
COUNCIL

Thursday, 22nd September, 2022

Present: Councillor Abdul Khan (Mayor), Councillors Judith Addison, Josh Allen, Mohammad Ayub, Noordad Aziz, Scott Brerton, Peter Britcliffe, Danny Cassidy, Andrew Clegg, Jodi Clements, Munsif Dad BEM JP, Bernard Dawson, Peter Edwards, June Harrison, Susan Hayes, Carole Haythornthwaite, Terry Hurn, Zak Khan, Sajid Mahmood, Patrick McGinley, Colin McKenzie, Caroline Montague, Miles Parkinson OBE, Joyce Plummer, Kath Pratt, Paddy Short and Steven Smithson

Apologies: Councillors Dominik Allen, Loraine Cox, Paul Cox, Melissa Fisher, Marlene Haworth, Eamonn Higgins, Kate Walsh and Kimberley Whitehead

Led by the Mayor, councillors and members of the public and press observed one minute's silence in commemoration of her late Majesty Queen Elizabeth II. At the end of the minute's silence those present proclaimed "Long live the King".

112 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Dominik Allen, Loraine Cox, Paul Cox, Melissa Fisher, Marlene Haworth, Eamonn Higgins, Kate Walsh and Kimberley Whitehead

113 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations notified.

114 Announcements

The Mayor made the following announcements:

1) Trip to the Somme Battlefields and Pals Memorial

The Mayor reminded Members that he had missed the last Council meeting because of a civic visit to the battlefields of the Somme and, in particular, the Pals Memorial at Serre les Puisieux, along with civic leaders from the home towns and cities of a number of Pals battalions. The Mayor considered it an honour to assist the Lord Mayor of Sheffield in opening the new 800 metre access track to the memorial park which held a monument to each of the Pals battalions. The visiting group had held a commemorative service and Mayors from each town had laid a wreath in remembrance for the sacrifice made by so many.

As part of the trip the Mayor had visited the Queen's Cemetery, where a soldier from The Accrington Pals Battalion had been laid to rest and Thiepval Memorial, where names were inscribed of British and Commonwealth soldiers with no known grave.

Representatives had also attend 'Y-Farm Cemetery', where 15 soldiers had been reburied in October 2014, 100 years after their death following the discovery of their bodies in 2006 at the crossroads in Radinghem. The soldiers were from the York and Lancaster Regiment and 11 of the 15 soldiers had been identified with descendants present at the reburial service.

The trip had been an incredible experience and a fitting tribute to the sacrifice of those who had been killed in action in the First World War.

2) Town Centre Events

Throughout the summer, the Mayor had been pleased to attend numerous family and sporting events both in the Town Square in Accrington and elsewhere in the Borough, including:

- the Our World Together culture and arts event;
- Prospects' ECO festival, to celebrate all things green and environmentally friendly;
- The Ron Hill Accrington 10k run, which started and finished in the Town Centre;
- The Soap Box challenge – an annual fun day which grew larger every year;
- The Transport Festival at the Showground, Great Harwood, with its amazing collection of classic cars, preserved buses and commercial vehicles.

3) Lancashire-wide Civic Events

The Mayor was also pleased to be able to represent the Borough at several events with other Mayors from across the region including:

- Attending the Royal Lancashire Show in Ribchester, with its fine display of animals, crafts and all things rural;
- Civic lunch and tour of Towneley Hall, organised by the Mayor of Burnley
- A charity cricket match at Stonyhurst College;
- Last night of the Proms, at Clitheroe Castle.

4) The International Community

The Mayor had also been very proud to represent the Borough at a number of events with an international flavour including:

- Welcoming the Italian Women's football team, who were based here during the Euros in July;
- Welcoming Ukrainian refugees to the area at this most difficult time and meeting their host families at an Accrington Stanley match;
- Supporting Pakistani Independence Day by attending an event at Accrington Library and a regional flag-raising event held in Manchester.

5) Standards and Conduct

Finally, the Mayor expressed disappointment at the behaviour and the conduct of some fellow Members at this year's Annual Council meeting and at a subsequent Council meeting chaired by the Deputy Mayor on 30th June 2022.

The Mayor stressed that he would not tolerate this kind of behaviour anymore from any Member and reminded all of the need to lead and debate politics by example, leaving aside

any personal differences. Members should represent their residents, with honour and dignity. Constructive criticism would only be allowed where this was in a manner that was respectful to other Members.

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

6) Transforming Hyndburn

The Leader indicated that a glossy booklet would be circulated at the end of the meeting on 'Transforming Hyndburn'. Feedback from all Members would be welcomed.

The aspirations contained within the document had been developed from the bottom up. The programme would include:

- The environment and green spaces, including the Bury Meadows scheme;
- Refreshing Mercer Park playground and a programme of similar enhancements at other locations;
- Decarbonisation;
- Wellbeing;
- UK Shared Prosperity Fund projects and business led initiatives;
- Leisure Transformation;
- Local Plan;
- Huncoat Garden Village;
- Accrington Town Centre Investment Plan (supported by Levelling Up bids from Hyndburn Borough and Lancashire County Council)

The Leader thanked all involved locally, including the MP, for their contributions. This programme underlined the importance of working together.

7) Energy Bill Relief Scheme

The Leader also welcomed the announcement yesterday by the Government on the Energy Bill Relief Scheme, which would provide a discount on wholesale gas and electricity prices for all non-domestic customers. Further information on the implications of the scheme for the Council's energy costs would be available at the Cabinet meeting in October 2022. The Council was already committed to a Council Tax freeze and would absorb any increased energy costs within its Budget, but the Relief Scheme would help. Residents were already dealing with the cost of living rises caused by the war in Ukraine.

8) Christmas Events

Christmas was not too far away. The Council would provide up to £250 to each township for suitable bids for Christmas events.

There were no announcements from the Chief Executive, Mr David Welsby, on this occasion.

115 Confirmation of Minutes

The Minutes of the Council meeting held on 30th June 2022 were provided.

In respect of Minute 49(1) - Live streaming of Council Meetings, Councillor Josh Allen enquired about whether the Cabinet had made any progress in considering this matter.

The Leader responded that the Cabinet was awaiting feedback from officers on the implications. Councillor Peter Britcliffe, Deputy Leader of the Conservative Group, reported that some immediate action had been taken, with the Council's Communications Manager currently providing a live tweet of the meeting. It was known that there had been some 350 followers of the last meeting.

Resolved - **That the Minutes of the Council meeting held on 30th June 2022 be approved as a correct record.**

116 Declaration of the Returning Officer for the Overton Ward By-Election held on 14th July 2022

The Mayor referred to the Agenda cover, which set out details of the Member elected on 14th July 2022 at the By-Election for the Overton Ward. He congratulated and welcomed Councillor Colin McKenzie to the Chamber and wished him well in his new role.

Councillor Noordad Aziz also welcomed Councillor McKenzie and confirmed that he would make a great addition to the Labour team in the Borough. Along with other recently elected Members, Councillors Scott Breton (Overton) and Jodi Clements (Netherton), the bar had been raised in Great Harwood. He expressed the view that the By-Election result provided a clear indication of voters' preferences and predicted a return to power of the Labour group at the next local election.

117 Question Time

The Mayor reported that no questions had been submitted under this Agenda Item.

The Mayor gave his approval to the following item being considered as a matter of urgency in accordance with Section 100B(4) of the Local Government Act 1972, on the grounds that a number of committees and bodies were due to meet before the next meeting of the Council and approval to any changes to committee sizes and appointments to reflect the new political balance should be made at the earliest possible date to comply with the duty, under paragraph 16(1)(a) of the Local Government and Housing Act 1989, to exercise the power to make appointments to those bodies as soon as practicable after the political balance determination had been made.

118 Appointments to Committees and Constitutional Issues

Councillor Paddy Short requested and was granted permission by the Mayor to speak first on this item.

Councillor Short advised the Council that he had informed the Chief Executive earlier today, as well as residents, that he and Councillor Caroline Montague intended to serve as Green Party representatives with immediate effect. They would be the first Green Party councillors in Hyndburn Council's history and he hoped that there would be more to follow. The newly formed Green political group would be happy to work with any parties or individuals for the betterment of the Borough.

Officers then circulated a report on the Council's political balance and constitutional issues. With the consent of the meeting, the Mayor approved a brief adjournment to enable Members to read and consider the report.

On the resumption of the meeting, the Leader of the Council highlighted the following issues contained in the report:

Legislation required the Council to carry out a calculation of the political balance before each Annual Meeting to enable seats on committees and sub-committees to be allocated on a proportional basis between the political parties across the Council. This had been carried out in May of this year and councillors had been appointed to various bodies accordingly.

Since then there had been a number of changes to the political balance across Council. Regulations specified certain other times at which the political balance calculation would have to be reviewed. This included upon the receipt of a notice requesting such a review where a member had also served notice of their intention to join a political group. This requirement had recently be triggered, due to Councillor Loraine Cox joining the Conservative Group. Accordingly, a review of the political balance had now been carried out, which also took into account tonight's announcement of the formation of a Green group.

A small number of changes were required to the political balance on some committees and sub-committees as a result of the review. The full details were set out in the report as circulated. This in turn had led to the need to amend the membership of these bodies to take account of the new political balance. Party leaders had been consulted about the amendments necessary.

Members were being asked to approve the revised proportionality on each committee/sub-committee and the changes to individual named councillors appointed to those bodies. The Leader provided summary of the main changes to committee memberships. The Leader of the Labour group had also made some changes to that group's nominations to the various Committees and Working Groups. The various changes proposed were set out in the schedule to the report circulated.

The recommendations in the report also asked for delegated powers for the Chief Executive to make any amendments to appointments arising from the review of political balance, if it was not possible resolve these at tonight's meeting. However, all information in the schedule to the report was correct at the time of printing.

The report set out the detailed information about the following:

- Legislative and regulatory triggers for carrying out a review of political balance;
- Allocation of seats across the Council;
- Treatment of independent councillors as to political balance;
- Committee sizes and proportionality;
- Allocation of seat to political parties on current Committees/Sub-Committees; and
- Allocation of Seats on Panels, Boards and Working Groups.

The report also addressed the appointment of substitutes. The wording of the current Council Procedure Rules was not as clear as it could be in respect of the ability of independent councillors to appoint substitutes. To clarify the position and avoid confusion it was proposed that Rule 26.8 of the Council Procedure Rules be amended as set out in Appendix 1 to the report. The only change that was proposed was to Rule 26.8(b).

Councillor Peter Britcliffe, Deputy Leader of the Conservative group, welcomed Councillor Loraine Cox to the Conservatives in Hyndburn. He also reported that the group had made available some of its notional allocation of seats to Independent and Green party councillors in the interests of Members working together.

The Chief Executive, Mr David Welsby, clarified that there were now three recognised political groups on the Council, comprising the Conservatives, Labour and Green groups. The Council also had a number of Independent Members, but those councillors had not coalesced as a group.

Councillor Judith Addison noted that those councillors who had not received licensing or planning training could not normally act as reserves or substitutes on those committees. She suggested that this rule needed to be reinforced in the proposed amendment to the Constitution. In response, the Leader indicated that *ad hoc* training could be provided as and when necessary.

Councillor Noordad Aziz asked if there was any conflict of interest by the appointment of the leader of the Green group (Councillor Paddy Short) to the Leader's Policy Development Board and as Vice-Chair of Resources Overview and Scrutiny Committee. Councillor Short sought clarification about whether the Council's administration operated as a coalition, or whether there was no overall control. The Chief Executive confirmed that there was no coalition, but that the Leader of the Council was an Independent councillor. The Council operated a 'strong leader model' and the leadership was unopposed at the recent Annual Council meeting. The Leader had invited a cross-section of Members to serve on his Cabinet at the Annual Council meeting, including Conservative, Independent and Labour representatives. For the reasons given at that meeting, Conservative and Independent Members had accepted and the Leader of the Labour group had declined the roles. This Cabinet did not constitute a coalition. The Independent Members did not constitute a formal group. The Council remained under no overall control, but the administration did comprise various political hues.

In response to a question by Councillor June Harrison it was confirmed that there were 5 Independent Members on the Council.

Councillor Munsif Dad BEM JP, Leader of the Labour group announced a further change to the nominations in the schedule to the report, with Councillors Noordad Aziz and Jodi Clements replacing Councillors Fisher and Whitehead on the Planning Committee.

Resolved

- (1) That the political composition of Committees and Sub-Committees of the Council (as set out in paragraph 3.4.1 of the report) be approved.**
- (2) That the membership of those Committees and Sub-Committees and the proposed Chairs and Vice-Chairs, as identified in the schedule to the report, be approved, subject to the amendments to the Planning Committee membership indicated above, and in so far as any details are not available in time for the meeting, that the Chief Executive be authorised to approve the membership in consultation with the leader of the relevant political group and in the case of Independent Members in consultation with the Leader of the Council.**
- (3) That the membership of Panels and Working Groups, together with the proposed Chairs, as identified in the schedule to the report, be approved, and in so far as any details are not available in time for the meeting, that the Chief Executive be authorised to approve the membership in**

consultation with the leader of the relevant political group and in the case of Independent Members in consultation with the Leader of the Council.

119 Revised Licensing Act 2003 Policy - 2022 - 2027

With the consent of the meeting, this matter was withdrawn from the Agenda.

120 Minutes of Cabinet

The minutes of the meetings of Cabinet held on 22nd June and 13th July 2022 were submitted.

Resolved - That the Minutes be received and noted.

121 Minutes of Committees

The Minutes of the following meetings were submitted:

Meeting (Municipal Year 2021/22)	Date
Communities and Wellbeing Overview & Scrutiny Committee	20 th October 2021
Judicial Committee (Private Hire & Hackney Carriage Licensing)	1 st December 2021
Meeting (Municipal Year 2022/23)	Date
Planning Committee	23 rd June 2022
Judicial Committee (Private Hire & Hackney Carriage Licensing)	12 th July 2022
Audit Committee	18 th July 2022
Resources Overview & Scrutiny Committee	19 th July 2022
Judicial Committee (Private Hire & Hackney Carriage Licensing)	25 th July 2022
Planning Committee	3 rd August 2022

Councillor Dawson asked whether the Communities and Wellbeing Overview & Scrutiny Committee had not met since 20th October 2021. The Member Services Manager responded that those minutes had been omitted, in error, from an earlier Council Agenda, so were being presented today. There had been a meeting of that Committee in the intervening period. Councillor Dawson indicated that he did not recall that meeting. The Leader commented that this could be because Members were not always able to attend meetings following the issuing of the relevant summons.

Resolved - That the Minutes be received and noted.

122 Motion(s) submitted on Notice

1) Unlocking the Potential of Local High Streets

The following **motion** was proposed by Councillor Noordad Aziz and seconded by Councillor Scott Brerton under Council Procedure Rule A9:-

“This Council believes that healthy high streets are essential for employment, shopping and leisure but many shops and businesses were struggling even before the Covid pandemic: High street retail employment fell in more than three-quarters of local authorities between 2015 and 2018 according to the Office of National Statistics and more than half of all UK consumers were shopping online before the pandemic. Hyndburn's high streets have been similarly affected by this shift in trends and this can clearly be seen in Accrington.

This Council notes retail is among the sectors most affected by the coronavirus pandemic; the almost complete shutdown of non-essential shops between March and June 2020 and subsequent local and national lockdowns and ongoing restrictions has hit businesses hard, and the need for social distancing has changed the way many businesses operate reducing footfall.

The pandemic has accelerated what in many cases has been a longer trend of lower footfall and changing shopping habits: as the Portas Review a decade ago acknowledged, the form and function of many high streets needs to adapt if they are to survive.

This Council welcomes the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, the Covid support business loans, and the High Street Taskforce.

However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on “bricks and mortar” businesses compared to online retailers, and the Business Rate system needs radical overhaul.

The announcements in the Budget, though welcome, fall short of what is required: small changes to revaluation cycles and temporary discounts simply tinker around the edges, and will not deliver the support that local high streets need and deserve.

This Council resolves to:

- Write to the Government to urge it to scrap business rates and replace them with a system which is fit for purpose and which levels the playing field between bricks and mortar businesses and online retail giants.
- Campaign to devolve funds like the Towns Fund, Levelling Up Fund, UK Shared Prosperity Fund and other national funding pots, to give local communities, councils and regions the ultimate say in how it is spent in their area.
- Explore what local action can be taken to revive our high streets.”

Councillor Aziz provided a brief introduction to the motion. He indicated that in 2004, David Cameron as Prime Minister had highlighted the decline of the high street. In Accrington shops on Broadway were closed. The pandemic and lockdown had accelerated this trend. Many retailers now traded on-line. Councillor Aziz himself admitted to having various stores’ Apps on his phone. Statistics reported in 2021 indicated that that some 17,500 chain store outlets had disappeared from the high street. This equated to around 50 shops per day closing. The impact was plain to see in Accrington.

The time was right to incorporate best practice from around the country. The business rate system was broken, but not easy to replace. He considered that the Government might introduce a small on-line purchase tax to supplement non-domestic rates. The motion proposed was not a complete answer, but might give shops a chance. Townships such as Great Harwood were doing well. There was a need to consider how the Council could do things differently for its locality and attract dynamic businesses into Hyndburn. Corporate Social Enterprises, which would invest in the community, might be one solution. Large conglomerates were often based in tax havens, not locally.

The Government could be asked to look into more devolution. Potentially the resources from Levelling Up and the UK Shared Prosperity Fund could be devolved. A thriving high street would help to instil local pride.

Councillor Brerton spoke for the motion. The high street was changing and on-line businesses were in the ascendancy. However, existing retail businesses did fulfil a vital role. They provided high quality goods and services, as well as local jobs. Great Harwood was a good example. The current situation was not a level playing field. An all-party Treasury Select Committee had said that the system was broken. Those businesses with a physical presence were struggling to remain competitive. Quoting a well-known nursery rhyme, he called upon residents to support your “butcher, baker and candlestick maker”.

Councillor Peter Britcliffe spoke against the motion on the grounds of relevance to the Council. He added that the Government had already published the outcome of its fundamental review of business rates in October 2021 and a response had been provided by the Local Government Association in 2022 supporting the proposals. The local MP was clear about the support required by the town centre and was working with the Leader of the Council around delivery.

Councillor Zak Khan spoke of the need to support local retail businesses, but was against the motion as drafted. Councillor June Harrison noted that shopping habits had changed with the advent of the supermarket and were unlikely to return to previous patterns. Councillor Josh Allen pointed out that many businesses were eligible for rate relief, but that high rents were often the critical factor.

The Leader indicated that it was not helpful to send a letter to Parliament after every Council meeting. He would prefer the debate to be kept to local issues. As a district council, Hyndburn could now bid for a substantial amount of money and would work with Lancashire County Council too. Carole Haythornthwaite reported that, as a Lancashire County Councillor, she was pleased to note a high degree of cooperation between the county and district authorities and a common objective to support local shops.

Councillors Munsif Dad BEM JP and Bernard Dawson spoke in favour of the motion and Councillor Aziz then summed up.

In accordance with Council Procedure Rule A16.5, six Members present at the meeting called for a recorded vote.

The **MOTION** was then put to the **VOTE**.

For the Motion

Councillors Abdul Khan (Mayor), Mohammad Ayub, Noordad Aziz, Scott Brerton, Jodi Clements, Munsif Dad BEM JP, Bernard Dawson, Colin McKenzie, Caroline Montague and Paddy Short

Against the Motion

Councillors Judith Addison, Josh Allen, Peter Britcliffe, Danny Cassidy, Andrew Clegg, Peter Edwards, June Harrison, Susan Hayes, Carole Haythornthwaite, Terry Hurn, Zak Khan, Sajid Mahmood, Patrick McGinley, Miles Parkinson OBE, Joyce Plummer, Kath Pratt, and Steven Smithson

Abstentions

None

Accordingly, the **MOTION** was **LOST**.

The Mayor thanked all for their attendance and reminded Members that the next meeting was due to be held on 3rd November 2022

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed