
COUNCIL

Thursday, 24th March, 2022

Present: Councillor Kath Pratt (Mayor), Councillors Judith Addison, Josh Allen, Mohammad Ayub, Peter Britcliffe, Andrew Clegg, Loraine Cox, Paul Cox, Munsif Dad BEM JP, Diane Fielding, Marlene Haworth, Carole Haythornthwaite, Michael Hindley, Terry Hurn, Sajid Mahmood, Patrick McGinley, Michael Miller, Jenny Molineux, Tim O'Kane, Bernadette Parkinson, Miles Parkinson OBE, Joyce Plummer and Steven Smithson

Apologies: Councillors Dominik Allen, Noordad Aziz, Melissa Fisher, June Harrison, Susan Hayes, Eamonn Higgins, Abdul Khan, Caroline Montague, Dave Parkins, Paddy Short and Kate Walsh

318 Apologies for absence

Apologies for absence submitted on behalf of Councillors Dominik Allen, Noordad Aziz, Melissa Fisher, June Harrison, Susan Hayes, Eamonn Higgins, Abdul Khan, Caroline Montague, Dave Parkins, Paddy Short and Kate Walsh.

319 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations notified.

320 Announcements

The Mayor made the following announcements:

1) Engagements

The Mayor provided a summary of recent engagements that she had attended. These events had either raised money for good causes or recognised the efforts of individuals and groups within the local community. The Mayor was proud to have been able to lend her support to those celebrations.

2) Annual Mayor's Ball

Last Friday the Civic Calendar had reached a crescendo, with the staging of the Mayor's Annual Ball. The event had been well attended with VIPs and local citizens alike coming together for a night of great food and entertainment.

The event had also raised money the Mayor's four chosen charities:

- RNLI;
- Pioneer Swimming Club;
- Rosemere Cancer Foundation; and
- Community Solutions North West.

The Mayor thanked those who had attended the event, as well as the hard-working members of her Charity Committee, who had organised the evening to perfection.

3) Resignation of Councillor Chris Knight

The Mayor remarked that earlier in the week, Councillor Chris Knight had submitted his resignation from the Council, due to family and work constraints.

Chris had been elected to the Council in 2019, serving the St Oswald's ward, and in a short space of time had distinguished himself, particularly with his work as Chair of the Audit Committee.

The Mayor called upon those present to join her in wishing Chris all the very best for the future.

4) Elections 2022

Members were reminded that this was the final Council meeting before the local government elections on 5th May 2022. The Mayor noted that Councillors Diane Fielding, Jenny Molineux, Dave Parkins and Bernadette Parkinson had already announced that they did not intend to seek re-election in May. Collectively these councillors had given a total of 48 years of service to the Council. The Mayor commented that their experience would be greatly missed.

On behalf of the Council, the Mayor thanked all of the retiring councillors for their service and wished them every happiness for the future.

The Leader of the Council, Councillor Miles Parkinson OBE, made the following announcements:

5) Resignation from the Labour Party

The Leader announced that after 11 years as Leader of the Labour Group and of Hyndburn Borough Council he would be tendering his resignation from the Labour Party immediately after the Council meeting. He would then register as an independent councillor.

Councillor M Parkinson reported that this had not been an easy decision, particularly in the light of his long-standing membership of the Labour Party and trades unions. He expressed a view that the Hyndburn Labour Party was being misdirected by certain individuals behind the scenes.

The Leader reflected on the many good friends he had made during his tenure. He considered that teamwork had been a key feature of his leadership style and, in particular he thanked his Cabinet colleagues and councillors from all parties for their support. He also thanked the MP for working closely with the Council on its plans for the future and the staff for their on-going efforts. In addition, he acknowledged the support of a long list of partner organisations in the private, public and community sectors. He was proud that the Council had achieved so much, and that each year it 'punched above its weight'. Council services were numerous and providing these to a high standard was a complex endeavour. The Council could take pride in the fact that it did this well and for the benefit of its residents. The Leader also highlighted some key achievements and projects commenced during his time in office.

