

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Cllr Melissa Fisher – Deputy Leader of the Council Housing and Regeneration	
REPORT AUTHOR:		Steve Riley, Executive Director (Environment)	
TITLE OF REPORT:		Holiday Activity and Food Programme Services	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

- 1.1 For Cabinet to consider the provision of the Holiday Activity and Food Programme Services (HAF) in Hyndburn.

2. **Recommendations**

- 2.1 That Cabinet agrees to waive the Council's Contract Procedure Rules to appoint Hyndburn Leisure to deliver the 2026 Spring / Easter HAF Programme on behalf of the Council.
- 2.2 Cabinet agrees to a £67,000 payment to Hyndburn Leisure in financial year 2025/26, for the delivery of the Spring / Easter HAF programme prior to the Council receiving the full grant funding from Lancashire County Council.
- 2.3 That Cabinet agrees to delegate authority to the Executive Director (Environment) to negotiate and agree all terms relating to the HAF Services Contract with Lancashire County Council and service level agreement with Hyndburn Leisure in consultation with the Executive Director (Legal & Democratic Services) and Portfolio Holder.

3. **Background**

- 3.1 Holiday Activity and Food Programme (HAF)
- 3.2 Hyndburn Leisure were procured as the preferred provider by Lancashire County Council (LCC) to deliver the HAF Programme in Hyndburn from 2021/22 to 2025. LCC has shifted to a collaboration agreement with District Councils which transfers the delivery and funding obligations to District Councils for future financial years. Working collaboratively may provide the opportunity to review services in Hyndburn and within the agreement, District Councils will have the ability to deliver services in-house or appoint a provider to deliver the service on its behalf.

- 3.3 The HAF Programme runs during the Spring / Easter, Summer and Winter holiday months with the aim of providing free holiday provision to children whose families receive eligible benefits and related free school meals. The Programme looks to provide children with:
- Healthy and nutritious meals
 - Maintain a healthy level of physical activity
 - Be happy, have fun, meet new friends
 - Develop a greater understanding of food, nutrition and other health-related issues
 - Take part in fun and engaging activities that support development
 - Feel safe and secure
 - Get access to the right support services
 - Return to school feeling engaged and ready to learn
- 3.4 LCC have only recently received confirmation from the Department for Education on the HAF funding for 2026/27 and because LCC only receives funding / notification on an annual basis, it will facilitate agreements with District Councils on a year-by-year extension. Whilst LCC have indicated Hyndburn's 2026/27 allocation for HAF delivery will be circa £351,000, at the time of writing the report, the Council has yet to receive the legal agreement from LCC.
- 3.5 The Council also received a request from LCC asking it to financially support the cost of this year's Spring / Easter Programme delivery. This is to ensure the HAF Programme in Hyndburn can continue providing its valuable offer to children and families, whilst the funding is transferred from LCC.
- 3.6 Hyndburn Council does not have the resources or expertise to deliver the HAF service in-house and due to the limited timescales before the start of the 2026/27 Spring / Easter service Programme and it is not possible to tender the provision for the service.
- 3.7 Whilst the full year report is in the process of being finalised, the following information is a brief overview of the 2025 HAF Programme successfully delivered by Hyndburn Leisure:

Easter 2025 Programme

- Children engaged: 614
- Provisions: 27 locations
- Total attendances: 1,685

Summer 2025 Programme

- Children engaged: 980
- Provisions: 26 locations
- Total attendances: 7,369

Christmas 2025 Programme

- Children engaged: 667
- Provisions: 23 locations
- Total attendances: 1,616

Overall Delivery Position

- Total children engaged across 2025: 2,261 (non-unique total across programmes)
- Total attendances across 2025: 10,670
- Average children engaged per programme: 753.6
- Average provisions per programme: 25 locations
- Summer remains the highest-impact delivery period, generating the greatest volume of engagement and attendance across the year.

SEND

- Specific places remain limited due to the specialist skillset required, enhanced staffing ratios, suitable venue requirements and access to specialist equipment and resources.
- Of the SEND places offered, 61.5% were attended. However, despite the limited number of designated SEND-specific spaces, 657 children with SEND accessed HAF provision during the 2025 delivery period, demonstrating a strong inclusive practice across mainstream delivery, provider commitment to supporting additional needs and ongoing demand for specialist provision.

3.8 This report recommends that the Council waives its Contract Procedure Rules and appoints Hyndburn Leisure to deliver the 2026 Spring / Easter HAF Programme for the following reasons:

- The Council does not have the resources or experience to deliver the services itself.
- Given the late funding acknowledgment from LCC there is not time for the Council to run a procurement exercise and ensure delivery of the project in time.
- A service's agreement cannot be signed and the funding released to Hyndburn Leisure unless the Council's Contract Procedure Rules are waived.
- Hyndburn Leisure has a proven track record of HAF Programme service delivery and holds existing operational infrastructure, safeguarding systems, community partnerships and delivery capacity necessary to deliver the services within the required timescales.

3.9 Once the Council has received the legal agreement from LCC, it will review the best mechanism and approach for delivery of the remaining HAF Programme for 2026/27 given that LCC have confirmed HAF funding will be ringfenced until 2029.

4. Alternative Options considered and Reasons for Rejection

4.1 Cabinet could decide to not agree to waive Contract Procedure rules to appoint Hyndburn Leisure to deliver the Spring / Easter 2026 HAF Programme on our behalf. This is not recommended for the reasons mentioned in section 3 in the report.

4.2 The Council could decide to deliver the services in-house. This is not recommended as the Council does not have resource or in-house expertise to deliver the services directly.

5. Consultations

5.1 LCC, the Portfolio Holder, Executive Director (Legal and Democratis Services), Executive Director (Resources).

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>Hyndburn Council will receive circa £351,217 HAF funding for the financial year 2026/27 from Lancashire County Council.</p> <p>The Council has sufficient funding to cover the required gap funding of £67,000 to Hyndburn Leisure in financial year 2025/26 to deliver the Spring / Easter programme before legal agreement are signed between Hyndburn Council and LCC</p>
<p>Legal and human rights implications</p>	<p>The total value of the contract is £67,000.00 As this falls below the applicable threshold for services contracts under the Procurement Act 2023, the full above threshold procurement procedures do not apply. Cabinet is able to waive the Council’s Contracts Procedure Rules if satisfied that this is justified and reasonable in all the circumstances. The justification for waiver in this instances is set out in section 3 of this report.</p> <p>Notwithstanding the above, the Council remains subject to the procurement objectives and transparency requirements set out in the Act and must ensure that the proposed approach is proportionate and represents value for money. This has been duly considered and will be achieved through a clear justification for HLs appointment, oversight by the relevant officers and publication of the contract details in line with transparency requirements.</p> <p>The Council will enter into a service’s agreement (i.e. contract) with Hyndburn Leisure for the provision of these services, which will pass on the funder’s conditions and</p>

	<p>requirements to Hyndburn Leisure.</p> <p>There are no human rights implications for this report.</p>
Assessment of risk	<p>There is a risk that the outcomes/outputs will not be delivered. This has been reduced as far as possible by the reciprocal contracts between Hyndburn Council and Hyndburn Leisure passing on all relevant conditions of the collaboration agreement between the Council and Lancashire County Council to Hyndburn Leisure.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who do not; and • foster good relations between those who share a relevant protected characteristic and those who do not. <p>For these purposes, the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>In this case there are no direct equality or diversity issues arising from this report.</p>

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

N/A

8. Freedom of Information

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