

Council

Tuesday, 18th April 2023, 6.30 pm

Council Chamber, Town Hall, Chorley and [You Tube](#)

Agenda

Apologies

1 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

2 **Mayoral Announcements**

3 **Public Questions**

Members of the public who have requested the opportunity to ask question(s) on any item(s) on the agenda will have three minutes to put their question(s) to the relevant Councillor. Members of the public will be allowed to ask one short supplementary question.

[To view the procedure for public questions/ speaking click here and scroll to page 119](#)

4 **Executive Cabinet**

(Pages 3 - 6)

To receive and consider the report of the meetings of the Executive Cabinet held on 23 February and 30 March.

5 **Overview and Scrutiny Committee and Task and Finish Groups**

(Pages 7 - 14)

To receive and consider the general report of the Overview and Scrutiny Committee held on 26 January and 16 March, the Overview and Scrutiny Performance Panel held on 9 March and an update on the Task Group – Review of Empty Properties.

6 **Governance Committee**

(Pages 15 - 16)

To receive and consider the report of the meeting of the Governance Committee held on 15 March.

7 **Policy Review: Council Tax Discretionary Reductions Policy**

(Pages 17 - 26)

To receive and consider the report of the Director of Customer and Digital (attached).

8 **Questions Asked under Council Procedure Rule 8 (if any)**

9 **To consider the Notices of Motion (if any) given in accordance with Council procedure Rule 10**

10 **Any urgent business previously agreed with the Mayor**

Chris Sinnott
Chief Executive

Electronic agendas sent to Members of the Council Councillors Julia Berry, Tommy Gray, Sarah Ainsworth, Aaron Beaver, Martin Boardman, Alistair Bradley, Sam Chapman, Mark Clifford, Alan Cullens, Magda Cullens, Karen Derbyshire, Gordon France, Margaret France, Danny Gee, Harold Heaton, Alex Hilton, Terry Howarth, Keith Iddon, Hasina Khan, Samir Khan, Zara Khan, Roy Lees, Adrian Lowe, Matthew Lynch, Michelle Le Marinel, June Molyneaux, Alistair Morwood, Dedrah Moss, Beverley Murray, James Nevett, Alan Platt, Debra Platt, Aidy Riggott, Jean Sherwood, Arjun Singh, Kim Snape, Ryan Towers, John Walker, Jenny Whiffen, Neville Whitham, Alan Whittaker and Peter Wilson.

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Executive Cabinet

1. Any Cabinet recommendations on the reports that require Council decisions appear as separate items on the agenda.

General Report of the Meeting Held on 23 February 2023

Revenue Budget Monitoring Q3

2. Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Finance which set out the revenue and reserves forecast for 2022/23 for the Council based on the position as at 31 December 2022.
3. In summary, there was a forecast underspend of £0.273m, however as previously reported, the £0.597m unfunded cost pressure in respect of the 22/23 pay award, i.e. the cost over and above the 2% budgeted pay award, had resulted in a forecast overspend of £0.324m. The Council's Medium-Term Financial Strategy recommended that General Reserves are maintained at a minimum of £4.0m to mitigate against any unforeseen financial risks that may present in the future. The forecast level of general fund balances at 31 March 2023, based on the above, would be £3.816m. We approved the recommendations within the report.

Capital and Balance Sheet Monitoring Report Q3

4. Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Finance which set out the financial position of the Council in respect of the capital programme at 31 December 2022, highlighting key issues and explaining key variances, and provided an overview of various elements of the Council's Balance Sheet at 31 December 2022.
5. The capital budget for 2022/23 was set at £24.2m at Council in February 2022. This was increased following approval of the 2021/22 outturn to £32.2m, then further amended in the Capital Monitoring Report as at 31 July 2022 to £27.6m. This was then reduced to £25.5m in the Quarter 2 Capital Monitoring report, approved at Executive Cabinet in November 2022. Following the changes detailed in the report, the total programme for 22/23 stands at £15.8m.
6. We noted the revised capital programme to include an increase of £2m for the purchase of affordable housing and £14k for the play and open space at Longfield Avenue. A re-profiling of budgets between 2022/23 and 2023/24 had been undertaken and the total movement of budgets from 2022/23 amounts to £11.663m. As at 31 December, the actual capital expenditure across the programme was £9.763m, which represented 61% of the total forecast programme spend for 22/23. We approved the recommendations within the report.

Quarter Three Performance Monitoring Report 2022/23

7. Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Change and Delivery which set out the performance against the delivery of the Corporate Strategy and key performance indicators during the third quarter of 2022/23, covering 1 October 2022 to 31 December 2022.
8. The overall performance of key projects was excellent with 12 (85%) rated as complete or green and two (15%) rated as amber. Action plans for those projects rated amber were set out within the report. Performance of the Corporate Strategy indicators and key service delivery measures continued to be closely monitored, with 85% of Corporate

Strategy measures and 86% of key service delivery measures performing on or above target or within the 5% threshold.

9. We recognised that the development at Tatton Gardens was almost complete and it was hoped that residents would be ready to move in soon. We noted the report.

2023/24 Holiday Activity and Food Programme (HAF)

10. Councillor Peter Wilson, Executive Member for Resources presented the report of the Director of Communities on behalf of Councillor Bev Murray, Executive Member for Early Intervention. The report provided an update on delivery of Holiday Activity and Food programme (HAF) 2022 over the Easter, Summer and Christmas school holiday periods. The report also provided details of the Holiday Activity Programme for 2023 and proposed delivery and sought approval to receive funding of £288,622 from LCC and undertake the delivery of HAF 2023 using the identified delivery model.
11. LCC approached Chorley Council to deliver the HAF 2023 programme following the successful completion of delivery of HAF 2022. The delivery for 2023 would follow a similar model as last year and utilise our key local delivery partners within Chorley. Lessons learned would be implemented to build on the successes of 2022.
12. Chorley has 2588 children aged 4-16 receiving free school meals. The programme will help address child food poverty during the school holidays and help support many families who struggle during this time.
13. We noted the strong links with Chorley Inspire Youth Zone, who had been key to the successful delivery of the previous programmes, and it was recommended to continue with their commission for 2023. We thanked the Communities Team for all the work delivered over the last couple of years with Covid-19 and the cost of living crisis.
14. Following discussion, it was agreed that a list of all schools included in the scheme would be sent out to all members. We were encouraged to provide information on potential schools to be involved in the scheme in their specific wards to ensure the council are targeting the right areas with the highest number of children in need of free school meals. Officers would also write back out to schools as well as working with members and the Youth Zone. We approved the recommendations within the report.

Executive Cabinet Response to the Overview and Scrutiny Task Group on Select Move

15. Councillor Terry Howarth, Executive Member for Resources presented the report of the Director of Communities which outlined the response to the recommendations of the Task Group for Select Move and provided a final update to implement and action the 18 recommendations made by the overview and Scrutiny Task Group.
16. The Overview and Scrutiny Committee commissioned the Select Move Task Group which commenced in December 2021. The final report of the task group, which was received by Executive Cabinet on 10 November 2022, made 18 recommendations for action, some of which had been addressed as part of Select Move Policy review. The Select Move Partnership was in the process of reviewing the Allocations Policy and the recommendations of the Task group made a very valuable contribution to this review.
17. We noted an amendment to recommendation 6 which would consult on the reduction to refuse two reasonable offers rather than three refusals on reasonable offers. Recommendation 16 would also include the Select Move Coordinator in addition to the Housing Solutions Manager.

18. We thanked Councillor June Molyneaux as Chair of the Task group, as well as all the members involved for their thorough review. We approved the recommendations within the Task Group report.

Renewal of Lease - 1, 2 and 7 Flat Iron Parade - Poundland

19. Councillor Peter Wilson, Executive Member for Resources presented the confidential report of the Director of Commercial Services which sought authorisation for the grant of a new lease of Units 1 and 2 Market Walk and Unit 7 Flat Iron Parade to Poundland Ltd. subject to terms provisionally agreed in conjunction with the Council's Consultant Surveyor, as set out in the report. We approved the recommendations within the report.

Renewal of Lease - MSU 3 Market Walk – Iceland

20. Councillor Peter Wilson, Executive Member for Resources presented the confidential report of the Director of Commercial Services which sought authorisation for the grant of a new lease of Unit MSU 3 Market Walk to Iceland Foods Ltd. subject to terms provisionally agreed by the Council's Consultant Surveyor, detailed in the report. We approved the recommendations within the report.

Terms Agreed - Units 3 and 4 Market Walk - Shoe Zone

21. Councillor Peter Wilson, Executive Member for Resources presented the confidential report of the Director of Commercial Services which sought authorisation for the grant of a new lease of Units 3-4 Market Walk to Shoe Zone Ltd. subject to terms provisionally agreed by the Council's Consultant Surveyor, detailed in Appendix A. We approved the recommendations within the report.

Grant of Lease - Unit 4b/5 Flat Iron Parade Market Walk

22. Councillor Peter Wilson, Executive Member for Resources presented the confidential report of the Director of Commercial Services which outlined and sought approval on the terms provisionally agreed for the grant of a 15-year lease of Unit 4b/5 Market Walk Extension. We approved the recommendations within the report.

General Report of the Meeting Held on 30 March 2023

Permission to Consult on the Revised Private Sector Housing Assistance Policy

23. Councillor Terry Howarth, Executive Member for Homes and Housing presented the report of the Director of Communities which sought permission from Executive Cabinet to consult on the revised draft Private Sector Housing Assistance Policy, with a view to adopting the revised policy with effect from July 2023. The report also outlined the reasons for the key recommended changes in the revised draft Private Sector Housing Assistance Policy.
24. We noted that the draft revised policy had been compiled following publication of updated Government guidance to Local Authorities on the delivery of the Disabled Facilities Grant (DFG). Any minor changes to the policy after the consultation period would be considered and approved through delegation to the Executive Member (Homes and Housing).
25. We considered the key policy proposals which were set out in the report, including differences with the proposals and the relevant clause in the existing policy as well as an explanation as to why the item was being recommended. Several new proposed services such as Hospital Discharge Grants, Dementia Grants, Affordable Warmth

Assistance and conversion of the DFG referral to Chorley Adaption Grants (CAG) referral were also included.

26. The appointment of an Occupational Therapist within the Home Improvement Agency (HIA) team was also proposed. This option would be addressed in more detail as an item at a future Executive Cabinet meeting, however we supported this inclusion. We recognised the importance of this work and welcomed the proposals. We approved the recommendations within the report.

Business Energy and Road to Net Zero Support Scheme

27. I presented the confidential report of the Director of Change and Delivery which sought approval for a Business Energy and Road to Net Zero Support scheme for Chorley Businesses. We approved the recommendations in the report.

Bus Shelters

28. I presented the confidential report of the Director of Customer and Digital on behalf of Councillor Peter Wilson, Executive Member for Resources which outlined the proposals for a five-year replacement program for the Council bus shelter stock, design and procurement route for approval.
29. We recognised the importance of these improvement works to maintain the successful use of the borough's bus routes. We approved the recommendations in the report.

Unit 28 and 29 Market Walk – Renewal of Lease to Ryman Group Limited

30. I presented the confidential report of the Director of Commercial Services on behalf of Councillor Peter Wilson, Executive Member for Resources which sought Member authorisation for the grant of a new lease of Units 28-29, Market Walk to Ryman Group Ltd. subject to terms provisionally agreed by the Council's Consultant Surveyor as detailed in this report. We approved the recommendations in the report.

OSSRA Update – Gillett Playing Fields and Jubilee Playing Fields

31. Councillor Alistair Morwood, Executive Member for Planning and Development presented the confidential report of the Chief Executive which updated the Executive Cabinet on the funding currently available and the site development proposals for both Gillett Playing Fields and Jubilee Playing Fields.
32. We supported the proposals and noted the following errors in the report which were verbally rectified:
 - a) The £73k allocated from the Letherlands Farm development was located in Chorley North East ward, not Buckshaw and Whittle.
 - b) The £1,599 allocated from Guildford Avenue was in Chorley North and Astley ward, not Chorley North East.

Recommendations

33. To note the report.

Councillor Alistair Bradley
Executive Leader

NN

Overview and Scrutiny

1. This report summarises the business considered at the meetings of the Overview and Scrutiny Committee held on 26 January and 16 March 2023, the Overview and Scrutiny Performance Panel held on 9 March 2023, and an update on the Task Group Review of Empty Properties.

Overview and Scrutiny Committee – 26 January 2023

Health Scrutiny

2. We welcomed Councillor Alex Hilton to provide a verbal update on the meetings of the Lancashire County Council's Health and Adult Services Scrutiny Committee that took place 2 November and 14 December 2022.
3. The Social Care Reform that was announced in September 2021 for October 2023 is delayed to 2025. New social care reforms are being considered to streamline the financial and need assessment. There are concerns, despite assurances, that those with complex needs will become disadvantaged.
4. The waiting list for low level needs assessments is currently six months.
5. The Chief Medical Officer of Integrated Care Board (ICB) attended and presented information about virtual wards. Virtual wards are means for patients to be monitored from their homes. With care provided through technology in partnership with various services including the ambulance and pharmacists.
6. Across Lancashire and South Cumbria, there are 746 virtual beds, and acute virtual trusts are responsible for patients. Protocols are in place to ensure only eligible patients, with suitable homes are placed in a virtual ward.
7. Recruitment continued, but there is an acknowledged concern about the levels of staff.
8. Sites are still under consideration for the new hospital programme.
9. We noted the update.

Budget Scrutiny

10. We welcomed Executive Member for Resources Councillor Peter Wilson to present the report.
11. The report set out the draft budget that had yet to be finalised. The proposed budget has been impacted by the rising cost of living, utility costs, staff wages and inflation. The budget deficit is report at £1.17 million.
12. We heard that the budget can be balanced without cuts to services or staff. The council is to prioritise in investing in the borough. Income has been gained from Market Walk, and prospects are good for Strawberry Fields and Strawberry Meadows.
13. There is uncertainty with the funding to be received from central government. Yearly income has decreased despite an increase in costs and pressure.

14. The budget proposes an increase of 1.99% in Council Tax, with the rise, Chorley will still have the second lowest rate of Council Tax in Lancashire. Special expenses will increase inline with the rise.
15. Revenues from the New Homes Bonus and Services Grant decreased, but the Minimum Guarantee Grant totals £1.1 million.
16. We heard that the 2% (£74,000) yearly return on investment for the Whittle Health Hub was positive, both financially, and for the residents that now have access to a new GP surgery.
17. We noted the report.

Community Safety Partnership/Crime and Disorder

18. We welcomed Executive member for Early Intervention, Councillor Bev Murray, Lancashire Police Inspector Michael Moys and Head of Public Protection, Laura-Jean Taylor to present the report.
19. We heard background information about the Community Safety Partnership, its role, and purpose within the community.
20. We heard there is an overall decrease in anti-social behaviour, but there is a group of young people that are a cause for concern, with the ring leaders and key instigators identified. In local surveys, antisocial behaviour is cited as the greatest concern for the residents of Chorley. It is noted that teenage anti-social behaviour accounted for 22% of reported antisocial behaviour. Also grouped in this figure are the reported breaches of Covid restrictions, neighbour disputes, and noise complaints.
21. Civil orders and interventions are used to prevent key individuals engaging and encouraging anti-social behaviour. Support is available to direct and signpost young people away from that behaviour. Actions taken include banning an individual from the town centre, that a breach will result in their arrest, and at the end of January, a dispersal order was enacted.
22. The police are engaging with young people and their parents. Any evidence of parental failing, negligent oversight or safeguarding concerns will be referred to partner agencies as a child criminal exploration (CCE) concern.
23. There are good relationships between the partners which include the police, schools, and housing associations.
24. PCSO's and Neighbourhood officers are able to be dispatched to any area that will benefit from an increase in presence. Roadshows and engagement stalls are available on request.
25. Members raised concern that reports of drugs and anti-social behaviour has been met with 'there is nothing to be done about it' the inspector reiterated that there are things to be done about it, and any occurrence of that response should be raised with him.
26. The Community Safety Partnership meets regularly, and relies on voluntary, community and faith organisations. Work is currently underway with street pastors to provide support during the night-time economy.

27. In light of the concerns about the police station relocation, the inspector added that it was still early in consideration but a satellite office in the Town Centre could be established.
28. We noted the report.

Open Space, Sports and Recreation Strategy & Programme Update

29. We welcomed Zoe Whiteside, Head of Spatial Planning and Lindsey Blackstock, Open Space Strategy Office to present the report.
30. The Open Space, Sports and Recreation Strategy was approved by the Executive Cabinet in 2021.
31. Delays to identified schemes are caused primarily by sourcing and securing funding.
32. We heard that the urban wildflower corridors provide no risk of spreading invasive species or damaging the local ecology.
33. The designs of open spaces came from the views of local residents that live near the area of open space. It is acknowledged that there is a greater need for more diverse and dynamic equipment for all ages, as the focus was on young children.

Overview and Scrutiny Committee – 16 March 2023

Chorley Leisure Company Update

34. We welcomed Chris Moister, Director of Governance and Managing Director of Chorley Leisure Company to present the report.
35. The council bought the leisure facilities in house in 2019 following the withdrawal of the preferred bidder following the procurement exercise.
36. The Leisure Company was established April 2021, and operation commenced August 2021. The entity is separate from the council land holds its own objectives. The board of directors of the company are made up of directors from Chorley Council. The sole shareholder of the Leisure Company is the council and the functions are fulfilled by the Executive Cabinet.
37. To deliver the objectives of the Leisure Company, a single year business plan that reflects the priorities was adopted. Following this, a five-year business development strategy to be introduced with the objective for financial self-sustainability. Any surplus is to be reinvested into the company and facilities, but a surplus is not expected for the foreseeable future.
38. We heard that the Leisure Company face challenges financially. With the increase in the cost of utilities, and staffing, and the cost of living crisis. Membership increased 8% yearly, but not yet at the levels observed pre Covid.
39. Staff turnover is high, but in line with the leisure industry.
40. We heard that the best time to further scrutinise the performance of the Leisure Company was in the Communities Performance Panel.

41. All three buildings require investment and plans in place to make them more appealing. The renovations to Brinccall baths, which was allocated £600,000 is not yet underway as further surveys are required as issues may not be as extensive as first reported.
42. We noted the report.

Cycling Update

43. We welcomed Matt Evans, Air Quality and Climate Change Officer to present the Cycling Update ahead of a full report to be given at the next meeting of the Overview and Scrutiny Committee.
44. The work completed aims to understand the views of cycling and to promote more cycling in the borough.
45. The consultation received 180 responses. The majority of the comments are constructive and favour additional cycling facilities and provisions. The feedback from the consultation will be used to formulate achievable objectives.
46. Cycle pods were installed at Bengal Street, but are being underused. It is theorised that this is due to the change in working patterns, their location, potential damage to the new ICT equipment in case of bad weather or accidents, and the lack of changing facilities in the town hall.
47. Work is underway with the County Council to ensure that Chorley is represented within the Lancashire Cycle Walking and Infrastructure Partnership.
48. The County Council wish to be more involved with the planning process and provide their views when a site or application is compatible with their active travel plans.
49. We noted the report.

Quality of Housing Provided by Social Landlords – Final Monitoring Report

50. We welcomed Jennifer Mullin, Director of Communities to present the report.
51. Work is underway to ensure best practice is conducted. Learning sessions are completed by the Select Move Coordinator. Cooperation with various partners is to ensure the distribution of disability grants, decrease waiting times and streamline the process with housing partners.
52. The white paper is still outstanding and additional regulations are due by 2024. The customer satisfaction and quarterly performance was conducted, and the first results are due imminently.
53. There is rising concern about damp and mould for both private and housing association properties due to the publicity of the risks and dangers. A specialist housing officer was appointed to inspect properties owned and rented by Housing Associations.
54. We noted the report.

Period Poverty Update

55. We heard that there is good provision of products available across the borough, including schools. It is acknowledged that there are gaps in what is provided in council owned buildings for staff and visitors.
56. We raised that there is work outstanding within some communities to raise awareness, education and to provide information where a culture of honour and shame are prevalent.
57. We are surprised that Morrisons is the only supermarket that provides free products in the area. We noted that there are a range of groups and services that provide support and products
58. We noted the report

Overview and Scrutiny Performance Panel – 9 March 2023**Performance Focus – Planning and Development**

59. We welcomed Executive member for Planning and Development Councillor Alistair Morwood to present the report.
60. The directorate is said to be unusual as it covered the portfolios of three Executive Members.
61. Financially, there is an overspend of £37,346 due to the increase in costs of professional fees, statutory notices, legal fees, and staffing. The legal fees that are required to defend planning decisions are £147,000.
62. There is a reduction of income from the building control plan fees, inspection fees, and due to the suspension of the pre-application advice service, the budgeted £17,000 was not received. The decision to suspend the service came due to the pandemic, and in its place, improvements were made to the planning portal and the supplementary guidance provided.
63. Recruitment is still a challenge for the council. Numerous failed recruitment efforts require the use of agency staff. All duties are exercised at maximum capacity, but at greater expense. At present, there are no plans to recruit and install a Director of Planning and Development.
64. We heard and discussed the performance indicators within the report.
65. We heard that in relation to the local plan and developments within the borough, the council is below its indicators. For a large development, the average build rate was 30 – 50 units a year. It was added that towards the end of the Local Plan, fewer allocated sites remain, and allocated sites may yet to be developed. We heard that the council is currently negotiating with a developer to purchase a number of affordable homes in its role as a registered provider.
66. The consultation for the new Local Plan ended 24 February 2023, 1200 online and 270 written responses were received. Over 500 people attended sessions across the

borough, and external parties, including the School Planning Team and Highways have provided feedback which resulted in additional work.

67. We heard that there are between 1000 and 1200 planning applications made a year, with the majority decided by delegated decisions. Most appeals are dismissed, and those that go to appeal are statistical outliers. The time taken for appeals to be heard and resolved are substantial due to resourcing issues at the Planning Directorate.
68. Two of the three projects, 'to work with partners and residents to improve local play and community facilities across the borough', and 'lead activity to address climate change including tree planting' are on track. The project 'to deliver affordable housing within the borough' is slightly off track.
69. The projects for the 2023/24 municipal year are to 'deliver the local plan', 'to deliver natural green initiatives', and to 'develop the use of green energy in the borough'.
70. The project to 'deliver affordable housing' remains a corporate project, however it is to be placed under the Director of Change and Delivery.
71. We noted the report.

Business Plans Update 2022/23

72. We welcomed Howard Anthony, Interim Head of Policy and Performance to present the report.
73. We heard that the business plans are set by the services within the council, some are small and simple, others are large and complicated. It is the responsibility of the service to deliver the project and to provide updates throughout the year.
74. There is an average of five projects per service. Overall, performance is positive with 73% of projects green or completed. It is expected that all projects are to be completed by the end of Quarter 4.
75. Notable achievements within the year include the launch of the People Strategy and the new Customer Access Charter.
76. Two projects are red and considered off track, these are the 'flood defence work to Earlsway, Euxton', and 'evaluate a rent management system for housing stock'. The flood defence work is complex due to a combination of high costs and land ownership issues, which will require a review of its feasibility. The delay to the rent management system is due to staffing and capacity issues.
77. 34 projects are rated amber and considered slightly off track, the reasons varied, but a common theme is capacity and resources.
78. 13 projects are currently on hold and subject to review to determine next steps. The primary reason given is capacity and resources. In a number of cases due to project managers departing the council, projects have been placed on hold to provide time for their replacements to review and move forward in due course.
79. The projects that are on hold or delayed within public protection have no impact on the statutory duties delivered. The on-hold projects that relate to health and safety are awareness campaigns, not policies.

80. We noted the report.

Overview and Scrutiny Task Group Update

- 81. The Task Group held a World Café Event that featured officers from Enforcement, Public Protection, Housing, Customer Services and Revenues, and Legal.
- 82. The Task Group intend to have an informal meeting with the Executive Members for Homes and Housing, and Planning and Development ahead of the final report being presented to the Overview and Scrutiny Committee in July.

Recommendations

83. To note the report.

Councillor John Walker
Chair of the Overview and Scrutiny Committee

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Governance Committee

1. This report summarises the business undertaken at the Governance Committee meeting held on 15 March 2023.

General Report of the Meeting Held on 15 March 2023

External Audit Progress and Sector Update

2. Louise Mattinson, Director of Finance presented the report on behalf of the External Auditor which provided an update on progress in delivering their responsibilities as the Council's External Auditor.
3. We noted that year end was approaching on 31 March meaning that the 2022/23 Statutory Accounts would be produced shortly. Grant Thornton were currently planning the 2022/23 audit and would be presenting the detailed plan at the meeting in May. Officers had met with the External Auditors in preparation for the audit.
4. The Audit for 2021/22 had been completed and Grant Thornton expected to also bring the Auditors Annual Report, including the Value for Money (VfM) conclusion, to the meeting in May.
5. An update on the Housing Benefit Subsidy Audit was provided and we were advised that Grant Thornton had been granted an extension by the Department for Work and Pensions. The Audit was on track to be completed by 31 March.
6. A National Local Government external audit procurement had been undertaken and the audits for 2023/24 – 2027/28 had been awarded and Grant Thornton would continue to be the External Auditor for Chorley Council.
7. We noted the exploration of the reasons for the delayed publication of the audited local authority accounts in England and noted that only 12% of audited accounts for 2021/22 were published by the target date of 30 November. Members were advised that the revised deadlines for 2022/23 meant that Councils must produce their accounts by 31 May with the external audits completed by 30 September. A consultation had taken place on these dates, which are considered unachievable, and officers were awaiting a response. We noted the report.

Internal Audit Plan April 2023 – September 2023

8. Dawn Highton, Head of Audit and Risk presented her report which set out the programme of work to be undertaken by the Internal Audit Service.
9. We noted the Internal Audit Plan which contained the programme of reviews for the six-month period from April 23 to September 23 and was shown at Appendix A. This highlighted the link between the work of Internal Audit, strategic and operational risks and corporate objectives. The plan also detailed involvement with the key project teams assisting with advice and guidance on risk management, internal control and governance.
10. We were advised that it had again been agreed that the Internal Audit Service would provide 105 audit days to Chorley Leisure Limited (CLL). Whilst the outcome of each audit review would be reported to the Board of the Directors, the Governance Committee would receive an annual opinion on the adequacy and effectiveness of the internal control, risk management and governance arrangements for CLL.

11. The plans for both the Council and CLL would be completed solely by the in-house team with external support procured for the specialist ICT reviews. Over the past 12 months, the Service had increased its capacity with the introduction of a Trainee Auditor post. There was no change to the performance indicators or targets for the forthcoming period of April 2023 to March 2024. We approved the recommendations within the report.

Local Code of Corporate Governance

12. Dave Whelan, Head of Legal and Procurement presented the report of the Director of Governance which updated the Governance Committee on the outcome of a review of the Local Code of Corporate Governance.
13. We recognised that the Council had an adopted Local Code of Corporate Governance, and although not a requirement, this was compliant with CIPFA Guidance and followed best practice. The Local Code, which was periodically reviewed, set out how the Council delivers its Corporate Governance Framework and explains how it operates.
14. We noted that overall, the Code was considered a fundamentally sound document, with no substantial changes. In recent years, the format and presentation of the Code had been improved and the newly adopted policies and processes were referenced. The changes this year related to the update of the equalities policy to reflect the adoption of the newly approved Equality Framework. We approved the recommendations within the report.

RIPA Application Update

15. Dave Whelan, Deputy Monitoring Officer reported that no RIPA applications had been made.

Work Programme

16. We considered the work programme for 2023/24 which set out the reports to be considered at each Governance Committee meeting throughout the Council year. We noted the work programme.

Recommendations

17. To note the report.

Councillor Debra Platt
Chair of the Governance Committee

NN



| Report of | Meeting | Date |
|---|---------|--------------------------|
| Director (Customer and Digital) Introduced by (Executive Member (Customer, Streetscene and Environment)) | Council | Tuesday 18 April 2023 |

Policy Review: Council Tax Discretionary Reductions Policy

| | |
|------------------------------|----|
| Is this report confidential? | No |
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|-----------------------|----|
| Is this decision key? | No |
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Purpose of the Report

1. To present the proposed revised and updated Council Tax Discretionary Reductions Policy. The proposed policy is attached at Appendix 1.

Recommendations

2. Council approves the revised Council Tax Discretionary Reductions Policy.
3. In view of the economic climate and the likely increase in applications, the financial position in respect of discretionary reductions is reviewed after 6 months.

Reasons for recommendations

4. The revised policy better reflects the current financial climate and by emphasising other help available to financially vulnerable customers, allows the council to better meet the needs of residents.
5. The revised policy provides a consistent and transparent approach to the consideration of applications for council tax discretionary reductions.
6. The overall policy review consolidates and brings up-to-date a number of existing policies administered by Customer Services and Revenues and Benefits.
7. A review of the financial position after 6 months better manages risk to the council of any increase in applications.

Other options considered and rejected

8. Not to review and update the policy would risk administering an out of date policy less

able to meet the needs of residents.

Corporate priorities

9. The report relates to the following corporate priorities:

| | |
|---|--|
| Housing where residents can live well | A green and sustainable borough |
| An enterprising economy with vibrant local centres in urban and rural areas | Healthy, safe and engaged communities |

Background

10. The Local Government Finance Act 1992 (Section 13A (1) (c)) and the Local Government Act 2003 Section 76 give local authorities the discretion to reduce a part or all of the council tax liability where it is satisfied that the council tax payer is in financial need. This may apply to groups of people in the same circumstances as well as individuals.
11. From time to time, the government may introduce certain schemes under this legislation in response to specific circumstances, e.g. Council Tax Hardship Fund (Covid-19), council tax discounts for properties in designated flood areas. Any such schemes will be operated in accordance with the government guidance accompanying the scheme.
12. A policy review is underway for the Shared Services Customer Services and Revenues and Benefits services, working towards shared processes as far as possible. This will have benefits for the councils and customers ensuring consistency of service delivery, reducing duplication and helping to develop a shared and flexible workforce.
13. Chorley's policy was last reviewed in 2015. This policy is available here: <https://democracy.chorley.gov.uk/documents/s54213/CouncilTaxDiscretionaryHardshipPolicy.docx.pdf>

Objectives

14. The purpose of the policy is to set out the guidelines and criteria which we will consider when considering requests for a reduction in council tax from residents experiencing severe financial hardship.
15. There is no statutory definition of hardship and the granting of a reduction is wholly discretionary.
16. The council will consider the interests of council tax payers and the wider impact of granting any reduction.
17. The revised policy achieves four things:
 - a. Updates and simplifies the policy by removing historical information.
 - b. Updates the language in the policy document to be more accessible and consistent with that in the newly adopted Fair Collection Charter and DHP Policy.
 - c. Includes information about where other financial help and advice can be accessed.
 - d. Clarifies the review and appeals procedure.

Notable changes to the policy

18. The notable changes to the policy are summarised in the table below:

| | | |
|---|--------------------------|--|
| a | Title | Council Tax Discretionary Hardship Policy re-titled Council Tax Reductions Policy |
| b | Introduction | Included the other help and support which the council can offer to assist residents facing financial hardship, including the Social Prescribing team and the Fair Collection Charter |
| c | Funding arrangements | Removed cost of awarding hardship relief is met 100% by the council |
| d | Background | Included reference to other schemes and other government funding that may be made available under the legislation from time to time |
| f | Considerations | Renamed eligibility criteria 'considerations' |
| g | Applications | Removed considered by the Customer Services Manager and the Head of Customer and ICT Services |
| h | | Added considered by the Head of Customer Services and the Director (Customer and Digital) Shared Services |
| i | Changes in circumstances | Included reference to the need to advise the council of any change in circumstances |
| j | Review of the decision | Wording change from: review by Chief Financial Officer to review by S151 Officer |
| k | | Added: We will let you know the outcome within two months |
| l | | Added: Independent Valuation Tribunal Service as an appeal route |
| m | Fraudulent applications | Included reference to fraudulent applications may result in withdrawing the award and possible prosecution |
| n | Free independent help | Included the other help and support available |

Current position

19. Applications for hardship reductions are historically low in numbers and reductions are rarely awarded. Although this year has seen an increase in enquiries, doubtless as a result of the current economic situation.

20. Only one hardship reduction was awarded in 2022-23 by Chorley:

| | Amount awarded | Financial years |
|---------|----------------|-----------------|
| Chorley | £515.19 | 2015 - 2019 |

21. Valuation Tribunal decisions indicate that appeals in relation to hardship reduction decisions are infrequent. Since February 2017, of 167 council tax liability appeal decisions, 4 were allowed in respect of Section 13a discretionary hardship reductions.

Benefits

22. The revised policy will:

- a) Ensure the policy is relevant and up to date and meets the current needs of residents
- b) Make the policy more accessible for residents
- c) Help with shared decision making across the councils
- d) Provide the increased resilience of sharing key processes

Funding

23. The cost of granting a discretionary reduction in cases of financial hardship is met 100% by the council.

24. There is no current budget provision for discretionary council tax reductions and the level of awards has been minimal.

25. Other discretionary schemes introduced under Section 13A 1 c legislation have had central government funding.

Climate change and air quality

26. The work noted in this report has no impact on the Councils Carbon emissions and the wider Climate Emergency and sustainability targets of the Council.

Equality and diversity

27. The impact assessment indicated that there would be positive implications for residents vulnerable due to financial issues. There are no negative implications.

Risks

28. The risk of having no budget provision has been historically low. However, the current economic climate has seen an increase in applications.

29. Including in the policy a limit up to which the councils would fund discretionary reductions would potentially fetter the councils' discretion. Fettered discretion is part of common law, an authority may not improperly fetter its undertaking, and may not be stopped by its conduct from exercising its powers.

Comments of the Statutory Finance Officer

30. As detailed in this report at point 20, the level of hardship reductions has been historically low, and therefore has not been budgeted for within the Council. Other discretionary schemes have generally come with associated funding which has been utilised. It seems appropriate to review the position after six months to see if these changes have had a financial impact.

Comments of the Monitoring Officer

31. There are statutory powers to enable us to do what is proposed here. There are no concerns from a Monitoring Officer perspective. It is wise though to review the situation after 6 months.

Background documents

There are no background papers to this report

Appendices

Appendix A: Proposed Discretionary Council Tax Reductions Policy

| Report Author: | Email: | Telephone: | Date: |
|----------------------------------|-----------------------------|--------------|---------------|
| Helen Sutton (Customer Services) | helen.sutton@chorley.gov.uk | 01257 515151 | 15 March 2023 |

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Council Tax Discretionary Reductions Policy

Introduction

We want to do everything we can to support our residents when they find themselves in financial hardship.

The Council Tax Discretionary Reductions Policy sets out how the council will consider awarding a discretionary reduction in respect of council tax liability. This policy will help us to be consistent when making our decisions.

The council's Fair Collection Charter outlines how we will help and support people in paying their bills.

Our social prescribing team can also offer support and advice about managing finances and other areas of health and wellbeing.

Background

The Local Government Finance Act 1992 (Section 13A (1) (c)) and the Local Government Act 2003 Section 76 give local authorities the discretion to reduce a part or all of the council tax liability where it is satisfied that the council tax payer would suffer financial hardship if it did not do so. This may apply to groups of people in the same circumstances as well as individuals.

From time to time, the government may introduce certain schemes under this legislation in response to specific circumstances, e.g. Council Tax Hardship Fund (Covid-19), council tax discounts for properties in designated flood areas. Any such schemes will be operated in accordance with the government guidance accompanying the scheme.

Purpose

The purpose of the Council Tax Discretionary Reductions Policy is to set out the guidelines and criteria which we will consider when considering requests for a reduction in council tax from residents experiencing severe financial hardship.

This policy helps the council to be fair and consistent in its approach and flexible enough to consider individual circumstances.

General Principles

There is no statutory definition of hardship and the granting of a reduction is wholly discretionary and a final course of action after all others have been considered.

We will consider the interests of council tax payers and the wider impact of granting any reduction.

Considerations

There must be clear evidence of exceptional hardship or exceptional personal circumstances that shows you are unable to pay your council tax in part or in full.

All other welfare benefits, reductions, discounts, exemptions, discretionary payments and valuation office appeals must have been considered.

You must not have capital or assets that could be used to pay your council tax.

You need to show you have taken all reasonable steps to resolve your situation, this includes engaging with the council's social prescribing team and taking up other help and support available.

The amount of council tax outstanding must be the result of circumstances outside your control and not of your refusal to pay or due to prioritising non-priority debts.

There must be evidence that you are unable to pay your bill because of the current impact of the wider cost of living crisis and not due to historical reasons or non-payment.

We will carefully consider all the information you supply to decide whether there is evidence of financial hardship.

Applications

Requests for hardship reductions must be made in writing by the council tax payer or someone acting on their behalf.

Your request must set out the exceptional circumstances which have led to the application for a reduction.

Clear evidence of hardship during the period a reduction is being requested for will be needed including written details of your financial circumstances, income and outgoings. We may request additional information if we think it is necessary to assess the application.

Your council tax is still due to be paid whilst we consider your application and recovery action may continue if payments are not made as required.

We will aim to make a decision within 21 days of the request and all the supporting information being received.

The application will be considered by the Head of Customer Services and the Director (Customer and Digital) Shared Services.

Period of award

The period of an award will be considered on case by case basis. This will normally be for a short, fixed period depending on the nature of the hardship and how long it is likely to last.

Awards will stop at the end of the financial year or earlier.

Changes of circumstances

You must tell us about changes in your circumstances that could affect any reduction granted including a change of address or of financial circumstances.

Review of decision

You can ask for a review of the decision where:

- There is additional relevant information which was not available at the time of the original decision, or
- There is good reason to believe the application or supporting information was not interpreted correctly when the original decision was made

You should make the request for a review in writing within four weeks of our original decision and give the reasons why you are asking for the review.

Reviews will be considered by the council's Chief Financial Officer. We will let you know the outcome within two months.

If you are still unhappy with the decision you can appeal to the independent Valuation Tribunal Service. You must do this within two months of the council's decision. Details of how to apply can be found at [Appeal Guidance Booklets - Valuation Tribunal Service](#)

Fraudulent applications

If a reduction is granted as a result of false or fraudulent information, we may withdraw the award and consider prosecuting the applicant.

Free independent help

For free debt and money advice contact:

- a. Citizens Advice Lancashire

Chorley office

35-39 Market Street
Chorley
Lancashire
PR7 2SW

South Ribble office

Civic Centre
West Paddock
Leyland
PR25 1DH

Telephone: 0344 245 1294

Website: www.citizensadvicelancashirewest.org.uk

- b. StepChange

Telephone: 0800 138 1111

Website: www.stepchange.org/contact-us.aspx

- c. National Debt Line

Telephone: 0808 808 4000

Website: www.nationaldebtline.org/

- d. Business Debt Line

Telephone: 0800 197 6026

Website: www.businessdebtline.org/

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