The Leader vowed to end his association with the Labour Party with a smile and hoped that his successor would have the courage to lead the party through unsettling times to a

position of greater stability. At a personal level, Councillor Parkinson would endeavour to maintain the many friendships had had made within the Labour Group.

6) One Carbon World Carbon Neutral Gold Standard

The Leader reported that the Council had achieved the One Carbon World Carbon Neutral Gold Standard for a second consecutive year.

7) Thanks for Service

The Leader added his personal thanks to those retiring Members who he noted had served with great dignity. In particular, he paid tribute to Councillor Jenny Molineux, who had served admirably on the Cabinet until recently and, his wife, Councillor Bernadette Parkinson, who had continued to stand beside him as Leader and who, as Mayoress, had happily supported him throughout his mayoral year.

The Chief Executive, Mr David Welsby, made the following announcement:

8) Levelling Up Fund

In the Chancellor's Spring Statement, it had been announced that the 2nd Round Levelling Up Fund Bids were now open. The closing date for bids was 6th July 2022. Hyndburn's bid was already well advanced and the Borough was confident that it would be able to achieve the proposed £20m investment sought.

Councillor Haworth gave a brief response the Leader's statement about his resignation from the Labour Party. She commented that it had been a pleasure to work both with and alongside him and wished him all the best for the future.

321 Confirmation of Minutes

The minutes of the Council meetings held on 3rd February (Special Meeting) and 24th February 2022 (Budget Meeting) were submitted for approval as correct records.

Resolved - **That the Minutes of the Council meetings held on 3rd and 24th February 2022 be approved as correct records.**

322 Question Time

One question had been submitted under Council Procedure 2.2(vi), to the Leader of the Council, by a member of the public, Mr Nick Whittaker. The question concerned taxi provision in Hyndburn. The Mayor read out the question, the details of which were as follows:

"How many independent taxi firms are there in Hyndburn?"

Who are they owned by?

I ask these questions because yet again on a Friday evening (25th Feb 2022) I order a taxi from my house into Accrington to socialize. To be told by the taxi firm "your taxi is on its way"

I waited 30 minutes with no taxi arrival.

I contacted the Max taxi office to speak to an operator who reported that the firm was busy but, in my view, aspects of the response received were not particularly customer focused.

People are getting fed up of unacceptable service levels and a lack of provision and availability of taxis. I have many employees who use taxis to get to work and have the same issues daily with not being able to obtain a taxi when they need one. I am concerned that there seems to be a very limited number of licensed operators in the town.

Please can this be addressed at the top level and let myself and the residents of Hyndburn know that there is a fair taxi service and competition in Hyndburn.

The residents of Hyndburn are fed up of the sub-standard service of taxis in Hyndburn and this needs addressing. Is this fair that a limited number of operators can have a stranglehold on provision within the Borough?"

Councillor Joyce Plummer, Portfolio Holder for Resources, provided a verbal response, which included the following information.

The Portfolio Holder had already written to the enquirer at the time of receipt of the original letter, along the following lines. There were 31 private hire licences issued in Hyndburn, although some of these were to very small operators who focused on airport runs or school contracts. There were also 59 hackney carriage licences issued in the Borough.

The firms operating in Hyndburn were owned by different people and a link to the public register of licences had been provided to the enquirer.

Any complaint about taxis lodged with Hyndburn's Licensing Team would be investigated and appropriate action taken.

It was not true that there was only one taxi firm in Hyndburn – No a single firm had a monopoly.

Resolved - **That the Council notes the question received and response provided in connection with taxis in Hyndburn.**

323 Draft Pay Policy 2022/23

Councillor Joyce Plummer, Portfolio Holder for Resources, provided a report setting out a draft Pay Policy for 2022/23.

The report indicated that the Localism Act 2011 (Chapter 8 - Pay Accountability) required all local authorities to set out its position on a range of issues relating to the remuneration of its employees. The Policy had to be approved by the Council in open forum, by the end of March each year and then be published on its website.

The Pay Policy set out the existing approach to the remuneration of all posts within the Council. In particular, it specified certain mandatory requirements that had to be detailed within the Policy, as follows:

- The pay structure of the Council and how it was set;

- Senior Management Remuneration, providing details of the pay grade for posts defined as Chief Officer and the accompanying allowances;
- The recruitment arrangements for a Chief Officer;
- The relationship between the salaries of Chief Officers and other employees;
- Details of the lowest paid posts within the Council;
- Employer's Pension Contribution details; and
- Termination of employment payments.

The Council already published pay and remuneration details of its senior managers on its website, within the annual Statement of Accounts.

The purpose of the Pay Policy was to ensure there was transparency as to how pay and remuneration was set by the Council, for all of its employees and particularly for its most senior level posts.

There had not yet been any agreement on the national pay award for April 2022, so the policy contained the 2021 pay rates.

Resolved - That Council approves the Pay Policy 2022/23.

324 Hyndburn Local Plan (Strategic Policies and Site Allocations) - Regulation 19 Consultation

Members considered a report of Councillor Miles Parkinson OBE, Leader of the Council, on the Hyndburn Local Plan (Strategic Policies and Site Allocations) – Regulation 19 Consultation.

The Local Plan was the long-term development framework for the area. It had a key role to play in:

- meeting the full needs of communities for housing, employment and service provision;
- delivering new development in a sustainable way; and
- helping to contribute to wider policy ambitions at the regional and national scales.

Work had reached an advanced stage in the preparation of the new Local Plan for Hyndburn. The next step was the publication of the Local Plan (Strategic Policies and Site Allocations – henceforth referred to as the “Local Plan”) for public consultation at Regulation 19 stage of the plan making process. Once adopted, these documents would replace the final saved elements of the 1996 Local Plan and the 2012 Core Strategy. A similar report on this matter had presented to Cabinet on the 16th March 2022 and the report to Council now sought approval from all Members for the authority to take the Local Plan out to public consultation.

This report explained the context and content of the consultation documents that were proposed to be the subject of a public consultation exercise, due to be commenced in May 2022. The version of the Local Plan being consulted on would represent the settled view of the Council on what the Plan should contain (under Regulation 19 of the Town Country Planning (Local Planning) (England) Regulations 2012). This was also known as the “Pre-submission” Plan as, after the consultation concludes, it would be the version which was submitted to an Inspector for Examination in Public.

The main report set out the full reasons for the proposals and included detailed information on the following:-

- Purpose of the Local Plan;
- Key documents;
- Reasons for review;
- Timetable and progress to date;
- Summary of Local Plan contents; and
- Consultation details.

The Leader commented that the process for developing the new Plan had been on-going for some time, but was still around 2 years from completion. The last version had been published in 1996. Ward councillors had already been involved in the site allocations process. In general, housing would be focused on Huncoat Garden Village, with some other development in Rishton. Employment sites would be centred on Altham and Whitebirk.

The final document would be the Council's key strategy until 2037 for the provision of a diverse housing stock and employment land. The Borough must grow to be economically sustainable and the Council aimed to bring in around £100m of investment through this approach. The Council would also need to work closely with the MP. Change was often difficult for some people to accept and there would always be some objections raised whatever was proposed. Nevertheless, change remained an important step.

Resolved

- (1) That Council notes the work which has already taken place, including previous statutory public consultation, on the earlier stages of preparation of the new Local Plan for Hyndburn.**
- (2) That Council approves the content of the Local Plan document (as set out in the separate papers submitted with the report) and agrees to commence a 6-week statutory consultation process in due course.**
- (3) That Council delegates authority to the Council's Executive Director (Legal and Democratic Services) and the Chief Planning and Transportation Officer, following consultation with the relevant Portfolio Holder for Planning, to make any further changes considered necessary or appropriate to the consultation documents, prior to commencing consultation.**

325 Initial proposal for the new Parliamentary Constituency Boundary Review 2023 for Hyndburn

Members considered a report of Councillor Miles Parkinson OBE, Leader of the Council, providing the Council with an update on the Parliamentary Boundary Review 2023, notifying Members of the initial proposals from the Boundary Commission for England (the Commission) concerning the Hyndburn constituency and seeking the Council's support for the Commission's initial recommendations after considering the responses to the first consultation.

The Leader gave a brief introduction to the report as follows. Maintaining the status quo was not an option. The Commission's various proposals had been discussed at length.

Broadly there was support for the latest proposals across the Conservative, Labour and Liberal Democrat political groups within Lancashire local authorities, although some disagreement remained over the proposed division of Whalley. Various proposals had been discussed over time, which included differing options affecting both the Ribble Valley and Padiham. However, as the current proposals for Lancashire would see only the Wyre and Preston North constituency abolished, there was a need to make all of the remaining pieces fit together. Further attempts at rearrangement could potentially put other constituencies at risk.

Some respondents had put forward arguments for constituency boundaries based on the historical connections between certain areas, but the reality was the residents now lived in the digital age with less emphasis on traditional or geographical considerations. Appropriate representation was the most important factor. Historical connections could be made between Hyndburn and other many communities. For example, in earlier times, both St James' Church, Altham and St James' Church, Church Kirk, had links with Whalley Abbey. Links with other urban areas had developed later as a result of the industrial revolution.

Members were reminded that earlier proposals by the Boundary Commission had sought to divide Hyndburn, across two new constituencies. However, the current proposals retained Hyndburn within a single constituency. There was general agreement for this model, notwithstanding the question about the Whalley wards.

The main report included the following information. The Boundary Commission for England (the Commission) was an independent and impartial non-departmental public body, which was responsible for reviewing Parliamentary constituency boundaries in England.

On the 8th June 2021 the Commission had published a report on their initial proposals to ensure that the number of electors in each constituency was more equal (electorate equality), which included a boundary change to the Hyndburn constituency and again proposed the name Hyndburn CC (County Constituency) which the Commission proposed in the final review back in 2018.

The Commission's latest proposals for the Hyndburn constituency included the loss of the Haslingden area to the West Pennine Moors constituency and the gain of three additional wards (Billington & Langho; East Whalley, Read & Simonstone; Whalley & Painter Wood) from the Ribble Valley constituency, whilst keeping Hyndburn coterminous with the district council's boundary.

Following the passing of the Parliamentary Constituencies Act 2020 in December 2020, and the publication of the relevant Parliamentary electorate data in January 2021, the Commission had begun a new review of all Parliamentary constituencies in England. They referred to this as the '2023 Review', as they were required to report with their final recommendations by 1st July 2023.

The 2023 Review of Parliamentary constituencies had been formally launched in January 2021. The Commission was required to ensure that the number of electors in each constituency was more equal; in doing so, the number of constituencies in England would increase from 533 to 543 (ten more than there were currently). The Commission was undertaking an independent review of all constituency boundaries in England and would present their final recommendations to Parliament by July 2023. Each constituency that the Commission recommended must contain no fewer than 69,724 Parliamentary electors, and no more than 77,062 (except two 'protected' constituencies for the Isle of Wight). By law, these electorate figures related to the electorates as they were on 2 March 2020.

Applying the statutory formula to the electorate figures meant the total 650 constituencies was distributed during the review to the four parts of the UK, with England receiving 543 seats, Scotland with 57, Wales with 32 and Northern Ireland with 18 seats. This Commission had applied the same distribution formula to the English allocation, which resulted in the following redistribution of constituencies among the nine English regions for the 2023 Review with the North West losing two seats from 75 to 73.

- East Midlands = 47 (increase of one)
- Eastern = 61 (increase of three)
- London = 75 (increase of two)
- North East = 27 (decrease of two)
- **North West = 73 (decrease of two)**
- South East = 91 (increase of seven)
- South West = 58 (increase of three)
- West Midlands = 57 (decrease of two)
- Yorkshire and the Humber = 54 (no change)

The Commission's proposals left ten of the existing 75 (going down to 73) North West constituencies unchanged. A further three constituencies were unchanged, except to realign with new local government ward boundaries. Across Cumbria and Lancashire it was proposed to reduce the number of existing constituency areas from 22 to 20, whilst Greater Manchester, Cheshire & Merseyside had kept the same number. This was down to the number of constituencies allocated to each sub-region and was determined by the combined electorate of the local authorities they contained.

In 2018, the Council had been united in keeping Hyndburn coterminous with 100% of the district area within the parliamentary seat of Hyndburn whilst keeping its name. The Council was pleased that the Commission had followed the previous submission and kept Hyndburn coterminous and would like to thank the Commission for retaining the Hyndburn area.

The previous 2018 Review had recommended that the Padiham wards were included in the Hyndburn constituency proposals, whereas the latest 2023 proposals included the three wards of Billington & Langho; East Whalley, Read & Simonstone; Whalley & Painter Wood from the Ribble Valley constituency area.

It could be argued that both 2018 and 2023 proposals had natural linkages and community ties from schools, shops and employment. The Padiham wards had similar social economic profiles and good infrastructure links. Whilst, prior to 1983 Great Harwood was in the Clitheroe constituency, before it had been changed to the Ribble Valley constituency, whereupon Great Harwood had moved into Hyndburn.

Whilst there might be differing opinions regarding preferences of which additional wards should make up electorate numbers within the parliamentary seat, the Council followed and supported the Commission's impartiality and understood that the seat required a certain number of electorates to represent voter equality and required the tolerance level to be within the Commission's recommendations.

In the 2018 Review, the Ribble Valley Borough Council had made a representation that their preferred parliamentary constituency was to include the whole of the Ribble Valley, together with parts of West Hyndburn (Baxenden, Church, Immanuel, Netherton, Overton, Rishton, St Andrew's and St Oswald's). That would bring the new constituency within the right tolerance level at 77,634 and that authority had suggested it should be known as Ribble Valley and Hyndburn West.

However, the latest proposals had suggested the Ribble Valley district would only lose three wards to the Hyndburn seat. The Burnley constituency would lose Briercliffe, and gain Bacup and the Whitworth area. Pendle was 100% coterminous and would gain Briercliffe, while Rossendale district had been split between the seat of Burnley and the new seat of West Pennine Moors.

There were concerns that, if the Council considered proposing alternative recommendations, such as preferences over certain wards, the detrimental impact on Hyndburn could be the seat being split into another parliamentary area. The risk would then be a possibility that Hyndburn would no longer be coterminous if alternative proposals were suggested, with perhaps the Commission redrawing boundaries across the North West.

The Council's main objective was to support the proposal for keeping Hyndburn in one parliamentary constituency area. Any further proposals to change the name and not keep Hyndburn in one parliamentary seat would not receive the Council's support.

On 8th June 2021 the Commission published their initial proposals for how the 543 constituencies for England could be drawn up within the legal parameters mentioned. This commenced a statutory consultation period of eight weeks (closing on 2nd August 2021,- where anyone could give their views on those proposals. There would be two further rounds of public consultation.

Early this year the Commission had published responses to initial proposals and were now conducting a six-week 'secondary consultation', including between two and five public hearings in each region. This secondary consultation would end on 4th April 2022.

The Commission had received numerous comments from members of the public, elected members and businesses relating to the proposals for Hyndburn, which could be viewed on the Commission's website.

In addition, three political parties (Conservatives, Labour and Liberal Democrats) had submitted full counter proposals for the North West Region. In summary, the parties were supportive of the proposals affecting Hyndburn, with just one highlighting alternatives in the way Whalley was to be split. These counter proposals were also available to view on the Boundary Commission's website.

In late 2022 the Commission would publish revised proposals and conduct a four-week written consultation and following the conclusion of all three consultation periods, the Commission would look at all the evidence received before forming its final recommendations. The Commission would then have to submit its final report and recommendations to the Speaker of the House of Commons by 1st July 2023.

It was **MOVED** and **SECONDED**:

"That the Council:

- Notes the contents of the report.
- Supports the proposal for keeping Hyndburn in one parliamentary constituency area and Hyndburn CC (County Constituency) for the name of the constituency.

- Understands that there may be differing views regarding preferences about which additional wards make up electorate numbers within the parliamentary seat. But, any further proposals to change the constituency name and not keep Hyndburn coterminous in one parliamentary seat would not receive the Council’s full support.”

Councillor Marlene Howarth thanked the Leader for articulating the issue regarding Whalley, and she indicated that its residents did not want the town divided between two constituencies. She outlined a form of words which would capture this proposal. Councillor Judith Addison also expressed the view that it would be useful to add the name Whalley to the constituency name, so as to make its residents feel more included. The Leader noted that this might be unnecessary as, regardless of any official name, MPs often mentioned other townships when referring to their constituency. For example, ‘Hynbuburn and Haslingden’ was often referred to.

The following **AMENDMENT** was moved and seconded:

The insertion of the following words, after the second bullet point.

“Requests that the Boundary Commission for England includes Whalley as a whole in the new Hyndburn constituency, with consideration being given to the constituency being renamed Hyndburn and Whalley CC.”

and consequential amendments to the other bullet points:

On being put to the vote the **AMENDMENT** was **CARRIED**. The substantive **MOTION** was then put to the **VOTE** and it was:-

Resolved

- That the Council:

- (1) Notes the contents of the report.**
- (2) Supports the proposal for keeping Hyndburn in one parliamentary constituency area and Hyndburn CC (County Constituency) for the name of the constituency (subject to 3 below).**
- (3) Requests that the Boundary Commission for England includes Whalley as a whole in the new Hyndburn constituency, with consideration being given to the constituency being renamed Hyndburn and Whalley CC.**
- (4) Understands that there may be differing views regarding preferences about which additional wards make up electorate numbers within the parliamentary seat. But, any further proposals to change the constituency name (unless for the purposes described at 3 above) and not keep Hyndburn coterminous in one parliamentary seat would not receive the Council’s full support.**

The minutes of the meetings of Cabinet held on 12th January and 9th February 2022 were submitted.

Councillor Britcliffe paid tribute to the work and achievements of Councillor Miles Parkinson OBE in leading the Cabinet, and as Leader of the Council. He commented that this could be a difficult task at times, since the role involved dealing with numerous people and a wide range of personalities. Councillor Britcliffe suggested that external forces had made the Leader's position in the Labour Party untenable. However, the residents of Hyndburn would continue to benefit from his legacy for years to come. He wished him well for the future.

Councillors Patrick McGinley and Jenny Molineux also reflected upon the circumstances of the Leader's resignation, and wished him well. As this was her last Council meeting, Councillor Molineux also thanked the councillors and officers who had supported her throughout term of office and, in particular, Policy Officers Stuart Sambrook and Ben Caulfield.

Resolved - **That the Minutes be received and noted.**

327 Minutes of Committees

The Minutes of the following meetings were submitted:

Meeting (Municipal Year 2021/22)	Date
Planning (Trees) Sub-Committee	2nd November 2021
Resources Overview and Scrutiny Committee	4th November 2021
Audit Committee	29th November 2021
Communities and Wellbeing Overview and Scrutiny Committee	15th December 2021
Standards Hearing Sub-Committee	18th January 2022
Planning Committee	19th January 2022
Resources Overview and Scrutiny Committee	16th February 2022
Planning Committee	23rd February 2022

Resolved - **That the Minutes be received and noted.**

The Mayor remarked that this was her last full meeting in the Chair and that it had been a great pleasure and privilege to undertake the role. She thanked everyone for their support and good intentions during her term of office.

The next meeting of the Council would be the Annual Meeting on 19th May 2022, at which the Mayor was looking forward to welcoming Councillor Abdul Khan as the new Mayor for 2022/23.

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed

