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# CABINET

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**Wednesday, 18th June, 2025**

- Present:** Councillor Munsif Dad BEM JP (in the Chair), Councillors Vanessa Alexander, Scott Brerton, Stewart Eaves, Melissa Fisher, Clare Pritchard and Ethan Rawcliffe
- In Attendance:** Councillors Noordad Aziz, David Heap, Zak Khan, Dave Parkins and Steven Smithson.
- Apologies:** Councillor Kimberley Whitehead
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Councillor Munsif Dad BEM JP, the Leader of the Council, welcomed the two newest Portfolio Holders to their first meeting Cabinet under the current administration. He commented that Councillor Clare Pritchard would bring her knowledge and previous experience back to the executive, while Councillor Ethan Rawcliffe would bring a fresh perspective, as the youngest serving councillor in the Borough.

**42 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Kimberley Whitehead.

**43 Declarations of Interest and Dispensations**

There were no declarations of interest or dispensations made on this occasion.

**44 Minutes of Cabinet**

The minutes of the meeting of Cabinet held on 26<sup>th</sup> March 2025 were submitted for approval as a correct record.

In respect of Minute 399 - Accrington Stanley FC, Councillor Khan noted that a further meeting had been held with the football club after the aforementioned Cabinet meeting. He asked about the purpose of the meeting and any outcomes. The Leader responded that he would provide an update on this matter under Agenda Item 5 – reports of Cabinet Members. (Minute 46 refers).

In connection with Minute 409 – Huncoat Garden Village, Councillor Khan commented that he had not yet received the updated risk register in relation to the HGV project, which he had requested. Councillor Dad gave an undertaking to arrange for this to be sent to him.

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

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

The minutes of the following board were presented:

Name of Body	Date of Meeting
Leader's Policy Development Board	24 <sup>th</sup> March 2025

**Resolved** - **To note the minutes of the board as indicated above.**

## **46 Reports of Cabinet Members**

### ***Leader of the Council***

Councillor Munsif Dad BEM JP reported on the following:

#### Devolution and Local Government Reorganisation

The Leader had already been involved in a number of meetings to discuss local government reorganisation. Proposals around 3 or 4 unitary authorities models were emerging. The final submission to Government would need to be made by November. The Leader indicated that his preference was for the 3 unitary councils option, but that the model with 4 councils might be acceptable. He anticipated that firm proposals would be available by October for wider circulation and comment.

#### Accrington Neighbourhoods Board

The Council had appointed Andy Tatchell as Chair of the newly formed Accrington Neighbourhoods Board. The Board would oversee the investment of some £20m in Accrington town centre over the next 10 years, which would complement the existing Levelling Up interventions.

#### Accrington Stanley FC

The Council was continuing to work positively with the football club to address various issues. A further meeting had taken place about the licensing situation and the Council was committed to continuing its dialogue with the club. Two meetings on this matter had taken place so far and a further meeting would be held soon.

### ***Portfolio Holder for People and Communities***

Councillor Ethan Rawcliffe reported on the following:

He was currently dealing with a request from Prospects to extend the lease on Piggy Park, in Rishton. The site was maintained as community garden, which was used by Brownies, Rainbows, Cubs, churches and adult social care organisations for numerous activities. The area provided a key social hub and was also accessible to wheelchair users. The site had previously attracted £100k in external funding and this had been invested in developing the site over a period of time. The detail of the proposed lease extension was currently being worked on by the Legal and Property teams within the Council. It was envisaged that a full report would be available soon.

### ***Portfolio Holder for Resources and Council Operations***

Councillor Vanessa Alexander reported on the following:

#### Household Support Fund

The service had now recommenced and had been brought back in-house.

### ***Portfolio Holder for Environmental Services***

Councillor Stewart Eaves reported on the following:

#### Waste Transfer Station

Discussions were on-going with Lancashire County Council about the possible development of a waste transfer station

#### Skip Days

Skip days had now resumed with the first one due to be held on 12<sup>th</sup> July 2025 in St Andrews ward. Suez had ceased to support the original arrangements. A new agreement had been entered into with SB Tippers of Great Harwood, to supply skips at £500 each. This was significantly cheaper than an equivalent service offered by Suez.

#### 4x4 Vehicles

The Council currently operated five 4x4 vehicles, but was in the process of reducing this number to one vehicle. This would enable the Council to be greener. It was likely that the new vehicle would be compatible with Hydrated Vegetable Oil (HVO) fuel.

### ***Portfolio Holder for Transformation and Town Centres***

Councillor Clare Pritchard reported on the following:

#### Events

There had been some highly enjoyable events in Accrington town centre recently. The Food Festival on 6<sup>th</sup> – 7<sup>th</sup> June had been very busy, even in the rain on the Saturday. She placed on record her thanks to Amazing Accrington and to Scott Dawson Adverting. The Eco Fest held on 14 June had also been well attended, with lots of useful information available and family friendly activities provided.

#### 'Nice2Share' Event

Earlier today the Portfolio Holder had attended a 'Nice2Share' event promoted by Lancashire Constabulary. The Police had procured a digital evidence management system, which would allow businesses and members of the public to register their CCTV and other recording devices into a community portal. That should allow faster communication of evidence to the Police.

### ***Portfolio Holder for Business, Growth and Sustainability***

Councillor Scott Brerton reported on the following:

#### Business Engagement

Two key events had taken place recently in Hyndburn. Firstly, the Hyndburn Business Awards had been held, which had been a fantastic celebration of local businesses. The community could be rightly proud of these key enterprises. The event demonstrated a wide range of commercial activity in the Borough. Secondly, the Amazing Accrington Business Breakfast had been arranged. The Portfolio Holder had spoken at the event regarding the Council's economic development plans, which had been well received. Other contributors had included Marketing Lancashire and the chief executive of Oswaldtwistle Mills.

### Economic Development Officer

The Council was now actively recruiting for a further Economic Development Officer. Accordingly, service was now moving away from reliance on Business Lancashire with a view to arranging more promotional activities in-house. The Portfolio Holder thanked Councillor Khan for his efforts to re-establish this service during his tenure as Leader of the Council.

### Workshops

Numerous business workshops were planned in the coming months and it was pleasing to see that the content of some sessions was being supported by established local businesses, who were working with the Council to share their experience. For example, Heath Groves, CEO of Sundown Solutions Ltd, had recently shared useful information about IT systems.

Councillor Khan made a number of comments and asked some questions on the various announcements made by Portfolio Holders. These are summarised below, together with any responses given:

- Noting that the economic development function was doing well and endorsing the shift towards greater in-house involvement;
- Enquiring if, at the Business Breakfast, the Sarah Smith MP had spoken about her position regarding a proposed Strategic Rail Freight Interchange (SRFI) in Huncoat.  
*Response:* The Leader indicated that the Council had given its approval to the Huncoat Garden Village development and was clear about that direction. The MP's views would be a matter for herself;
- Asking why Suez had terminated the skip day arrangements with Council.  
*Response:* Councillor Eaves reminded members that Suez had been unable to identify drivers willing to volunteer for the weekend skip service. It was also possible that the Council's stance on Whinney Hill might have impacted negatively upon its relationship with Suez;
- Asking about the numbers of residents who were projected to access the Household Support Fund, the eligibility criteria and how the fund would be publicised.  
*Response:* The Leader reiterated that the service had only recently been internalised. Councillor Alexander added that she had just returned from leave and was not yet familiar with all of the details;
- Asking if the Portfolio Holder for Transformation and Town Centres, which was a new portfolio, would set out some ambitions for that area of responsibility.  
*Response:* The Leader remarked that the question was inappropriate, as it did not arise from the any announcements made by the Portfolio Holder;
- Asking what the other discussions with Accrington Stanley FC had covered.  
*Response:* The Leader responded that the Council had offered as much support as it possibly could to the club. Accrington Stanley were considering some work, which should solve the sound issues. When the closure of the academy had been announced representatives of the Council had met with the club. Notwithstanding the offer of support made by the Council, the club had determined that the best model was for them to close the academy. Ultimately, it was a matter for the club to approach the Council with some proposed solutions to the licensing issue. However, there was some optimism that a positive result could be achieved;
- Asking if the controlling group would consult with the public directly about local government reorganisation and, if not, how those views would be canvassed.  
*Response:* The Leader reminded members that there had been a debate at a recent Council meeting about reorganisation and that Hyndburn had agreed a 3 unitary

proposal. This had also been discussed with other Lancashire leaders. Government Guidance had been received recently. Lancashire leaders were working to try to reach a consensus and two main options were emerging. The outcome of those discussions would be brought back to the Council. The Government had indicated that it would consult on the final proposals. Councillors could seek the views of their ward residents at any time to feed into the process;

- Enquiring if the controlling group would seek to cancel the local elections in 2026.  
*Response:* The Leader indicated that to the best of his knowledge those elections would proceed, but the matter could be subject to a decision by the Government;
- Querying the degree of political independence of the newly appointed Chair of the Accrington Neighbourhoods Board, in view his prior links to the Labour Party. This was in contrast to the Chair of the forerunner body (the Accrington Town Centre Partnership Board), who had been fully independent. A query was raised about which other candidates had been considered for the new role.

*Response:* The Leader stated that there were a number of candidates on the shortlist. The previous Chair was no longer available. A transparent application process had been followed, which resulted in two candidates being interviewed. The person appointed was the best candidate and had a high level of experience of regeneration and political leadership.

## 47 Urgent Decisions Taken

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

No.	Decision Heading	Portfolio Holder	Date of Approval
(a)	Game Street Pump Track, Great Harwood	Cllr Kimberley Whitehead	25 <sup>th</sup> April 2025
(b)	Leisure Transformation Project - Wilson Playing Fields Site - s.278 Agreement	Cllrs Noordad Aziz and Vanessa Alexander	9 <sup>th</sup> May 2025
(c)	Huncoat Garden Village Residential Relief Road – Appointment of Preferred Contractor	Cllr Melissa Fisher	27 <sup>th</sup> May 2025
(d)	Lease of Wilson Playing Field Site to Hyndburn Leisure	Cllr Melissa Fisher	5 <sup>th</sup> June 2025

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

## 48 Portfolio Responsibilities 2025/26

The Agenda set out a copy of the Leader's document: Labour Cabinet Membership and Portfolio Holder Responsibilities for 2025/26. Councillor Dad was pleased to announce the appointment of two new members to the Cabinet. In addition, there had been some changes to Portfolio titles and a reorganisation of the some functions allocated between the Portfolios.

A summary of the appointees and their Portfolios was as shown below. Details the specific functions allocated to each Portfolio were as set out in the Agenda document.

- Councillor Munsif Dad BEM JP – Leader of the Council;
- Councillor Melissa Fisher – Deputy Leader (Designate) and Portfolio Holder for Housing and Regeneration;

- Councillor Kimberley Whitehead – Deputy Leader and Portfolio Holder for Culture, Heritage and Sport;
- Councillor Vanessa Alexander – Portfolio Holder for Resources and Council Operations;
- Councillor Scott Brerton – Portfolio Holder for Business, Growth and Sustainability;
- Councillor Stewart Eaves – Portfolio Holder for Environmental Services;
- Councillor Clare Pritchard – Portfolio Holder for Transformation and Town Centres; and
- Councillor Ethan Rawcliffe – Portfolio Holder for People and Communities.

**Resolved** - **To note the Portfolio Responsibilities for 2025/26.**

#### **49 Appointment of Cabinet Committees and Cabinet Groups 2025/26**

Members considered a report of Councillor Munsif Dad BEM JP, Leader of the Council, confirming the establishment of Cabinet Committees and Cabinet Groups for the 2025/26 Municipal Year and appointing members to the Committees and Groups.

Councillor Dad provided a brief introduction to the report. Some changes to appointed persons had been proposed in the light of Councillors Aziz and Walsh retirement from their Cabinet roles.

Councillor Khan expressed disappointment that two out of the three proposed Working Groups contained no Opposition representation. Councillor Dad responded that those arrangements had been carried forward from the previous administration. At that time, the Labour Group (then in opposition) had been advised that it could still feed any comments or suggestions into the Working Groups by contacting those members directly.

Approval of the report was not deemed a key decision.

#### *Reasons for Decision*

In June 2015, Cabinet had established the Cabinet Committee (Scrap Metal Dealers Act 2013). The Cabinet Committee determined 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) had informed the Council that they wished to make oral representations. Meetings would take place only as and when required, but this body was needed to enable compliance with statutory requirements.

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

In June 2012, Cabinet had established the Cabinet Waste and Recycling Group. The body acted in an advisory capacity to Cabinet and did not have any delegated or decision making powers. The Group met infrequently, but provided oversight of certain aspects of the Council's Waste Services.

On 21<sup>st</sup> September 2022, Cabinet had established the Net Zero Working Group. The Working Group's remit was to support the work of Cabinet in addressing climate change, but it did not have any delegated or decision making powers. The Group was currently active.

On 18<sup>th</sup> September 2025, Cabinet had established the Cabinet Action Fund Working Group. The group's remit was to evaluate applications for funding from the Cabinet Action Fund and to make recommendations to the Leader of the Council and Executive Director (Resources) for the payment of any grant. The delegated authority to make any payment rested with the Executive Director (Resources), following the aforementioned consultations.

The terms of reference for all of the bodies mentioned above were appended to the report. It was proposed that those bodies continue into 2025/26, with the membership as shown in Table 1, set out below. Members were reminded that the formal Committees must only comprise councillors who were Cabinet Members:-

Table 1

<b>Committees</b>	
Cabinet Committee (Scrap Metal Dealers Act 2013)	Councillor Stewart Eaves (Chair) Councillors Vanessa Alexander and Melissa Fisher
Cabinet Committee (Street Naming)	Councillor Scott Brerton (Chair) Councillors Melissa Fisher and Clare Pritchard Councillor Marlene Haworth (attending as observer)
<b>Working Groups</b>	
Cabinet Waste and Recycling Group	Councillor Stewart Eaves (Chair) Councillors Munsif Dad, Steven Smithson and Kimberley Whitehead
Net Zero Working Group	Councillor Scott Brerton (Chair) Councillors Steve Button and Ethan Rawcliffe
Cabinet Action Fund Working Group	Councillors Vanessa Alexander, Melissa Fisher, Kimberley Whitehead

*There were no alternative options for consideration or reasons*

**Resolved**

- (1) That Cabinet agrees to the establishment of the Cabinet Committees and Cabinet Groups, as set out in Table 1 above, and with the terms of reference, as set out in Appendix 1 to the report;**
- (2) That the membership of the Cabinet Committees and Cabinet Groups, as set out in Table 1 above, be approved.**

**50 Huncoat Garden Village - Design Code**

Members considered a report of Councillor Melissa Fisher - Deputy Leader and Portfolio Holder for Housing and Regeneration, inviting the Cabinet to review and consider the Huncoat Garden Village (HGV) Design Code for approval.

Councillor Fisher provided a brief introduction to the report. The document set out the key design standards for architects and planners. Its purpose was to ensure the provision of high quality homes and a quality environment, which would enhance Huncoat. Councillor Dad commented that engagement with stakeholders was important and that both he and Mark Hoyle, Head of Housing and Regeneration, had attended several Huncoat Forum meetings.

With the permission of the meeting, Councillor Dave Parkins spoke on this matter. He reported that a meeting of Huncoat Forum had taken place last night, at which the Design Code had been discussed. In the light of that meeting, a number of questions would be submitted to Councillor Fisher and Mr Hoyle within the next week. The Forum had expressed concern that the overall situation had worsened. Councillor Dad gave a commitment that the Council would answer any questions received.

Councillor Khan welcomed the engagement held with the public. He asked about the following:

- What sources of reference and best practice had been used to create the Design Code?
- In respect of the Design Principles, eg. the Huncoat House (p.61), why were some classified as 'required' and others as 'expected'?

Mr Hoyle responded that references had included the National Planning Policy Framework, Local Plan, HGV Masterplan and numerous local sources, such as the Huncoat Forum, walkabouts and photographic material which captured the character of the area and its landscape. There was some national best practice included, but Hyndburn was one of 16 pilot authorities. The aim was to make the Design Code right for the specific area concerned. The mandatory and expected principles would allow planners to assess any applications, with some dos and some don'ts. This allowed needs to be balanced by including what was important, whilst ensuring that the development remained commercially viable.

Approval of the report was not deemed a key decision.

#### *Reasons for Decision*

Hyndburn Borough Council was one of 16 local authorities selected by the Government to be part of its pilot programme to test the application of the National Model Design Code (NMDC). The NMDC provided detailed guidance on the production of local design codes. Design codes were intended to provide detailed guidance that lead to well-designed places. Design codes were therefore typically seen as planning documents to be approved for planning purposes.

Hyndburn Borough Council had seen this as an opportunity to produce a design code that would provide detailed guidance on the design parameters, technical standards and specification to shape development for the Huncoat Garden Village (HGV) development. A copy of the Design code was made available via the following link: [Huncoat Design Code | Huncoat Garden Village](#).

The Code used qualitative and written, numerical and graphic content to set out rules designed to make high-quality place making. In the case of HGV, the Code built upon the design vision and framework set in the HGV Masterplan Framework.

The design code covered Huncoat village, including the existing settlement and the HGV project area. The design code was intended to serve as a single point of reference of material consideration that translated design quality objectives and policies from planning guidance into specific and tailored design parameters to guide and enforce the future development of Huncoat including HGV.



It would be used as a valuable tool that set out the “dos and don’ts” of creating a high quality place at Huncoat and should be used by the Council, landowners, developers, other stakeholders and consultants. The Code included a checklist which would be used when preparing planning applications for HGV.

The design code should not be confused with a design guide. A design guide was a document providing guidance on how development can be carried out in accordance with good design practice. A code was more specific and provided a set of rules rather than just guidance.

The development of the HGV Design Code had taken place in 2021-22. The Code had been in an almost complete form for two years, but its approval had been delayed until it had been fully tested. The Code had been used and therefore tested in preparing plans including planning applications for the proposed new residential relief road and the development of the former power station site for housing.

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

There was no requirement to have and use the design code, however the code should be seen as a valuable tool to drive future development design standards at Huncoat, especially HGV.

#### **Resolved**

- **That Cabinet approves the Huncoat Garden Village Design Code, as viewable online via the link set out in the report.**

#### **51 Huncoat Garden Village: Update and Steps to Acquire Land and Property for the Proposed Relief Road**

Members considered a report of Melissa Fisher - Deputy Leader and Portfolio Holder for Housing and Regeneration, providing Cabinet with an update on the Huncoat Garden Village project.

The report also sought relevant delegations in respect of the acquisition of land and property to enable construction of the proposed residential relief road at Huncoat Garden Village and for delivery of the overall project following the Council entering into a Grant Funding Agreement with Homes England.

In addition, the report sought approval to start the process towards a Compulsory Purchase Order (CPO) should the Council fail to acquire the required land and property by agreement

Councillor Fisher provided a brief introduction to the report.

Approval of the report was not deemed a key decision.

#### *Reasons for Decision*

Good progress continued to be made on the HGV project, including:

- The Council had entered into the Brownfield, Infrastructure and Land (BIL) grant funding agreement with Homes England on the 31<sup>st</sup> of March 2025
- A full planning application for the proposed residential relief road had been submitted and subsequently validated on the 3<sup>rd</sup> April 2025

- The Council had claimed and recovered historic costs on the project to date, amounting to £710,569. This had been paid by Homes England on the 29<sup>th</sup> May 2025
- The Council had entered into a s274 agreement with National Highways that would facilitate the transfer of £2.19m grant funding to National Highways towards improvement works at junction 8 on the M65.
- The Design Code for the project was being presented to this Cabinet meeting for approval.
- The new, draft Local Plan had been submitted to the Secretary of State for Independent Examination on Monday, 10<sup>th</sup> March 2025. The Planning Inspectorate had appointed a planning inspector to assess its soundness and compliance with legal requirements. Public hearing sessions had been set to run over the last two weeks of September this year and a further week from the 7<sup>th</sup> of October.
- The Council had selected a preferred contractor to construct the proposed residential relief road. Stage 2 of the tender process had commenced which included progressing the road design to RIBA Stage 4, and the preferred contractor firming up its final tender price.
- The former power station site owner and their house builder partner had submitted an updated outline planning application for the site.
- The owners of the former colliery site continued to engage with several house builders.

The proposed new residential relief road route and construction area was shown red on the plan attached as Appendix 1 to the report. None of the land was in Hyndburn Council's ownership. The Council had appointed Avison Young to assist with the acquisition strategy, including discussions and negotiations on behalf of the Council to acquire the land and property. Up to now, the Council had led on, and held direct discussions with, the landowners potentially involved in the proposed road route. Should the Council be unable to acquire the land by agreement it was proposed to use the most appropriate power to compulsorily acquire the land. Should a CPO be required, the intention was to return to Cabinet later this year to seek authorisation to make a CPO.

TerraQuest had been appointed to provide Avison Young and the Council with specialist land referencing services and provide overall support for providing the appropriate CPO documents if required.

Avison Young had prepared draft heads of terms (HoTs) in respect of the land and property the Council proposed to acquire to enable construction of the relief road. At the time of writing the Council were about to appoint Pinsent Masons who would provide the Council with legal support. Pinsent Masons would review and check the HoTs before they were issued to each of the interested parties.

The authority to acquire land by agreement for the purposes of development was contained in section 227 of the Town and Country Planning Act 1990. The Council had sought Counsel's advice on the most appropriate statutory power to be exercised should a CPO be required. Counsel concluded that the most appropriate power sat within section 226 of the

Town and Country Planning Act 1990 because any land needed to be compulsorily acquired for the road would facilitate the development of the Garden Village, and therefore the proposed road “will facilitate the carrying out of development, re-development, or improvement on or in relation to the land”.

*Alternative Options considered and Reasons for Rejection*

The Council could decide not to acquire the land required for the relief road. This was not recommended because acquisition was essential to enable construction of the relief road and subsequent adoption of the same by Lancashire County Council. Whilst every effort would be made to acquire the land by agreement, a CPO might be required as a last resort, especially if there were parcels of land in unknown ownership.

**Resolved**

**- That Cabinet:**

- (1) Notes the progress being made with the Huncoat Garden Village (HGV) project.**
- (2) Having concluded that the acquisition of land and property will facilitate the development of the proposed residential relief road for the Huncoat Garden Village project and that the project is likely to contribute to the achievement of any one or more of the following objectives:**
  - (a) the promotion or improvement of the economic well-being of the area;**
  - (b) the promotion or improvement of the social well-being of the area;**
  - (c) the promotion or improvement of the environmental well-being of the area,**

**resolves to delegate authority to the Head of Regeneration and Housing, following consultation with the Executive Director (Legal & Democratic Services) to negotiate and agree the terms of any necessary acquisitions and to enter into such agreements or deeds necessary for the acquisition of all or part of the land and property required to enable the development of the proposed Huncoat relief road. The statutory authority for the acquisition being pursuant to S.227 of the Town and Country Planning Act 1990.**

- (3) Authorises the Head of Regeneration and Housing to begin preparatory work to secure information as to interests in the land and property within the proposed relief road red line boundary (identified at Appendix 1 of the report) to assist with the acquisition strategy including title referencing, serving requisitions on land and property owners and the appointment of land referencing agents preliminary to the**

investigation of powers of compulsory purchase of land and property.

- (4) Having agreed to enter into a grant funding agreement with Homes England for £29,897,722 for the HGV project, approves expenditure of the Brownfield, Infrastructure and Land fund (BIL) grant and grants delegated authority to the Head of Regeneration and Housing to take all reasonable steps to deliver the HGV project including (but not limited to):
- (a) Procuring works, goods and services, including approval of expenditure and variations (and to determine delivery mechanisms for different elements of the project); and
  - (b) Following consultation with the Portfolio Holder and the Executive Director (Legal & Democratic Services) to agree the terms of the agreements appointing the preferred consultants or contractors; and
  - (c) Obtaining all necessary permissions and consents, whether statutory or otherwise; and
  - (d) Agreeing and finalising terms for the acquisition and disposal of any land or property in connection with delivery of the HGV project, together with the terms of any necessary licenses, access agreements or easements; and
  - (e) Agreeing and finalising the terms of agreements with landowners in respect of the proposed brownfield land remediation works, proposed equalisation arrangements and any other matters associated with delivery of the HGV project and / or compliance with the requirements of the BIL grant funding agreement
  - (f) Agreeing and finalising terms with Lancashire County Council and / or National Highways in respect of highway adoption or highway improvement works
  - (g) In consultation with the Executive Director (Legal and Democratic Services) entering into legal agreements in respect of the above
- (5) That such delegations to the Head of Regeneration and Housing set out above, are limited to amounts within the HGV BIL grant funding agreement, noting that any request for additional funding from the Council will require Cabinet approval.

## 52 Draft Culture and Heritage Strategy

The Cabinet considered a report of Councillor Kimberley Whitehead, Portfolio Holder for Culture, Heritage and Sport, seeking approval of the proposed Hyndburn Culture and Heritage Strategy (2025-2030).

In the absence of Councillor Whitehead, the Leader of the Council provided a brief introduction to the report. The draft strategy was the product of a collaboration of many voices and thanks were due to all who had contributed to its development. The Culture and Heritage Investment Panel (CHIP) had also made some changes to the original document. The Strategy should help to preserve the Borough's rich heritage and enhance tourism and educational opportunities. The Strategy would link into inward investment, including the plans for the Dome, at Market Chambers.

Councillor Khan commented that the events now being held and draft Strategy were a credit to the officers and partners who supported them. He enquired about the outcome measures identified in section 6 of the document and asked if these were open-ended, or intended to be completed by the end of 2025/26. Councillor Dad responded that the Strategy had taken longer to finalise than originally anticipated and that outcome targets would need to be open-ended.

Approval of the report was not deemed a key decision.

### *Reasons for Decision*

Accrington's Town Centre Stakeholder Board had identified that culture and heritage activity should be a key strategic component of the efforts to drive regeneration in Accrington, and indeed the wider Borough. Heritage was one of the central themes in the Council's Town Centre Investment Plan (TCIP). Hyndburn's successful UKSPF bid for funding through to March 2025 had included a significant package of measures to support the arts, culture and heritage. One of these was the development of a Culture and Heritage Strategy.

CT Consults had been procured in late 2023 and over the following months had conducted research and consultation to inform a draft strategy. Their development work had included several interviews and workshops with people across the Borough and a draft strategy had been presented to the Culture and Heritage Investment Panel (CHIP) in April 2024. Some changes had been made to reflect the appointment and direction of a Cabinet Portfolio Holder for Culture, Heritage and Arts (now Culture, Heritage and Sport) following the May 2024 local elections. The draft document had then been shared widely to over 100 consultees.

A considerable amount of feedback had been received, in particular from the Towns Board and Better Places Panel (Arts Council England, Historic England and National Lottery Heritage Fund). This had led to significant changes being made to the proposed strategy following a meeting of CHIP and other local stakeholders in January 2025.

The CHIP believed that the resulting redrafted Culture and Heritage Strategy had a clearer sense of Hyndburn's assets and what made it different from other places, while focusing on links between people and between the past and the present. This reflected a recommendation from the Historic Places visit, which said, "Connecting people with their common heritage (such as textiles) - rather than focusing on differences - will be a key to this". The strategic objectives and values were similar to the original draft, although had been further refined by the CHIP. The strategy also included an action plan.

This strategy was intended for a wide range of stakeholders, including residents, community groups, cultural organisations, artists, businesses, educators, and policymakers. It:

- provided a framework for collaboration, investment, and participation, ensuring that culture and heritage played a vital role in Hyndburn's regeneration, community wellbeing, and creative growth;
- aligned with national and regional cultural investment priorities, including the UK Shared Prosperity Fund's commitment to economic growth, creative industries, and place-based regeneration;
- reflected Arts Council England's Investment Principles by ensuring inclusivity in cultural participation, supporting artist-led innovation, and embedding sustainability in Hyndburn's creative ecosystem; and
- supported the UK Government's mission to 'kickstart economic growth in every community' by investing in skills, heritage-led regeneration, and cultural entrepreneurship.

The strategy was built around three key objectives:

- Building Audiences and Cultural Participation
  - Expanding cultural access and engagement, ensuring culture was inclusive and community-driven.
- Developing Skills, Talent, and Creative Enterprise
  - Creating jobs and training opportunities in heritage conservation, creative industries, and digital storytelling.
- Connecting Contemporary Culture and Heritage
  - Repurposing historic sites as living cultural spaces and strengthening the borough's creative identity.

Rather than a traditional vision for a strategy, CT Consults proposed that Hyndburn adopted a new, values-based way of working and CHIP had agreed to this approach. Visions could change, but values were constant and could help to galvanise stakeholders and communities. The values were directly informed by Hyndburn's cultural heritage. The values were detailed within the document and were:

- Creativity: Colour, expression, and energy;
- Community: Strength in community and inclusion; and
- Connections: Connecting ideas, people, and places

*There were no alternative options for consideration or reasons*

**Resolved**

- **That Cabinet approves the Culture and Heritage Strategy, as appended to the report.**

## 53 **Prudential Indicators Monitoring and Treasury Management Strategy Update - Quarter 4 2024/25**

Members considered a joint report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, providing an update on the Treasury Management outturn position for 2024/25.

Councillor Alexander provided a brief introduction to the report. Councillor Khan noted the good work undertaken by the Executive Director (Resources) and his team.

Approval of the report was not deemed a key decision.

### *Reasons for Decision*

The *Prudential Code for Capital Finance in Local Authorities* required the Council to set Prudential Indicators annually for the forthcoming three years to demonstrate that the Council's capital investment plans were affordable, prudent, and sustainable. The Council had adopted its prudential indicators for 2024/2025 at its meeting in February 2024.

The Prudential Code required the Council, having agreed at least a minimum number of mandatory prudential indicators (including limits and statements), to monitor them in a locally determined format on a quarterly basis.

The indicators were purely for internal use and were not designed to be used as comparators between authorities. If it should be necessary to revise any of the indicators during the year, the Executive Director (Resources) would report and advise the Council further.

'*Treasury Management*' related to the borrowing, investing and cash activities of the authority, and the effective management of any associated risks. In February 2024 in the same report referred to above, the Council also had set out and then approved its current Treasury Management Strategy. This was in accordance with the CIPFA (Chartered Institute of Public Finance & Accountancy) code of practice on treasury management in public services, the Council having previously adopted, via Cabinet, the then revised code of practice. Associated treasury management Prudential Indicators had been included in the February 2024 report.

### Prudential Indicators Monitoring

Appendix 1 to the report set out the monitoring information for each of the prudential indicators and limits. They related to:

- External debt overall limits;
- Affordability (e.g. implications for Council Tax);
- Prudence and sustainability (e.g. implications for external borrowing);
- Capital expenditure; and
- Other indicators for Treasury Management.

### Treasury Management Update

The outturn balance sheet position at 31<sup>st</sup> March 2025 for treasury management activities was shown in the table below.

**Forecast Treasury Balance Sheet Position 2024/25**

<b>Portfolio Position 2024/25 Q4</b>	<b>Original Estimate 2024/25</b>	<b>Outturn Position 2024/25</b>
	<b>£'000</b>	<b>£'000</b>
<b><u>EXTERNAL DEBT</u></b>		
Borrowing	9,595	9,595
Other Long-Term Liabilities	1,274	1,542
<b>Total External Debt</b>	<b>10,869</b>	<b>11,137</b>
Capital Financing Requirement	8,798	7,524
Under/(Over) Borrowing	(2,071)	(3,613)
<b><u>INVESTMENTS</u></b>		
Total Short-Term Investments	27,722	35,190
Total Long-Term Investments	-	-
<b>Total Investments</b>	<b>27,722</b>	<b>35,190</b>
<b>Net Investments / (Borrowing)</b>	<b>16,853</b>	<b>24,053</b>

The table demonstrated that the Council was performing within the original targets set at the start of the year. Within the prudential indicators, there were several key indicators to ensure that the Council operated its activities within well-defined limits. In general, the requirement was that the Capital Financing Requirement exceeded gross debt. However, in 2024/25 the gross debt exceeded the Capital Financing Requirement. This was due to the Council having historical debt with a maturity repayment profile (meaning all principal was paid at the loans maturity date) but the accounting treatment required that the Capital Financing Requirement was reduced each year by the payment of Minimum Revenue Provision (MRP). Other Liabilities in prior years reflected finance liabilities relating to vehicles and plant and in the current year reflected the transfer of all leases onto the balance sheet to comply with the new IFRS 16 – Leases accounting standard.

The requirement to have Capital Financing Requirement exceed Gross Debt centred around providing an assurance that borrowing was not taking place for Revenue purposes. However, as the Council was not borrowing additional funds currently, this was not an issue.

The current position of the treasury function, and its expected change in the future, introduced risk to the Council from an adverse movement in interest rates. The Prudential Code was constructed based on affordability, part of which was related to borrowing costs and investment returns.

Investment balances were higher than had been forecast when the Prudential Indicators and strategy had been set. This was mainly due to grants received in advance of capital spend being incurred, as well as slippage in the capital programme.

The Capital Programme 2024/25 was expected to be funded using Government Grants (including Levelling Up Fund and UK Shared Prosperity Fund) and other external financing. It had also been supported during the year by greater use of internal sources of capital finance (including capital receipts and use of the Council's reserve balances). No external borrowing was expected to be required during the year.



### Investment Activities during The Period

During the year the Council had invested funds with other Local Authorities, the Government's Debt Management Agency Deposit Facility and used Money Market Funds and Bank deposit accounts.

Portfolio Position	Provisional Outturn 2024/25
	£'000
Local Authorities	30,000
Debt Management Agency Deposit Facility	3,110
Money Market Funds	2,000
Lancashire County Council Call Account	0
Bank Deposit Accounts	80
<b>Total Short-Term Investments</b>	<b>35,190</b>

Two further tables were included in the report, which gave further details of the investments the Council had in place at 31<sup>st</sup> March 2025 with other local authorities and any future dated loans agreed at the end of the quarter. However, there were no future dated loans agreed at the end of the quarter.

The Council's Finance team had a number of checks in place before any loans to other local authorities were agreed, to prioritise the security of any funds invested.

To ensure the Council was considering any possible risk posed by the recent increase in Section 114 Notices being issued (ie. a formal notice indicating that a council's forecast income is insufficient to meet its forecast expenditure for the next year), the authority was undertaking additional due diligence, which included:

- Reviewing local press for any signs of financial distress;
- Analysing the latest financial statements of the local authority;
- Assessing the overall financial health and stability of the local authority.

### Expected Movement in Interest Rates

The Council had appointed MUFG (formally Link Asset Services) as treasury adviser to the Council and part of their service was to assist the Council in formulating a view on interest rates. A graph was included in the report, which gave MUFG's latest available view of the expected future movement in interest rates.

The latest forecast set out a view that both short and long-dated interest rates would gradually fall, as inflation moved closer to the Bank of England's target of 2.00%.

Interest rate risk was minimised as the Council's borrowings were fixed until a trigger point, where the lender sought better rates. Current interest rates would need to rise significantly for this to occur. With rates expected to fall in the short-term this was unlikely to occur, but this would be monitored closely.

The revenue outturn position on the Council's Treasury Management activities was as shown in the table below.

### **Forecast Treasury Revenue Outturn – 2024/25 Q4**

<b>Portfolio Position 2024/25</b>	<b>Working Budget 2024/25</b>	<b>Outturn 2024/25</b>	<b>Forecast (Under) / Over Spend</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b><u>INTEREST RECEIVABLE</u></b>			
Interest Receivable on Temporary Investments	(401)	(1,684)	(1,283)
<b>Total Interest Receivable</b>	<b>(401)</b>	<b>(1,684)</b>	<b>(1,283)</b>
<b><u>INTEREST PAYABLE</u></b>			
Interest Payable on Long-Term Borrowings	513	439	(74)
Interest Payable on Finance Leases	41	38	(3)
<b>Total Interest Payable</b>	<b>554</b>	<b>477</b>	<b>(77)</b>
Minimum Revenue Provision	1,085	930	(155)
<b>Net (Income) / Expenditure from Treasury Activities</b>	<b>1,238</b>	<b>(277)</b>	<b>(1,515)</b>

#### *Interest Receivable*

The Council had invested amounts of surplus cash on a short-term, temporary basis. The Council's strategy continued to focus on the security of deposits and the liquidity of funds. The interest received from these investments was above the budgeted expectations for the full year, mainly due to higher levels of funds being held and the Bank of England maintaining interest rates at higher levels than had been anticipated when the budget had been set. The actual income from investment interest for the year ending 31<sup>st</sup> March 2025 was £1.684m; an increase of £1.283m against the original budget forecast.

The Council continued to invest surplus cash in top-rated financial institutions. The authority continued to spread its money around several institutions to ensure that it was not potentially damaged by the unforeseen collapse of any one bank. Deposits were also held with banks where the Council believed that the respective governments were likely to be able to guarantee deposits in the event of bank failure. This strategy was continuing to yield an appropriate rate of return, though at a lower rate, as there was less risk attached to these deposits. The Council operated a policy of holding no more than £2m in any one bank (except for the liquidity account held with Nat West Bank where the limit was £3m) to ensure that the risk was spread.

The Council could place unlimited funds with the Government Debt Management Agency Deposit Facility (DMADF). This allowed greater flexibility for placing of funds with potential for higher returns with minimal risk.

#### *Interest Payable*

An estimate of interest on additional borrowing had been included in the budget. No new borrowing was expected to be required during the year.

#### *Minimum Revenue Provision*

Minimum revenue provision charge was forecast to be below budget due to new vehicles being delivered later than had been expected.

### Performance against Prudential Indicators

The Council's performance to date, and current forecasts for the year, against the Prudential Indicators set in the Treasury Management Strategy approved by full Council on 27<sup>th</sup> February 2024 were shown in Appendix 1 of the report. The Council had remained within the Prudential Indicators set out in the approved Treasury Management Strategy.

### *Liability Benchmark*

The Council's Treasury Management Strategy also set out a Liability Benchmark. This compared the Council's actual borrowing against an alternative strategy. The liability benchmark was calculated showing the lowest risk level of borrowing.

The liability benchmark was a useful tool to help establish whether the Council was likely to be a long-term borrower or a long-term investor in the future, and so shape its strategy focus and decision making. The liability benchmark itself represented an estimate of the cumulative amount of external borrowing the Council had to hold to fund its current capital and revenue plans, while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

There had been no significant changes to the inputs to this calculation, therefore there had been no updates to this indicator. A chart illustrating the liability benchmark was provided in the report, which reflected that presented in the approved Treasury Management Strategy.

*There were no alternative options for consideration or reasons*

**Resolved** - **That the Cabinet notes the Treasury Management outturn position for 2024/25.**

### **54 Provisional Financial Outturn Position - Revenue Budget Monitoring - Financial Year 2024/25**

The Cabinet considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, regarding the draft financial spending of the Council up to the end of the financial year in March 2025.

Members were advised that a further report would be provided once all the work was completed if there was any significant change to the position now reported.

Councillor Alexander provided a brief introduction to the report.

Councillor Khan commented that there were significant funds available within reserves and that the Opposition had made some suggestions about additional projects and expenditure at the Council's Budget meeting in February 2025. He asked if these funds could now be utilised. Councillors Alexander and Dad responded that the Cabinet was currently looking at its priorities and would share some information on this in the near future.

Approval of the report was not deemed a key decision.

### **Reasons for Decision**

At the Full Council meeting on 27<sup>th</sup> February 2024, Council had agreed the General Fund Revenue Budget for 2024/25. This had set a budget for the Council's total revenue spend in 2024/25 of £16.122m.

The provisional revenue outturn position for the 2024/25 financial year was a total spend for the Council of £15.747m. This gave a revenue underspend on net expenditure of £0.375m compared to the budget set at the start of the year.

Additional funding of £0.058m has been realised during the year compared to that set out in the budget. This was mainly due to additional business rates top-up funding received above budget.

These brought the total net underspend for the year against the budget to £0.433m.

**Table 1: Actual Performance Against Budgets**

Department	Original Budget	In Year Budget Changes	Working Budget	Provisional Outturn	Provisional Outturn Variance to Working Budget
	£'000	£'000	£'000	£'000	£'000
Environmental Health	793	(3)	790	831	41
Environmental Services	5,492	134	5,627	5,442	(185)
Legal and Democratic	1,834	(2)	1,832	1,793	(39)
Planning and Transportation	725	(10)	714	656	(58)
Regeneration and Housing	1,497	(266)	1,231	787	(444)
Resources	4,544	50	4,595	5,964	1,369
<b>Net Cost of Services</b>	<b>14,884</b>	<b>(97)</b>	<b>14,788</b>	<b>15,472</b>	<b>684</b>
Non-Service	1,238	97	1,334	275	(1,059)
<b>Total Net Expenditure</b>	<b>16,122</b>	<b>-</b>	<b>16,122</b>	<b>15,747</b>	<b>(375)</b>
Funding	(16,122)	-	(16,122)	(16,180)	(58)
<b>(Under)/Overspend</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(433)</b>	<b>(433)</b>

A total net underspend of £0.096m was reported to Cabinet on 22<sup>nd</sup> January 2025. The provisional outturn shows an increase to the overall net underspend of £0.337m, resulting in a total net underspend of £0.433m, compared with the working budget. Table 2, included in the report, set out details of changes in the forecast variance by service since the last report at QTR3, with further detail being provided at Appendix 1 to the report.

The Final Accounts were still being prepared and would be reviewed by External Auditors once completed. Therefore, the reported underspend of £0.433m was provisional and might change.

#### *Variance by Service*

Section 4 of the report included a narrative and additional tables (Nos 3 to 10) on Outturn by Service, Non-Service Areas and Funding for 2024/25, which provided more detailed information on the areas identified in Table 1 above. Table 11 comprised the Reserves Outturn for 2024/25, which showed that the Council had recorded an increase in its useable reserves during the year of £3.73m, giving a closing balance of £29.84m.

*There were no alternative options for consideration or reasons*

**Resolved**

- (1) That Cabinet notes the provisional outturn of spend against the Revenue Budget for 2024/25 and the underspend in year of £0.433m.**
- (2) That Cabinet agrees to transfer the underspend of £0.433m into the Underspends Reserve, with future decisions on usage to be approved by Cabinet and the Leader of the Council.**

## **55 Capital Programme Outturn 2024/25**

The Cabinet considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, which set out the Capital Programme outturn position for 2024/25, including variations to the budgets from those reported to Cabinet in January 2025.

Councillor Alexander provided a brief introduction to the report.

Councillor Khan commented that he would wish to see capital spending maximised before local government reorganisation and asked if new projects could be added to the Capital Programme. Councillor Dad confirmed that the Controlling Group would look at possible developments which would benefit the whole of the Borough.

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

Reasons for Decision

The Council had authorised new additions to the Capital Programme 2024/25 of £4.404m at its meeting on the 27<sup>th</sup> February 2024.

Since the Council meeting in February 2024, new schemes totalling £2.694m had been approved and added to the programme. The additional expenditure approved was to be fully funded from by external grants and capital receipts.

In addition, the capital spend outturn from 2023/24 had slipped £40.656m into 2024/25, of which £37.769m related to the Levelling Up scheme for Accrington Town Centre, the Leisure Estate Investment and Housing Schemes, including Disabled Facilities Grants.

A further £8.482m of capital budgets had been removed from the capital programme. As a result, the total approved Capital Programme now totalled £39.272m. The table below provided a breakdown:

### **Capital Programme 2024/25**

	<b>£m</b>
<b>New Additions to the Capital Programme (Reported at February Council 2024)</b>	<b>4.404</b>
<b>Budget Changes</b>	
Slippage from 2023/24	40.656
Budgets removed from the programme	-8.482
New Schemes and Additional Funding approved in year	2.694
<b>Current Approved Capital Programme Budget 2024/25</b>	<b>39.272</b>

Less Slippage to 2025/26	-23.236
<b>Current Working Capital Programme Budget 2024/25</b>	<b>16.036</b>

The current programme of £39.272m was not capable of being delivered in the current financial year. Therefore, uncompleted elements of £23.236m had been slipped into the future years in which it was expected to be spent.

#### *Outturn Position*

The actual expenditure to 31<sup>st</sup> March 2025 was £15.951m against the latest rephased budget for 2024/2025 of £16.036m. This equated to 99.47% spend.

Following the rephasing of the programme budgets, the outturn showed a small underspend of £0.085m with most schemes in line with the budgeted profile and spent in year.

As shown in the table below, £23.097m of budget had been rephased into 2025/26 and £0.139m into 2026/27. £12.577m related to the Levelling Up scheme for Accrington Town Centre, £6.793m to the Leisure Estate Investment, £0.409 to Disabled Facility Grants and the balance to miscellaneous capital schemes.

The significant elements of the programme spent in year were shown in the table below with a more detailed breakdown provided in Appendix A of the report.

#### **2024/25 Variance and Future Phasing of Capital Programme**

Programme Area	Revised Programme (Qtr 4)	Slippage Into 2025/26+ 2026/27	Programme After Slippage 2024/25	Total Expenditure 2024/25	Variance (Under) / Over Spend
	£000	£000	£000	£000	£000
Operational Buildings	1,164	(849)	312	306	(6)
Parks and Open Spaces	1,495	(971)	524	523	(2)
IT Projects	282	(78)	205	205	(0)
Recreation and Sport	-	-	-	-	
Vehicles and Equipment	766	(666)	101	31	(70)
Community Projects	528	(471)	58	54	(4)
Planned Asset Improvement Programme	207	(167)	40	40	(0)
Leisure Estate Investment Programme	11,866	(6,793)	5,072	5,072	0
Public Sector Decarbonisation Scheme	-	-	-	(3)	(3)
Levelling Up Fund	19,689	(12,577)	7,112	7,112	(0)
UK Shared Prosperity Fund	388	(255)	134	134	(0)
Huncoat Garden Village	711	-	711	711	(0)
Housing Improvement Programme	2,176	(409)	1,767	1,767	(0)
<b>Total Approved Capital Spend Budgets</b>	<b>35,272</b>	<b>(23,236)</b>	<b>16,036</b>	<b>15,951</b>	<b>(85)</b>

The overall net position was that the Capital Programme at period 9 (Qtr 3) had been forecasting a total spend of £23.635m and the actual outturn of £15.951m was a reduction of £7.684m, which was largely due to the budget adjustment on the Levelling Up project.

The £15.951m outturn had largely been financed using external grant monies received and the use of capital receipts and reserves held by the Council. There had been no use of prudential borrowing in the financing of the programme and there would be no future implications on the revenue budget due to the repayment of principal and interest.

The funding of the programme 2024/25 was set out in a pie chart within the report.

Close monitoring of the capital programme had been undertaken throughout the year to ensure that the projects were kept in line with spend forecasts and were considered in the Council's cash flow forecasts. Deviations from the spending profiles and any financial implications were considered in future treasury and revenue budget forecasts.

*There were no alternative options for consideration or reasons*

**Resolved** - **That Cabinet notes the outturn position for 2024/25 of £15.951m and slippage into 2025/26 of £23.236m.**

## **56 Overview and Scrutiny Committee - Work Programme 2025/26**

Members considered a joint report of Councillors Noordad Aziz, Stephen Button and Kate Walsh, Chairs of the Resources, Communities and Wellbeing and Special Overview and Scrutiny Committees respectively, requesting that Cabinet gave consideration to and provided comments on the work programmes for Overview and Scrutiny for 2025/26.

Councillor Noordad Aziz provided a brief introduction to the report and draft work programmes and highlighted the consultations that had taken place to develop them.

Councillor Khan expressed disappointment that many of the Opposition suggestions for scrutiny topics had not been included in the draft programmes. He also commented that only a limited number of suggestions had been submitted by members of the public and queried whether more could be done to engage the public in democratic processes such as this. In addition, he queried whether suggestions for topics raised in-year could be added to the work programmes. The Leader of the Council responded that the usual broad-based consultation procedure had been followed for 2025/26, but that it might be possible to try different approaches in the future. He added that the lack of public responses might be an indicator of overall satisfaction with the controlling administration's work. Councillor Aziz provided some examples of where public feedback had influenced the choice of topics made. He also confirmed that suggestions for new topics could be accepted in-year, if appropriate.

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

### **Reasons for Decision**

At the beginning of each municipal year, the Council's Overview and Scrutiny Committees each agreed a work programme for the year.

The process for agreeing the work programme was set out in Overview and Scrutiny Procedure Rule C6(a), as follows;

*"The chair and vice chair of each overview and scrutiny committee will meet with the Cabinet within four weeks of each Annual Meeting to discuss the Cabinet's policy priorities for the coming year. The chairs and vice chairs will propose a draft work programme for their committee within two weeks of that meeting. The draft work programmes will be*

*submitted to the next following meeting of the Cabinet for comment and the draft work programme for each overview and scrutiny committee will then be submitted to the next following meeting of that committee (together with any comments or recommendations from the Cabinet) for approval.”*

Any comments received from Cabinet would be considered at the next meetings of the Committees.

The work programmes had been developed following consideration of the Council's guide for selecting items for scrutiny and consultation including:

- Emails to all Councillors;
- Suggestions sought from all service managers;
- Social media coverage for public suggestions; and
- An informal meeting between the Leader of the Council and the Chair and Vice-Chairs of the Scrutiny Committees.

There had been forty-six requests for items received for consideration for Scrutiny from Service Heads, Councillors and members of the public. Items of a similar nature had been merged. These items had been discussed in depth between the Scrutiny Chairs and the Leader of the Council before producing the work programmes. It should be noted that far too many suggested items had been received to be included in the work programmes and therefore, some items had been rejected on this basis.

Several items, including statutory items and previously agreed standing items, had been included in the work programmes and these were listed at the end of Appendix 1 to the report.

Items which had not been deemed suitable for Scrutiny have not been included in the programmes.

The Chairs had sought to provisionally allocate items to specific meetings. However, these might be subject to change during the year.

As in previous years, additional items could be added to the work programmes as the year progressed following scrutiny procedure rules.

The three Overview and Scrutiny Work Programmes were set out in full at Appendix 1 to the report.

All suggested items (including those rejected and reasons for rejection) could be seen in Appendix 2 to the report.

*There were no alternative options for consideration or reasons*

**Resolved** - **That Cabinet notes, without comment, the Work Programmes for the Overview and Scrutiny Committees for 2025/26, as attached to the report.**

## **57 Coach Road Solar Meadow Project**

The Cabinet considered a report of Councillor Ethan Rawcliffe, Portfolio Holder for People and Communities, seeking approval to pay a grant of £20,000 to Prospects Community Energy Limited (“PCE”) to support the Solar Meadow Project at Coach Road in



Oswaldtwistle, a community renewable energy project, to help achieve net zero in the Borough.

Councillor Rawcliffe provided a brief introduction to the report, in which he explained the background to and aims of the project. Solar panels on the site would generate enough electricity to power about 550 houses, but it was anticipated that William Blythe Limited would enter into a formal agreement to purchase the electricity produced.

Phil Vincent-Barwood MBE, Chairman of the Prospects Foundation, was in attendance. He provided additional information about the scheme. Prospects had owned the site since 2005, but the original proposals for the site were no longer considered to be viable. Accordingly, the site was now being developed as a solar meadow.

Councillor Khan asked what alternative funding sources had been considered prior to contacting the Council. Mr Vincent-Barwood responded that initial funding had been secured from the Rural Community Energy Fund, but that further funding was required for legal and technical work, including negotiations with Network Rail. The proposed end-user for the energy generated, William Blythe Limited, had not been approached about funding to help set up the scheme, but the purchase price of the electricity would take into account some of the set up costs.

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

#### Reasons for Decision

PCE intended that the solar meadow project would generate up to 2 megawatts of electricity, equivalent to the needs of about 550 houses, and would help to reduce carbon emissions by replacing fossil fuels with renewable energy. PCE was an independent community benefit society set up by the Prospects Foundation to develop, own and run the solar meadow project on the Foundation's 11-acre site at Coach Road in Oswaldtwistle. The Foundation was a registered charity and company limited by guarantee and would lease the site to PCE. It was understood that the lease would be completed shortly.

In January 2024, PCE had received an initial grant of £25,000 from the Net Zero Working Group to assist with the cost of a planning application for the proposed solar panels. Planning permission had been granted, subject to conditions, on 12<sup>th</sup> June 2024 and project development activity had continued since then. PCE had reached agreement with William Blythe Limited for the purchase of energy generated at the site, with any surplus being sold via the national energy network.

PCE had now requested a further grant of £20,000 from the Council to help them to progress delivery of the project. The additional funding was intended to be used to:

- Meet PCE's legal costs, technical costs and easement fees in respect of the lease of the Coach Road site;
- Meet development costs, such as costs and expenses relating to due diligence and statutory procedures.

PCE were trying to raise £1.9m million, 50% through a community share offer and 50% from ethical investors to cover the entire cost of construction of the project. PCE had appointed a co-operative society called Sharenergy Co-operative Limited (specialists in supporting community energy schemes) who would be project managing the community share offer, hopefully this autumn, with construction of the solar panels planned for 2026 in respect of the Coach Road site.

The community shares would be offered widely (nationally) and PCE hoped there would be a substantial local take-up. Community shares were a particular type of investment - a withdrawable, non-transferrable equity investment into a cooperative or community benefit society. They were a form of equity because the investors received a share of the organisation and asset. They were 'withdrawable' because the investor could take their money out of the organisation if they chose to. So being not tradeable, they did not acquire a market value (though they might be sold back to the society) and delivered interest to the investor rather than a dividend.

Any surpluses generated by the community benefit society would have to be used according to the rules of the society and strictly regulated by the Financial Conduct Authority. Shareenergy were currently sending out invitations to tender to installers for up to date estimates of the capital cost of the project, to inform the business plan, share offer and loan funding.

### *Subsidy Control Act (SCA)*

The proposed grant to PCE would qualify as a subsidy for the purpose of the Subsidy Control Act 2022 ("SCA") as it met the definition of a subsidy, namely:

- The payment would be given directly or indirectly from public resources by a public authority
- It would confer an economic advantage on one or more enterprises, namely PCE
- Benefit would be gained by the enterprise receiving the grant over one or more other enterprises with respect to the provision of goods or services
- The grant would or was capable of having an effect on competition or investment within the UK.

Officers considered that PCE could be considered to provide "services of public economic interest" ("SPEI") pursuant to section 38 SCA as its services were:

- provided for the benefit of the public; and
- would not be provided, or would not be provided on the terms required, under normal market conditions.

The Act essentially recognised that some enterprises had social value but were not usually financially viable without some form of public sector financial support. The project was also considered to be a SPEI service.

The Act usually required a detailed assessment to be produced to demonstrate that the subsidy was compliant with the subsidy control principles set out in the legislation. This could be a lengthy process and involve a detailed financial and economic assessment process. However, s38 and s39 of the Act allowed subsidy of up to £725,000 to be paid to a SPEI enterprise over a rolling three-year period (looking at the current financial year and the two previous financial years) without the need for an assessment against the subsidy control principles, provided a number of procedural requirements were complied with. In particular:

- the Council would have to serve notice on PCE stating the gross amount of the SPEI assistance and asking PCE to confirm that this would not cause PCE to exceed the £725k threshold; and

- the Council could not provide grant funding to PCE until it received confirmation from PCE that the threshold would not be exceeded; and
- the Council would have to serve a further notice on PCE after the grant had been paid to confirm that it was SPEI assistance, its gross value and the date it was given.

*Alternative Options considered and Reasons for Rejection*

Cabinet could decide not to agree to the grant, or could award a lesser amount. However, if that approach was taken, the progress of the project might be delayed and the prospect of successful delivery of the project would be reduced unless alternative funding could be found from other sources.

**Resolved**

- **That Cabinet approves payment of a grant of £20,000 to Prospects Community Energy Limited to help support the development of the Coach Road Solar Meadow project, subject to compliance with the requirements of s39 Subsidy Control Act 2022 relating to the payment of SPEI subsidy (as further detailed in paragraph 3.7 of the report).**

Signed:.....

Date: .....

Chair of the meeting  
At which the minutes were confirmed