
CABINET

Wednesday, 23rd March, 2016

Present: Councillor Miles Parkinson (in the Chair), Councillors Clare Cleary, Paul Cox, Munsif Dad, Gareth Molineux and Ken Moss

In Attendance: Councillors Tony Dobson, Terry Hurn and Paul Thompson

454 Apologies for Absence

There were no apologies for absence.

455 Declarations of Interest and Dispensations

Councillor Paul Cox declared a personal interest in the item relating to “Hyndburn Homes Annual Performance Report - For Year Ended 31st March 2015”. His interest arose due to him being one of the Council’s representatives on the Hyndburn Homes Industrial and Provident Society Limited Board.

There were no dispensations declared.

456 Terrorist Bomb Attack, Brussels

The Leader of the Council (Councillor Miles Parkinson) referred to the terrorist bomb attacks carried out at the main terminal of the Zaventem International Airport and Moebeek Metro Station in Brussels, Belgium on Tuesday, 22nd March 2016. The Leader indicated that the Union Flag was to be flown at half-mast outside Accrington Town Hall as a mark of respect for those people who had died or been injured as a result of the attacks.

457 Minutes of Cabinet - 3rd February 2016

The Minutes of the meeting of Cabinet held on 3rd February 2016 were submitted for approval as a correct record.

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

458 Minutes of Boards, Panels and Working Groups

The Minutes of the following meetings were submitted:-

- a) Regeneration and Housing Panel - 25th January 2016
- b) Leader’s Policy Development Board - 3rd February 2016

Resolved - That the Minutes of the above meetings be received and noted.

459 Report of Urgent Cabinet Decision - Appointment of Transport Consultants

The Leader of the Council submitted a copy of a signed Urgent Cabinet Decision form relating to the appointment of transport consultants.

Resolved - **That the Urgent Cabinet Decision be noted.**

460 Reports of Cabinet Members

There were no reports.

461 B with us Sub Regional Choice Based Lettings

The Portfolio Holder for Regeneration and Housing (Councillor Clare Cleary) submitted a report seeking approval to changes to the B with us sub-regional choice based lettings allocation policy for the allocation of social housing in the Borough. The suggested changes were appended to the report, the majority of which related to existing social housing tenants applying for transfers. Approval of the report was deemed a key decision.

Reasons for Decision

The Council was a member of the sub-regional choice based lettings scheme called B with us and the scheme's common allocations policy was formally reviewed every three years to reflect changes in legislation, government guidance and local housing priorities. A review, to ensure the scheme continued to meet the needs of both customers and all partners, had now been completed and proposed changes had been ratified by the B with us Steering Group for incorporation into the allocations policy.

Alternative Options Considered and Reasons for Rejection

Alternative options to a sub-regional approach to choice based lettings and the allocation of social housing in Hyndburn had been considered and rejected by Cabinet in 2008.

Resolved - **That the changes to the B with us common allocations policy, as detailed in Appendix 1 to the report, be noted and endorsed.**

462 Proposed Changes to Taxi Licensing Policy

The Portfolio Holder for Resources (Councillor Gareth Molineux) submitted a report advising Cabinet of the responses received to the consultation exercise carried out in respect of proposed changes to the Council's Hackney Carriage and Private Hire Licensing Policy. Approval to proposed changes to the Policy, having regard to the responses received, was sought. Details of the comments received were set out in Appendix 1 to the report. Approval of the report was not deemed a key decision.

Reasons for Decision

1) Paragraph 4 of the Department for Transport best practice guidance for taxi and private hire licences stated "that it was for individual licensing authorities to reach their own decision both on overall policies and on individual licensing matters in the light of their own views of the relevant considerations". The Council had responsibility for licensing hackney carriage and private hire vehicles, drivers and operators within the Borough of Hyndburn and in July 2013, Cabinet had agreed to bring together the different licensing policies and

procedures into one comprehensive policy document, updating where necessary, to ensure greater transparency and consistency in the decision making process.

2) In August 2015, Cabinet had agreed to carry out consultation in respect of the following issues:-

- To clarify the standard of vehicle bodywork repair the Council expected.
- To revise the Policy to amend the rules relating to wheels and tyres.

The consultation had commenced on 27th August 2015 for a period of six weeks.

3) The Council had considered the responses received and was proposing changes to the Policy and Procedures in regard to wheels and tyres on licensed vehicles and to vehicle body repairs.

Alternative Options Considered and Reasons for Rejection

The Council did not need to adopt any of the proposed changes to its taxi policy and could continue as it was but that course of action was not recommended as the proposed changes did not raise any public safety issues and gave clarification to licensed vehicle proprietors.

Resolved

- **That having considered the consultation responses received and the customer first analysis attached as Appendix 2 to the report, and having had regard to the Council's duties under the Equality Act 2010, the changes to the Council's Hackney Carriage and Private Hire Licensing Policy, as set out in Paragraph 3 of the report, be approved for adoption by the Council.**

The following item was submitted as urgent business with the Chair's agreement in accordance with Section 100B(4) of the Local Government Act 1972, the reason being to ensure the latest up to date information was included in the report.

463 Financial Position 2015-16 - Report to End of February 2016

The Portfolio Holder for Resources submitted a report relating to the financial spending of the Council at the end of February 2016 and the prediction of the outturn position to the end of the financial year in March 2016. The financial detail of the report was appended to the report. The spend against Budget in the 11 months of the year was £9,550,199 against a Budget of £10,498,711 leaving a positive variance of just over £948,000. The forecast spend for the year to 31st March 2016 was £10,843,000 against a Budget of £11,489,000. A surplus of almost £646,000 by the end of the 2015/16 financial year was forecasted, making a Budget surplus of slightly more than 5.0% on the overall activities of the Council. There was a small overspend on Parks and Cemeteries and Regeneration and Property Services was predicting a large adverse variance of £193,000. However, savings across other Budget areas outstripped those negative variances and the current prediction was for an overall surplus of £646,000 by the end of the financial year. Approval of the report was not deemed a key decision.

Reasons for Decision

To inform Cabinet of the financial spending of the Council at the end of February 2016 and the prediction of the outturn position to the end of the financial year in March 2016.

There were no alternative options for consideration or reasons for rejection.

- Resolved** - That the report be noted and Corporate Management Team asked to continue to identify savings and generate a surplus on the 2015/2016 Budget to assist with future potential financial pressures on the Council.

464 Exclusion of the Public

- Resolved** - That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following items, when it was likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there would otherwise be disclosure of exempt information within the Paragraphs at Schedule 12A of the Act specified at the items.

465 Hyndburn Homes Annual Performance Report - For Year Ended 31st March 2015

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

The Portfolio Holder for Regeneration and Housing submitted a progress report on Hyndburn Homes performance. Submission of an annual performance report was as a result of the housing stock transfer in March 2006 and to comply with the terms of the Housing Stock Transfer Agreement. Hyndburn Homes Limited was a charitable registered society and in April 2011 had become part of the part of the Symphony Housing Group Limited who were in discussions with Liverpool Mutual Homes Group about a potential merger. Both Parties had issued a joint statement which said that the two sides had agreed to a "pause in their discussions" and Symphony had announced it would concentrate its focus upon continuing with its internal partnership review and changes to the current operating arrangements within the Group structure. Approval of the report was not deemed a key decision.

Reasons for Decision

The Housing Stock Transfer in March 2006 required that Cabinet was formally updated annually on the performance of Hyndburn Homes.

Alternative Options Considered and Reasons for Rejection

The report gave details of the performance of Hyndburn Homes for the period 2014/15.

- Resolved** - That the report be noted.

466 Accrington Stanley Ground, Livingstone Road, Accrington

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

The Leader of the Council submitted a report seeking approval to grant a new lease to Accrington Stanley Football Club Limited of the Wham Stadium site off Livingstone Road, Accrington. Approval of the report was not deemed a key decision.

Reasons for Decision

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

Alternative Options Considered and Reasons for Rejection

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

- Resolved**
- **That a new lease of the Council's land off Livingstone Road, Accrington (shown edged black on the plan annexed to the report), be granted to Accrington Stanley Football Club Limited for use as a football stadium on the main terms outlined in the report and that authority be delegated to the Head of Regeneration and Housing, following consultation with the Leader of the Council, to agree the detailed terms of the lease.**

467 Lease of Part of Rishton Playing Fields to Rishton United Football Club

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

The Portfolio Holder for Regeneration and Housing submitted a report seeking approval to dispose at market value by way of a 25 year lease to Rishton United Football Club, 3.17 hectares (7.83 acres) of the Rishton Playing Fields for use as a private sports and football ground. The site plan was attached as Appendix 1 to the report. Approval of the report was not deemed a key decision.

Reasons for Decision

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

Alternative Options Considered and Reasons for Rejection

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

- Resolved**
- (1) **That the grant of a lease of part of Rishton Playing Fields to Rishton United Football Club be approved, subject to the main lease terms as set out in Paragraph 3 of the report; and,**
 - (2) **That the Head of Regeneration and Housing be delegated authority, following consultation with the Portfolio Holder for Regeneration and Housing, to determine the detailed terms of the lease.**

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed