refer to ‘paragraph 3.18’ not ‘paragraph 3.8’. The Leader indicated that Accrington Stanley FC (ASFC) were a national brand and the club was in need of appropriate training facilities. The Council owned a site at King George V Playing Fields, which was currently not used to its full potential. Accordingly, the needs of both organisations were closely aligned. It was, therefore, proposed to grant a lease for the use of the site to ASFC on the terms set out in the report.

Additional agreements might be required with Fields in Trust, Sport England, the Football Foundation and the Secretary of State for Housing Communities and Local Government to facilitate the lease.

Accrington Stanley FC was going from strength to strength and was a source of pride to both residents and supporters from further afield. In order to stay at the level of professional football currently enjoyed, the ASFC would require access to similar facilities to other League 1 clubs. The site overlooked the town of which they club were a part. The club would make a significant investment in the site and there would be some community use available. The financial contribution from the football club to the Council, in the sum of £550k, could be reinvested in the development of other leisure facilities, such as those at Wilsons Playing Fields.

Under the stewardship of Andy Holt, ASFC had emerged from a difficult financial position and was fully now engaged with the Council in realising its plans and ambition. The club attracted thousands of visitors to the town, with hotels and pubs all benefiting from the additional trade.

Approval of the report was not a key decision.

### *Reason for Decision*

The detailed reasons for the decision were set out in the report, which included information on the following:

- Previous works on the site;
- Community use agreement;
- ASFC training needs and proposed usage of the site;
- Changes to demand from community football;
- Charities Commission and Fields in Trust matters and implications for Oakhill Park;
- Section 123 Local Government Act 1972 - disposal of land implications and procedure;
- Valuation and economic, social or environmental well-being considerations;
- Sports England and Football Foundation requirements;
- Heads of Terms;
- Anticipated benefits to both the Borough and football club; and
- Capital receipt and anticipated revenue savings.

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

Not to lease the King George V Playing Fields, including associated car park and changing pavilion to Accrington Stanley FC. This was not recommended because leasing the site to ASFC would help to facilitate the club's development and ensure increased use and development of this underutilised site, which incurred costs of £30,000 per annum.

Marketing the site for development to ascertain if its full unrestricted value could be undertaken, although this had not been a consideration to date as the site was not currently allocated for development.

### **Resolved**

- **That Cabinet:**

- (1) Approves the advertisement of the Council's intention to dispose of public open space in accordance with Section 123(2A) of the Local Government Act 1972 and delegates authority to the Head of Regeneration and Housing to consider any responses received and, following consultation with the Portfolio Holder for Housing and Regeneration, to decide whether to proceed with the disposal; and**
- (2) Subject to the outcome of the decision at (1) and, if required, to the consent of the Secretary of State for Housing Communities and Local Government, agrees to lease King George V Playing Fields in Accrington including associated car park and changing pavilion (as shown edged red on the plan attached to the report) to Accrington Stanley Football Club Limited on the terms set out in paragraph 3.18 of this report being in any event satisfied that the disposal is likely to contribute towards the achievement of any one or more of the following to the Borough or any persons within it:**

- i) the promotion or improvement of economic well-being;**
  - ii) the promotion or improvement of social well-being;**
  - iii) the promotion or improvement of environmental well-being; and**
  
- (3) Delegates authority to the Head of Housing and Regeneration, in consultation with the Executive Director of Legal and Democratic Services and Portfolio Holder, to agree the detailed terms of the lease with Accrington Stanley Football Club Limited; and**
  
- (4) Delegates authority to the Head of Housing and Regeneration, in consultation with the portfolio holder to agree the detailed terms of any documents or other agreements required by Fields in Trust, Sport England and the Football Foundation in connection with the proposed lease and thereafter to instruct Legal Services to complete the lease to Accrington Stanley Football Club Limited and any documents or other agreements with Sport England, Fields in Trust and the Football Foundation that may be required to facilitate the grant of the lease; and**
  
- (5) If required to facilitate the grant of the lease to Accrington Stanley Football Club Limited and subject to the consent of the Secretary of State for Housing Communities and Local Government, if required, agrees to the re-dedication of King George V Playing Fields to Fields in Trust in perpetuity being satisfied that the disposal is likely to contribute towards the achievement of any one or more of the following to the Borough or any persons within it:**
  - i) the promotion or improvement of economic well-being;**
  - ii) the promotion or improvement of social well-being;**
  - iii) the promotion or improvement of environmental well-being; and**
  
- (6) If required to facilitate the grant of the lease to Accrington Stanley Football Club Limited and subject to the consent of the Secretary of State for Housing Communities and Local Government if found necessary, agrees to the dedication of Oakhill Park Accrington (shown edged blue at Appendix 2 to the report) or part thereof to Fields in Trust in perpetuity being satisfied that the disposal is likely to contribute towards the achievement of any one or**

**more of the following to the Borough or any persons within it:**

- i) the promotion or improvement of economic well-being;**
- ii) the promotion or improvement of social well-being;**
- iii) the promotion or improvement of environmental well-being.**

## **175 Financial Position January 2021 - Report for the Year Ending 31st March 2021**

Councillor Joyce Plummer, Portfolio Holder for Resources, provided a report informing Cabinet of the financial spending of the Council up to the end of January 2021 and the financial forecast outturn position for the Accounting Year 2020/21.

Councillor Plummer highlighted key elements of the report, as follows:

- The adverse variance forecast had been reduced to £225,000 from an original forecast of between £1M – £2M;
- But for COVID-19 the Council would have returned a surplus;
- Additional grants and further savings had helped the Council's position;
- Potential losses and the uncertain position at Hyndburn Leisure had now been stabilised. A bid for £170k support from Government was likely to be successful, but would be split over 2 years (£50k for 2020/21 and £120 for 2021/22). The Council would need to cover the £120k shortfall in 2020/21, which equated to around half of the Council's adverse variance.

Councillor Marlene Haworth enquired about the reason for the additional staffing costs for Regeneration and Property Services, in the sum of £228k (paragraph 3.8 of the report refers). This did not appear to be consistent with the practice of redeploying staff, as necessary, during the pandemic. It would be useful to receive an explanation of how the additional costs were incurred. The Leader indicated that the Portfolio Holder would provide a written response on this point.

Approval of the report was not a key decision.

### *Reason for Decision*

The spend for the first 10 months of the financial year to the end of January 2021 was £9,382,000 compared to a Budget of £10,919,000 giving a positive variance of £1,537,000 over the first 9 months of the year.

The current forecast spend to the end of the financial year in March 2021 was £11,452,000 compared to a Budget of £11,227,000. This forecast produced an adverse variance of £225,000 by the end of the financial year. The adverse variance across the Council was attributable to the impact of COVID-19 on the Council's overall financial position, requiring it to spend additional sums to address the impact of the pandemic while at the same time suffering a reduction in its income, due to the downturn in economic activity stemming from the pandemic.

The predicted level of variance against the Budget could be managed within the Council's overall reserves.

The financial detail was set out in a table at the end of the document and the report also included more detailed commentary about expenditure in the following service areas:

- Environmental Services;
- Culture and Leisure Services;
- Planning and Transportation ;
- Regeneration and Property Services;
- Policy and Corporate Governance; and
- Non Service Items.

The figures for service areas include estimated losses in income due to the pandemic less additional specific Government funding to help offset some of the losses incurred. Overall, the authority had estimated a loss in income across the Council of £1,043,000 and had assumed the Government would provide a grant of £593,000 to offset those losses. The estimate was based around the Government guidance issued in this area. This process was subject to further review and a year-end reconciliation under the Government's rules around this grant, so the figures were subject to confirmation and revision. This would only take place after the financial year-end. As such they could move upwards or downwards as a consequence, potentially by significant amounts as the scheme was new and untested.

The estimates around expenditure necessary to fight COVID-19 were subject to more uncertainty than in the normal forecasting of expenditure, given the unprecedented demands and changing nature in this area and, therefore, these forecasts were subject to larger variance than usual within a local authority Budget.

The Council expected a substantial increase in the non-payment of Council Tax and Business Rates, as well as a large rise in the numbers of Council Tax Support Claimants due to the pandemic. Due to the statutory requirements around accounting for these transactions the losses in these areas this year would not manifest themselves until future year budgets and would be dealt with by adjustments to the Council's revenue levels in later years.

The Government had potentially indicated that it would ensure all Tier 3 Councils were able to balance their 2020/21 and 2021/22 Budgets and, therefore, funding might be available to reduce the adverse variance to zero by the end of the year. However, at this stage no details had been provided around this potential extra financial support that might be available and, therefore, this funding was not included within this Budget forecast.

The level of adverse variance currently predicted would need to be funded from existing reserves if the extra funding did not materialise. The existing level of Council Reserves would be able to absorb such an adverse variance without a major impact on the Council's overall financial position.

*There were no alternative options for consideration or reasons*

**Resolved**

- **That Cabinet notes the report on the financial position as at January 2021 and asks Corporate Management Team to continue to reduce costs and increase income over the remaining weeks of the financial year.**

**Resolved**

- That, in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during the following item, when it was likely, in view of the nature of the proceedings that there would otherwise be disclosure of exempt information within the Paragraph at Schedule 12A of the Act specified at the item.

## **177 Urgent Decisions Taken**

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

In accordance with Executive Procedure Rule B16(c), Members considered a report on the following decisions taken under the urgency procedure:-

<b>No.</b>	<b>Decision Heading</b>	<b>Portfolio Holder</b>	<b>Date of Approval</b>
(a)	Public Sector Decarbonisation Scheme - Grant offer and proposed delivery arrangements	Cllr M Parkinson OBE	25th February 2021

**Resolved**

- To note the report on urgent decision taken.

## **178 Proposed Disposal of the Council's Land Known as Clayton Triangle**

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

Councillor Loraine Cox, Portfolio Holder for Housing and Regeneration, provided a report seeking the Cabinet's approval to the disposal of the Council's interest in the land known as Clayton Triangle, for residential development as set out in the report.

Councillor L Cox was pleased to report the substantial progress made in relation to this key brownfield site. There had been lots of interest in the site over the years, but until now nothing had come to fruition. The Council was working closely with the developer and current land owners to make the site available for a good quality housing development.

Approval of the report was not a key decision.

*Reasons for Decision*

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

*Alternative Options Considered and Reasons for Rejection*

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

**Resolved**

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

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed