



Minutes of Executive Cabinet

Meeting date Thursday, 12 October 2023

Committee Members present: Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Terry Howarth, Alistair Morwood, Margaret France and Adrian Lowe

Observers present: Councillors Gordon France, Danny Gee, Tommy Gray, Alex Hilton, Michelle Le Marinel, Jean Sherwood and Neville Whitham with Councillors Aaron Beaver, Alan Cullens, Samantha Martin and Craige Southern (attended virtually)

Officers: Chris Sinnott (Chief Executive), Jennifer Mullin (Director of Communities and Leisure), Louise Mattinson (Director of Finance), Dave Whelan (Head of Legal and Procurement), Matthew Pawlyszyn (Democratic and Member Services Officer, and Keith O'Garrow (Senior Technical Officer)

A video recording of the public session of this meeting is available to view on [YouTube](#).

27 Minutes of meeting Wednesday, 13 September 2023 of Executive Cabinet

Decision: That the minutes of the Executive Cabinet meeting held 13 September 2023 be confirmed as a correct record for signature by the Executive Leader.

28 Declarations of Any Interests

There were no declarations of interest.

29 Public Questions

There were no public questions.

30 Holiday Activities and Food Provision 2024-25 Procurement

Councillor Bev Murray, Executive Member for Early Intervention presented the report of the Director of Communities and Leisure which highlighted the Holiday Activity and Food Provision programme, its need and value to children at risk of food poverty in Chorley.

In summary, Chorley has 2,727 children aged 4 – 16 receiving free school meals, and the programme aimed to address child food poverty during the school holidays. In line with national requirements, the 2024-25 delivery will be delivered for a week in the Easter and Christmas holidays and four weeks in the summer holidays with a minimum of four hours of activities each day four days a week.

Members expressed concern about the levels of childhood poverty and praised the programme and hoped that it could be extended to support more than 25% of children on free school meals.

It was raised that Inspire did not just operate in the town centre but have run programmes in the surrounding areas which included Coppull and Clayton.

Decision

- 1. To approve the commencement of a procurement exercise for the management of the HAF programme from 2024-25, and for the following 2 years, subject to funding being secured for each year.**
- 2. To grant approval to receive funding from LCC to undertake the delivery of HAF 2024-25 following a successful procurement exercise.**
- 3. To accept the proposed service specifications and make any relevant recommendations.**
- 4. To grant approval for delegated authority that the Executive Member for Early Intervention be able to authorise the evaluation and awards criteria employed in the procurement exercise.**
- 5. To grant approval for delegated authority following the completion of the procurement exercise that the Executive Member for Early Intervention be able to authorise the award of the contract to the successful bidder.**

Reasons for Recommendations:

1. Completing this procurement exercise will ensure that delivery of the HAF programme complies with the Council's statutory procurement responsibilities.
2. Completing this procurement exercise will add value (as outlined within the report) for Chorley residents to the delivery of the HAF programme for up to 3 years.
3. Granting delegated authority for the Executive Member for Early Intervention to be able to authorise the evaluation and awards criteria pending the procurement exercise, and award of the contract to the successful bidder following a successful procurement exercise complies with the Council's Contracts Procedure Rules (5.4 – 5.6).
4. Granting delegated authority for the Executive Member for Early Intervention to be able to authorise the award of the contract to the successful bidder will expedite the approvals process and enable contract mobilisation to begin.

Other options considered and rejected:

To not complete a procurement exercise would put the HAF programme delivery 2024/25 at risk of non-compliance with the council's statutory procurement responsibilities.

31 Civil Penalties Policy

Councillor Bev Murray, Executive Member for Early Intervention presented the report of the Director of Communities and Leisure which sought to utilise the ability to impose the Civil Penalties Policy as contained within the Housing and Planning Act 2016 (part 2 Rogue Landlords and Property Agents in England).

A civil penalty would require the same burden of proof as a criminal prosecution but would allow a more straightforward and efficient method of tackling offences without the need for criminal proceedings. Issued penalties would be between £500 and £30,000. Criminal proceedings would still be considered for serious breaches of legislation.

Members positively vocalised that action was taken against rogue landlords and property agents, and that civil penalties would include offences in relation to licensing of Houses in Multiple Occupation (HMO).

Decision

1. **Agree the proposed Civil Penalty Policy and Guidance Matrix for the use of civil penalties (Appendix A) and its inclusion into the Environmental Health Enforcement Policy.**

Reasons for recommendation

1. The use of these powers will support and complement the work that the Council continues to deliver to tackle rogue landlords. The civil penalties and extension of the use of rent repayment orders, could be a powerful deterrent to rogue landlords through the enforcement of significant financial penalties.
2. The Housing and Planning Act 2016 ("the Act") introduced a new financial penalty regime in April 2017, permitting local authorities to impose a Civil Penalty of up to £30,000.

Other Options considered and rejected:

To not implement the policy would continue to limit the enforcement options available to regulatory offers and reduce the deterrents available to improve the compliance of landlords and subsequently the housing standards within the borough.

Chair

Date