
RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

Wednesday, 10th December, 2025

- Present:** Councillor Noordad Aziz (in the Chair),
Councillors Paul Cox (Vice Chair), Andrew Clegg, Mike Booth,
David Heap, Judith Addison and Steven Smithson
Co-optees: Tim O’Kane and Richard Downie
- In Attendance:** Councillor Munsif Dad
Martin Dyson – Executive Director, Resources
Tom Birtwistle – Environmental Health Manager (Housing Standards)
Adam Birkett – Head of Planning and Transportation
- Apologies:** Councillors Heather Anderson and Christine Heys (Co-optee)
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251 Apologies for absence, Substitutions, Declarations of Interest and Dispensations

Apologies for absence were submitted on behalf of Councillor Anderson and Christine Heys (Co-optee).

Councillor Dawson acted as substitute representative for Councillor Anderson.

Councillor Dawson and Councillor Aziz declared non-pecuniary interests in item 7 – ‘Outcomes and Resources of Planning Enforcement’ in relation to supporting Accrington Stanley football team and, in the case of Councillor Dawson, holding a season ticket. Both remained in the room and took part in the debate.

252 Minutes of Last Meeting - 11th November 2025

The Minutes of the Resources Overview & Scrutiny Committee held on 11th November 2025 were submitted for approval as a correct record.

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

253 Chair's Update

The Chair provided updates to the Committee in relation to the following items:

a) Local Government Re-organisation

Members had requested details of a breakdown of the consultation carried out in September 2025, in respect of the numbers by postcode, who had responded. Members were informed that this information was available from the Overview & Scrutiny Officer on request.

b) Co-optee Vacancy

Members were reminded that a report seeking approval of the Committee’s recommendation to approve an application for a Co-optee position on the

Resources Overview & Scrutiny Committee would go to Full Council on 15th January.

254 Budget Monitoring

The Cabinet Portfolio Holder for Finance, Councillor Vanessa Alexander and the Executive Director of Resources, Martin Dyson, provided an overview of the Council's financial position. The Committee were provided with details of the following reports:

- a) Capital Programme Monitoring 2025/26 – 2027/28 – Quarter 2 Update to 30th September 2025.
- b) Revenue Budget Monitoring 2025/26 – Quarter 2 to end of September 2025.
- c) Prudential Indicators Monitoring and Treasury Management Strategy Update – Quarter 2 2025/26.

The Capital Programme Monitoring report provided an update on the delivery and financial performance of the capital programme as at Quarter 2 of 2025/26, highlighting progress against budget, identifying any variances, risks or slippage and forecasting the expected outturn. It supported effective decision-making, ensured transparency and accountability and informed any necessary adjustments to project timelines, funding allocations, or future financial planning. Members were requested to note the financial position of the Capital Budget at Q2 of the 2025/26 financial year (as shown in Section 4 of the report). The Committee were also requested to approve the in-year addition to the Capital Programme of £0.681 of capital projects (as shown in Appendix 1 of the report).

The Revenue Budget Monitoring report updated the Committee on the Council's financial performance up to the end of September 2025 for the 2025/26 financial year and outlined the projected impact on the Medium-Term Financial Strategy covering the period 2025-26 to 2027/28. Members were asked to note the financial position and financial pressures and risks facing the Council as at the end of September 2025 (as shown in Sections 3 and Section 5 of the report).

The purpose of the final report, the Prudential Indicators Monitoring and Treasury Management Strategy update, was to provide Members with details about the Council's treasury management activities for the current financial year. It outlined the performance of investments and borrowing, assesses compliance with the approved Treasury Management Strategy and highlighted emerging risks or opportunities that may impact the Council's financial position. The report supported the effective budget monitoring and ensured transparency and accountability in the management of public funds. Members of the Committee were requested to note the treasury management activities undertaken during the period and the performance against the approved strategy.

The Executive Director of Resources reported on the difficulties of managing budget constraints in relation to recruitment and Housing Benefit payments but explained how the Council intended to manage this.

He reported that the Council's capital programme was £56 million with projects including Levelling Up Funding, Leisure Centres and Huncoat Garden Village. Building and ICT structures were also being financed. He referred to the risks of delivering a capital programme of this size. He also indicated that asset sales had slowed and that they were trying to expedite some of these sales.

In respect of the Treasury Management report, he explained that a lot of money had been invested and referred to the control of the Council's finances. The forecast outturn for

2025/26 was £1,287k. He informed the Committee that the Council was in a good financial position.

A further update on the Council's financial position would be given at the Cabinet meeting held in January 2026.

Advanced Questions and Responses

Pride of Place Impact Fund – People seem to be disillusioned about the lack of grant funding or financial assistance for their own towns. There were complaints about a lack of traditional shops, lack of facilities for children, most of the grant money being focused on Accrington town centre and a need for signposting to volunteer opportunities, e.g. with Prospects.

Is it intended to give any money to Rishton from the “Pride of Place Impact Fund”?

Response –two Government schemes in place:

- a) Plan for Neighbourhoods - £20m over 10 years to regenerate communities, strengthen social infrastructure, and empower local decision-making. Reference was made to how the scheme operated, who was responsible for decision making, the allocation of funding to initiatives and consultation with the community.
- b) Pride of Place Impact Fund - A £150m Government fund pot available for all Councils for immediate improvements anywhere in the borough. £1.5 m for each Council to be spent within this and the next financial year. This could be used for match funding but would also be used to drive initiatives in areas other than Accrington town centre.

Councillor Dad pointed out that the funding allocated under the Pride of Place Impact Fund was for initiatives right across the borough.

Members queried and commented on the following issues:

- Requested assurance that there would be a distinction between house building and community retention e.g. elderly people wanted to retire in areas close to their families. Housing provision was required for elderly people.
- Members were encouraged to hear that funding was being provided for areas outside of Accrington town centre and alluded to the need to keep the borough's townships from falling into disrepair.
- A request for information in relation to works done to Oswaldtwistle Civic Theatre and in Rhyddings Park.
- A request for an explanation for the process of the sale of the Council's assets.

The Executive Director of Resources reported that the Council had no plans to sell Oswaldtwistle Civic Theatre and that works had been planned and budgeted for the building. He explained that specific legislation was required for the sale of public assets and indicated that he would provide a full response to Councillor Addison.

Resolved - **That the reports and the Council's financial position be noted.**

255 To Review the Number of Empty Homes in the Borough

The Environmental Health Manager (Housing Standards), Tom Birtwistle, presented a report to provide the Committee with an overview of the number of empty residential and

commercial properties within the borough, he outlined the current service demands which related to these premises and the challenges in returning properties to use, including the limitations of the Councils legislative powers and work in default options.

The following information was provided to Committee providing data in relation to empty properties and the challenges in bringing them back into use:

- The number of empty properties in the borough was reducing
- The number of complaints with regards to empty properties was increasing.
- The number of empty commercial properties was static, with problems mainly in the town centres.
- There were limitations in the enforcement actions that could be used.
- Issues with the number of empty commercial properties: large industrial sites were often contaminated and not easy to bring back into use; some commercial properties were owned by limited companies, not always UK based.
- Properties in probate (some disclaimed by the Duchy due to the low value of the properties and the cost of bringing them back into use).
- Private owners
- Enforcement action was a lengthy process and if Council undertook works in default, costs could not always be recovered.

Advanced Questions and Responses

1) How many empty properties have been turned into HMOs?

Data in relation to HMO conversions from long term empty properties was not held by the Housing Standards Team. A request was made to the Council Tax department to establish if this data could be extracted from their existing records. The following response was provided:

“There are 191 properties that are classed as owner liable due to being in multi-occupation on the Revenues system. Of those 191 properties, 9 remain empty and 22 have been occupied since the 31.12.24.”

This data would indicate that 22 properties are now HMO's which were previously un-occupied. Councillor Clegg requested clarification.

2) Have you requested an increased budget for works in default?

A request in 2022 was made by the Head of Environmental Health in relation to the existing work in default budgets. At the time, no budget was available and it was expected that expenditure would be offset by the charge applied to properties and subsequently repaid by property owners. However, property charges are difficult to recover and the process can take years to complete. Therefore, the decision was made that works in default should only be considered as a last resort and where there is a public health or safety concern.

3) Vacant Commercial Properties – These are increasingly sold using online Auctions and only scant reference is made to the fact that Planning Permission may be needed for any Change of Use. This also applies to HBC Assets. This can lead to (1) Unauthorised Use, adding to the workload of our Planning Enforcement Team and (2) The property continuing to stand empty because the new owner can't get Planning Permission for the usage they had in mind. If HBC

is the seller, could they draw attention to the fact that Planning Permission might be needed for Change of Use?

The sale of Council owned assets was not within the remit of Housing Standards, however, contact had been made with the Regeneration and Property Manager. The reply was as below:

“When selling or leasing assets the Property Team includes in the particulars the need for the purchaser or lessee to attain their own permissions (could be planning and or building control). In some negotiations the sale is conditional on the purchaser getting planning approval for their intended use and on occasion the sale has fallen through because planning was not attainable.”

4) Can Councils apply any pressure for HM Land Registry records to be brought up-to-date? Despite increasing their Search Fees they have a backlog of over a year, meaning that if it's known that a property or piece of land has changed hands, it isn't possible to find out the new owner's identity.

Contact and requests for assistance between government organisations would normally fall within the remit of the Member of Parliament for Hyndburn.

Councillor Addison referred to the importance of records being kept up to date.

Members submitted queries and comments on the following issues:

- Funding problems limited any action the Council could take.
- Rough sleepers were occupying the empty property in the Barnfield area – what could be done about this?
- A proposal to list empty properties on the Council's website, detailing current works on the properties as well as listing commercial properties to rent. The Council could work with the owner to help to sell/lease properties.
- Was there a pattern in who owned problematic/empty properties. Did the same owners/landlords names keep arising? Would licensing help with these issues?
- What would happen to empty properties on site of heritage protection. Reference was made to Mercer House and loopholes in regulation.

The Environmental Health Officer (Housing Standards) reported that empty properties were the responsibility of private owners although the Police did have powers to intervene if permission was granted by the owner. He indicated that he would look to see if anything was actionable such as property access being open.

In respect of the proposal to list empty properties on the Council's website, he indicated that he would have to seek legal advice on GDPR in relation to this. He also reminded the Committee that the Council was limited in its resources (both staffing and finance) to manage the various schemes suggested but that he would take the ideas back for further consideration.

He reported that there were more 'problematic' empty properties and many were long term empties. He explained that ownership was a 'mixed bag' as some were owned by individuals and some were owned by limited companies. Many owners were difficult to trace. Empty properties were also targeted so could become a neighbourhood issue.

Commercial properties were often held as assets and even when sold would not be brought back into use.

He indicated that he would investigate further the issue raised around Clayton Clinic, Church Street, Clayton Le Moors.

Resolved - That the report be noted.

256 An Update on the Impact of Houses of Multiple Occupation (HMOs) in the Borough

The Cabinet Portfolio Holder for Planning, Councillor Munsif Dad, and Head of Planning and Transportation, Adam Birkett, submitted a report to provide the Resources Overview & Scrutiny Committee with an update on the impact of Houses in Multiple Occupation (HMOs) in the Borough and progress on the implementation of the Article 4 Direction, scheduled to take effect in March 2026 (the 'March 2026 Article 4 Direction'). This Direction removes permitted development rights for small HMOs in specified areas of the Borough. The report also sets out further recommendations regarding the investigation of extending Article 4 Direction coverage to those electoral wards not currently included.

Councillor Dad referred to the content of the report which may lead to an extension to the Article 4 Direction. In addition, other Boroughs had been monitored, and this information would be used to decipher any further action by the Council.

The Head of Planning and Transportation provided details of the implementation of the Article 4 Direction due to come into force in March 2026. He explained that this would remove permitted rights, giving the Council full control of how planning permission was determined for 9 wards. The remaining 7 wards would not have this coverage and, therefore, may feel the effect of displacement and overspill into their wards. He pointed out that they were aware of Chorley and Rossendale beginning borough wide Article 4 Directions. The Committee was informed that this did come with risks, in respect of possible compensation claims, and this was being taken into consideration. He did note that Chorley had 31 HMOs borough wide and Hyndburn had 185 HMOs.

Advanced Questions and Responses:

- 1) There had been disappointment that other wards had not been included in Article 4 Direction. Could you explain the timescales for potentially including more wards/the whole Borough in the Article 4 Direction?

The Head of Planning and Transportation explained that the current Article 4 Direction could be modified to include the remaining wards but this would mean withdrawing the Article 4 Direction first. He, therefore, proposed that an application for an additional Article 4 Direction which, if approved, would take effect in 12 months' time. The aim would be to align an additional Article 4 Direction with the current one, due to come in force on 15th March 2026, should relevant approval be given. However, he also pointed out that work on an additional Article 4 Direction would require additional resources, in the form of staffing and finances.

- 2) Blackburn with Darwen Borough Council has included the whole Borough in their Article 4 Direction. Are you using their experience to provide more information about the possible challenges of including the whole borough in the Article 4 Direction.

He referred to how the Council had monitored the use of Article 4 Direction coverage of the whole of a borough by other authorities and was aware of the

challenges of proceeding to apply for a further Article 4 Direction. He explained how evidence would be collated to submit a good case.

Members submitted the following comments and queries:

- Other authorities had used Article 4 Direction to cover the whole of their boroughs.
- Would a further Article 4 Direction, covering the whole of the borough, overlap with the licensing of landlords?
- Did the number of HMOs in a ward contribute to the need for a ward to be covered by an Article 4 Direction?
- The current coverage of the Article 4 Direction split areas and did not make sense as the demographic was almost the same.
- Reference was made to 3.16 of the report and showed that there had been 'no evidence' to indicate that HMO numbers had increased in wards not included in the March 2026 Article 4 Direction, which is consistent with the fact that the Direction has not yet taken effect.'
- Did the Planning Department have enough resources to deal with the extra work required to implement an additional Article 4 Direction?
- What was the definition of an HMO?

Councillor Dad indicated that it was the Council's intent to proceed with an Article 4 Direction covering the whole of the borough, as soon as possible. He indicated that a report would be submitted to Full Council in the New Year providing further details of a plan.

The Head of Planning and Transportation explained that an Article 4 Direction did not impact the licensing of landlords as this was two separate regimes. He informed the Committee that there was no threshold for HMOs in a ward to justify the implementation of an Article 4 Direction. He explained that resources in the Planning Department were limited and that some work may be outsourced but Officers would also, be required to pick up work.

The definition of a house of multiple occupancy (HMO) was a property occupied by two or more households with shared facilities. He explained that properties such as bedsits occupied by 3 to 6 people, forming more than one household with shared facilities would be considered a HMO.

The Environmental Health Officer (Housing Standards) explained that there were multiple definitions for HMOs in legislation, including in relation to planning, licensing and smaller HMOs which were outside of the scope for licensing.

The Head of Planning and Transportation clarified that the implementation of an Article 4 Direction did not mean that planning applications would be refused but explained that it would make sure that planning permission was sought and give Councils more control.

Resolved - **That the report be noted.**

257 Planning Enforcement

The Cabinet Portfolio Holder for Planning, Councillor Munsif Dad, and the Head of Planning and Transportation, Adam Birkett, submitted a report to provide the Resources Overview & Scrutiny Committee with an update on the resources, performance and current workload of the Council's planning enforcement service.

Councillor Dad provided an overview of the report and pointed out that the Council had over 400 live cases but that the backlog of cases had been mainly caused by the Covid-19 pandemic.

The Head of Planning and Transportation referred Members to Table 1 of the report, which showed outstanding live cases by year since 2025 to the present. He explained that there had been an increase in the number of complaints submitted and that the service, typically, received approximately 250 complaints per year. Since April 2025 Officers had closed 151 cases but receive 154 new cases during the same period. The demand for the service remained high. Resources to reduce the backlog had been put into place, including the appointment of an extra Officer. He pointed out that a draft Planning Enforcement Plan had been presented to Cabinet on 3rd December with a recommendation for adoption and implementation early in the New Year. The Plan aimed to manage disputes and offences. In addition, the Planning Department had also upgraded its software system, to manage planning application records and associated documents. Despite the extra resources, he informed Members that the Planning Department still needed to make difficult decisions when determining how to deal with the volume of their workloads.

Advanced Questions and Responses:

- 1) Accrington Stanley have breached planning enforcement rules for over four years. Could you explain how they been able to breach the rules to a point that nothing can now be done?

The Cabinet Portfolio Holder for Planning, Councillor Dad, informed the Committee that a report was due to be submitted to the Planning Committee on 17th December at which this item would be discussed in more detail. The Head of Planning and Transportation explained how they dealt with the complaints they received and how they always aimed to keep complainants informed.

Councillor Addison expressed concern about the increasing number of people who did not think they should apply for planning permission and consequently, more were breaching regulations.

Councillor Smithson asked if there was a breakdown of data, per ward, showing where planning breaches were. The Head of Planning and Transportation reported that these figures were not held. He did indicate, however, that there was an intention to report the number of Planning Enforcements to future Planning Committees and to carry out further monitoring to build a baseline of information. This, he pointed out, would form a pool of data members could tap into.

Councillor Clegg suggested a shared system with Planning so that Members could share back with residents and therefore, reduce workloads on Officers. The Head of Planning and Transportation indicated that there may be GDPR issues with this.

- 2) There are 130 outstanding live cases listed for 2025:
 - a) What action is the Council taking to deal with these outstanding cases; and
 - b) Table 1 in the report shows an increasing number of outstanding cases year upon year. Could you explain why.

Councillor Dad reported that there were 130 outstanding cases but there was an increasing number of complaints which meant that the number of live cases remain similar.

The Head of Planning and Transportation explained that the backlog of enforcement complaints had increased because of the Covid-19 pandemic but, in 2022, the Council had appointed a second Enforcement Officer to deal with the backlog and have, also, upgraded

its software system with the aim of maximizing efficiency. He aimed to maintain the integrity of the Planning system.

Resolved - **That the report be noted.**

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed