
CABINET

Wednesday, 14th July, 2021

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

In Attendance: Councillors Peter Britcliffe, June Harrison and Marlene Haworth

62 Apologies for Absence

There were no apologies for absence submitted on this occasion.

63 Declarations of Interest and Dispensations

Councillor Munsif Dad BEM JP, declared a personal interest in respect of Agenda Item 6 – Hyndburn Leisure Transformation, in the light of his role as a member of the Board of Trustees of Hyndburn Leisure.

There were no reported dispensations.

64 Minutes of Cabinet

The minutes of the meeting of the Cabinet held on 9th June 2021 were submitted for approval as a correct record.

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

65 Urgent Decisions Taken

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

No.	Decision Heading	Portfolio Holder	Date of Approval
(a)	Extension to the enhanced building cleaning contract in response to Covid pandemic	Councillor Paul Cox	28 th June 2021

Resolved - **To note the report on urgent decisions taken.**

66 Reports of Cabinet Members

There were no verbal reports provided on this occasion.

67 Hyndburn Leisure Transformation - Investing in the Health of Hyndburn

Councillor Miles Parkinson OBE, the Leader of the Council, provided a progress report on Hyndburn Leisure Transformation. Following a previous report to Full Council on 19th November 2020 and to Cabinet on 10th February 2021, a public consultation had been

carried out and further work to progress and maximise opportunities to enhance leisure facilities across the Borough had taken place.

The report provided an update on progress to ensure the provision of high quality sports and leisure facilities in Hyndburn, creating a platform upon which to reduce physical inactivity, and develop a sustainable funding model in relation to Hyndburn Leisure.

The Leader provided a lengthy verbal update which highlighted the main issues included within the report.

Councillor Marlene Haworth, Leader of the Opposition, commented that a recent briefing held for the Conservative Group had been useful and had provided an opportunity for the Group's questions and concerns to be raised. The Leader responded that the Chair and Chief Executive of Hyndburn Leisure had endeavoured to be transparent about the proposals and that decisions taken had been and would be made following analysis and logic. It was acknowledged that there were strong feelings in Great Harwood about the future of Mercer Hall and, accordingly, the partners wished to provide something better overall as a result of any changes. Mercer Hall was a high quality building, but was no longer suitable or financially viable for use as a swimming pool.

Councillor Peter Britcliffe, Joint Deputy Leader of the Opposition, indicated that Mercer Hall had always been costly to maintain. The Conservative Group still had some reservations about its change of use, and believed that it would be difficult for Great Harwood residents to access alternative swimming facilities via public transport. There were also concerns about the option of opening a new pool in Clayton-le-Moors, which would not be suitable for swimming clubs. It was noted that Hyndburn Borough Council was one of only a few authorities that did not subsidise its leisure services provider. Overall, the Conservative Group was supportive of the improvements proposed, but with some caveats. The Leader reiterated that the Council supported the retention of the Mercer Hall building, but needed to consider its future use as a swimming pool. The options would be analysed further. Sports England had identified that swimming clubs and communities had differing requirements for pool use, as clubs need cooler water. The whole Leisure Transformation project would be underpinned by professional analysis. For example, table tennis had at one time been popular at Hyndburn Sports Centre, but gymnastics was now in the ascendancy and could be a more effective use of that space. The Sports Hub at Highams Playing Fields was a good example of what could be achieved with appropriate investment. It was noted that, if the Wilsons site was selected for further development, it was located on a good bus route.

Councillor June Harrison spoke in favour of the proposals and direction of travel. She noted that the charity, Play 4 uz 2, was being consulted about using a space in Mercer Hall for an inclusive play facility for children with special educational needs and disabilities, but was uncertain whether this would come to fruition. The Leader suggested that this could be a facility which had a Lancashire-wide catchment.

Councillor Peter Britcliffe indicated that one issue raised during the Conservative Group briefing was that of the provision of cricket pitches in the Borough. Cricket was known to be very popular and, particularly so, in the Asian heritage community. The Leader indicated that this had been raised previously by Councillor Munsif Dad BEM JP. However, there was a balance to be found between publicly provided sports facilities and those that could best be supported by established sports clubs, such as cricket clubs. Those private clubs also needed new members to sustain their existence. The Council would need to provide a business case for investment in its own sports and leisure facilities. Councillor Munsif Dad BEM JP welcomed the Opposition's comments. Partner organisations were working together to try to improve the lives of local people. Hyndburn Leisure and the Council were

progressing the project in a transparent way and were continuing to consult stakeholders about future leisure provision.

Approval of the report was not deemed a key decision.

Reasons for Decision

Poor health and well-being in Hyndburn was a major issue, highlighted during the current Covid pandemic and the Council and its partners needed to maintain and improve the offer to the local community if they were to challenge the current position.

The current indoor and outdoor sport and leisure facilities in Hyndburn were ageing and required significant levels of investment to maintain the current service offer. The work of the Council and Leisure Trust over the past two and a half years had aimed to understand where best that investment should be targeted and the potential to enhance the existing leisure offer to maximise positive outcomes for the local community.

The overall objective of this project was to develop a shared local strategic vision that was deliverable and distinctive whilst at the same time, creating the optimal mix of facility and service interventions with a strong sense of place and good connections with the wider area.

This report detailed the progress being made on that journey. Once all the steps had been completed, the Council's partners would be in a position to make appropriate recommendations and in the meantime, would regularly update Cabinet on what had been found and would communicate with the public.

The report included detailed information on the following matters:-

- Outcomes of the Feasibility Study (Stages 1-3 of the Strategic Outcomes Planning Model – SOPM);
 - Stage 1 - National Strategy summary;
 - Stage 1 – Summary;
 - Stage 2 – Establishing where we are now and where we want to be in the future. The Outcomes were as follows:
 1. Support people in our communities to live their lives well
 2. Improving quality of services and facilities
 3. High quality and valued environment with good connections between urban and rural areas
 4. Maintaining effective financial management;
 - Stage 3 – Facility Mix Options (Active Environment; Hyndburn Leisure Centre; Wilsons Playing Fields; Wilson Athletics Track);
- Public Consultation Analysis (including both the Leisure Transformation Survey and the Mercer Hall Repurposing Survey outcomes);
- Progress against Phase 1 – 3 of the Leisure Transformation (2021-24);
- Additional development opportunities; and
- Next steps.

The next stage of feasibility work would include a sequential assessment of potential replacement sites in Great Harwood and Rishton, alongside the site that was currently being proposed at Wilsons Playing Fields. This work would take the project to the end of the Royal Institute of British Architects (RIBA) Stage 1 and would provide detailed business modelling and costed architectural designs.

The Council and Leisure Trust would continue to progress external funding applications with a range of organisations including Sport England, the Football Foundation, Rugby Football League and England Athletics.

Detailed work would take place to complete Stage 4 of the SOPM to assess the overall affordability of the Leisure Transformation, identifying resource requirements to implement the scheme.

In connection with Mercer Hall, the partners expected to hear the outcome of a bid to the Architecture Heritage Fund (AHF) Project Viability Grant programme by September 2021. The public consultation process highlighted that there was a very strong interest from the community to engage in identifying and agreeing the future use of Mercer Hall and the partners planned to establish a local steering group to progress this work.

There were no alternative options considered or reasons proposed for rejection

Resolved

- (1) That Cabinet notes the on-going joint work between the Council and Hyndburn Leisure to develop detailed proposals around a potential investment programme in leisure facilities owned by the Council and operated by Hyndburn Leisure, to assist in significantly improving the health and well-being of the local population**
- (2) That Cabinet asks that further reports are brought back to Cabinet as studies for this project are concluded and final investment recommendations are identified.**

68 Garage Plot Rental Charge 1st April 2022

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012, a notice had been published on 5th July 2021 under the General Exception Procedure confirming that Councillor Paddy Short, Chair of the Resources Overview and Scrutiny Committee had been informed that the following key decision was to be made by Cabinet on 14th July 2021 without publishing details of the decision at least 28 days before the meeting.

Councillor Loraine Cox, Portfolio Holder for Regeneration and Wellbeing, provided a report seeking approval for increased garage plot rents from 1st April 2022. Councillor Cox outlined the main purpose of the report.

Councillor Peter Britcliffe noted that there would be administrative costs to implementing the increased rents and on-going collection costs. He enquired if it would be more economical to sell the garages to the tenants. The Leader responded that The Council's Estates Team were currently involved in some large scale projects and did not have spare capacity to deal with smaller sales. Historically, the Council had made every effort to review its estate and to dispose of any land which was surplus to requirements. However, now was not the most appropriate time to consider the matter of garages.

Approval of the report was deemed a key decision.

Reasons for Decision

The Council completed a garage rent review every 3 years, with the aim of ensuring that the garage plot rents kept pace with inflation. It was reasonable for the Council to increase the garage plot rents having taken into consideration the annual rate of inflation and rents charged by neighbouring local authorities.

The Council had last increased the annual garage plot rent on the 1st April 2019.

Allowing for the annual rate of inflation from 2019, and rent comparisons charged by neighbouring local authorities, it was recommended that the annual rent be increased to £102.00 from 1st April 2022.

The term “garage plot”, for the purpose of this report, meant an area of land owned by the Council roughly equal in size to that which permitted the erection of a 3m x 6m single garage, together with a narrow strip of land around the plot thereby permitting vehicle access and garage maintenance.

Garage plots were rented to members of the public (the tenants) who might then, at their own expense, erect a garage which could be used for parking a domestic motor vehicle. Some plots were used for parking cars or caravan storage without a garage building. It was a condition of the agreement that the garage plots were not used for commercial purposes and that the garage itself and the plot were maintained by the tenant.

The Council had 184 garage plots, all of which were tenanted at the time of writing.

The Council’s proposed annual rent of £102.00 was comparable with neighbouring local authorities.

Blackburn with Darwen Borough Council	£96.00
Pendle Borough Council	£94.55
Burnley Borough Council	£89.15
Rossendale Borough Council	£165.00

In reaching the recommended rent, consideration had been given to the annual rate of inflation since 2018 and that predicted from 2021 onwards, which ranged by year from 1.5-2.48%, albeit somewhat reduced in 2020 as a result of the Covid-19 pandemic. The recommended garage plot rent increase was 2.0% (year on year from 2019), which was comparable to the national rate of annual inflation.

Alternative Options considered and Reasons for Rejection

No change. Continue to charge rents at the existing amount. This option had been rejected on the grounds that a larger rent increase would be required at a future date. It was reasonable for the Council to review the rents charged every 3 years.

Set a lower rent increase. This option had been rejected on the grounds that the annual rate of national inflation since 2018 and predicted 2021 onwards ranged from 1.5% to 2.48%. The Council had set the rent increase comparable to that of the national rate of inflation, and to a rate comparable with other neighbouring local authorities.

Set a higher rent increase. This option had been rejected on the grounds that the increase would be greater than the national rate of inflation.

Resolved - **That Cabinet authorises an increase in garage plot rents from £96.00 to £102.00 per annum (excluding VAT) with effect from 1st April 2022.**

69 Temporary Rent Concession for the Indoor Market Hall Traders

The Cabinet considered a report of Councillor Paul Cox, Deputy Leader of the Council, asking Members to consider offering a further rent concession for the indoor Market Hall traders, due to the unrepresented pressures involved around the Coronavirus pandemic

The Deputy Leader highlighted the existing 30% rent concession to market traders agreed in November 2019 and the additional 22.5% concession applied from 1st April 2020 to 31st March 2021. The proposal was to extend the latter concession until the end of December 2021.

As an aside the Deputy Leader also drew attention to the rejuvenated flower planters outside the Market Hall, which now displayed herbaceous perennials and which would help to improve the overall shopping experience for visitors.

Councillor Marlene Haworth expressed delight at the proposals, which reflected well on the political parties' ability to work together for the benefit of the Borough. The concessions would help traders through these difficult times. She had spoken to a number of traders who had expressed their gratitude. Councillor Peter Britcliffe also welcomed the proposals, although noted that this was not a complete solution to trading issues. Millions of pounds had been spent on the Market Hall and town centre over the years, but the fundamental issue remained the need to attract in new traders into the town. To a large extent the Market Hall was living in the past. Half day closing on Wednesdays was a throwback to a bygone era. Nationally, the public spent twice as much money on a Wednesday than on a Monday. Furthermore, on Sundays, Accrington town centre was busy, but the Market Hall was closed. Traders needed to recognise new shopping patterns and respond to them, so as to attract the 'Leisure Pound'.

The Leader considered that these were valid points. Both political administrations had spent money on the Market Hall and Town Hall over the years, but they had not flourished as expected. The proposed Town Centre Investment Plan would look at these issues. The public sector could deliver some services, but the private sector was better certain activities. The Borough remained a long way from being able to attract visitors from out of town in large numbers yet, but this was an aspiration. These suggestions were welcomed and would be added to the matters being considered by the stakeholders and consultants working on the Plan. The Deputy Leader noted that shopping habits had changed and that new approaches and alternatives were required. For example, a pop-up bakery stall had been piloted on Saturday and had sold out of goods within two hours. The Market Hall needed to be a focal point and, as such, its opening hours were important. He would be happy to discuss these issues further in a face to face meeting with the Leader of the Opposition. Councillor Haworth indicated that she had not been aware of the pop-up stalls and suggested that such attractions needed to be better advertised to have a greater impact.

The Leader reiterated that all suggestions would be fed into the Levelling Up Fund bid. It was acknowledged that the Council could only do so much to stimulate trade, as had been demonstrated by the Christmas Lights switch on event. This event had originally been staged by the Council to promote late-night shopping, but had not been universally supported by traders, with a number of flagship shops remaining closed.

Approval of the report was not a key decision.

Reasons for decision

Trading was not back to normal in Accrington Town Centre, even as restrictions on Covid-19 were being considered/lifted. This was probably due to the relatively high incidence rates in the Borough, meaning many residents continued to exercise caution when shopping in the town centre.

In February 2018, Cabinet had approved a 50% concession on rent and service charges for 2 months. In August 2018, Cabinet approved a permanent reduction in rents of 13.4%, and in November 2019 had approved a 30% rent concession for a period of three years commencing 1 January 2020.

In August 2020, Cabinet had approved a 22.5% rent concession for the period 1st April 2020 to 31st March 2021 to support the traders during the initial Covid lockdown. This was on top of the agreed 30% three year rent concession already approved, in effect giving a 52.5% concession on rents for indoor market hall traders.

To alleviate cash flow problems for the indoor Market Hall traders and help them get back on their feet, it was proposed to reinstate the 22.5% concession in rents for the six month period 1st July to 31st December 2021. This concession did not apply to the traders within the balcony units.

The concession offered to the Market Hall traders would be on the condition that they continued to make all monthly rent or other payments via Direct Debit, (DD) and adhere to the Council's Market Regulations, which would include remaining trading during the agreed Market Hall opening hours. Where a current trader was in rent arrears, no concession would be applied to the arrears and if applicable, any credits would be used to reduce the outstanding debt. Where a trader was up to date, any credits would be returned in full. Any tenant not agreeing to these conditions would remain on the existing sq. ft. rental charge.

Alternative Options considered and Reasons for Rejection

The Council could leave the rents at the current level. However, a motion proposed at the Council meeting held on 1st July 2021 had support for the rent concession set out within this report.

Resolved

- (1) That Cabinet approves the 22.5% rent concession for the indoor Market Hall traders set out in paragraph 3.4 and subject to the conditions in paragraph 3.5 of this report, with effect from 1st July 2021 and until 31st December 2021.**
- (2) That Cabinet notes the rent concession will reduce income levels for the financial year 2020/21 and it is unlikely any efficiency or other savings will offset this.**

70 Additional Christmas Lighting Displays

The Cabinet considered a report of Councillor Loraine Cox, Portfolio Holder for Regeneration and Wellbeing, updating Members on the suggested enhanced offering of Christmas lights on street lighting columns within the Borough.

Councillor Loraine Cox summarised the report which proposed the purchase of lights for those townships which did not currently have displays, in the sum of £39k for 2021 and an

increase to the Christmas Decorations revenue budget with effect from 2022. The new LED lights would reduce carbon emissions and have lower operating costs.

The Leader reminded Members that new lights had been purchased for Accrington and the larger townships last year. The current proposals would extend this provision to the remaining townships. The installation of any new power supplies needed and the erection and dismantling of all Christmas lights would be undertaken by Lancashire County Council under the existing contract.

Councillor Peter Britcliffe indicated that he had been disappointed with the lights in Oswaldtwistle last Christmas. He also expressed a view that the new lights should appropriately reflect the Christian heritage of the celebration. This point was echoed by Councillor June Harrison. The Leader responded that the old illuminated Father Christmas figures had reached the end of their useful life and had been replaced. The new lights would be multi-coloured, globe rope lights to wrap around the lamp posts. If other designs were desired additional budget provision would need to be identified. However, the existing lighting budget was already significant.

Approval of the report was not a key decision.

Reason for Decision

At the request of the Leader in 2020, 110 new Christmas Lights had been purchased to replace the existing street lighting column features across the Borough for the 2020 switch on within the townships of Great Harwood, Oswaldtwistle, Baxenden and Accrington. The Leader had now requested additional Christmas Lights in order to enhance the new displays across the whole Borough.

It was therefore proposed to purchase an additional 50 new lights, as this would provide the greatest impact to the remaining townships of Altham, Clayton, Rishton and Huncoat, all of which currently did not have any street lighting column displays. This would ensure these remaining townships felt more included.

The new 50 LED lights, manufactured by the same local lighting company as those installed in 2020, i.e. multi coloured, globe rope lights, would provide a consistent and co-ordinated approach across the Borough, making erection and maintenance far simpler.

As well as being lightweight, waterproof and durable, the lights used LED bulbs which was in line with the Council's carbon reduction commitment and also ensured the electrical running costs were kept as low as possible.

The lightweight nature of using rope lights, rather than an animated display, meant that structural testing of the street columns should not be necessary, but this was ultimately at the discretion of Lancashire County Council (LCC).

Whilst there was the initial Capital cost of purchasing the rope lights and LCC's costs for providing a new electrical supply at the top of all the 50 street lighting columns, there would be a need to increase the Christmas Decorations contract budget for the erection and dismantling of the lights from 2022 onwards. The additional cost to the contract would be £148.84 per unit with a 5% increase for each year after, as this was part of the contract that LCC were awarded in 2020 to erect and remove the Council's Christmas decorations / trees.

LCC had informed the Council that they had a 'window' of availability in July to undertake this work, but after which they were not able to guarantee the necessary works would be completed in time for the switch on.

Alternative Options considered and Reasons for Rejection

Not adding to the display in 2021. This would leave numerous townships without any street lighting column Christmas lights.

Adding supplementary lights in the townships which had new displays installed in 2020 (Great Harwood, Oswaldtwistle, Baxenden, Accrington) was deemed not necessary, as those areas had already been enhanced by new LED lights.

Resolved

- **That Cabinet approves the enhanced Christmas light offering for 50 street lighting columns for 2021 at a cost of £39,000 and approves an increase in the Christmas Decorations revenue budget from 2022, as per paragraph 3.6 within the report.**

71 Hyndburn Arts Strategy

The Cabinet considered a report of Councillor Munsif Dad BEM JP, Portfolio Holder for Education, Leisure and Arts, seeking approval for the development of a Hyndburn Arts Strategy.

Councillor Dad highlighted that an Arts Strategy could improve the mental health of residents and ensure their wellbeing, as well as supporting the local arts and cultural offer. Contact would be made with the Arts Council England which was the lead development agency for creative culture, to see what assistance they might offer. The report sought funding in the sum of £5k to develop the Strategy, which had the potential to unlock funding from elsewhere and could support cultural events in Accrington Town Square and the Borough's parks.

Approval of the report was not deemed a key decision.

Reasons for decision

The Council had not developed a formal Arts Strategy for over 15 years, which whilst not a legal requirement, the lack of such a long term strategic plan might be a disadvantage when trying to attract external grant funding, which for example could be used to support the Council's Levelling Up Fund bid, which was due to be submitted in the Autumn.

Hyndburn Arts Ltd had approached the Council offering to develop a long term Arts Strategy for the Borough, details of which were appended to the report by way of an introduction letter, quotation and proposal brief.

Hyndburn Arts Ltd, had recognised the limited timescales of developing the strategy in time for the Council's Levelling Up Fund bid and had indicated that a draft version would be available within four weeks of a signed agreement.

The Chief Executive of the Leisure Trust was aware of the proposal by Hyndburn Arts Ltd and had made contact with their Creative Director to discuss how other local arts and culture partners/stakeholders might be able to support the proposed work and would also

be making contact with the Arts Council to enquire if they could offer any support/financial assistance to develop the strategy.

Alternative Options considered and Reasons for Rejection

The Council was not required to have an Arts Strategy, but not having one could restrict the Council when considering external funding opportunities, such as the Government's Levelling Up Fund.

Resolved

- **That Cabinet approves the proposal from Hyndburn Arts Limited to develop a 10 year Hyndburn Arts Strategy at a cost of £5,000 and that this is met from the Economic Development fund already set aside by the Council.**

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed