

Agenda



HYNDBURN

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Cabinet

Wednesday, 18 March 2026 at 5.00 pm,
QER, Scaitcliffe House, Ormerod Street, Accrington

Membership

Chair: Councillor Munsif Dad BEM JP (in the Chair)

Councillors Vanessa Alexander, Scott Brerton, Stewart Eaves, Melissa Fisher, Clare Pritchard, Ethan Rawcliffe and Kimberley Whitehead

AGENDA

PART A: PROCEDURAL AND INFORMATION ITEMS

1. **Apologies for Absence**
2. **Declarations of Interest and Dispensations**
3. **Minutes of Cabinet** (*Pages 5 - 32*)

To approve the Minutes of the meeting of Cabinet held on 18th February 2026. (attached)

PART B: PORTFOLIO ITEMS

4. **Reports of Cabinet Members**



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To receive verbal reports from each of the Portfolio Holders, as appropriate.

Leader of the Council (Councillor Munsif Dad BEM JP)

5. Provision of Leisure Services within Hyndburn (Pages 33 - 76)

In accordance with Regulation 10(1)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the proper officer has informed Councillor Noordad Aziz, Chair of the Resources Overview and Scrutiny Committee, that it is intended that the following key decision will be made by Cabinet on 18th March 2026, under the General Exception provisions, on the grounds that the decision is urgent and cannot reasonably be deferred.

Report attached.

6. Article 4 Direction on Houses in Multiple Occupation (Pages 77 - 88)

In accordance with Regulation 10(1)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the proper officer has informed Councillor Stephen Button, Chair of the Communities and Wellbeing Overview and Scrutiny Committee, that it is intended that the following key decision will be made by Cabinet on 18th March 2026, under the General Exception provisions, on the grounds that the decision is urgent and cannot reasonably be deferred.

Report attached.

Deputy Leader of the Council, Portfolio Holder for Housing and Regeneration (Councillor Melissa Fisher)

7. Huncoat Garden Village - Authorisation for Making a Compulsory Purchase Order (CPO) for the Proposed Relief Road (Huncoat Lane) (Pages 89 - 242)

In accordance with Regulation 10(1)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the proper officer has informed Councillor Noordad Aziz, Chair of the Resources Overview and Scrutiny Committee, that it is intended that the following key decision will be made by Cabinet on 18th March 2026, under the General Exception provisions, on the grounds that the decision is urgent and cannot reasonably be deferred.

Report attached.

8. Healthy Weight Management Services (Pages 243 - 254)

Report attached.

9. Smoke Free Programme Services (Pages 255 - 264)

Report attached.

10. Holiday Activity and Food Programme Services (Pages 265 - 270)

Report attached.

11. Sports Development Programme (Pages 271 - 276)

Report attached.

Portfolio Holder for Environmental Services (Councillor Stewart Eaves)

12. Dog Control in Accrington Cemetery (Pages 277 - 308)

Report attached.

Portfolio Holder for Transformation and Town Centres (Councillor Clare Pritchard)

13. Town Centre Levelling Up Funded Project Progress (Pages 309 - 314)

Report attached.

14. Accrington Market Hall - Rents and Other Terms of Trading (Pages 315 - 320)

Report attached.

PART C: EXEMPT ITEMS

15. Exclusion of the Public

Recommended That, in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during the following items, when it is likely, in view of the nature of the proceedings that there will otherwise be disclosure of exempt information within the Paragraphs of Schedule 12A of the Local Government Act 1972 specified at the items.

Details of any representations received by the Executive about why the following report should be considered in public – none received.

Statement in response to any representations – not required.

Leader of the Council (Councillor Munsif Dad BEM JP)

16. Car Park, Brookside Street, Oswaldtwistle (Pages 321 - 330)

In accordance with Regulation 5(6)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, approval is being sought from Councillor Noordad Aziz, Chair of the Resources Overview and Scrutiny Committee, to the following decision being made by Cabinet on 18th March 2026, in private, on the grounds that the decision is urgent and cannot reasonably be deferred.

Exempt information by virtue of Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Report attached.

17. Disposal of Freehold Interest in Land at Church Street/Warner Street, Accrington (Pages 331 - 338)

In accordance with Regulation 5(6)(a) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, approval is being sought from Councillor Noordad Aziz, Chair of the Resources Overview and Scrutiny Committee, to the following decision being made by Cabinet on 18th March 2026, in private, on the grounds that the decision is urgent and cannot reasonably be deferred.

Exempt information by virtue of Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Report attached.

CABINET

Wednesday, 18th February, 2026

- Present:** Councillor Munsif Dad BEM JP (in the Chair), Councillors Vanessa Alexander, Scott Brerton, Stewart Eaves, Melissa Fisher and Clare Pritchard
- In Attendance:** Councillors Danny Cassidy, David Heap and Zak Khan
- Apologies:** Councillor Ethan Rawcliffe
-

The Leader of the Council, Councillor Munsif Dad, welcomed everyone to the meeting. He noted that this was the first meeting of Cabinet since the passing of Councillor Marlene Haworth and reflected that she would be foremost in the thoughts and prayers of those present today. The Leader mentioned how she had made her mark on both the people and the work of the Council and that she would be sadly missed. She would be remembered by all and would be formally recognised by the Council shortly by the award of a suitable honour. On behalf of the Cabinet, he expressed condolences to Marlene's husband, family and friends and to members of the Conservative Group. He anticipated that many friends and councillor colleagues would wish to attend her funeral in the next week or so. He would speak further about Councillor Haworth's legacy at the next Council meeting.

One minute's silence was then observed as a mark of respect.

Councillor Khan thanked the Leader for his kind words. He too intended to speak further at the Council meeting on 26th February 2026. He provided a brief update on the circumstances of Marlene's death. Her death would be registered shortly and both he and Councillor Cassidy were supporting her husband, Jim, throughout this difficult period and would be making the funeral arrangements soon. These were likely to be in the next week or two and should be at time that would enable the attendance of councillors and Council staff, if they so wished. He added that Jim had received lots of cards and love and was greatly appreciative. Councillor Khan also expressed his thanks to the wider Labour Group for their support.

Other members present indicated that they would speak at the next Council meeting.

300 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Ethan Rawcliffe.

301 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations made on this occasion.

302 Minutes of Cabinet

The minutes of the meeting of the Cabinet held on 21st January 2026 were submitted for approval as a correct record.

In respect on Minutes 277 - Local Elections 2026, Councillor Khan noted that the Government had announced that it would no longer postpone local elections in those areas subject to Local Government Review as previously identified. He asked what additional costs there would be to the Council due to this decision. The Leader confirmed that no additional costs would fall to the Council beyond what had already been budgeted for to run elections. The due diligence of staff had ensured that preparation work for the local elections had continued without incurring unnecessary costs, so to the elections could go ahead if necessary. More details would be announced under Agenda Item 8. Councillor Khan expressed the view that £63m would be wasted by the Government following their announcement of new capacity funding across the affected local councils. The Leader responded that this money was not 'wasted' but would help those councils to best deliver Local Government Reorganisation. Hyndburn would receive its share of this funding and an announcement on this was due to be made under a later Agenda item.

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

303 Reports of Cabinet Members

Leader of the Council

Councillor Munsif Dad BEM JP reported on the following:

Lancashire County Council - Levelling Up Schemes

Some £50m of Levelling Up Funding had been announced by Lancashire County Council (LCC) last year. The Leader had met recently with LCC officers to discuss projects in Hyndburn. These would be focused on two themes:

- Safer, Greener and Healthier Streets (SGHS); and
- Public Transport Improvements.

The first theme would include projects in two areas, as follows:

- Woodnook;
- Countess Street, Accrington.

The Leader provided further details about the above projects

The second theme would deliver projects in relation to bus services Nos, 9, 464, M1 and X41, including the following:

- Real time passenger information;
- Upgraded traffic signal technology; and
- Accessibility improvements at bus stops.

East Lancashire Health Centres Renovation and Reconfiguration

Three health centres in East Lancashire would benefit from major investment projects during 2026. Funding from the Department of Health and Social Care, totalling around £8 million, was being utilised to improve and refurbish Barbara Castle Way Health Centre in

Blackburn, St Peter's Centre in Burnley and Acorn Primary Health Care Centre in Accrington.

The investment supported the ambitions of the Government's 10-year Plan for the NHS, to create health centres that would provide more services to meet the needs of their local communities.

In respect of the Acorn Primary Health Care Centre project, following the emergency closure of Accrington Victoria Hospital, there was an opportunity to improve and increase utilisation of the Acorn site.

The main entrance/atrium area on the upper ground floor would be reconfigured to accommodate a range of hospital services enabling greater integration with the current primary care services.

The funding would go towards the establishment of a 'Health Hub' which would include two new X-Ray rooms, a six-bay Minor Injuries Unit, a triage and plaster room, new reception and waiting areas, additional primary care rooms and more clinical spaces.

The project had already enabled two further GP practices to relocate into the Acorn building bringing the total number of GP practices operating from this site to four.

This phased reconfiguration and transfer was expected to be completed in 20 weeks.

Oswaldtwistle Civic Theatre

Ross Lee Construction had been engaged to undertake roofing works at the Civic Theatre, in Oswaldtwistle, with effect from 27th February 2026. The work would take approximately 27 weeks and was scheduled to end on 16th October 2026.

The Council was continuing to explore the potential for community use of the building, to take effect as soon as possible. It might be possible to use the ground floor while works were ongoing to make the upper floor and roof structurally sound. The Council had already secured significant grant funding from Theatres in Trust for this facility and was committed to supporting the Theatre's long-term use.

Councillor Melissa Fisher added that the Council wanted the venue to have a vibrant future.

Religious Observance

Today was significant as it marked the first day of both Ramadan and Lent.

Ramadan was one of the holiest months of the year for Muslims. It comprised a month of prayer, fasting, reflection, spiritual growth, community spirit and commemoration of the Koran.

Lent was a period of 40 days (excluding Sundays) which was symbolic of Jesus fasting in the wilderness. It provided a time for reflection, fasting, prayer, and charity, observed by Christians in preparation for Easter.

Both religious observances were opportunities for communities to work together. Last year, Muslims had celebrated 4 large scale Iftar events (the breaking of the fast) at mosques and at Accrington Stanley Football Club. These types of events were well attended. The Leader expressed his hope of another successful year in bringing communities together.

Deputy Leader of the Council and Portfolio Holder for Housing and Regeneration

Councillor Melissa Fisher reported on the following:

Hyndburn Leisure Trust and Huncoat Garden Village

Reports on both the Hyndburn Leisure Trust and Huncoat Garden Village were proposed to be taken to the meeting of Cabinet on 18th March 2026.

Portfolio Holder for Environmental Services

Councillor Stewart Eaves reported on the following:

Food Waste Collections

Some 35,000 food waste caddies had now been delivered to households across Hyndburn, with only sheltered accommodation, flats and farms yet to receive their vessels. Members were reminded that the collection service would commence on 1st April 2026 in line with the Government guidance and legislation.

Hyndburn Borough Council's Parks Team - 'Best of the Best' Award

Members were reminded that Hyndburn Borough Council's Parks Team had been named 'Best of the Best' at the annual Green Flag Awards. A local presentation to the Team had recently been arranged by the Council at the Coach House, in Rhyddings Park, Oswaldtwistle, to congratulate staff on their achievement.

Oak Hill Park Bowling Greens

Erection of the fence around Oak Hill Park Bowling Greens, Accrington, was now underway and this should be completed in time for the start of the bowling season. This would provide a safe and secure environment for the bowling club.

Mercer Park Bowling Greens

Consideration was now being given to fencing, similar to the above, being installed at the bowling green in Mercer Park, Clayton -le-Moors. The Leader commented that fencing was indeed required at this location. Councillor Fisher added that a representative of the bowling club had been calling for this work to be done for years. The sport helped to tackle mental health and social isolation issues in the community. This site had been subject to vandalism on numerous occasions and there had been fires set in the park only this week. The fencing news was welcomed by both the club and Councillor Fisher.

Gatty Park Play Area Refurbishment

The play area at Gatty Park, Church, was due to be fully refurbished. The site was well used and the injection of funding would ensure provision of a quality play area. The Leader noted that there had been some confusion previously about the extent of the improvements planned, which he had challenged at that time. He was pleased to note that a full refurbishment was being proposed.

Deputy Leader of the Council and Portfolio Holder for Culture, Heritage and Sport

Councillor Kimberley Whitehead reported on the following:

Lydia Becker, Botanist, Astronomer and Suffragist

The Council had secured some Government heritage funding to tell the story of Lydia Becker (1827–1890), who had spent her childhood at Moorside House, in Altham. Ms Becker was a notable scientist and suffragist. The Council had worked with local school children to tell her story and a competition had been arranged. The winning school, Altham St James CE Primary School had won a trip to London and a visit to the Pankhurst Museum, in Manchester. The other participants Huncoat Primary School would also visit the Pankhurst Museum and Mount Pleasant Primary School would be treated to a day out at a special Lydia Becker exhibition in the Dome, Accrington, as well as a visit to the Town Hall.

Workshops would be held at the Dome as part of the Lydia Becker exhibition due to run over a 6 week period from 20th February, every Friday and Saturday from 10am-2pm, until 28th March 2026. The exhibition would be free to attend.

Portfolio Holder for Business, Growth and Sustainability

Councillor Scott Brerton reported on the following:

Hyndburn Jobs Fair

The Hyndburn Jobs Fair had been held last week and had been a great success. Footfall had been high, although exact figures were not currently available, but would be provided soon. Councillor Brerton placed on record his thanks to all of the businesses that had attended and to the event organisers, as well as the Council's Economic Development Team. There were lots of positive messages to take from the event, which was also a celebration of locally based businesses. The number of job vacancies on offer and number of growing businesses were good indicators of the health of the local economy.

Councillor Khan made comments and/or asked questions, as summarised below:

- Regarding the LCC Levelling Up SGHS projects, he noted that these were concentrated on only two areas and asked if there were more borough-wide projects planned – *Response*: The Leader responded that the £50m allocated across east Lancashire would include £5m for Hyndburn. The projects had already been identified based on extensive consultations, so could not be reallocated. Further information was available on the LCC website. As a resident of the ward which would benefit most from the funding, the Leader confirmed that he was happy with the selection process and schemes identified. There were some projects which had not appeared in the final list of scheme selection and this matter had been raised with the County Council. It was hoped that a reply would be received in the next few weeks.
- The Hyndburn Jobs Fair was good news, but he would wish to see more detailed statistics about how many job seekers successfully gained employment as a result of event and what other outcomes had been achieved – *Response*: Councillor Brerton confirmed that the statistics would be available, although these would not necessarily track each individual attendee at the event. It was worth noting that not all attendees were unemployed job seekers – many were apprentices or people already in work looking for new opportunities. Overall, Hyndburn was outperforming

the rest of the UK in new business creation and was not in the highest quartile for business closures.

304 Biodiversity Duty Report

The Cabinet considered a report of Councillor Munsif Dad BEM JP, Leader of the Council, on the Council's biodiversity duty.

The Leader provided a brief introduction to the report, highlighting The Environment Act 2021, which had introduced a strengthened 'biodiversity duty' requiring all public authorities in England to consider what they could do to conserve and enhance biodiversity. Local authorities and local planning authorities were required to publish a biodiversity report which set out how they would comply with this duty and the actions they could take. Thereafter, authorities would have to publish an updated report within 5 years of the end date of the previous reporting period.

The Act had also introduced a mandatory requirement for a minimum of 10% 'Biodiversity Net Gain' (BNG) from major developments. The report included details of the authority's approach to the BNG.

Councillor Zak Khan considered that the work done so far was a good news story for the Council. He would be keen to see further publicity about how the Council was continuing to protect its green spaces and what positive impacts had been achieved in the light of the environmental duties now in place. The Leader responded that the updated Local Plan was expected to be adopted during the summer. It might be appropriate to ask the Head of Planning and Transportation for further details about Biodiversity at that time. Councillor Kimberley Whitehead commented that the proposed Budget for 2026/27 included funding for on-going improvements at the Brookside (Bury Meadows) Restoration Project and the Bullough Park Project. The Council was striving to secure investment for the future.

Approval of the report was not deemed a key decision.

Reasons for Decision

The Council had a statutory duty to conserve and enhance biodiversity (habitats and species) as set by the Environment Act 2021 and the amended Natural Environment and Rural Communities Act 2006 (NERC Act). This was known as 'the biodiversity duty'.

A key effect of the Environment Act was to amend s.40 of the NERC Act from a duty to 'conserve' to a requirement to both 'conserve' and 'enhance', with the aim to provide for the enhancement or improvement of biodiversity, not just its maintenance in its current state.

To comply with the Biodiversity Duty the Council as a public authority, had to

- Consider what it could do to conserve and enhance biodiversity;
- Agree policies and specific objectives based on its consideration;
- Act to deliver its policies and achieve its objectives; and
- Report on its biodiversity duty actions.

Government guidance provided advice on complying with the duty and reporting on this compliance. The end date of the first reporting period was stated as 'no later than 1st January 2026'.

The Council had to publish a Biodiversity Duty Report within 12 weeks of the period's end to inform progress on actions taken. Therefore, for a reporting period ending 1st January 2026, the publication deadline was 26th March 2026.

The end date of subsequent reporting periods should be no later than 5 years after the end of the previous reporting period i.e. the next reporting window will close no later than 1st January 2031.

By law, the report had to include:

- a summary of the action the Council had taken to comply with the biodiversity duty;
- how the Council planned to comply with the biodiversity duty in the next reporting period; and
- any other information the Council considered appropriate.

Reports from local planning authorities also had to include the following biodiversity net gain (BNG) information:

- the actions the Council had taken to meet BNG obligations;
- details of BNG resulting, or expected to result, from biodiversity gain plans the Council had approved; and
- how the Council planned to meet BNG obligations in the next reporting period.

The Biodiversity Duty Report, which was included in the report as Appendix 1, had followed advice provided by Defra to define its structure and content.

The Biodiversity Duty Report summarised the actions the Council had taken to comply with the biodiversity duty and demonstrated that the Council had existing policy, strategy and practices that met this duty.

Examples included:

- The Council's Corporate Strategy had prioritised making the Council's activities and operations Net Zero by 2030 and promoted making the most of the natural environment through enhancement of habitats, positive land management and partnership working.
- The Council's Development Plan, comprising the Hyndburn Core Strategy (2012), Development Management DPD (2018), Accrington Area Action Plan and emerging Local Plan 2040, contained policies that sought to conserve and enhance biodiversity.
- Undertaking of woodland planting initiatives on Council owned and privately owned land in the Borough.
- Positive management of existing nature reserves and woodlands (e.g. Brookside (Bury Meadows) and Bullough Park).
- Implementation of differential mowing regimes in the Council's parks, with areas left to rewild and work scheduled to remove dead, dying, diseased or otherwise dangerous trees and their replacement on Council owned land.

Separate to the Biodiversity Duty, The Environment Act had introduced a mandatory requirement for a minimum of 10% 'Biodiversity Net Gain' (BNG) from major development sites from 12th February 2024 and for small sites from 2nd April 2024 (amended from November 2023). This required new developments to leave the natural environment in a better state than beforehand. Developers had to deliver a minimum 10% increase in

biodiversity value compared to the pre-development habitat, aiming to enhance ecological connectivity and create habitats.

BNG was measured using Defra's biodiversity metric and was managed and secured through the planning process. Officers had worked and would continue to work constructively with developers to ensure that developments avoided the most harmful impacts, ensure that unavoidable harm was adequately mitigated, and that on-site biodiversity was integrated and enhanced as part of good design principles.

Aligned with the Biodiversity Duty and Biodiversity Net Gain requirements, the Council had completed Biodiversity Baseline Assessments for all sites allocated for development within the emerging Local Plan 2040 which would cover the period 2021 to 2040. The Local Plan allocated land for housing and employment development in the Borough to meet identified needs. In summary, the assessments identified that:

- Based on the loss of all existing habitats on each site, development of the six employment sites would result in a loss of 442.21 habitat units and 13.04 hedgerow units.
- Based on the loss of all existing habitats on each site, development of the five gypsy and traveller sites would result in a loss of 11.51 habitat units and 0.35 hedgerow units.
- Development of the nineteen housing sites would result in the loss of 782.81 habitat units and 19.82 hedgerow units.

This indicative habitat baseline provided an opportunity for the Council to predict the 'worst case' scenario loss of biodiversity due to development up to 2040. The Council was then able to estimate the amount of 'habitat gain sites' that might be required within the Borough to offset the estimated biodiversity net loss.

A habitat gain site (or Biodiversity Gain Site) was a designated area of land, registered with Natural England, specifically developed or enhanced to create a measurable increase in biodiversity value. These sites, often secured for at least 30 years via legal agreements (e.g. s106 or conservation covenants), provided "biodiversity units" to compensate for habitat loss elsewhere.

In the event that developments (or developers) were unable to achieve the required 10% Biodiversity Gain Site on-site (or off-site on their own land), landowners, including the Council, could register their land as 'habitat gain sites' where the resultant biodiversity units could be sold to developers or other entities needing to compensate for habitat loss on their development sites.

The Council had considered its own land assets, with a view to creating local habitat gain sites. The Council had assessed 29 Council-owned sites, and completed 29 Habitat Management and Monitoring Plans, one for each site.

In summary, the total number of baseline habitat units was 2,256.54 and 5.68 hedgerow units. Habitat creation and enhancement over a 30-year period could result in an increase of 718.62 habitat units and 9.32 hedgerow units.

Further work was ongoing to investigate the potential to register Council-owned habitat gain sites, although the mechanism to register sites was complex and the demand for biodiversity units had first to be established.

There were no alternative options for consideration or reasons.

Resolved

- (1) That Cabinet approves the Biodiversity Duty Report for publication in accordance with the requirements of the Environment Act 2021.**
- (2) That Cabinet delegates authority to the Head of Planning and Transportation to make minor amendments to the Council's Biodiversity Duty Report in consultation with the Portfolio Holder.**

305 Market Trader Rent/Licence Fee Concessions

Members considered a report of Councillor Clare Pritchard, Portfolio Holder for Transformation and Town Centres, seeking approval to continuing the support for market traders decanted into the temporary cabins on the market square through licence fee concessions and continuing the support provided to the Official Accrington Stanley Supporters Trust (OASST).

Councillor Clare Pritchard provided a brief introduction to this report, highlighting that, while construction was still underway at the Market Hall and in the light of competition from on-line shopping, the Council would continue to provide financial support to the decanted market traders and OASST. Councillors Kimberley Whitehead, Scott Brerton, Melissa Fisher and Zak Khan all spoke in favour of this course of action.

Councillor Khan queried whether the revenue costs of delays to the Market Hall project were sufficiently transparent. The Leader considered that the Council had been very open about this matter, even in the face of some criticism. The Market Hall should be completed by the end of the year and the Council wanted the traders to be on a sound financial footing should they chose to return indoors. Councillor Pritchard commented that the traders were fully on board with the project. The financial issue for the Council was not about additional costs, but rather about the loss of rental/licence fee income. Councillor Whitehead added that these costs had been set out in reports published both last year and in the current year. Councillor Pritchard summarised by noting that although there was a perception of delays to the completion of the project, the end date had never been fixed, as there had always been an understanding that this was on old building and that complex issues (such as asbestos) could arise during the refurbishment works. Ultimately, the Council wanted to provide a quality facility, not a cheap fix. Traders and Council staff had been patient and supportive throughout the project and references to 'delays' were not helpful.

Approval of the report was not deemed a key decision.

Reasons for Decision

The Council had agreed to support those market traders temporarily relocated on the town square whilst the Market Hall redevelopment works were undertaken. A report presented in March 2025, had seen Cabinet give approval to provide rent and licence fees concessions for 12 months from 1st April 2025 or until the temporary cabins were removed whichever came first.

This 12-month agreement was coming to an end and the report proposed the Council maintained its zero-rent lease/fee charge for the temporary cabins with all other charges remaining as per the current concession levels. If approved by Cabinet, this would maintain the following charges until the cabins were removed from the town square for the Market Hall reopening:

- £0.00 (zero charge) per calendar month for market cabin rent/licence fee
- £9.00 per sqft per calendar month for service charges.
- £25 per calendar month for trader storage units located under the rear pavilion at the Market Hall (no services provided to these storage units).
- £120.00 per calendar month as a combined rent and service charge for the trader who had a dedicated cold room and prep room.

Continuing with these concessions would result in loss of income to the Council of circa £2,930 per month and assumed traders continued to pay the service charge and where applicable, storage unit rent, cold/prep room rent.

If approved, the extension would be given on the same terms as the 2024/25 concession through new leases, and traders would be required to continue to pay all service charges and, where applicable, storage unit rents and any other payments via direct debit.

The Council had also agreed to assist the OASST by meeting the cost of the monthly rent for their unit in the Arndale Centre, which was currently £275.41 (£3,301.68 in total for the financial year 2024/25). The approval for this arrangement was also coming to an end and the report proposed that the Council should agree to continue meeting the cost of OASST's rental payments. If approved this financial support would be in line with the other market traders in the temporary cabins on the town square and the support would continue until the cabins were removed from the town square for the Market Hall reopening. OASST had confirmed its lease with the Arndale was on a 'rolling' 3-month agreement.

State Aid/Subsidy Control

The Subsidy Control Act 2022 would apply, although the individual subsidies were likely to be exempt subsidies on the basis that they represented minimal financial assistance ("MFA") for the purpose of the Subsidy Control Act 2022. MFA subsidy could be given without the need to assess whether the subsidy complied with the subsidy control principles provided the amount of subsidy in the current financial year and the two preceding financial years did not exceed £315k per recipient. In this regard, the Council would be required to serve a pre-award notice on each of the traders before the leases/licences were completed to confirm the amount of the subsidy and seeking confirmation from the traders that the MFA threshold would not be exceeded. The leases/licences / rental subsidy could only be granted once the traders / OASST had responded and the Council would be required to serve a post award confirmation notice after completion to confirm the amount of subsidy provided by the Council, the date it had been given and that it was minimal financial assistance for the purpose of the Subsidy Control Act 2022.

Alternative Options considered and Reasons for Rejection

The Council could let the current rent/licence fee concessions expire and revert to the previous levels. This was not recommended because the Market Hall was anticipated to reopen for the Christmas light switch-on event in 2026 and whilst there was no guarantee all traders would wish to return, these traders could remain until the cabins were removed from the town square and decanted back into the Market Hall.

Resolved

- (1) That Cabinet approves the extension of the current 100% reduction of the rent and licence fees payable by market traders in the temporary market cabins on the town square until the cabins are removed from**

the town square for the Market Hall reopening, as detailed in Paragraph 3.2 of the report.

- (2) That Cabinet approves the extension to the current storage unit rents and service charges for the temporary storage units until the cabins are removed from the town square for the Market Hall reopening, as detailed in Paragraph 3.2 of the report.**
- (3) That Cabinet notes that the proposed rent and service charge concessions will reduce income levels for the market budget in the next financial year by circa £2,930 per month and it was unlikely any efficiency or other cost savings within the market service budget would offset this.**
- (4) That Cabinet approves the extension of financial support to the Official Accrington Stanley Supporters Trust, (OASST) as detailed in Paragraph 3.4 of the report, in respect of their temporary unit within the Arndal Centre, to continue until the Market Hall reopening.**

306 Code of Corporate Governance

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, seeking approval for a new code of corporate governance.

Councillor Alexander introduced this report, outlining that it would be good practice to adopt the code and that the principles it sought to embed would assist in the build up to Local Government Reorganisation and at the commencement of the new unitary authority.

Approval of the report was not deemed a key decision.

Reasons for Decision

The Chartered Institute of Public Finance Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) had recommended that all local authorities should document their governance arrangements to demonstrate compliance with the “seven core principles of good governance”, which CIPFA and SOLACE had jointly developed. Hyndburn’s neighbouring authorities already had such codes in place and it had been suggested that the codes might be useful starting points or points of reference for the work to develop governance arrangements both for the Local Government Reorganisation process and for the emerging successor authorities.

The seven core principles were as follows:

- i. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- ii. Ensuring openness and comprehensive stakeholder engagement.
- iii. Defining outcomes in terms of sustainable economic, social, and environmental benefits.

- iv. Determining the interventions necessary to optimise the achievement of the intended outcomes.
- v. Developing the entity's capacity, including the capability of its leadership and the individuals within it.
- vi. Managing risks and performance through robust internal control and strong public financial management.
- vii. Implementing good practices in transparency, reporting, and audit, to deliver effective accountability.

The Council was committed to having an effective governance framework and, using the CIPFA / SOLACE principles, had developed a Code of Corporate Governance which identified the arrangements the Council had in place to support good governance. The code also identified activity planned for the next 12 months to further strengthen the Council's governance arrangements.

The Council's governance framework would be reviewed annually to ensure its ongoing effectiveness.

Alternative Options considered and Reasons for Rejection

The Council could decide not to adopt a code of corporate governance. This was not recommended as it would be contrary to CIPFA guidance and recognised good practice.

Resolved - **That Cabinet approves the draft Code of Corporate Governance appended to the report**

307 Medium Term Financial Strategy 2026/2027 - 2028-2029

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, informing the Cabinet of the 3-year projections of income and expenditure for the Council ahead of formulating its 2026/2027 to 2028/2029 Revenue and Capital Budgets.

Councillor Alexander introduced this report, highlighting some of the key financial information included in the Medium Term Financial Strategy (MTFS), the 3 year duration of the projections, the purpose of the document, the Government's three-year financial settlement and future challenges. The Council anticipated a loss of grant of almost £6.35m over the MTFS period. This would be partially offset by significant pensions savings and other identified budget savings, but would still give rise to a total funding gap of £5.062m by 2028/29. This gap would need to be met by reserves. Overall, the Council would have sufficient reserves to sustain itself until Local Government Reorganisation and the use of reserves in this way had been approved by the Ministry of Housing Communities and Local Government (MHCLG).

Through good financial management the Council could still meet its commitments, including its Capital Programme and staffing costs. The Council would be cautious about future expenditure unless any surpluses were identified or additional grant funding received.

The Leader indicated that the Government had announced that the local elections in 2026 would not now be postponed. To assist those councils affected the Government would make £63m grant funding available nationally. Hyndburn would receive a share of that allocation. As the Council's budget had already included provision for an election, the grant would free up this resource. Accordingly, the Council was now in a position to freeze the

Council Tax, at a cost of £185k compared to a 2.99% increase. Further details would be included in the final Budget papers due to be submitted to the Council on 26th February 2026.

Councillor Khan made comments and asked a number of questions as shown below, to which responses were provided, as follows:

- Could the Cabinet confirm that around 5% of the Council's baseline funding had been lost over a 3 year period, amounting to some £6.35m? - *Response:* This was correct.
- Would this Council receive a share of the £63m grant announce by the Government? - *Response:* The Council would receive an allocation from that grant.
- Would the above grant offset the whole of the financial settlement reduction, given that there were 315 councils in England, or would the use of reserves still be required? - *Response:* The grant was only for the 30 councils affected by the reinstatement of the elections. However, the use of this Council reserves would still be necessary.
- Hyndburn was the 16th most deprived local authority area in the country, but was doing well in growing businesses. However, it was being penalised by the Government. For 2026/27, what was the loss in the financial settlement that needed to be filled? - *Response:* There was no funding gap for the forthcoming year. The Leader and MP had worked hard to challenge the initial settlement proposals and had been successful in improving the Council's position. The Government was focusing on supporting top tier authorities during years 2 and 3 of the settlement period. However, Hyndburn had received £1.5m Pride in Place additional capital funding, freeing up revenue that would otherwise have been allocated to those schemes. The future Revenue Budget funding gaps for Hyndburn were as follows: 2026/27 £0m, 2027/28 £2.2m, 2028/29 £2.8m.
- The Portfolio Holder had given a commitment not to borrow to fund capital projects. Was there a list of assets for disposal available? Would the Council be willing to borrow if suitable opportunities cropped up? - *Response:* The assets list was still being worked on. There was no intention to borrow more money, but the Council would keep a close eye on any opportunities emerging.
- Was the forecast underspend in 2025/26 around £6k? - *Response:* That was correct.
- Reduced employer's contributions to the Pension Fund had provided a large saving in future years. Officers had previously made some sound financial decisions in relation to this liability and should be congratulated. This approach had been implemented under an earlier Conservative administration. - *Response:* Various successive administrations had also supported this approach.
- Where would the funding come from to offset losses from the freeze in Council Tax? - *Response:* This would come from the £63m grant distributed across all affected local authorities. For budgetary purposes the amount of this grant received would be aggregated, rather than aligned to specific budget headings.

Approval of the report was not deemed a key decision.

Reasons for Decision

The Council required an update on its medium-term financial outlook ahead of setting the Budget for 2026/27 and determining the level of Council Tax for the new financial year.

In summary, during 2025/26, the Council's work and finances had largely been focused on delivering major capital projects, including the Levelling Up/Town Centre regeneration, the new Cath Thom Leisure Centre at Wilson Playing Fields, and progress on the Huncoat Garden Village project, which would provide 1,800 new homes. These efforts had been delivered alongside the Council's day-to-day services and other key strategic priorities.

It was expected that these key events and their impact on the Council's finances, would continue over the next few financial years, with the potential for the effects to continue beyond the MTFS period.

The Council would operate a roll forward Budget for 2026/27 based on the 2025/26 Budget with adjustments for changes to salary and wages, energy and other cost pressures. This would provide Service Managers with a degree of stability for 2026/27. Overall expenditure would need to be contained at around £17.608m in 2026/27 to set a balanced budget.

The Council, if necessary, might have to use some of its reserves to help balance the Budget. This was likely given the reductions made to Government funding across Business Rates and grants as part of the Fair Funding Review. Additionally, it might be necessary to use reserves if it was believed that, in the current economic climate, it would be inappropriate to raise Council Tax.

The Council would face significant financial challenges over the next three years as it sought to overcome the consequences of both national and global issues. It would also face the challenges of Government funding reforms and increased pressures on spending over this period.

The 2026/27 local government finance settlement (LGFS) introduced the major reforms consulted on as part of the Fair Funding Review, including a multi-year funding approach (the first in 10 years) and changes to grant funding and business rates. While national Core Spending Power (CSP) was projected to grow steadily, Hyndburn Council itself faced real-terms reductions due to formula changes and limited tax-raising capacity.

The Government had issued its Fair Funding Review 2.0 consultation paper in June 2025, which proposed fundamental changes to local government finance. The proposals included:

- A revised funding formula with a stronger link to deprivation levels and population size.
- A full reset of the baseline for retained business rates in 2026/27.
- Ending the New Homes Bonus and reallocating the funding to the core settlement.
- Simplifying and merging multiple grant streams, including those for homelessness prevention, rough sleeping, and temporary accommodation.
- Introducing transitional funding, including a minimum funding floor, to protect councils from the full impact of the changes.

Although most councils would receive cash-flat protection against their 2025/26 baseline, Hyndburn had been identified early in the consultation as being among the authorities furthest from their assessed funding level. As a result, the Council would lose 5% of its 2025/26 baseline funding by 2028/29.

Despite an anticipated loss of almost £6.35m over the MTFS period, the multi-year settlement offered a level of certainty that enabled the Council to prepare for future

challenges. The Council had addressed the £6.35m reduction through, savings and use of resources.

It was recognised that the 2027 spending round (and those in future years) might bring about alterations, however these were likely to be minor in terms of quantum and would likely only be upwards with the announced 3-year settlement, representing a minimum level of funding. The certainty that the 3-year settlement had provided around Government funding had resulted in a relatively stable outlook across all scenarios, pessimistic, standard and optimistic. Any variances would occur due to diverging assumptions over service income and expenditure with the most severe of the scenarios assuming no or low growth in income but an above inflationary rise in expenditure. The pessimistic model assumed a modest increase in Council Tax below the Local Plan and Government targets. The standard model assumed growth in the Council Tax base in line with the Local Plan.

A third scenario, the optimistic model, was also presented which showed the Council's potential position if it was able to boost its own tax revenue due to a buoyant tax base, and expenditure inflation being low. This optimistic model was considered to have a much lower probability of occurring compared to the other two models but was provided to illustrate the wide range of potential outcomes.

In the circumstances, it was prudent for the Council to look to increase its reserves and revenue streams such as Council Tax and Business Rates whenever it could and to avoid committing to any new revenue expenditure while continuing to concentrate on its work to reduce internal costs.

The main MTFS document, provided as an Appendix to the report, included the following detailed sections:

- Hyndburn in a Snapshot;
- Corporate Strategy;
- Summary;
- Elements of the MTFS;
- Background;
- Resources (including Government Grant, Council Tax, Business Rates);
- Changes in Costs;
- Budget Pressures;
- Capital Costs;
- Growth;
- Reserves;
- Other Assumptions;
- Equality Impact Assessment;
- Scenarios (including Breakdown of Pessimistic, Standard and Optimistic Models and a Suggested Course of Action);
- Robustness of the Forecast;
- Overall Net Position;
- Statutory Obligations of the Responsible Financial Officer (s151 Officer);
- Meeting Future Funding Gaps; and
- Appendices showing details of the Pessimistic, Standard and Optimistic Models.

There were no alternative options for consideration or reasons

Resolved

- **The Cabinet approves the report and the accompanying Medium Term Financial Strategy (MTFS).**

**308 Prudential Indicators, Capital, Treasury Management and Investment Strategies
2026/27 - 2028/29**

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, setting out the proposals for the Council's policy and objectives with respect to treasury management, and explaining how it would achieve its objectives and manage its activities; and agreement to an investment strategy for 2026/27.

Councillor Alexander provided a brief introduction to this report, outlining the four key documents provided.

Councillor Khan noted that there might be a veto to borrowing more money in the build up to transferring to a new unitary authority. He asked if there would be any opportunity to borrow more money. The Leader referred to earlier responses on the question of borrowing. The Council would set a balanced Budget and would only borrow if there was a significant project that needed to be undertaken. The £1.5m Pride in Place funding and other grants had helped to remove the need for additional borrowing. Councillor Alexander reiterated that the situation would be kept under review and that consideration would be given to anything suitable that arose.

Approval of the report was not deemed a key decision.

Reasons for Decision

The proposed Treasury Management Strategy and associated appendices, comprising the following documents, were attached to the report:

- Minimum Revenue Provision Policy Statement 2026/27;
- Treasury Management Policy Statement 2026/27; and
- Treasury Management Practices 2026/27.

Treasury management was defined as:

"The management of the Council's investment and cash flows, its banking, money market and capital market transactions;

The effective control of the risks associated with these activities; and

The pursuit of optimum performance consistent with those risks."

The Council was required to operate a balanced budget which meant that cash raised during the year would meet cash expenditure. Part of treasury management was to ensure the cash flow was properly planned with cash available when needed. Surplus monies were invested in line with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of treasury management was funding the Council's capital plans. The plans gave a guide to the future borrowing need of the Council. The management of this longer-term cash flow might involve arranging long or short-term loans or using longer term cash flow surpluses. Occasionally, outstanding debt might be restructured to reduce Council risk or meet cost objectives.

The report had been prepared in line with the Treasury Management Code and Guidance (2021) written by The Chartered Institute of Public Finance & Accountancy (CIPFA). In the case of local authorities in England and Wales, the Code was significant under the provisions of the Local Government Act 2003. This required local authorities 'to have regard (a) to such guidance as the Secretary of State may issue, and (b) to such other guidance as the Secretary of State may by regulations specify'. The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 in Paragraph 24 required local authorities to have regard to this guidance. Acceptance of the report fulfilled those obligations.

CIPFA had published revised codes on 20th December 2021 and the Council now adopted the liability benchmark treasury indicator to support the risk management of the capital financing requirement.

Appendix 1 of the covering report comprised the Treasury Management Strategy 2026/27-2028/29 document, which included the following detailed sections:

- Background;
- Prudential Code and Prudential Indicators;
- Capital Expenditure and Capital Financing Requirement;
- International Financial Reporting Standard (IFRS) 16 - Leasing;
- Minimum Revenue Provision;
- Affordability Prudential Indicators;
- Treasury Management Strategy 2026/27 – 2028/29;
- Current Treasury Position;
- Expected Movement in Interest Rates;
- External Debt Overall Limits;
- External v Internal Borrowing;
- Liability Benchmark;
- Limits on Activity;
- Debt Rescheduling;
- Investment Strategy;
- Environmental Social and Governance (ESG);
- Treasury Management Practices (TMP);
- Policy on the use of External Service Providers; and
- Treasury Management Strategy In-Year and Year End Reporting.

Appendix 2 of the report comprised the Council's Treasury Management Policy Statement 2026/27.

Appendix 3 set out the detail of the authority's Treasury Management Practices 2026/27, comprising the 12 identified TMP areas, as follows:

- | | |
|------|--|
| TMP1 | Risk Management; |
| TMP2 | Performance Management; |
| TMP3 | Decision-Making and Analysis; |
| TMP4 | Approved Instruments, Methods and Techniques; |
| TMP5 | Organisation, Clarity, Segregation of Responsibilities and Dealing Arrangements; |
| TMP6 | Reporting Requirements and Management; |
| TMP7 | Budgeting, Accounting and Audit Arrangements; |
| TMP8 | Cash and Cash Flow Management; |
| TMP9 | Money Laundering; |

- TMP10 Training and Qualifications;
- TMP11 Use of External Service Providers;
- TMP12 Corporate Governance.

Appendix 4 provided the Capital Strategy 2026/27, which included information on the following:

- Overview and Scope;
- Capital Expenditure;
- Capital v Treasury Management;
- Service and Commercial Investments;
- Council Objectives;
- Capital Budget Setting Process;
- Monitoring of the Capital Programme Expenditure;
- Multi-Year Schemes;
- Funding Strategy and Capital Policies;
- Procurement and Value for Money;
- Partnerships and Relationships with Other Organisations;
- Management Framework;
- Performance Management;
- Risk Management; and
- Other Considerations

There were no alternative options for consideration or reasons

Resolved

- **That Cabinet agrees to recommend Council to:**

- (1) Adopt the prudential indicators and limits detailed in the report.**
- (2) Approve the Treasury Management Strategy, and associated indicators, as set out in Appendix 1 to the report.**
- (3) Approve the Investment Strategy as set out in Section 13 of Appendix 1 to the report.**
- (4) Approve the Minimum Revenue Provision Policy for the year 2026/27, as set out in Section 5 of Appendix 1 to the report.**
- (5) Approve the Treasury Management Policy Statement for 2026/27, as set out at Appendix 2 of the report.**
- (6) Approve the Treasury Management Practices Statement 2026/27 as set out at Appendix 3 of the report.**
- (7) Approve the Capital Strategy 2026/27 as set out at Appendix 4 of the report.**

309 General Fund Revenue Budget 2026/27

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, introducing the proposals contained within the Revenue Budget Report 2026-2027, which was provided as Appendix A. The covering report also provided an overview of key issues arising from the Medium-Term Financial Strategy.

The decision to set the Budget was a core decision of the Council. The role of the Cabinet was to recommend a proposed Budget to Council.

Councillor Alexander introduced this report, highlighting key figures from the report. She reiterated that the Council would set a balanced Budget for 2026/27 without the use of reserves or cuts to services or staff. She reminded all that there had been some loss of Government funding for the forthcoming year. The Council's net expenditure for 2026/27 would be around £17.608m. She also outlined the sources of funding and amounts proposed, including savings targets. The Portfolio Holder also confirmed the proposal announced earlier in the meeting, not to increase Hyndburn's element of the Council Tax, which would now remain at £276.46 for a Band D property. She added that the Budget report would be revised as necessary in advance of the Council meeting on 26th February 2026. This would also include the final Council Tax figures from the various precepting authorities.

Headline proposals included:

- Free car parking;
- A freeze on the green waste collection charge;
- Support available from the Cabinet Action Fund; and
- A freeze in Hyndburn's element of the Council Tax.

Councillor Khan noted that £300k had been allocated for the operation of the Market Hall following the departure of the original contractor. Councillor Pritchard clarified that the original contractor and Council had parted company by mutual agreement and the £300k was the estimate of the running costs of an in-house offer.

Councillor Khan also asked about the total amount being transferred to reserves in 2026/27.

Approval of the report was not deemed a key decision.

Reasons for Decision

The report set out the Council's Revenue Budget for 2026/27. This would require net expenditure of £17,607,700.

Initially it had been proposed that Council Tax for Hyndburn residents would incur a rise in charge for Hyndburn Council provided services and the charge for a Band D property would increase from £276.46 in 2025/2026 to £284.73. However, this proposal had been revised in the light of the Government's announcement on grant funding due to the reinstatement of the local elections in May 2026. Accordingly, the current proposal was for a Council Tax freeze.

A number of national and global issues had undoubtedly had an impact on the Council's budgets and this along with the impact of higher inflation and forecast pay settlements had

contributed to the Council initially seeking to raise its element of the Council Tax by the maximum 2.99%, an increase of £8.27 annually on a Band D property. However, this was no longer being proposed.

Lancashire County Council, the Police & Crime Commissioner and the Lancashire Combined Fire Authority had not yet formally taken their decisions on Council Tax Levels for 2026/27. The County Council had proposed a Council Tax increase of 3.8%, as opposed to the maximum of 4.99% that would be possible without referendum. The Police and Crime Commissioner had proposed an increase to the Band D Property charge of £15.00 (5.41%) and that the Lancashire Combined Fire Authority had proposed a £5.00 (5.57%) increase.

Altham Parish Council had set a separate precept for its activities. This year the Parish Council had decided not to increase the Band D charge. Accordingly, the charge for Altham Parish Council would remain at £44.33 for 2026/27. The Parish Council would precept the Collection Fund for £14,141 for 2026/27. Details of the proposed position on other Bandings for properties in Altham were shown in Appendix 6 of the report.

In setting the Budget for 2026/27, the Council faced continued volatility around some of the most significant items within its Budget. Major reforms of local government finance had transferred the risk of business rate revenues and Council Tax benefits to the Council. The certainty on which the Council could budget and manage its finances had therefore decreased since 2013 and it would be important going forward to plot any deviations away from the expected figures and take appropriate action if these should start to emerge. This might result in the need to reduce spending during the year, if revenue monitoring started to indicate the amounts of funds received would fall short of the target or if the authority faced an upsurge in spending.

The Cabinet intended to continue the good financial stewardship of the Council's affairs by continuing its successful policies to manage costs effectively and promote appropriate service investment. This Budget would therefore deliver:

- A continuation of the Council's established approach of limiting enhancements on early retirement, continuing its rigorous approach to absence management and committing to minimising borrowing costs. These actions had already stemmed the build-up of unproductive costs within the organisation. In each of these cases the authority had put a stop to the costly and financially damaging policies of the past and created a healthier and more financially stable culture within the Council.
- The Capital Programme for 2026/27 would continue to deliver key investment in council and public facilities adding another £7.86m to the £56.51m that the Council currently had approved.
- A large proportion of the capital programme would be phased over the next few financial years, and this included the continued delivery of £29m investment in the Huncoat Garden Village Project, with all the funding coming from Homes England, and finalising the Levelling Up works in Accrington Town Centre along with other complementing Town centre regeneration.
- The additions to the programme in 2026/2027 of £7.86m included:
 - a) £689,000 of investment into Parks and Play areas of which the Council expected to be able to utilise £630,000 of external grant funding to contribute to the improvements.

- b) £1,359,906 to provide Disabled Facility Grants this year which was fully funded from the Better Care Fund.
 - c) £2,161,135 to maintain and invest in its operational assets and vehicle fleet.
 - d) £165,000 to improve and develop new ICT and technical equipment to deliver services in a more efficient way.
 - e) £435,000 on Community projects that involved War Memorial restoration, Christmas decoration replacement and Maden Street Clock Towner lighting.
 - f) £2,600,000 towards the future development of the Market Chambers building linked to a bid for additional grant from the Heritage Lottery Fund to re-imagine the interior and exterior of the building into a Heritage and Arts venue.
 - g) £450,000 for the continuing repurposing of Mercer Hall Leisure Centre and the contribution towards Accrington Stanley Community Trust's capital investment in sports initiatives.
- The Capital Programme for 2026/2027 was partly funded from the Government's grants to deliver a Pride in Place Impact Fund. Hyndburn would receive £1.5m to be committed to projects that would deliver visible improvements to community spaces; public spaces and high street and town centre revitalisation. Despite costs of around £90,000 to provide car parking in Hyndburn for residents and visitors and particularly for shoppers, the authority would continue to provide this facility free of charge and not introduce charges for parking in Hyndburn. The Council believed this action would help bolster its town centres through these difficult economic times and provide an incentive for people to shop locally rather than drive and pay to shop elsewhere across the North-West. The Council had once again prioritised affordability for residents and cleanliness across the borough by freezing green waste charges at £35 per annum and offering bulky household waste collections free of charge. This service currently cost the Council approximately £169,000 each year.
 - Further reductions in the Council's accommodation costs, building on the success over the last 15 years including further rationalising the authority's accommodation and looking at more ways of using its accommodation more effectively. The Council would also continue its actions to reduce its carbon emissions and energy costs and continue contributing to the improvements of its own environmental footprint by positive action.

The Council intended to continue to deliver all the above and remained committed to a radical agenda of improvement while managing within its available resources. This would be more difficult in the years to come, given the authority's reduced resources from the Government. However, there remained a firm commitment and absolute determination amongst Members and Officers of the Council to control the finances of the Council, drive forward on the efficiency agenda and continue to improve service delivery. The Council wished to continue to push forward on the drive for delivering value for money as a key priority.

The rewards of strong financial control remained clearly evident. The Council had built itself back up from experiencing major difficulties in controlling expenditure and a position of negative reserves in 2003/04 to a situation by March 2026, in which general reserve balances were expected to be just under £1.9m. The Council had been able to operate within its existing financial resources over the last four years, through good financial management and would continue to deliver strong financial performance in the years to come.

Within the Budget for 2026/27 there were a number of areas which were subject to the Council's best estimation. There were, therefore, a number of risks around the Budget, should these estimated costs or revenue amounts vary during the year.

After the introduction of the Government reforms to Business Rates Funding of Local Government, the Council now carried a significant risk around the level of monies available, fluctuating substantially from this source. In addition, as the calculation of how much funds would be available was dependent on a number of factors including debt collection rates, the size of appeals against business rates assessment and the success of those appeals, new rules around levies, safety nets and pooling, the introduction of new multipliers on rates for retail, hospitality and leisure premises, as well as predicted levels of growth or decline in business activities and the estimation of a number of figures which would only truly emerge after the end of the financial year, the imprecision in these estimates was regarded as high and could be subject to variations of hundreds of thousands of pounds. The volatility around these forecasts had increased due to the impact that recent national and global issues had had on the Business Community.

The detailed Revenue Budget Report 2026-2027, as set out at Appendix A of the report, included the following information:

- Background;
- Medium Term Financial Strategy;
- Continuation Budget;
- Growth and Inflation Pressures;
- Available Resources;
- Resources Summary;
- Budget Proposal;
- Budget Saving Proposals;
- Reserves;
- Risks and Management;
- Consultation;
- Conclusion; and
- Appendices Nos. 1 – 6 (comprising the detailed Budget figures for the Council and the proposed or estimated levels of Council Tax by property band for both Hyndburn Borough Council and all precepting authorities)

Alternative Options considered and Reasons for Rejection

There had been a wide number of individual proposals put forward to produce a Balanced Budget. Options had been rejected on a variety of grounds including policy objectives, practicalities and the potential for additional costs to be incurred. Further options might be presented at the Council meeting.

NOTE: An alteration was proposed and agreed to the wording of the recommendation at Paragraph 2.1 of the report to take account of the proposed freeze in Council Tax. This is incorporated within Resolution (1) below.

Resolved

(1) That Cabinet recommends the proposal that the Council Tax for 2026/27 not be increased, thus the charge for a Band D property will remain at £276.46.

(2) The Budget for 2026/27 will therefore be £17,607,700 as detailed in Appendices 1 to 3 of the

Revenue Budget 2026-2027 report attached at Appendix A of the report.

- (3) That Cabinet recommends approval of the changes in budget requirement through including inflation, growth and savings as identified in Appendix 3 of the Revenue Budget 2026-2027 report, to ensure the Council can set and approve a balanced budget.**
- (4) That Cabinet notes the significant improvement made in relation to budget monitoring and cost reduction within the Authority over the past 20 years and confirms its commitment to continuing this approach in the year ahead.**
- (5) That Cabinet recommends during the financial year 2026/27, the Executive Director (Resources) be delegated responsibility to amend the Budget (following consultation with the Leader of the Council) for technical reasons, such as the restructuring of cost centres, the re-apportionment and re-allocation of overheads etc., provided such amendments have an overall neutral impact on the Budget.**
- (6) That Cabinet recommends during the financial year 2026/27, the Executive Director (Resources) be delegated responsibility to amend the Budget (following consultation with the Leader of the Council) should the estimate of Business Rates not be sufficiently accurate, by drawing on reserves if needed or paying over additional contributions to reserves.**
- (7) That, to aid future financial management planning, any surpluses generated during 2026/27 are set aside to help the Council reduce its cost base over the next three years, to support its long-term capital programme or to strengthen its overall reserve position.**
- (8) That Cabinet recommends that any additional funds from Government that are not ring-fenced funding, as well as any other surplus funds, can be used, if required, to support capital expenditure as determined by the Executive Director (Resources) in the overall financing of capital expenditure or be transferred to reserves.**

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, setting out the proposed capital programme for 2026/27 – 2028/29.

Councillor Alexander introduced this report, highlighting key figures for new additions to the programme, slippage from previous years and the total cost of the Capital Programme in 2026/27 of £38.5m. She also outlined some key projects including the following:

- War Memorial Restoration;
- Maden Street Clock Tower Lighting;
- Christmas Decorations;
- Huncoat Garden Village Scheme;
- ICT Projects;
- Levelling Up Projects;
- Sport Facilities;
- Operational Buildings;
- Parks and Play Areas; and
- Pride in Place Projects

Councillor Clare Pritchard spoke about the importance of Disabled Facilities Grant (DFG) projects and gave an example of a recent case in which she had been involved where a resident's quality of life had been enhanced. She placed on record her thanks to Sarah Whittaker, Regeneration Manager, for her assistance. Councillor Fisher was also pleased to see this grant being utilised, but noted that, unfortunately, adaptations did take some time to implement.

Councillor Zak Khan made some comments and asked a number of questions, as follows:

- He was pleased to note that a large number of Pride in Place schemes had been proposed. He asked what consultations had taken place about the schemes to be supported and what schemes had been rejected.
- Who had determined the Community Projects and Neighbourhood Projects identified?
- Did the IT Projects identified include provision for livestreaming meetings?
Response: As reported previously, this scheme had not been agreed on the grounds of value for money. However, it was understood that one councillor had offered to undertake livestreaming using their own portable equipment.
- The support for Mercer Hall and Accrington Stanley Community Trust (ASCT) was noted. He asked if there would be a formal agreement with ASCT about the schemes to be funded. - *Response:* ASCT were due to make an announcement on this subject shortly.
- He was pleased to note the investment in the Brookside Restoration Project. In respect of investment in Parks and Open Spaces. Would the funding be spread across many parks, or focused on a small number of schemes? - *Response:* Support for parks and open spaces was a priority and the intention was to spread the funding evenly across the Borough, in so far as this was possible. One park in Accrington and one park in Rishton were due to be refurbished.
- Who determined allocations from the Cabinet Action Fund?

Councillor Dad responded that for programmed schemes all Cabinet members were involved in the decisions. Discussions had taken place with stakeholders, including the Neighbourhoods Board. Ward councillors had also spoken to individuals representing local communities. Councillor Whitehead added that for some Neighbourhood Improvement

Projects the funding had not yet been allocated. There would be some small areas that required capital investment to make a difference, but no monies had yet been earmarked for specific schemes

Approval of the report was not deemed a key decision.

Reasons for Decision

The report set out the Council's Capital Programme for 2026/27, including forecast slippage on schemes from 2025/26 and the additions of new schemes to the Council's Capital Programme for 2026/27.

The significant level of investment in previous years had only been possible by the Council obtaining external financial support, as well as the Council's own effective financial management over recent years, which had allowed it to have the funds necessary to finance these major projects when other funding had become available.

The new additions to the capital programme for 2026/27 had increased to £7.860m (including £1.020 leasing costs), compared to £2.476m in 2025/26. External funding of £3.20m had been confirmed towards the cost of these new capital schemes (Disabled Facilities Grant, Extended Producer Responsibility Grant (EPR) and Pride In Place Impact Grant) with a further £0.03m funding to be secured.

The additions to the programme in 2026/27 would bring the total approved capital programme to £38.565m, including forecast slippage of the unspent programme from 2025/26 of £30.706m, which could be seen in Appendix 1 of the detailed report at Appendix A. The forecast slippage from the 2025/26 programme included £22.366m (£3.815m slippage to 2027/28) for Huncoat Garden Village, £0.40m for the Leisure Estate Investment Programme and £6.251m for the Levelling Up Programme. The capital budgets for the Levelling Up Programme were based on the latest forecast of costs however as these were not tendered figures, they were still subject to change and should there be any changes to the current forecast, these would be reported during the year.

It was important to note that the Council funding of the 2026/27 Capital Programme was based on using Council reserves and potential capital receipts. There would be a continued emphasis relating to the realisation of additional capital receipts during the year. The programme assumes £3.010m of expenditure would be funded from capital reserves, and £0.6m from unfunded receipts. Any new receipts received would replace the funding required from these reserves.

The small number of expected new schemes for 2027/28 and 2028/29 (totalling £1.910m) were detailed in Appendix 3 of the report. This was for information only, as funding would need to be identified for these schemes before they were put forward for approval into the programme in future years, alongside any Local Government Reorganisation (LGR) consequences.

The Council intended to continue its strong policies of financial management and look only to borrow what it needed to fund major investment projects. The Council would continue to rely on securing external sources of funding, using capital receipts, making revenue contributions to capital projects and would use unspent monies to fund its programme. It would also apply a rigorous approach to selecting projects by examining all proposals against its corporate objectives and only selecting the most pressing and deserving projects to fund. This was in accordance with Council policy.

The Revenue implications to finance the Capital Programme continued to be a key element in the affordability issues on the Revenue Budget this year. The programme contained a limited amount of risk this year. The level of risk remained increased compared to previous years due to the size of the overall programme. However, to further reduce the risk the Council had supplemented its own project management and cost control capacity by the appointment of experienced professionals in both disciplines for its two largest projects. The Council's overall resources and management systems were believed to be sufficiently robust to effectively monitor these risks and ensure appropriate action was taken if they should materialise.

The Council would continue with its strategy to reduce its level of debt wherever possible by restricting borrowing and repaying debt and would continue to work extensively with external funders to bring forward realistic plans for capital investment in the area.

A detailed report on the Capital Programme was provided as Appendix A to the covering report, which set out information on the following:

- Summary of the Major Additions to the Capital Programme;
- Improving the Management of Capital Investments;
- Conclusion;
- Appendix 1 - Capital Programme 2026/27 (Summary);
- Appendix 2 - Capital Programme 2026/27 (Detailed);
- Appendix 3 - Capital Programme 2026/27 (New Additions); and
- Appendix 4 – Capital Programme 226/27 – Pride in Place

Alternative Options Considered and Reasons for Rejection

A wider programme of funding/borrowing had not been considered due to the Council's policy commitment to limiting capital expenditure to affordable levels and seeking to repay debt.

Resolved

- That Cabinet recommends the Council:

- (1) To approve the Capital Programme for 2026/27 including new scheme additions of £7,860,041 with a net cost to the Council of £3,609,970 as set out in Appendix 3 of Appendix A to the report.**
- (2) To approve the funding of the programme by the use of newly awarded direct external grants totalling £3,229,909, lease vehicle borrowing costs £1,020,165 and the remaining funding of £3,609,970 to come from the Council's resources.**
- (3) To note the expected new scheme additions for 2027/28 onwards set out in Appendix 1 of Appendix A to the report.**
- (4) To give delegated authority to the Executive Director (Resources), following consultation with the Portfolio Holder for Resources and**

Council Operations to flex the programme in accordance with the available funding, provided this does not require any additional borrowing.

- (5) To agree that the individual projects within the Capital Programme will require the written authorisation of the Executive Director (Resources) following consultation with the Portfolio Holder for Resources and Council Operations before commencing and incurring expenditure and that Service Managers must provide the Executive Director (Resources) with written details of estimated project costs and a full justification of the need for and benefits from undertaking the capital expenditure before such approval is provided; and that the ability to approve commencement of capital projects is delegated to the Executive Director (Resources); in consultation with the Portfolio Holder for Resources and Council Operations and that the Executive Director (Resources) is given delegated authority to release capital funding in stages if deemed appropriate to ensure effective financial control and risk management.**

- (6) To agree that in-year underspends will not be made available to fund new projects during the year.**

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed

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Agenda Item 5.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Munsif Dad – Leader of the Council	
REPORT AUTHOR:		Martin Dyson - Executive Director (Resources) Steve Riley - Executive Director (Environment)	
TITLE OF REPORT:		Provision of Leisure Services within Hyndburn	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	Yes	If yes, date of publication:	10 March 2026

1. **Purpose of Report**

- 1.1 To present options to Cabinet for securing the long-term provision of leisure services within Hyndburn.
- 1.2 The report focuses on addressing the following:
 - a) award of new 30-year leases to HL (“HL”),
 - b) the proposed write off from trading debt between HL and the Council,
 - c) compliance with subsidy control legislation,
 - d) payment of the annual financial support payment to Hyndburn Leisure in respect of the 2026/27 financial year,
 - e) the potential release of bad debt provisions from Council’s balance sheet.

2. **Recommendations**

- 2.1 Having considered the compliance assessment attached as Appendix 1 to this report and being satisfied that the following are consistent with the subsidy control principles:
 - i) Cabinet agrees to accept the surrender of HL’s current lease of Hyndburn Sports Centre and to grant HL a new lease of the same for a 30-year term commencing on 1st April 2026 at a peppercorn rent, with HL taking on full responsibility for repairs and insurance and with the mutual break clause detailed in section 4.6 below; and
 - ii) Cabinet agrees to accept the surrender of HL’s current lease of Wilsons Paying Fields and the Cath Thom Leisure Centre and to grant HL a new lease of the same for a 30 year term commencing on 1st April 2026 at a peppercorn rent,

with HL taking on full responsibility for repairs and insurance and with the mutual break clause detailed in section 4.6 below ; and

- iii) Cabinet agrees to write off HL's trading debts of £1.624m currently owed to the Council subject to satisfaction of the conditions set out in paragraph 6.6 of this report.
- iv) Cabinet agree the £500,000 financial support payment to HL for the financial year 2026/27 as approved at Council at the budget meeting in February 2026 for payment in April 2026.

2.2 Cabinet delegates authority to the Executive Director (Resources) to agree the detailed terms of the proposed new leases to HL and thereafter to instruct Legal Services to draft, negotiate and complete the same.

2.3 Cabinet agrees that the Council will resume the running and management of Accrington Town Hall upon the expiry of the lease to HL on 1st April 2027.

3. Background

3.1 HL have been the operating the Councils leisure facilities since April 2002 and currently manage the following venues on behalf of the Council:

- Hyndburn Leisure Centre
- Mercer Hall
- Cath Thom Leisure Centre / Wilsons site including playing fields, athletics track and sports pitches
- Accrington Town Hall
- Oswaldtwistle West End Community Centre; and
- Bank Mill House Community Centre

3.2 The Council undertook a review of its Leisure Management options in 2024 as it had been over twenty years since the current delivery arrangements had been set up, and both the Council and HL recognised that a lot had changed in that time.

3.3 The Council and HL agreed that it was sensible to review the current operating model to ensure that it was still the best way to deliver community leisure services in the Borough and that it still represented best value for the Council and its residents, particularly in view of the following:

- The approaching expiry of the current leases of Hyndburn Sports Centre, Mercer Hall Leisure Centre and Accrington Town Hall.
- The closure to the public of Mercer Hall Leisure Centre and swimming pool and the ongoing work to identify ways to redevelop and repurpose the same as a community facility.
- The construction by the Council, (with the assistance of grant funding from Sport England) of a new sports and leisure facility at Wilson Playing Fields, (Cath Tom Lesiure Centre) and the need to determine how this would be managed.

- The hope that the new, energy efficient leisure centre at Wilson Playing Fields and the repurposed Mercer Hall facility would operate with reduced running costs; and
- A reduction in VAT benefits that had once been available to HL and the recent increased costs associated with leisure provision in the Borough.

3.4 The Government has recently announced plans to reorganise two tier local government within the next two to three years, (LGR) which was not contemplated by the leisure management review or the leisure options report. In the circumstances, it was agreed that the Council would take a pragmatic approach and that the Council and HL would work together to agree a strategy for community leisure provision over the next few years.

3.5 Over the last year the Council and HL have agreed an approach that involves increasing health and wellbeing outcomes and reducing financial subsidy requirements, linked to the opening of the new Cath Thom Leisure Centre and the repurposing works recently undertaken at Mercer Hall.

3.6 The Council's Medium Term Financial Strategy envisages financial support to HL being required at the following levels subject to Cabinet approval and subsidy control compliance:

MTFS Forecasts	Subsidy from the Council £
2024/2025 - Actual Paid	£1,000,000
2025/2026	£700,000
2026/2027	£500,000
2027/2028	£350,000

4. Lease arrangements

4.1 HL operates six buildings on behalf of the Council as shown in the table below:

Buildings Operated	Current Lease Expiry	Proposed New Lease Expiry	Current Market Rent £	Proposed Market Rent £	Market Rent Undervalue £
Hyndburn Leisure Centre	31/03/2027	31/03/2056	44,000	0	(44,000)
Mercer Hall	29/09/2040	n/a	0	0	0
Wilson's Site (incl. Cath Thom)	31/03/2027	31/03/2056	20,000	0	(20,000)
Accrington Hall	31/03/2027	n/a	0	0	0
Oswaldtwistle West End Community Centre	None	n/a	0	0	0
Bank Mill House	None	n/a	0	0	0

- 4.2 Mercer Hall was granted a new lease for a 15-year term on 30th September 2025. However, HL's leases of Hyndburn Leisure Centre, Accrington Town Hall and the Cath Thom Leisure Centre / Wilsons Playing Fields are all due to expire on 31st March 2027. Hyndburn Leisure Centre and the Cath Thom Leisure Centre are the prime sites for HL's operations and unless longer leases are awarded, it will be very difficult for HL to continue operating as a going concern.
- 4.3 As the Council wishes to secure the long-term future of community leisure services in the Borough, it is proposed that new leases of Hyndburn Leisure Centre and the Cath Thom Leisure Centre / Wilsons Playing Fields are granted to HL, each to be for a 30-year term running from 1 April 2026 until 2056.
- 4.4 The Council and HL have also agreed that it would be in the best interest of both parties for the running of Accrington Town Hall to return to the Council upon expiry of the current lease on 31st March 2027. This will enable the Council to develop the Town Hall "offer" in conjunction with its wider cultural and events programme, linking with activity at both Accrington Market Hall, the Dome (Market Chambers) and Burtons Chambers. Cabinet is asked to note that officers will now work with HL colleagues to ensure the smooth transfer of the Town Hall back to Council control. This may possibly involve the TUPE transfer to the Council of a small number of HL employees and arrangements will need to be made for the transfer of the premises licence and for the assignment from HL to the Council of any ongoing contracts relating to the operation of the building. Any cost implications will be reported to Cabinet once the position becomes clearer.
- 4.5 Early into 2026/2027, the Council as part of its asset review programme, will consider the potential best options for operation of its community centres and therefore this report does not make any recommendations in respect of the leases for West End and Bank Mill community centres.
- 4.6 HL have confirmed their willingness to enter into leases of both the Hyndburn Leisure Centre and the Cath Thom Leisure Centre / Wilsons site on the following terms:
- a) A full repairing and insuring lease for a 30-year term from 1st April 2026 until 31st March 2056,
 - b) A peppercorn rent,
 - c) Property insurance to be recharged to HL,
 - d) A rolling landlord and tenant's option to break, subject to the giving of not less than 2 years notice.
- 4.7 The Council has received a valuation of both Hyndburn Leisure Centre and the Cath Thom Leisure Centre / Wilsons site. The valuation was carried out in accordance with guidelines and practice statements set out in the latest RICS Valuation Global Standards and by a corporate member of the Royal Institution of Chartered Surveyors who has the appropriate knowledge, skills and understanding to carry out the valuation with the competence and due diligence expected of a qualified valuer.

The valuation has determined that the open market rental value of Hyndburn Leisure Centre is £40,000 per annum and the open market rental value of the Cath Thom / Wilsons site is £20,000 per annum. On the basis of the grant of 30-year leases determinable by either party on the giving of 2 years notice, the capital value of Hyndburn Leisure Centre is £366,500 and Wilsons Sports Village is £166,500.

- 4.8 The grant of both leases at less than market value will involve the provision of a subsidy to Hyndburn Leisure for the purpose of the Subsidy Control Act 2022 and the subsidy control implications of this report are considered in greater detail in section 7 of this report.
- 4.9 Section 123 Local Government Act 1972 also requires the Council to dispose of its land and property for the best consideration reasonably obtainable. The Local Government Act 1972 General Disposal Consent (England) 2003 permits the Council to grant a lease at a less than best consideration if it is considered that this will contribute to the promotion or improvement of the economic, social and environmental wellbeing of the Borough or its residents.
- 4.10 It is considered that the continued provision and management of these facilities by HL Trust will contribute to the wellbeing of the Borough and its residents. The beneficial impact of HL's activities can best be demonstrated by its impact report and recent achievements of the organisation. HL's annual impact report for 2024/25 provides a record of the achievements of the organisation over the last 12 months and is attached as an appendix to the subsidy control impact assessment in Appendix 1 to this report.

Notable outputs for the year include:

- 4,516 children participated in subsidised school holiday swims.
- 29,407 attendances at group fitness classes.
- A 20% increase in fitness centre memberships.
- 10.1 tonnes of carbon saved by moving to green energy
- £549,000 of funding secured to improve facilities
- 2,000 hours of holiday activities delivered
- 153 clubs and groups hosted across HL sites.
- £19.5m of social and economic value generated

5. Current Year Financial Position

- 5.1 In March 2025, HL set a budget with a forecast deficit of £700,000, which included achieving a savings target of £58,417.
- 5.2 HL reported its forecast financial position for 2025/2026 to the Cabinet in December 2025. This report showed that HL were expecting to achieve an underspend in year of £30,341, once the Council had formerly agreed to pay its annual subsidy for 2025/2026.
- 5.3 HL formally requested the payment of the £700,00 subsidy for 2025/2026, and this was approved at the Cabinet meeting on 3rd December 2025. At its budget meeting in February the Council made provision for payment of financial support in the sum of £500,000 to be paid to HL in respect of the 2026/27 financial year and it is envisaged

that this payment will be released in April 2026 once a subsidy agreement has been entered into with HL. As part of this agreement, HL will commit to continuing to offer reduced fees and charges under the leisure passport scheme and to take on the full cost of offering subsidised fees and charges to armed forces customers and for the school holiday swimming programme, both of which had previously been met by the Council.

5.4 HL will continue to report updates on their latest financial position with regular updates at Cabinet meetings and Overview and Scrutiny if requested.

5.5 HL have confirmed that they will be able to repay all their 2025/2026 trading invoices in year and will continue to meet all loan repayments as per the agreed schedules.

6. **Outstanding Debt Position**

6.1 HL currently owes the Council debts under two formal loan agreements and outstanding trade debts primarily related to payroll invoices.

6.2 Loan 1

6.2.1 The Council approved a loan in 2019 that enabled HL to update the gym equipment and remove the pressure of outstanding payroll debts.

6.2.2 This loan was for £0.382m of which, £0.199m related to new equipment and £0.127m to outstanding payroll invoices.

6.2.3 This loan was for a period of 10 years with the term ending in November 2029. The value of this loan was £0.382m, which included Interest of £0.127m at a rate of 3.25%.

6.2.4 HL have repaid this loan on time in accordance with the agreed terms and conditions.

6.2.5 There are no changes proposed to this loan and HL will continue to repay in line with the repayment schedule.

6.3 Loan 2

6.3.1 The Council approved a loan in 2021 that enabled HL to remove the pressure of outstanding payroll debts that had accumulated during COVID whilst the centre had been closed and also the impact of reduced membership and sports centre usage.

6.3.2 The loan was for a period of 25 years with the term ending May 2046. The total value of this loan was £1.528m, which included payroll invoices of £1.123m and interest of £0.405m at a rate of 2.6%.

6.3.3 HL have repaid this loan on time in accordance with the agreed terms and conditions.

6.3.4 There are no changes proposed to this loan and HL will continue to repay in line with the repayment schedule.

6.4 Trade Debts

6.4.1 Over the last 4 years since the COVID period, HL has faced periods of high inflation, reduced usage levels and the closing of the pool at Mercer Hall. During the period since 2021 HL has depleted its own reserves before requesting additional support from the Council to cover any trading losses that it has incurred.

6.4.2 The Council has paid some levels of subsidy during this period although it wasn't sufficient to enable HL to cover all its costs, such as the closer to Mercer Hall pool, significant increases in energy costs and significant employee pay awards.

6.4.3 As a result HL has accumulated outstanding trade debts to the Council of £1.6242m as of 31st March 2025. The trade debts relate to HL salary costs that were not reimbursed under payroll arrangements over a number of years as HL did not have sufficient funding available at the time to meet the cost of the same in full.

6.4.4 HL has stated that any trade debts prior to 2025/26 will be difficult to repay and it is recognised that with debts to this value, the Council will continually be required to act as a guarantor for HL to enable it to continue operating.

6.4.5 Various options have been considered to enable HL to repay these debts, but officers have concluded that these options would all affect HL's current trading position and are unlikely to be affordable without the Council paying additional annual subsidy to HL.

6.5 Bad Debt provision

6.5.1 The Council over the last few years has prudently set aside provision for bad debts in its annual accounts in compliance with IFRS 9 under the Expected Credit Loss model and currently holds a provision for 100% (£1.6242m) of HL's trade debt to the Council as at 31/03/25.

6.5.3 IFRS 9 does not mandate a specific timeframe, but it does require a write-off when there is no longer a reasonable expectation of recovery and allows for the granting of concessions for this purpose.

6.5.2 The latest forecast outstanding balance on HL's trade debts is expected to remain at £1.6242m as at 31/03/26, and HL have confirmed that all other invoices raised in 2025/2026 will be repaid.

6.6 Conditions relating to the write-off

6.6.1 As part of the work officers and Cabinet members have been undertaking with HL to develop a long-term sustainable future for leisure provision within Hyndburn, it has been proposed that certain conditions should be required to be met by HL before the trade debt is written off. These conditions are:

- That the Council will require a statement of affordability from HL that will confirm their future ability to repay any debt or loans raised after 01/04/2025. This statement will be required to be confirmed by HL's appointed external accountant / auditors.
- To enable HL to become less reliant on the Council for services such as payroll and utilities, the Council will require HL to make their own arrangements for procuring these services independently. It would be expected that a reasonable time for this would be within six months of this decision.
- That all future annual subsidy payments to HL will be agreed as part of the Council's budget process and paid at the beginning of the financial year to assist HL in managing its cash flow.

These conditions will be included within the subsidy agreement to be entered into between the Council and HL.

7. Proposed Grant - Subsidy Control

7.1 The proposed grant to HL will qualify as a subsidy for the purpose of the Subsidy Control Act 2022 (“SCA”) as it meets the definition of a subsidy, namely:

- The payment will be given directly or indirectly from public resources by a public authority, namely the Council
- It will confer an economic advantage on one or more enterprises, namely HL
- Benefit will be gained by the enterprise receiving the grant over one or more other enterprises with respect to the provision of goods or services
- The grant will or is capable of having an effect on competition or investment within the UK.

7.2 As the provision of community leisure activity is typically viewed as an important health and wellbeing benefit for the community, HL can be considered to provide “services of public economic interest” (“SPEI”) pursuant to section 38 SCA as its services are:

- provided for the benefit of the public; and
- would not be provided, or would not be provided on the terms required, under normal market conditions.

The Council has already deemed HL to provide “SPEI” services and has provided SPEI subsidy to HL up to the £725,000.00 SPEI subsidy threshold (below which subsidy can be provided without a compliance assessment), having already paid subsidy to HL as follows:

2022/23 – the sum of £235,000.00 (prior to the SCA coming into force)
 2023/24 – the sum of £490,000.00
 2024/25 - the sum of £1,000,000.00
 2025/26 – the sum of £700,000.00

As the SPEI subsidy paid to HL in the last 3 years is currently above the SPEI subsidy threshold, no further subsidy can be paid to HL without the same being assessed against the statutory subsidy control principles (see paragraph 7.3 below).

The proposed subsidy to HL in this instance is as follows:

Debt write-off	£1,624,200
Hyndburn Leisure Centre rent	£625,921 gross cash amount (gross cash equivalent £1,200,000)*
Cath Thom Leisure Centre rent	£312,960 gross cash amount (gross cash equivalent £600,000)*
Financial support in year 2026/27	£500,000

7.3 The rental subsidy has been discounted (*) in accordance with the Government's subsidy control guidance to reflect that the fact that the subsidy will be received over a 30-year period and that the relative value of the same will reduce over time. The SCA imposes requirements on local authorities when they are considering providing a third party with a subsidy. If these requirements are not complied with then the subsidy will be unlawful and can be challenged in the Competition Appeal Tribunal. In particular, the Council must assess the funding request against the subsidy control principles in Schedule 1 to the SCA and satisfy itself that the proposed grant is consistent with these principles. The subsidy control principles are as follows:

- Does the subsidy support a policy objective of the Council?
- Is the proposed method of subsidy the most appropriate way to address the policy objective?
- What would happen if the subsidy were not provided?
- Will the subsidy change the economic behaviour of the beneficiary and achieve something which would not have occurred without it?
- Is the subsidy proportionate and designed to minimise any negative impact on competition?
- Are any negative effects outweighed by the positive impact of providing the subsidy?

In this regard a compliance assessment has been carried out and is attached at Appendix 1 to this report. This indicates that the proposed subsidy appears to be consistent with the subsidy control principles, especially given HL's status as a provider of SPEI services.

7.4 In accordance with section 29 of the SCA the Council will need to do the following in order to pay the proposed subsidy to HL:

- Satisfy itself that the amount of the subsidy is limited to what is necessary for HL to deliver the SPEI services, having regard to its income and costs plus no more than a reasonable profit or surplus. Reasonable profits can be assessed through a benchmarking exercise comparing the profits achieved by similar public service contracts which have been awarded under competitive conditions.
- Ensure that the funding is given in a transparent manner pursuant to a written contract or grant funding agreement which clearly sets out the terms of the subsidy, including:
 - Details of the SPEI services in respect of which the subsidy is given
 - Details of HL as the enterprise which is tasked with providing the services
 - The period for which the services are to be provided
 - Details of how the amount of subsidy has been calculated
 - The arrangements in respect of reviews and steps which may be taken to recover the grant (for example if the funding is found to be more generous than permitted and part or all of it has to be clawed back).

7.5 Under Section 33 of the SCA the Council will be required to publish details of the grant on the UK's Subsidy Database within three months of a formal decision to provide it, and to maintain this record for six years. Under Section 70 of the SCA, any interested party

who is aggrieved by the making of a subsidy decision may apply to the Competition Appeal Tribunal for a review of the decision. The challenge can be in relation to the Council not complying with the subsidy control requirements in the SCA, or on more general public law grounds, for example that the Council did not behave reasonably or rationally when deciding to provide the grant. If such a challenge was successful the Competition Appeal Tribunal could impose remedies under usual judicial review principles, including an order for the recovery of the unlawful subsidy with interest. The period in which a challenge can be made in relation to the provision of a subsidy is typically one month from the publication on the UK Subsidy Database.

8. Alternative Options Considered and Reasons for Rejection

8.1 The Council could convert trading debt into loan. This is not considered to be feasible for the following reasons –

- the loan would need to be over a long period to enable HL to repay it
- repayments would be high based on a 15-year loan
- loan would need to be at market value or be subsidised
- it has been confirmed that any increase in loan would not be affordable unless it was matched by increased subsidy.

8.2 The Council could charge rent at market value for Hyndburn Leisure Centre and / or the Cath Thom Leisure Centre. This is not recommended as it would increase HL's costs and therefore impact any financial subsidy reductions that have been agreed thus resulting in a request for increased subsidy.

8.3 The Council could decide not to pay the financial support of £500,000 proposed for 2026/27 or pay a lesser amount. However, HL has budgeted on the assumption that the monies would be received. Any reduction in the same would impact upon HL's financial viability and could lead to increased charges to customers and / or a reduced level of service provision to the detriment of residents.

8.4 HL being responsible for their own payroll services would cease the need for the Council to be a registered payroll agent and comply with HMRC requirements for compliance, authorisation, data protection and anti-money laundering services.

9. Consultations

9.1 The proposals in this report have been discussed with both HL and the Cabinet.

10. Implications

Financial implications (including any future financial commitments for the Council)	As outlined in the report.
Legal and human rights implications	These are set out in the report.
Assessment of risk	The proposals in this report are intended to put HL on a sound financial footing and minimise the need for ongoing subsidy to the

	levels indicated in this report. There is however a risk that additional subsidy may be needed in the event of, say, significant further increases in utility costs or staffing costs or a dramatic drop off in visitor numbers to the sports centres.
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	Not Applicable

11. Local Government (Access to Information) Act 1985:

- 11.1 Copies of documents included in this list must be open to inspection and, in the case of reports to Cabinet, must be published on the website.

12. List of Background Papers

- 12.1 2025/26 Subsidy
Report to Cabinet on 3rd December 2025 - [Hyndburn Leisure Financial Monitoring Position Qtr2 – April to September 2025/2026 and Payment of Annual Financial Subsidy for 2025/2026](#) and [Appendix 1](#)

2024/25 Subsidy
Report to Cabinet (Special Meeting) on 29th January 2025 - [Payment of Grant Funding to Hyndburn Leisure and Conclusion of the Leisure Review](#) and [Appendix 1](#)

13. Freedom of Information

- 13.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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Hyndburn Leisure : Subsidy Control Assessment

Project name:	Hyndburn Leisure
Project description:	Grant of two leases at less than best consideration to Hyndburn Leisure. Write off of trade debts owed to the Council by Hyndburn Leisure. Payment of annual subsidy to Hyndburn Leisure for 2026/27
Officer completing this form:	Martin Dyson: Executive Director (Finance) Jane Ellis: Executive Director (Legal & Democratic Services)
Date:	3rd March 2026

Section A. Identification of the Subsidy

1. Please set out the activities that will be funded by a subsidy.
2. Set out the total value of the subsidy. Please specify any other public funds that will be public funding towards the activity (including what the basis of the funding is i.e. a xx grant).

The proposed subsidy comprises the following:

- i. The grant of a lease of Hyndburn Leisure Centre at less than market value – the market rental value of the lease has been determined to be £40,000 per annum for a 30 year term, but it is proposed to grant the lease for a peppercorn rent. The gross cash equivalent is £1,200,000. The subsidy has been discounted in accordance with the Government’s Subsidy control guidance to reflect receipt of the subsidy over a 30 year period, and the gross cash amount of the subsidy is £625,921.29;
- ii. The grant of a lease of the Cath Thom Leisure Centre at less than market value – the market rental value of the lease has been determined to be £20,000 per annum for a 30 year term, but it is proposed to grant the lease for a peppercorn rent. The gross cash equivalent is £600,000. The subsidy has been discounted in accordance with the Government’s Subsidy control guidance to reflect receipt of the subsidy over a 30 year period, and the gross cash amount of the subsidy is £312,960.64;
- iii. The write-off of trade debts of £1,624,200 owed by Hyndburn Leisure to the Council – this comprises some of HL’s salary costs from previous financial years that HL was unable to reimburse the Council for as part of the ongoing payroll arrangements.
- iv. The payment of £500,000 annual subsidy to Hyndburn Leisure in April 2026 for the 2026/27 financial year in accordance with the Council’s medium term financial strategy.

The subsidy is intended to support the activities and running costs of Hyndburn Leisure in providing public “pay and play”, community sports and leisure facilities in Hyndburn. These activities include:

- the operation of Hyndburn Sports Centre
- the operation of Mercer Hall Leisure Centre, Great Harwood
- the operation of Bank Mill House, Great Harwood
- the operation of the Cath Thom Leisure Centre, Great Harwood
- a range of programmes aimed at tackling poverty and health inequality in the Borough (such as: school holiday activity and food programme, free family teatime programme, cardiac rehabilitation programme and a healthy weight programme).

The Council considers Hyndburn Leisure to provide “services of public economic interest” (“SPEI”) and has already provided subsidy to Hyndburn Leisure up to the £725,000.00 SPEI threshold pursuant to section 38 Subsidy Control Act 2022, having already paid subsidy to Hyndburn Leisure as follows:

2022/23 – the sum of £ 235,000.00
 2023/24 – the sum of £ 490,000.00
 2024/25 – the sum of £1,000,000.00
 2025/26 – the sum of £ 700,000

Hyndburn Leisure is currently in receipt of the following additional grants from public funds:

1. The Council passport over grant of £70,000 it received in 2025/26 for the Health Weight and Family Programme. The funds the delivery of this project by Hyndburn Leisure and is not a subsidy.
2. The Council passport over grant of £76,817 it received for 2025/26 for the Together and Active Future Programme. The funds the delivery of this project by Hyndburn Leisure and is not a subsidy.

A subsidy control assessment is therefore required in respect of the proposed financial support.

Section B. Application of the TCA principles for each subsidy

(Please complete a separate table per subsidy)

(Please refer to the statutory subsidy control guidance when completing this assessment. You are likely to need legal and financial advice and remember that you should evidence what you say where possible)

Step1: identify the policy objective, ensuring it addresses a market failure or equity concern, and determine whether a subsidy is the right tool to use

The subsidy control principles that apply here:

Principle A – the policy objective	The subsidy should pursue a specific public policy objective to remedy an identified market failure or to address an equity rationale (such as local or regional disadvantage, social difficulties or distributional concerns).
Principle E – minimise distortion	The subsidy should be an appropriate policy instrument for achieving the specific policy objective and that objective cannot be achieved through other, less distortive means.

How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
<p>Principle A</p> <ul style="list-style-type: none"> Using evidence, establish the existence and significance of the market failure and / or inequality the subsidy seeks to address Provide details of the specific policy objective that you hope to achieve with the subsidy and how it addresses the market failure or inequality you have identified The policy objective can address either market failure or inequality, or both. The policy objective should be a precise as possible, including targets and timeframes Clearly state the desired outcomes of the subsidy and identify how the impact of the subsidy will be evaluated If the subsidy addresses “market failure”, you must ensure you comply with the Government’s statutory subsidy control guidance <p>Principle E</p> <ul style="list-style-type: none"> Justify why a subsidy is the most appropriate instrument for addressing the identified policy objective and explain why other non-subsidy routes have not been chosen, such as <ul style="list-style-type: none"> Direct provision of goods or services by the Council 	<p>The proposed subsidy has an equity rationale.</p> <p>Hyndburn is the 14th most deprived area out of 317 district and unitary councils in England by rank of average measure. Around 34.3% of the local population live in the 20% most deprived areas in England, against a national average of 21.7%. Child poverty is 15% above the national average, yet 20% of the population are under 16 years of age. The number of dependent children under 16 living in absolute low-income families is 11% higher than the national average.</p> <p>As such Hyndburn is an area with a high level of health inequality, whilst many of the population lack the disposable income to access private sport and health club provision. For example:</p> <ul style="list-style-type: none"> - the level of obesity in adults is 71.7%, against a national average of 64% - the level of obesity in children is 23.5%, against a national average of 22.7% - life expectancy is below the national average for both men and women and, in the Borough’s most deprived wards, is 11.8 years below average for men and 10.3 years below average for women - the rates of type 2 diabetes and dementia are above the national average - hip fractures in the over 65’s are above the national average (at 673 per annum compared to a national average of 558) <p>Moreover, activity levels for adults and children are below the national average and have declined further since the Covid pandemic. In 2018/19 62.8% of adults were judged to be active, against a national average of 63.3%, but by 2022/23 this had declined to 57% against a national average of 63.4%. In children the figure was 45.9% in 2018/19 with a national average of 46.8%, but by 2022/23 this had declined to only 25.3% against a national average of 47%.</p>

How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
<ul style="list-style-type: none"> ○ Loans or equity investment on commercial terms ● Explain why the next-best alternative to a subsidy would not achieve the policy objective 	<p>The Council's corporate strategy 2025-2029 identifies the improvement of health and wellbeing, and the reduction of health inequality, as a key priority and says that the Council will seek to work with those addressing local health priorities.</p> <p>The Council has considered the following options:</p> <ul style="list-style-type: none"> ● requiring HL to repay the trade debts in annual instalments over a period of years. It has been determined that this would have a negative impact on the policy objective as it would have a detrimental effect on Hyndburn Leisure's financial position, leading them either to raise prices, reduce services or need extra annual subsidy from the Council in order to continue trading; ● requiring HL to pay a market rent or a reduced level of rent for the leases of Hyndburn Leisure Centre and the Cath Thom Leisure Centre. It has been determined that this would also have a detrimental effect on the policy objective as the negative impact on Hyndburn Leisure's financial position would require them either to raise prices, reduce services or need extra annual subsidy from the Council in order to continue trading; ● reducing the level of annual subsidy to less than £500k. It has been determined that this would require HL to reduce its costs by increasing fees and / or reducing the services it provides, both of which would be contrary to the policy objective. <p>HL has set its budget for 2026/27 to include the current level of borrowing, with a £500k subsidy from the Council. Their current budget forecasts a small operating deficit, which HL aims to close, to balance the budget. Additional financial demands (such as a requirement to pay rent on the Sports Centres, or to repay the trade debt) would lead to additional subsidy being required to cover the larger deficit budget that they would create.</p> <p>The proposed subsidies will enable Hyndburn Leisure to continue to provide its existing leisure, health and wellbeing offer in the Borough in venues that are locally accessible. Unlike private sector providers, Hyndburn Leisure offers pay and play participation and membership rates that are deemed to be accessible to those on lower incomes. The beneficial impact of Hyndburn Leisure's activities is set out in detail in the impact report attached to this assessment.</p>

Step 2: ensure that the subsidy is designed to create the right incentives for the beneficiary and bring about a change in behaviour

The subsidy control principles that apply here:

Principle C – additionality	The subsidy should be designed to bring about a change in the economic behaviour of the beneficiary. That change should be conducive to achieving the specific policy objective and something that would not happen without the subsidy
Principle D - input	The subsidy should not normally compensate for costs the beneficiary would have funded in the absence of the subsidy

How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
<p>Principle's C and D</p> <ul style="list-style-type: none"> • Describe what is realistically most likely to happen, in both the short and long term, if no subsidy is awarded • What are the types of costs the subsidy is to be used to support ? • Describe how the subsidy will lead to a change in the economic behaviour of the beneficiary, such as: <ul style="list-style-type: none"> ○ a project or activity taking place that wouldn't otherwise have gone ahead (or at least not in a way that benefits a certain area or group of people) ○ measurable improvement in the quality of outputs or outcomes ○ an increase in the scale or scope of a project or activity e.g. to extend the number of [people benefiting or the area covered ○ a project or activity occurring significantly earlier than it would otherwise have done • Describe how the subsidy is conducive to achieving the policy objective 	<p>Hyndburn Leisure's existing lease of Hyndburn Leisure Centre is at nil rent, as this was determined to be the market value of the proposed lease by an independent, third party valuation in 2002 at the time of grant. Seeking to charge the assessed rent level for the new leases would therefore be an additional cost to HL, that it is not currently required to pay</p> <p>Without the proposed subsidy Hyndburn Leisure's current sport and leisure offer could not continue. Hyndburn Leisure would have to quickly take steps to maintain its financial viability which may well include increasing prices, reducing opening hours, reducing the scope of services offered, closure of one or more facilities, or some combination of all of these. Such steps would significantly impair the provision of public sport and leisure facilities in the Borough, to the detriment of efforts to reduce the significant health inequalities faced by the Borough. In addition to some of these measures, Hyndburn Leisure would also require additional annual subsidy payments from the Council to enable it to pay the rent and or repay the trade debts.</p> <p>Hyndburn Leisure's operating costs could not be funded by Hyndburn Leisure in the absence of the proposed subsidies, which may impact its financial viability, which would in turn have a significant impact on achievement of the policy objective.</p>

Step 3: consider the distortive impact the subsidy may have and keep this as low as possible

The subsidy control principles that apply here:

Principle B - proportionality	The subsidy should be proportionate to the specific policy objective and limited to what is necessary to achieve it
Principle F – minimise distortion	Whilst achieving the policy objective, the subsidy should be designed to minimise any negative effects on competition and investment within the UK

How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
<p>Principles B and F</p> <p>Show how the subsidy is proportionate to your policy objective.</p> <p>Show how the subsidy has been designed to minimise any negative effects on competition and investment in the UK whilst still meeting the policy objective. This should include details of how you have considered the following subsidy characteristics:</p> <ul style="list-style-type: none"> • form of subsidy (loan, grant etc) • breadth of beneficiaries and the selection process 	<p>In 2008/09 Hyndburn Leisure received £1.2 million in grant funding from the Council. As part of its response to the Government's austerity measures, the Council encouraged Hyndburn Leisure to become financially self-sufficient and, by 2021/22 the subsidy had reduced to nil. Since then, the HL has faced significant financial pressures in common with leisure providers nationally. These cost pressures include:</p> <ul style="list-style-type: none"> - Increased energy costs (an increase of 590% between 2019/20 and 2024/25) - Increased staffing costs (an increase of 17% between 2019/20 and 2024/25) - Inflation rate increases leading to higher supplier, maintenance and repair costs - Increases in irrecoverable VAT

How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
<ul style="list-style-type: none"> • size of subsidy • subsidy ratio • time period of the subsidy • nature of costs covered • performance criteria • ring-fencing • monitoring and evaluation • characteristics of the subsidy <p>Note: it isn't enough to simply describe the subsidy characteristics. You must explain how these contribute to proportionality and / or minimising market distortion.</p>	<p>In addition, the Hyndburn Leisure has lost income as a result of the partial closure of Mercer Hall Leisure Centre. In 2019/2020 HL made a £30k operating profit (before central costs) at Mercer Hall. In 2020/2021 the Council provided a covid support payment to support the impact of the pandemic on operations. From 2021/2022 to 2025/26 the cumulative cost to operate Mercer Hall (before central costs) was £576k.</p> <p>These cost pressure have resulted in a need for subsidy, with:</p> <ul style="list-style-type: none"> • £235k being paid by the Council in 2022/23 • £490k being paid in 2023/24. • £1,000,000 being paid in 2024/2025 • £700,000 being paid in 2025/26 <p>The proposed further subsidies are required to put HL on a stable financial footing for the future and to secure, as far as possible, the ongoing provision of community leisure services in the Borough, especially given the financial uncertainty created by the proposed local government reorganisation in Lancashire. The proposed subsidy is intended to enable affordability levels, opening hours and service provision to be maintained at the current level. It is considered that this will support the Council's objective of supporting affordable and locally accessible health and wellbeing provision to help address the health inequalities in the Borough.</p> <p>Public pay and play sports and leisure facilities are widely recognised as being services of public economic interest that are likely to require public subsidy in order to be viable. It is common for leisure trusts to receive (often significant) local authority grant funding.</p> <p>The above demonstrates that the level of subsidy is proportionate to the Council's policy objective and does not exceed the amount reasonably required by Hyndburn Leisure to enable it to continue to maintain the current level of service. The Council has not sought to meet the entirety of the Trust's funding gap and has required the Trust to find in-year savings and efficiencies over the next few years as part of its medium term financial strategy.</p> <p>In March 2025, Hyndburn Leisure set a budget with a forecast deficit of £0.7million. There was a reduction in the subsidy requested from £1m in 2024/2025 to £700,000 in 2025/2026 plus a forecast increase in annual attendances from 493,559 in 2024/2025 to 578,000 in 2025/2026. The subsidy level is predicted to reduce further in 2026/27.</p> <p>Hyndburn Leisure has taken active steps to reduce its operating costs and increase its income from other sources. For example:</p> <ul style="list-style-type: none"> • Late in 2024/2025 Hyndburn Leisure took over responsibility for procuring their own energy costs and were able to negotiate substantially reduced rates for the Leisure centres than had been possible through the Councils contract. This resulted in a reduction in the Kilowatt charge rate and the VAT rate, which has enabled savings of almost £300,000 per annum. • As all costs have risen with inflation Hyndburn Leisure have also renegotiated several of their other premises and supplies and services contracts and set a further savings target to be achieved in year to ensure the subsidy would be reduced from 2024/2025. • The opening of the Cath Thom Leisure Centre in October 2025 will also contribute towards increased attendances although in the first six months of operation the centre is not expected to make a financial surplus.

How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
	<ul style="list-style-type: none"> HL has an annual savings and growth plan and has demonstrated a year on year growth in trading income – 2023/24 - £2.63m, 2024/25 - £2.8m, 2025/26 - £3.15m (forecast), 2026/27 - £3.86m (budget). This has enabled the Council to reduce the annual subsidy payment. <p>The proposed annual subsidy in future years continues the year on year reduction since 2024/25, as follows:</p> <ul style="list-style-type: none"> 2026/2027 - £500,000 2027/2028 - £350,000 <p>The future years financial targets are linked to targets for improved attendance figures that will meet the policy objectives and return a reduced subsidy impact of £2.04 per visit to £0.50 per visit in 2027/2028.</p> <p>In addition, Hyndburn Leisure have agreed to continue funding the leisure passport initiative out of their own resources and to carry the cost of subsidising school holiday swimming sessions and funding armed forces discounts, rather than seeking to recover the cost of these from the Council. These matters will be built into the subsidy agreement between the Council and Hyndburn Leisure.</p> <p>Furthermore, conditions will be attached to the write-off of the trade debt as follows (and compliance with the same will be included in the subsidy agreement to be entered into with HL, subsequently monitored and reported on:</p> <ul style="list-style-type: none"> That the Council will require a statement of affordability from HL that will confirm their future ability to repay any debt or loans raised after 01/04/2025. This statement will be required to be confirmed by HL’s appointed external accountant / auditors. To enable HL to become less reliant on the Council for services such as payroll and utilities, the Council will require HL to make their own arrangements for procuring these services independently. It would be expected that a reasonable time for this would be within six months of this decision. That all future annual subsidy payments to HL will be agreed as part of the Councils budget process and paid at the beginning of the financial year to assist HL in managing its cash flow.

Step 4: carry out a balancing exercise, weighing the likely harms of the subsidy against its expected benefits

The subsidy control principles that apply here:

Principle G	The subsidy’s beneficial effects (in terms of achieving the specific policy objective) should outweigh any negative effects, including in particular, negative effects on competition and investment within the UK, and international trade and investment
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How does the subsidy comply with these principles?	Response to the principles (including references to supporting attachments)
<p>Set out details of the anticipated negative effects of the subsidy, the likelihood they will materialise and the extent of the harm if they do. Do not downplay the possible harms and recognise that all subsidy has the potential to distort competition and investment.</p> <p>Identify any:</p> <ul style="list-style-type: none"> • negative effects on competition and investment within the UK • negative effects on international trade and investment • negative geographical impacts • negative distributional impacts <p>Set out the benefits of the subsidy in relation to the specific policy objective.</p> <p>Explain why you consider that the negative effects are outweighed by the positive ones</p>	<p>As a local provider of leisure services, the proposed subsidy to Hyndburn Leisure will not have an effect on trade or investment between the UK and the EU. Similarly, there will not be a distortive effect within the UK as the majority of customers live within the Borough or very close by.</p> <p>Hyndburn Leisure has over 5,400 active members at their Hyndburn and Mercer Hall Leisure Centres (including Feel Good members). Mapping of members showed that 87% of the total live within the Hyndburn local authority area.</p> <p>Hyndburn Leisure has over 6,100 active members at Hyndburn Leisure Centre, The Cath Thom Leisure Centre and Accrington Academy (Fitness, Gymnastics and Learn to Swim members combined). Mapping of members showed that 87% of the total live within the Hyndburn local authority area.</p> <p>The proposed subsidy is considered to have minimal impact upon competition and investment, regionally or more locally. Those who use community leisure facilities are considered to attend facilities within reasonable travelling distance. As such the proposed benefits of supporting achievement of the policy objective are considered to easily outweigh any negative effect upon competition.</p>



Hyndburn
Leisure

ANNUAL IMPACT REPORT

2024/2025



Foreword from our Chair & Chief Executive



Ciaran Wells,
Chair of the Board



Lyndsey Sims,
Chief Executive of
Hyndburn Leisure

Hyndburn Leisure is committed to improving our community. As a charitable organisation, we ensure that every penny we make goes back into local facilities like gyms, community centres, and swimming pools, or to create new programmes that communities want and need, supporting people to lead healthy, happy lifestyles.

We don't have shareholders, and we're not a private business. We work with a range of stakeholders and partners, including Hyndburn Borough Council, listen to our communities, and are run by a Board of Trustees from the local community who all give up their time voluntarily to govern Hyndburn Leisure in pursuit of its objectives and mission.

As we reflect on the past year, we are reminded of the strength, adaptability, and commitment that define our organisation. This Impact Report serves not only as a record of our achievements and challenges but also as a testament to the collective efforts of our team, partners, and stakeholders who contributed to our continued progress.

In a landscape marked by both uncertainty and opportunity, we remained focused on our mission, prioritised innovation, and upheld the values that guide our work. From key milestones reached to the lessons learned along the way, this report captures the momentum we've built and the foundation we've laid for the future.

We invite you to explore the highlights of the year, each page reflecting the hard work, strategic thinking, and collaboration that drive us forward. As we look ahead, we do so with renewed purpose, confident in our ability to navigate change and pursue excellence in all that we do.

Thank you for being part of our journey.

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Our mission, vision and values

Mission: We inspire people to live healthier, happier lives through leisure, sport and culture – and help make our community a better place for everyone.

Our mission statement is a living, breathing thing; an approach that underpins every aspect of our work. We want to ensure that our team members can talk about our mission with confidence, and we aspire for it to be reflected clearly in the experiences and testimonials of our customers. It is at the root of all processes and decisions to keep us focused – and to keep us accountable. As such, we've worded it in a way that's direct, impactful, and easy to remember.

We know that getting people involved in physical activity, sport and culture means people are more active, which in turn leads to better health. People who engage in leisure and cultural activities also feel more connected to their community, which brings a myriad of individual and social benefits too. When we say it transforms lives, we really mean it.

Vision: Improving health – Building community – Transforming lives

Our vision is unapologetically ambitious. It's a statement of intent: where we want to be; where we see our future. Although it's a high-level statement rather than a nuts-and-bolts one, there are some clear goals underneath. Some of our desired outcomes are measurable; some less so. For example, we want to narrow the gap between physical activity levels in Hyndburn compared

to the England average and reduce health inequalities. We want members of our community to have access to high-quality, great value facilities and to make healthier choices like walking and cycling. We want our borough to feel vibrant, distinctive and prosperous.

We're certain about one thing: that there's no such thing as a small goal. Every little step forward helps to add up to the big picture of individual and community transformation.



Our values:

When we talk about values, we mean the core of who we are as an organisation and what we believe in. Like our mission and vision, they help to guide our work and our plans for the future.

As such, they provide an effective 'sense check'. Does everything we're planning fit with our values? If not, we've strayed too far from our central mission.

Where you'll see our values in action:

- In our recruitment processes
- In our employee appraisals and training
- In our dealings with partners and stakeholders
- In our internal and public-facing communication
- On our website and social media feeds
- In every customer interaction



Aspire

WHAT WE MEAN

- Keep learning
- Seek out opportunities
- Set goals & strive to achieve them
- Be forward-thinking
- Make a difference



Inspire

WHAT WE MEAN

- Be open, positive and dynamic
- Develop others
- Show by doing
- Share successes
- Take part and take others with you



Unite

WHAT WE MEAN

- Community comes first
- Values others' opinions and efforts
- Be actively inclusive
- Work with empathy and trust
- Believe we can do more together

Our strategic pillars and themes

We have four major pillars to our strategy: People, Provision, Partnerships and Performance. The pillars identify what we'll do. We also have ten delivery themes, each of which identifies how we'll do it.

Our People covers our aspiration to improve health and wellbeing for everyone in Hyndburn. 'Everyone' means all ages, all demographics, with a particular focus on positive experiences for young people. 'People' also includes our employees. Our team is our greatest asset, and at the forefront of delivering our vision. It's vital that we support them to feel healthier, more connected, and valued because that's the best way to achieve our wider goals.

Our Provision covers our leisure, culture and health provision - what it looks like, what it feels like, and how it reflects the wants and needs of the people we serve. We'll continue to be ambitious about the quality of the services we provide while still ensuring that our offering is put together in a 'bottom-up' way i.e. by listening, reflecting and adapting to our community.

Our Partnerships covers the connections we're building, from grassroots community groups to national funders. It's through uniting - locally, regionally, and nationally. We take an active approach to building relationships, and we're always on the lookout for opportunities that allow us to maximise or share resources. We talk clearly about what we're doing and looking for and we're heavily invested in our communities, so our existing networks are strong. However, we're not complacent - we know that relationships require care and attention in order to endure and thrive.

Our Performance is largely about how we are supporting more people to participate in leisure and cultural activities and our financial sustainability, especially in the context of providing sustainable, high-quality leisure, culture, and health provision. We aim to embed a positive, performance culture across the organisation and are working with industry experts to benchmark our performance against others and to identify further opportunities to improve. We remain focused on ensuring that we are capturing and sharing the stories that celebrate personal and community-wide achievements and can inspire others.

We have 10 key themes through which we are working to transform our vision into a reality.

- 1 An active, healthy start
- 2 An active, healthy life
- 3 Culture
- 4 Community development
- 5 Facility development
- 6 Environmental sustainability
- 7 Hospitality
- 8 Digital
- 9 Workforce
- 10 Marketing and engagement

A delivery plan has been produced for each theme. These plans are refreshed every year based on our current position, challenges, opportunities, and goals. Key metrics are also tracked and analysed, so that we can clearly demonstrate improvements and, more importantly, the outcomes that our customers are experiencing, which are shared in this annual impact report.



Our People

At the heart of our organisation is a dedicated, passionate, and resilient workforce that continues to go above and beyond in delivering meaningful, high-quality experiences for our customers. This year, more than ever, our people have demonstrated the strength of teamwork—supporting one another, adapting swiftly to challenges, and maintaining an unwavering focus on improving health and wellbeing in our communities.

From our frontline staff to our behind-the-scenes teams, collaboration remains one of our greatest strengths. We take pride in the way our people work together with professionalism, empathy, and purpose. Whether responding to operational pressures or innovating new ways to engage with our communities, our teams have consistently risen to the occasion with determination and unity.

Our workforce is united by a shared commitment to providing excellent customer experiences. Every interaction, whether in a leisure centre, at a community outreach event, or through a wellbeing programme, reflects our core values. Staff have played a key role in ensuring that every person who engages with us feels supported in their journey toward better health and wellbeing.

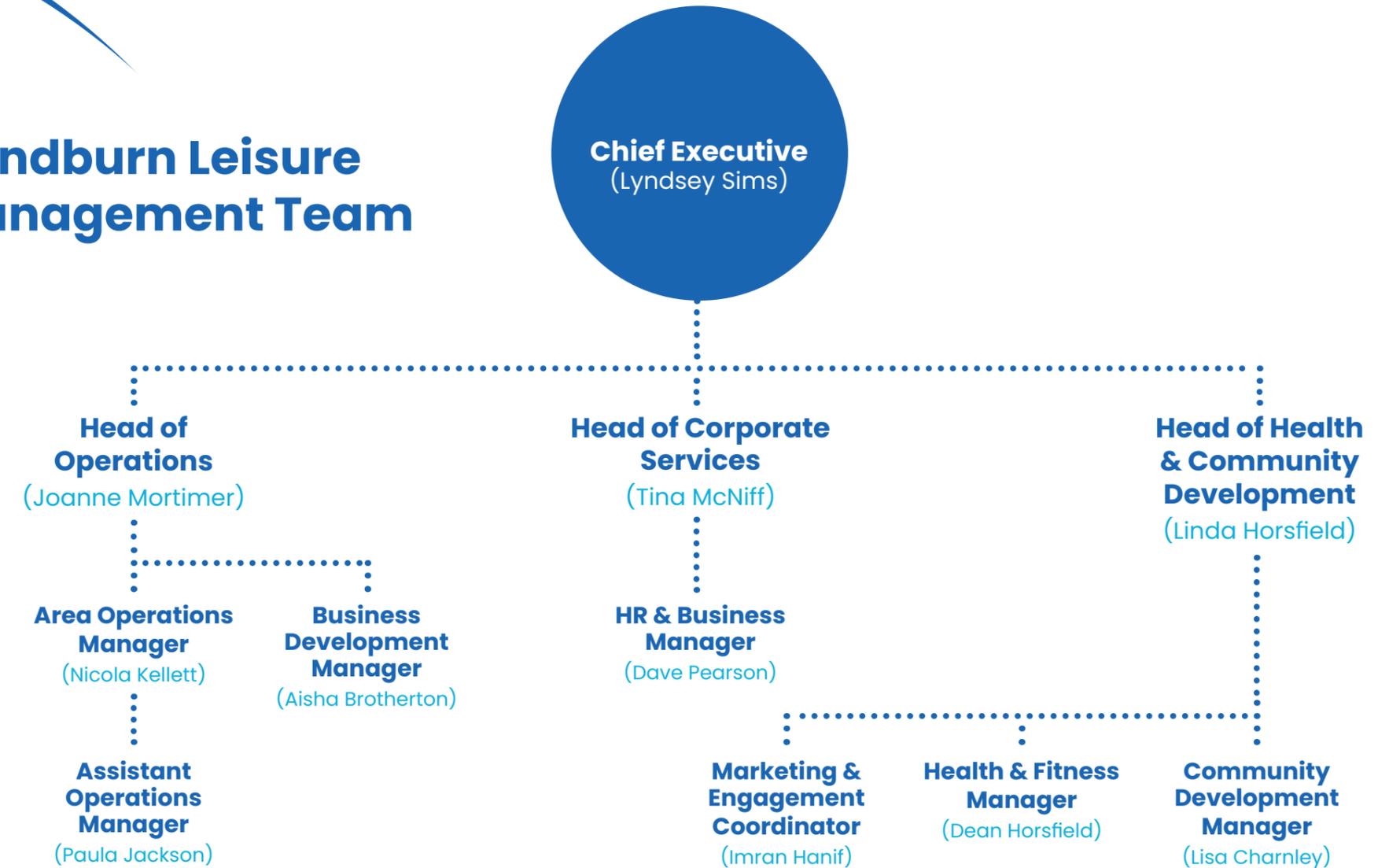
Thanks to the dedication of our people, countless customers have been inspired and supported to make life-enhancing changes. This year, we are proud to have helped people to:

- Learn to swim—building both skill and confidence in the water
- Improve their fitness levels and physical health
- Enhance their mental wellbeing through inclusive and mindful activities
- Form new friendships and social connections, combating isolation and creating a sense of belonging
- Enjoy high-quality creative activities and events

These outcomes reflect not only the value of our services but also the commitment of our teams to make a real difference in people's lives.

As we look to the future, we do so with immense gratitude for the dedication of our staff. Their continued energy, compassion, and teamwork will remain the driving force behind our mission. With their support—and the trust of our customers—we are confident in our ability to keep creating positive, lasting impact in the communities we serve.

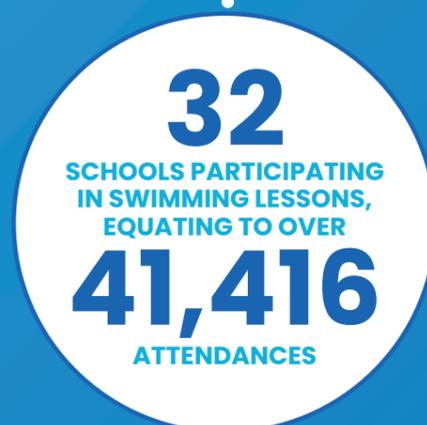
Hyndburn Leisure Management Team



Our People

By delivering our Business Strategy, we are working to:

- Increase participation levels
- Support people to reach their health & wellbeing goals
- Improve customer and employee satisfaction
- Develop our workforce



Our Provision

Our provision spans leisure, culture, and health, and is shaped by a deep understanding of the people and communities we serve. From fitness and swimming to arts, wellbeing, and social engagement, we deliver experiences that not only meet individual needs but also promote healthier, happier, and more connected lives.

Our services are intentionally designed to feel welcoming, inclusive, and empowering. Whether someone is learning to swim, improving their fitness, exploring creativity, or engaging with a wellbeing initiative, they are supported by skilled teams who care about creating positive, lasting impact.

We remain committed to a 'bottom-up' approach—listening to our communities, adapting our offer, and shaping provision around real-life needs and aspirations. This community-first model ensures our services are relevant, accessible, and responsive.

In the past year, we made significant strides in improving how we connect with our customers. We launched a new, user-friendly mobile app, giving people more flexibility and control to book activities, manage memberships, and stay informed on the go. Alongside this, our newly established contact centre has transformed how we handle enquiries—resulting in a 72% increase in call response rates, enhancing accessibility and customer satisfaction.

Clear, timely communication is now a cornerstone of our service delivery, helping us build stronger relationships with customers and respond more effectively to their feedback.

We also recognise the urgent need to operate sustainably. Throughout the year, we've taken steps to reduce our environmental footprint—making energy-efficient upgrades to our facilities, cutting waste, and working with suppliers who share our commitment to environmental responsibility.

Sustainability is now an embedded part of our decision-making, from procurement to program design, ensuring we contribute positively to the well-being of both people and planet.

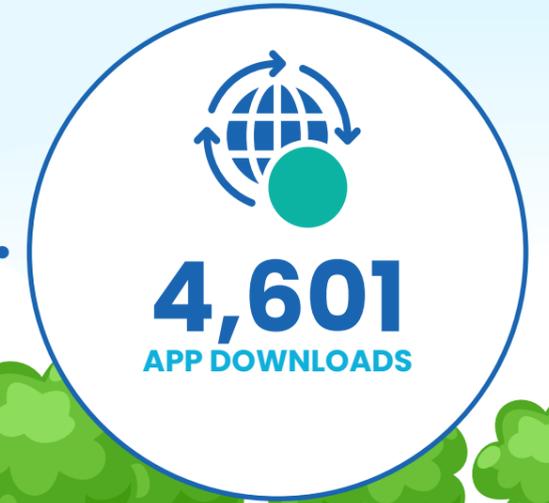
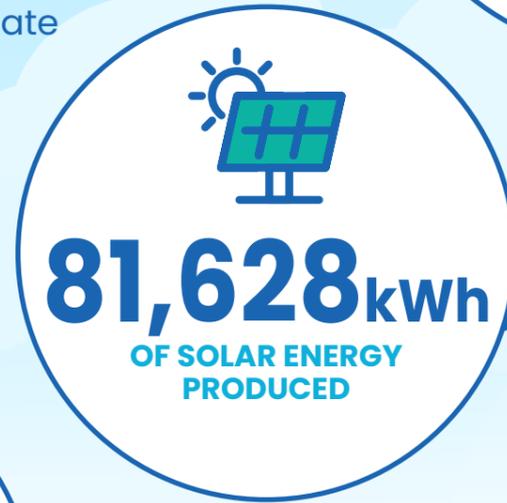
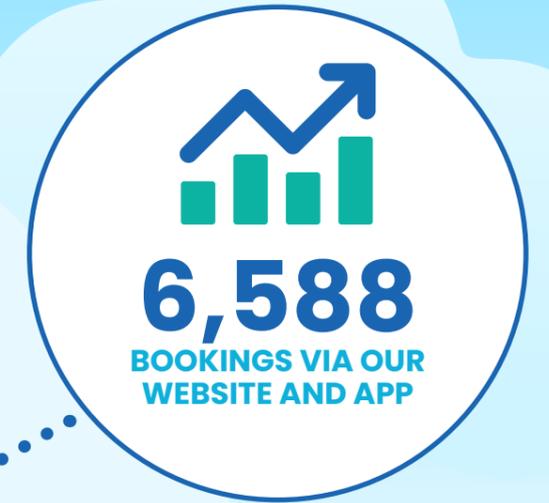
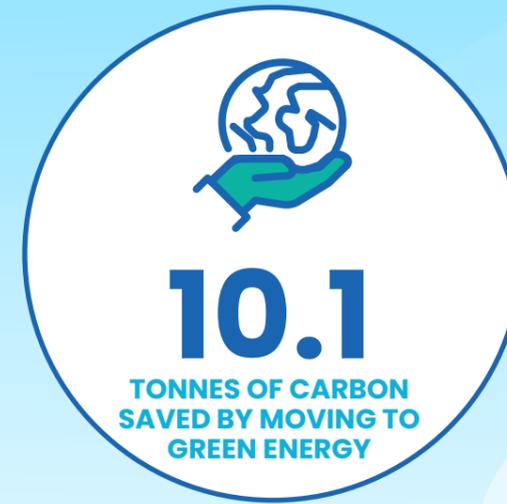
As we continue to evolve our leisure, culture, and health services, we do so with a clear ambition: to raise standards, deepen community impact, and lead with integrity. By prioritising environmental responsibility and customer connection, while staying true to our people-centred values, we're building provision that's fit for the future.



Our Provision

By delivering our Business Strategy, we are working to:

- Improve the quality of facilities
- Improve the quality of services and activities
- Improve how we communicate with our customers
- Reduce carbon emissions, contributing to the Council's net zero ambition



 **Hyndburn**
Leisure

Our Partnerships

Our mission to improve health and wellbeing is only possible through the strength of our partnerships. Over the past year, we continued to work hand-in-hand with a broad network of collaborators—leisure trusts, community organisations, healthcare providers, government agencies, suppliers, and other key stakeholders—to extend our reach, deepen our impact, and build healthier futures together.

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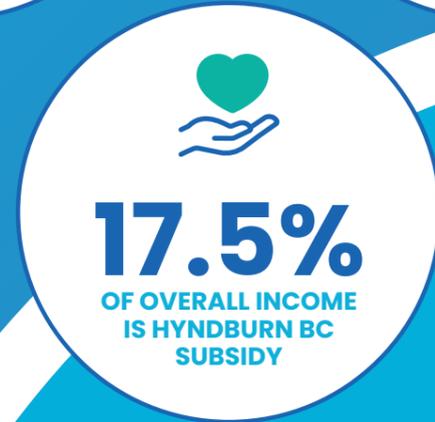
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- Introduce and utilise systems and processes to improve efficiency and measure progress
- Share the progress being made by our organisation
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Hyndburn
Leisure

ANNUAL IMPACT REPORT

2024/2025



Foreword from our Chair & Chief Executive



Ciaran Wells,
Chair of the Board



Lyndsey Sims,
Chief Executive of
Hyndburn Leisure

Hyndburn Leisure is committed to improving our community. As a charitable organisation, we ensure that every penny we make goes back into local facilities like gyms, community centres, and swimming pools, or to create new programmes that communities want and need, supporting people to lead healthy, happy lifestyles.

We don't have shareholders, and we're not a private business. We work with a range of stakeholders and partners, including Hyndburn Borough Council, listen to our communities, and are run by a Board of Trustees from the local community who all give up their time voluntarily to govern Hyndburn Leisure in pursuit of its objectives and mission.

As we reflect on the past year, we are reminded of the strength, adaptability, and commitment that define our organisation. This Impact Report serves not only as a record of our achievements and challenges but also as a testament to the collective efforts of our team, partners, and stakeholders who contributed to our continued progress.

In a landscape marked by both uncertainty and opportunity, we remained focused on our mission, prioritised innovation, and upheld the values that guide our work. From key milestones reached to the lessons learned along the way, this report captures the momentum we've built and the foundation we've laid for the future.

We invite you to explore the highlights of the year, each page reflecting the hard work, strategic thinking, and collaboration that drive us forward. As we look ahead, we do so with renewed purpose, confident in our ability to navigate change and pursue excellence in all that we do.

Thank you for being part of our journey.

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Our Partnerships	Page 13
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Our mission, vision and values

Mission: We inspire people to live healthier, happier lives through leisure, sport and culture – and help make our community a better place for everyone.

Our mission statement is a living, breathing thing; an approach that underpins every aspect of our work. We want to ensure that our team members can talk about our mission with confidence, and we aspire for it to be reflected clearly in the experiences and testimonials of our customers. It is at the root of all processes and decisions to keep us focused – and to keep us accountable. As such, we've worded it in a way that's direct, impactful, and easy to remember.

We know that getting people involved in physical activity, sport and culture means people are more active, which in turn leads to better health. People who engage in leisure and cultural activities also feel more connected to their community, which brings a myriad of individual and social benefits too. When we say it transforms lives, we really mean it.

Vision: Improving health – Building community – Transforming lives

Our vision is unapologetically ambitious. It's a statement of intent: where we want to be; where we see our future. Although it's a high-level statement rather than a nuts-and-bolts one, there are some clear goals underneath. Some of our desired outcomes are measurable; some less so. For example, we want to narrow the gap between physical activity levels in Hyndburn compared

to the England average and reduce health inequalities. We want members of our community to have access to high-quality, great value facilities and to make healthier choices like walking and cycling. We want our borough to feel vibrant, distinctive and prosperous.

We're certain about one thing: that there's no such thing as a small goal. Every little step forward helps to add up to the big picture of individual and community transformation.



Our values:

When we talk about values, we mean the core of who we are as an organisation and what we believe in. Like our mission and vision, they help to guide our work and our plans for the future.

As such, they provide an effective 'sense check'. Does everything we're planning fit with our values? If not, we've strayed too far from our central mission.

Where you'll see our values in action:

- In our recruitment processes
- In our employee appraisals and training
- In our dealings with partners and stakeholders
- In our internal and public-facing communication
- On our website and social media feeds
- In every customer interaction



Aspire

WHAT WE MEAN

- Keep learning
- Seek out opportunities
- Set goals & strive to achieve them
- Be forward-thinking
- Make a difference



Inspire

WHAT WE MEAN

- Be open, positive and dynamic
- Develop others
- Show by doing
- Share successes
- Take part and take others with you



Unite

WHAT WE MEAN

- Community comes first
- Values others' opinions and efforts
- Be actively inclusive
- Work with empathy and trust
- Believe we can do more together

Our strategic pillars and themes

We have four major pillars to our strategy: People, Provision, Partnerships and Performance. The pillars identify what we'll do. We also have ten delivery themes, each of which identifies how we'll do it.

Our People covers our aspiration to improve health and wellbeing for everyone in Hyndburn. 'Everyone' means all ages, all demographics, with a particular focus on positive experiences for young people. 'People' also includes our employees. Our team is our greatest asset, and at the forefront of delivering our vision. It's vital that we support them to feel healthier, more connected, and valued because that's the best way to achieve our wider goals.

Our Provision covers our leisure, culture and health provision - what it looks like, what it feels like, and how it reflects the wants and needs of the people we serve. We'll continue to be ambitious about the quality of the services we provide while still ensuring that our offering is put together in a 'bottom-up' way i.e. by listening, reflecting and adapting to our community.

Our Partnerships covers the connections we're building, from grassroots community groups to national funders. It's through uniting - locally, regionally, and nationally. We take an active approach to building relationships, and we're always on the lookout for opportunities that allow us to maximise or share resources. We talk clearly about what we're doing and looking for and we're heavily invested in our communities, so our existing networks are strong. However, we're not complacent - we know that relationships require care and attention in order to endure and thrive.

Our Performance is largely about how we are supporting more people to participate in leisure and cultural activities and our financial sustainability, especially in the context of providing sustainable, high-quality leisure, culture, and health provision. We aim to embed a positive, performance culture across the organisation and are working with industry experts to benchmark our performance against others and to identify further opportunities to improve. We remain focused on ensuring that we are capturing and sharing the stories that celebrate personal and community-wide achievements and can inspire others.

We have 10 key themes through which we are working to transform our vision into a reality.

- 1 An active, healthy start
- 2 An active, healthy life
- 3 Culture
- 4 Community development
- 5 Facility development
- 6 Environmental sustainability
- 7 Hospitality
- 8 Digital
- 9 Workforce
- 10 Marketing and engagement

A delivery plan has been produced for each theme. These plans are refreshed every year based on our current position, challenges, opportunities, and goals. Key metrics are also tracked and analysed, so that we can clearly demonstrate improvements and, more importantly, the outcomes that our customers are experiencing, which are shared in this annual impact report.



Our People

At the heart of our organisation is a dedicated, passionate, and resilient workforce that continues to go above and beyond in delivering meaningful, high-quality experiences for our customers. This year, more than ever, our people have demonstrated the strength of teamwork—supporting one another, adapting swiftly to challenges, and maintaining an unwavering focus on improving health and wellbeing in our communities.

From our frontline staff to our behind-the-scenes teams, collaboration remains one of our greatest strengths. We take pride in the way our people work together with professionalism, empathy, and purpose. Whether responding to operational pressures or innovating new ways to engage with our communities, our teams have consistently risen to the occasion with determination and unity.

Our workforce is united by a shared commitment to providing excellent customer experiences. Every interaction, whether in a leisure centre, at a community outreach event, or through a wellbeing programme, reflects our core values. Staff have played a key role in ensuring that every person who engages with us feels supported in their journey toward better health and wellbeing.

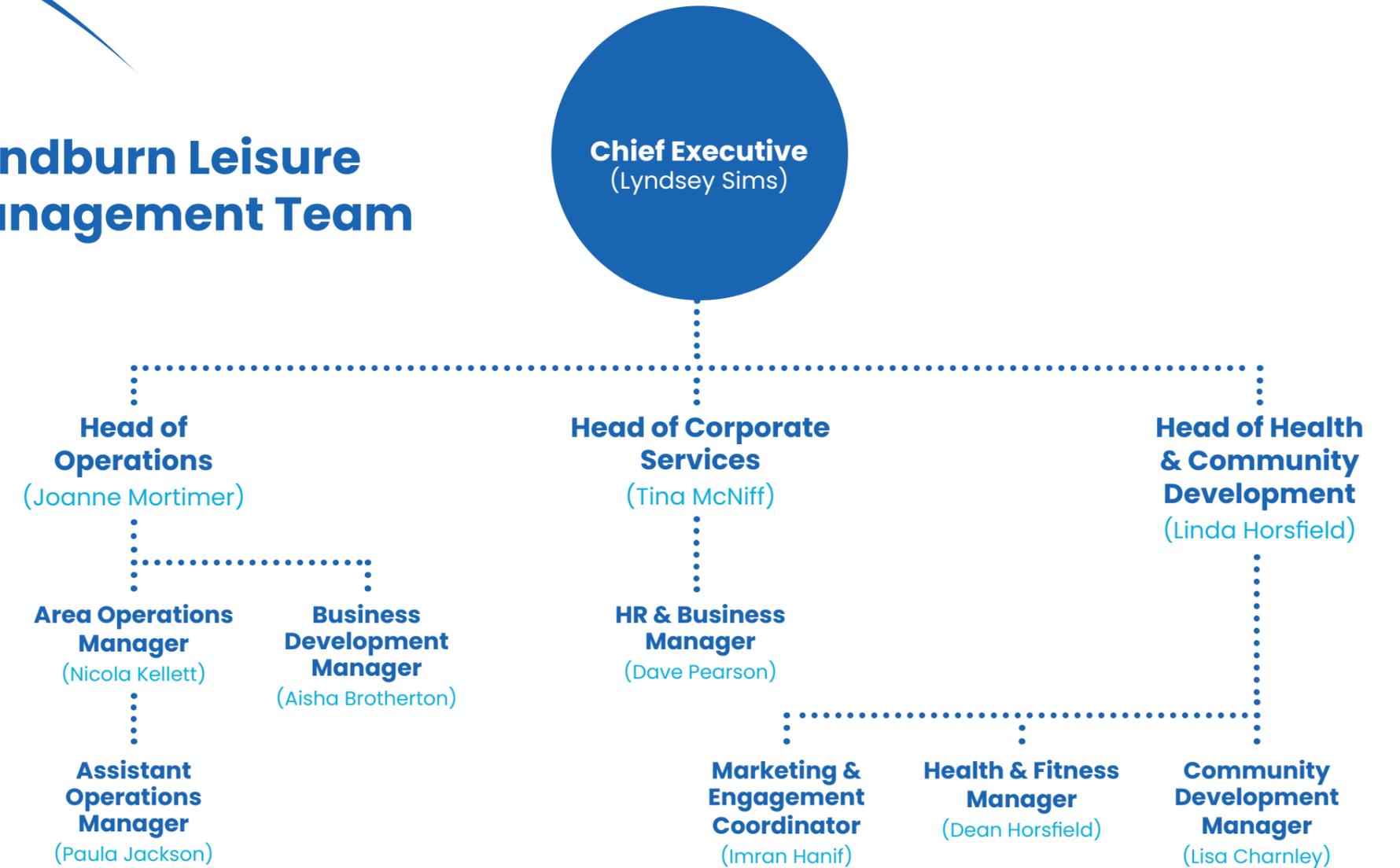
Thanks to the dedication of our people, countless customers have been inspired and supported to make life-enhancing changes. This year, we are proud to have helped people to:

- Learn to swim—building both skill and confidence in the water
- Improve their fitness levels and physical health
- Enhance their mental wellbeing through inclusive and mindful activities
- Form new friendships and social connections, combating isolation and creating a sense of belonging
- Enjoy high-quality creative activities and events

These outcomes reflect not only the value of our services but also the commitment of our teams to make a real difference in people's lives.

As we look to the future, we do so with immense gratitude for the dedication of our staff. Their continued energy, compassion, and teamwork will remain the driving force behind our mission. With their support—and the trust of our customers—we are confident in our ability to keep creating positive, lasting impact in the communities we serve.

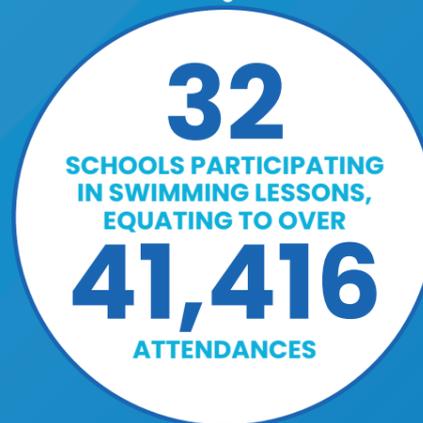
Hyndburn Leisure Management Team



Our People

By delivering our Business Strategy, we are working to:

- Increase participation levels
- Support people to reach their health & wellbeing goals
- Improve customer and employee satisfaction
- Develop our workforce



Our Provision

Our provision spans leisure, culture, and health, and is shaped by a deep understanding of the people and communities we serve. From fitness and swimming to arts, wellbeing, and social engagement, we deliver experiences that not only meet individual needs but also promote healthier, happier, and more connected lives.

Our services are intentionally designed to feel welcoming, inclusive, and empowering. Whether someone is learning to swim, improving their fitness, exploring creativity, or engaging with a wellbeing initiative, they are supported by skilled teams who care about creating positive, lasting impact.

We remain committed to a 'bottom-up' approach—listening to our communities, adapting our offer, and shaping provision around real-life needs and aspirations. This community-first model ensures our services are relevant, accessible, and responsive.

In the past year, we made significant strides in improving how we connect with our customers. We launched a new, user-friendly mobile app, giving people more flexibility and control to book activities, manage memberships, and stay informed on the go. Alongside this, our newly established contact centre has transformed how we handle enquiries—resulting in a 72% increase in call response rates, enhancing accessibility and customer satisfaction.

Clear, timely communication is now a cornerstone of our service delivery, helping us build stronger relationships with customers and respond more effectively to their feedback.

We also recognise the urgent need to operate sustainably. Throughout the year, we've taken steps to reduce our environmental footprint—making energy-efficient upgrades to our facilities, cutting waste, and working with suppliers who share our commitment to environmental responsibility.

Sustainability is now an embedded part of our decision-making, from procurement to program design, ensuring we contribute positively to the well-being of both people and planet.

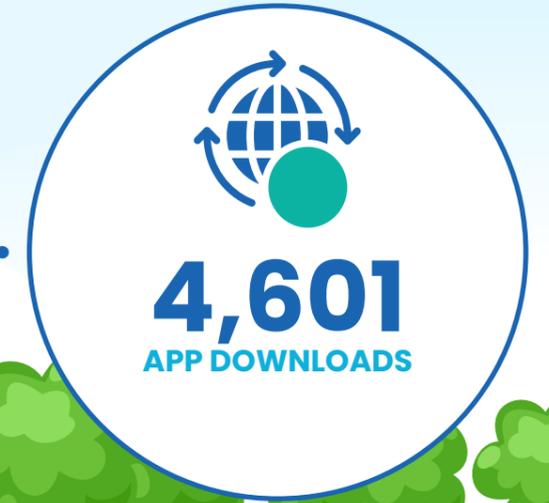
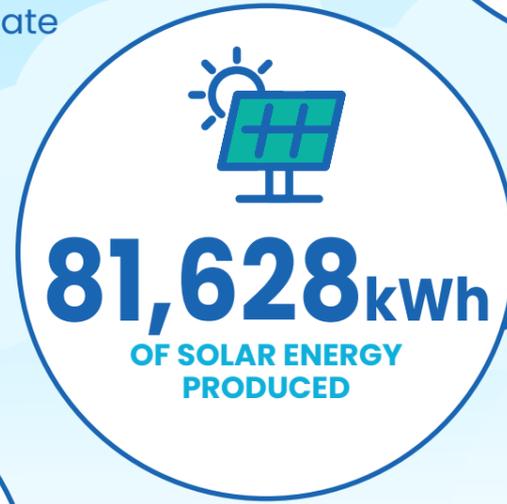
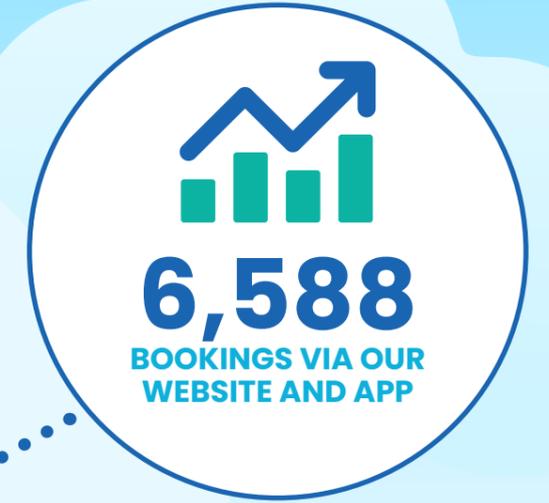
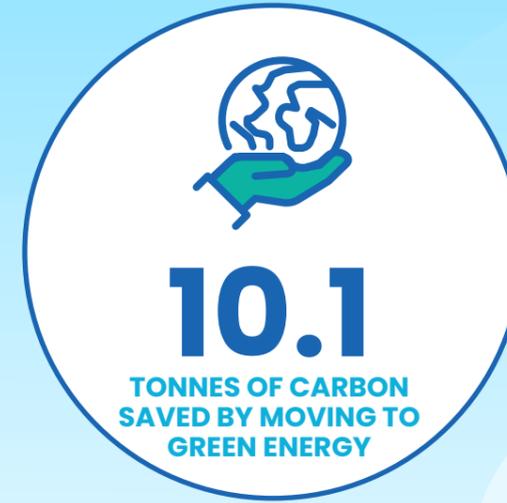
As we continue to evolve our leisure, culture, and health services, we do so with a clear ambition: to raise standards, deepen community impact, and lead with integrity. By prioritising environmental responsibility and customer connection, while staying true to our people-centred values, we're building provision that's fit for the future.



Our Provision

By delivering our Business Strategy, we are working to:

- Improve the quality of facilities
- Improve the quality of services and activities
- Improve how we communicate with our customers
- Reduce carbon emissions, contributing to the Council's net zero ambition



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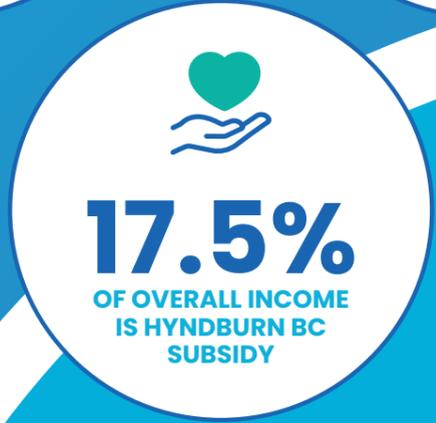
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Agenda Item 6.

REPORT TO:	Cabinet		
DATE:	18 March 2026		
PORTFOLIO:	Councillor Munsif Dad BEM JP - Leader of the Council		
REPORT AUTHOR:	Adam Birkett, Head of Planning and Transportation		
TITLE OF REPORT:	Article 4 Direction on Houses in Multiple Occupation		
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	Yes	If yes, date of publication:	10 March 2026

1.0 Purpose of Report

- 1.1 The purpose of this report is to present to Members the evidence for an Article 4 Direction made under the Town and Country Planning General Permitted Development Order 2015 (as amended) covering smaller houses in multiple occupation (HMOs) in the wards of Altham, Baxenden, Huncoat, Immanuel, Milnshaw, Overton and St Oswalds.
- 1.2 At the present time, change of use from dwellinghouses (use class C3) to smaller HMOs (properties occupied by 3 to 6 unrelated individuals) within the relevant wards do not require planning permission.

2.0 Recommendations

- 2.1 That Cabinet, having considered the evidence base attached as Appendix 1 to this report and being satisfied that there are grounds for an immediate Article 4 Direction as set out in section 3 of this report, approves the introduction of an immediate Article 4 Direction to remove the permitted development right that currently allows a property to change from Use Class C3 (dwellinghouse) to Use Class C4 (small House in Multiple Occupation) without planning permission, as set out in Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015, and such Article 4 Direction to apply within the wards of Altham, Baxenden, Huncoat, Immanuel, Milnshaw, Overton and St Oswalds.
- 2.2 That Cabinet also agrees to:

- i. Delegate authority to the Head of Planning and Transportation, in consultation with the relevant Portfolio Holder, to make any necessary minor amendments to the Evidence Base documents and to prepare the final draft of the Article 4 Direction and the associated notice .
- ii. Carry out a public consultation on the proposed immediate Article 4 Direction in respect of the proposed confirmation of the same pursuant to sections 107 and 108 of the Town and Country Planning Act 1990 and the Town and Country Planning (Compensation) (England) Regulations 2015 (as amended).
- iii. Delegate authority to the Head of Planning and Transportation, in consultation with the Portfolio Holder, to review the consultation responses and determine whether the Article 4 Direction should subsequently be confirmed, noting that the Direction will not continue to apply unless the same is confirmed by the Council within 6 months of being made.

3.0 Reasons for Recommendations and Background

- 3.1 The Council resolved in December 2024 to make a non-immediate Article 4 Direction removing the automatic right to change from Class C3 (dwellinghouse) to Class C4 (small HMO), as otherwise permitted under Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015. Evidence prepared to support the Article 4 Direction identified that some areas of the Borough had higher concentrations of HMOs, lower property values, and greater levels of deprivation. It was therefore recommended that permitted development rights be withdrawn within the nine most affected wards: Barnfield, Central, Church, Clayton-le-Moors, Peel, Netherton, Rishton, Spring Hill, and St Andrew's.
- 3.2 The Council confirmed the March 2026 Article 4 Direction on 17 November 2025. The Direction will take effect on 15 March 2026.
- 3.3 A further exercise has now been undertaken to establish whether evidence exists to support a further Article 4 Direction in the remaining seven wards: Altham, Baxenden, Huncoat, Immanuel, Milnshaw, Overton and St Oswalds.
- 3.4 Paragraph 54 of the NPPF states that the use of Article 4 directions to remove national permitted development rights should be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area and in all cases, be based on robust evidence, and apply to the smallest geographical area possible.
- 3.5 Where permitted development rights are removed, the effect is that developers are required to submit a planning application for such proposals (in this case a change from Class C3 (dwellinghouse) to Class C4 (small HMO)). This will allow the effects of a proposed HMO on an area's amenity and the local community to be taken into consideration as part of the planning application process.

3.6 One of the shared aims of the Corporate Strategy (2023-2028), the adopted Hyndburn Core Strategy and the emerging Hyndburn Local Plan is to provide for a greater choice and quality of housing in the Borough. To help deliver this objective the Core Strategy sets out a number of key priorities:

- To provide sufficient housing of the right size and type to meet local needs, including those in need of affordable and supported housing or requiring larger family homes, higher value homes and homes to cater for an aging population. This will provide a more balanced housing supply with a choice of property types and tenure.
- To ensure that all new property will be built to high standards, in sustainable locations, making the best use of brownfield land and to designs which minimise carbon emissions and relate well to local character.
- To ensure that areas of low demand housing are regenerated with a wider range of improved and new housing and supporting facilities, including local health centres and public open spaces.

3.7 The Core Strategy recognises that access to good quality affordable housing is an essential human need and is vital to the creation of sustainable, mixed communities. The provision of a balanced housing market within Hyndburn is a key priority and the Core Strategy seeks to achieve this primarily through the development of larger family homes in sustainable locations.

3.8 The Hyndburn 2040 Local Plan (Strategic Policies and Site Allocations) is now at Main Modifications stage in plan-making. The policies in the plan should now be considered to carry substantial weight. Policy SP11 (Suitable Range of Housing) particularly relates to the development of new apartments and Houses in Multiple Occupation (HMOs) in Hyndburn. It states that the Council will seek to ensure that an appropriate range of housing is delivered in the plan period. New apartment developments (including Houses of Multiple Occupation) will only be supported where they would maintain the prevailing character and setting of the local area and are either:

- a) within town centres or within walking distance (250m or closer) of town centres.
- b) part of high-quality development in canal-side locations where the regeneration benefits of this type of development can be demonstrated;
- c) part of strategy housing development where there is a need to provide a wider range of housing types;
- d) in locations that are well served by public transport and the development would secure the efficient use of land; or
- e) part of a scheme that would involve the reuse or adaptation of a historic mill building in an appropriate location.

3.9 The explanatory text in paragraph 6.31 also notes that, “New apartment developments and Houses in Multiple Occupation (HMO) in Hyndburn will only be supported in the

appropriate locations set out in Policy SP11 where they are well designed in terms of their appearance, size and setting. The Nationally Described Space Standards (NDSS), which set out minimum space standards and room sizes have been adopted by the Council for all new housing developments (where viable), which includes the new build of (and conversion of existing buildings to) flats/apartments or HMOs”.

- 3.10 The Inspector at the examination of the Local Plan did not make any main modifications to Policy SP11 in the emerging plan and it is therefore considered to carry substantial weight in decision making.
- 3.11 This policy framework was established in response to the housing problems that have historically been witnessed in Hyndburn. At its worse, the Borough suffered housing market failure due to the high concentrations of poor-quality terraced houses coupled with low demand, contributing to high levels of deprivation in central areas of Hyndburn. Whilst much has been done to help address these issues, the 2025 Indices of Deprivation shows that large areas of the Borough still suffer from high levels of deprivation. These areas are characterised by having:
- High density of terraced and low value housing
 - High numbers of rented properties
 - Higher than average health issues
 - Low average wages
 - Higher than average number of people on allowances
 - Higher rates of crime and disorder
 - Poor quality environment
- 3.12 At a time when corporate policies are seeking to improve the quality of housing across Hyndburn, there is a concern that the uncontrolled development of HMOs in these areas will serve to lower the quality of housing and only serve to increase the social problems experienced in these areas. Higher than average concentrations of rented properties and houses in multiple occupation may have an unacceptable adverse impact on the socio-economic profile of these areas and as a consequence may result in families moving out and contributing to a spiral of decline at a time when the Council is working to improve these areas.
- 3.13 The main driver for the increase in HMOs appears to be the low property prices in the Borough coupled with a lower wage economy, which generates higher numbers of residents seeking lower affordable rents. In many cases this is the only way some residents can access the housing market. This type of property provides a higher yield to owners for a lower initial input. Hyndburn continues to be one of the lowest places in the country for property prices, even though HMOs often sell, once converted, for a higher price.
- 3.14 It is important to acknowledge that HMOs have widened the housing choice within the Borough, particularly providing affordable accommodation for young professionals,

alongside low-income households who may be economically inactive or working in low paid jobs, and it is believed it has assisted in tackling the issues of a large number of vacant dwellings within the Borough. HMOs operated by government partnerships also provides essential temporary accommodations for asylum seekers, homeless people, ex-offenders, etc.

- 3.15 Under current planning rules, planning permission is required for the use of a property as a house in multiple occupation if it is to be occupied by more than 6 people. Since the majority of houses in Hyndburn's inner areas and many of the other wards within the Borough are smaller Victorian terraces, the use of these properties as smaller HMO's do not require planning permission.
- 3.16 In 2012, the Government introduced permitted development rights that meant that HMOs occupied by 6 or less occupants did not require planning permission. From this point on it was very difficult to monitor the numbers of properties being converted into HMOs. It would also appear that around 2021 to 2023 there was an uplift in properties being purchased for conversion. HMOs with 5 persons or more, or that comprise two or more households, require a licence from the Council, so these properties can still be monitored.
- 3.17 As of February 2026, it is estimated that there are approximately 502 HMOs in the Borough. Since the decision in 2024 to make a limited Article 4 Direction in 9 wards in the Borough, work has been ongoing to try and identify HMOs. Though there is a concentration of smaller HMOs within the central urban areas, there are smaller HMOs in all wards in the Borough.

The Need for an Article 4 Direction

- 3.18 The communities in Hyndburn face a wide range of socio-economic challenges. Since the report in December 2024¹, the latest Indices of Deprivation has been published in October 2025. Since the last publication in 2019 Hyndburn's overall ranking on the Indices has remained the same, 16th out of 317 local authorities. Hyndburn had seen a steady decline in ranking, but this seems to have been halted with the publication of the latest Indices.
- 3.19 Looking at the Lower Super Output Areas split into their ward components, in comparison with the 2019 Indices of Deprivation this shows that nearly all the wards in Hyndburn, with the exception of Huncoat, has in some part gone up in terms of their rankings. This means that they have become more deprived in one or more of the measures of deprivation.
- 3.20 Many of Hyndburn's Wards are within the top 10% of the most deprived wards in England when measured against a variety of indicators, and a similar number are also in the top 20% most deprived. It is particularly worth noting that in the 2025 Indices of

¹ [Cabinet Report - Houses in Multiple Occupation and Children's Care Homes – 4 December 2024](#)

Deprivation there are now 14 Wards that are score in the 10% most deprived in the 'Living Environment' decile which assesses the quality of both indoor and outdoor local environments.

3.21 The report at Appendix 1 sets out the evidence supporting the introduction of an Article 4 Direction in the remaining seven wards within Hyndburn. It is considered that there is sufficient evidence to support the making of an Article 4 Direction to remove aforementioned permitted development rights in the wards of Altham, Baxenden, Huncoat, Immanuel, Milnshaw, Overton and St Oswalds.

Options for Introducing a New Article 4 Direction

3.22 There are two types of Article 4 Direction:

- Non-immediate Article 4 Direction: This requires a minimum 21-day period of public consultation before the Article 4 Direction can be made and notice of the Direction must be published not less than 12-months before the Direction takes effect in order to ensure there are no compensation provisions.
- Immediate Article 4 Direction: This takes effect as soon as the Direction is made, removing permitted development rights immediately before consultation. However, the Direction must be 'confirmed' by the local planning authority within six months following a period of public consultation. As an immediate Direction withdraws permitted development rights without notice, the Council is liable for losses incurred by those who apply for planning permission within 12 months of the Direction and are refused or is granted subject to conditions. Section 107(1)(b) of the Town and Country Planning Act 1990 states that a person is entitled to compensation if they have "incurred expenditure in carrying out work which is rendered abortive by the revocation or modification or has otherwise sustained loss or damage which is directly attributable to the revocation or modification."

3.23 The evidential threshold required to justify an immediate Article 4 Direction is higher than that for a non-immediate Direction. Immediate Directions require evidence that the permitted development presents an immediate threat to local amenity or prejudices the proper planning of an area. This is a higher threshold to cross than the evidence base needed for a non-immediate Direction, where the Council only need prove that the Article 4 Direction is necessary to protect local amenity or well-being of an area. The evidence set out in Appendix 1 indicates that there is a strong basis for intervention and could support the making of an immediate Direction if the Council considered this necessary.

3.24 When considering the introduction of a new Article 4 Direction, the Council has two further potential options.

3.25 The first option would be to withdraw and replace the existing March 2026 Article 4 Direction, which is due to come into effect on 15 March 2026, with a single borough-

wide Article 4 Direction. While this approach would provide a simplified framework with one clear map and a consistent set of restrictions across the Borough, it would also create the potential for the entire Direction to be subject to legal challenge.

- 3.26 The second option would be to retain the existing March 2026 Article 4 Direction and introduce a separate Article 4 Direction covering the remaining seven wards. The March 2026 Article 4 Direction is considered to be legally robust and has not been subject to challenge. Under this approach, only the newly introduced Direction would carry a potential risk of challenge.
- 3.27 Having considered the above options, it is recommended that the March 2026 Article 4 Direction remains in place and that a second Article 4 Direction is introduced to cover the remaining wards. This approach is considered to present a lower level of risk of legal challenge, would minimise the scope for future compensation claims and would involve less administrative work for the Council.

4.0 Alternative Options considered and Reasons for Rejection

- 4.1 There are alternative options open to Cabinet - firstly where the Article 4 Direction should apply and secondly, what type of Article 4 Direction should apply:

Do not take forward the HMO Article 4 Direction within the remaining 7 Wards of the Borough

- 4.2 One option would be to not introduce an Article 4 Direction, in which case conversions to small HMOs would remain permitted development across the remaining 7 Wards within the Borough. The position could be monitored for a set period with a further report to Cabinet being mandated. This option carries a risk that smaller HMOs will be difficult to identify and monitor, and also that they would proliferate in those wards, possibly as a result of some displacement of HMO's from the parts of the Borough covered by the existing March 2026 Article 4 Direction. Therefore, this option is not one recommended to take forward.

Whether to make an Immediate or non-Immediate effect Article 4 Direction

- 4.3 A Direction with immediate effect can withdraw permitted development rights straight away; however, it must be confirmed by the local planning authority within six months of coming into effect in order to remain in force. Confirmation can only occur after the local planning authority has undertaken local consultation in accordance with Sections 107 and 108 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Planning (Compensation) (England) Regulations 2015 (as amended).
- 4.4 As set out above, compensation provisions apply to Directions that take immediate effect. By contrast, a non-immediate Direction may be made giving at least 12 months' notice before it comes into force, thereby removing the potential for compensation claims once the Direction is in effect.

4.5 While the evidence set out in this report indicates that there is a strong planning basis for intervention, the level of financial risk associated with making an immediate Article 4 Direction is difficult to quantify. Given the evidence of relatively high numbers of HMOs within the Borough, and the factors identified which contribute to the demand for the conversion of properties to HMOs, there is the potential for compensation claims to arise if an immediate Direction is pursued. The Council does not have complete information on the location of all such properties and there may be additional properties not currently identified. Furthermore, the possibility of speculative planning applications being submitted for the purpose of establishing a basis for compensation claims cannot be discounted.

4.6 Having regard to the above considerations, it is for members to determine whether they would prefer to make a non-immediate Direction, which would remove the financial risks to the Council whilst still addressing the planning concerns, although at a slower pace.

5.0 Consultations

5.1 If members decide to make an immediate Article 4 Direction, then a consultation process will be required prior to confirmation of the Direction, as explained in section 4.3 above.

5.2 Should Cabinet be minded to approve a non-immediate effect Article 4 Direction the process is as follows:

- Make Direction and serve notice locally and to the Secretary of State with a consultation period of six weeks including:
 - Advertisement in the local press
 - Display of the Article 4 Direction Notice at all libraries within Hyndburn Accrington, Great Harwood, Oswaldtwistle, Rishton libraries for a period of 6 weeks
 - Display of Notice in Accrington Town Hall
 - Notice published on the Council's web pages.
 - Correspondence to statutory consultees and other bodies
 - Consultation with Landlords and Property Agents
 - Send a copy of the Direction and the Notice Secretary of State
- Collate comments and provide Council response to comments made during consultation*.
- After consultation has concluded, and should no amendments be felt necessary, as a result of considering the responses, the making of the Article 4 Direction will be confirmed.
- If confirmed, publish notice of the confirmation of the non-immediate Article 4 Direction.

- Give notice of confirmation of the Article 4 Direction to relevant bodies including the Secretary of State.
- Article 4 Direction takes effect no less than 12 months after it was made.

Note *If the consultation results in any representation that the Council considers necessitate ‘material changes’ to the document, then this would require a further round of consultation, which may alter the timetable relating to the date the Direction notice may be confirmed or brought into force.

5.3 The process for making an immediate Article 4 Direction is as follows:

- The Council makes the Direction and notifies the Secretary of State and Lancashire County Council.
- The Article 4 Direction will be publicised by the Council by placing a notice in a local newspaper, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council’s website. At this point the Direction comes into immediate effect.
- Once the direction is made, a six-week consultation will be carried out.
- After consultation has concluded, and should no amendments be felt necessary, as a result of considering the responses, the making of the Article 4 Direction will be confirmed. This must be done within 6 months of the Direction coming into effect or it will cease to apply. The Secretary of State must be advised of confirmation of the Direction and be provided with a copy of the same.

6.0 Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>If the Council makes an immediate Article 4 Direction, then it may be liable to pay compensation as explained in section 4 of this report. The likelihood and number of such claims, and the possible cost of compensation payments, cannot be determined and there is currently no provision in the budget for expenditure in this regard.</p> <p>If the Council makes a “non-immediate” Article 4 Direction it would not be liable for the potential compensation claims associated with an “immediate” Article 4 Direction as set out in Section 4 of this report.</p>
<p>Legal and human rights implications</p>	<p>The Equality Act 2010 introduced a new public sector equality duty under section</p>

	<p>149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to: 1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. 2. Advance equality of opportunity between people who share a protected characteristic and those who do not. 3. Foster good relations between people who share a protected characteristic and those who do not. Detailed assessment is provided within the Customer First Analysis and is appended to this paper at Appendix 2.</p> <p>If an immediate Article 4 Direction is made the Council is required to give public notice of the same, giving prescribed information. The Council must also advise Lancashire County Council of the making of the Direction, together with the Secretary of State.</p> <p>It should be noted that the Secretary of State has powers to intervene at any point after the making of the Direction to alter the geographical extent of the Direction, amend or stop the direction from taking effect completely. However, this is rare in the case of Article 4 Directions relating to HMOs.</p>
<p>Assessment of risk</p>	<p>If a non-immediate Article 4 Direction is made, the principal risk concerns the extent to which smaller HMOs will proliferate during the period from the Cabinet meeting date until the final making of the Article 4 Direction and the publication of the Notice. This risk is difficult to judge in terms of its impact. If there is a proliferation of these types of properties it could have a further detrimental impact on the Borough but it</p>

	<p>does take time to purchase and convert a property so some of that risk would be mitigated against. The situation would be monitored in terms of information obtained by the Housing Standards Team within the Council.</p> <p>If an immediate Article 4 Direction is made there is a higher risk of legal challenge, potentially via judicial review.</p> <p>In addition, an immediate Direction carries the risk of compensation being payable. It is not possible to determine the likelihood and possible amount of such payments with any accuracy. This risk would be removed by the making of a non-immediate Direction, although the latter would not take effect for 12 months during which time further planning detriment could occur from the creation of the further HMO's in the wards concerned pursuant to permitted development rights.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Customer First Analysis is appended to Appendix 1 of this report.</p>

**7.0 Local Government (Access to Information) Act 1985:
List of Background Papers**

[Cabinet Report - Houses in Multiple Occupation and Children's Care Homes – 4 December 2024](#)

[Resources Overview & Scrutiny Committee Report - The Impact of HMOs in the Borough – 10 December 2025](#)

Appendix 1 - Evidence to Support Hyndburn Article 4 Direction

8.0 Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

Agenda Item 7.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Councillor Melissa Fisher - Deputy Leader of the Council (Housing and Regeneration)	
REPORT AUTHOR:		Mark Hoyle, Head of Regeneration and Housing	
TITLE OF REPORT:		Huncoat Garden Village – authorisation for making a Compulsory Purchase Order (CPO) for the proposed Relief Road (Huncoat Lane)	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	Yes	If yes, date of publication:	10 March 2026

1. Purpose of Report

- 1.1 To provide Cabinet with an update on the Huncoat Garden Village Project.
- 1.2 To update Cabinet on progress to date with the acquisition of interests in the land required to enable construction of the proposed residential relief road (Huncoat Lane) at Huncoat Garden Village.
- 1.3 To invite Cabinet to authorise the making of a Compulsory Purchase Order (CPO) under Section 226 (1)(a) and 226(3)(a) of the Town and Country Planning Act 1990 to acquire compulsorily land, together with existing rights and interests in land required to construct the proposed Huncoat Lane where agreement cannot be reached in order to deliver the proposed new relief road Huncoat Lane, which forms part of the Huncoat Garden Village proposals.
- 1.4 The draft Statement of Reasons is attached at Appendix A to this report. The CPO Plan identifying the Order Land edged in red is attached at Appendix B to this report, and the full details of the interests and rights comprised in the Order Land are set out in the Order Schedule at Appendix C. To assist the Council in understanding the equality and diversity implications of this report an Equality Impact Assessment report is attached at Appendix D
- 1.5 This report also seeks approval for the Head of Regeneration and Housing, following consultation with the Executive Director (legal and Democratic Services) to agree

compensation and acquisition payments where this will avoid the need to compulsorily purchase interests.

2. Recommendations

I recommend that Cabinet:

- 2.1 Note the progress being made with the Huncoat Garden Village (HGV) project.
- 2.2 Having concluded that the acquisition of all interests in the Order Land will facilitate development of the land required for the construction of the proposed residential relief road (Huncoat Lane), (the “Scheme”), which is essential to unlock land for the HGV project, note that the Scheme therefore is likely to contribute to the achievement of the following objectives:

2.2.1 The promotion or improvement of the economic well-being of the area

2.2.2 The promotion or improvement of the social well-being of the area

2.2.3 The promotion or improvement of the environmental well-being of the area

Resolves to take all necessary steps to make and secure the confirmation and implementation of a Compulsory Purchase Order (the “Order”) pursuant to section 226 (1)(a) and 226(3)(a) of the Town and Country Planning Act 1990 (‘the 1990 Act’) to acquire compulsorily all or part of the land shown shaded pink and edged red on the plan (Order Land) attached at Appendix B entitled “Map referred to in the Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026”, together with all rights and interests affecting the land (which may be extinguished or overridden), in order to enable the delivery of the proposed residential relief road, known as Huncoat Lane, forming part of the HGV project. Those steps include the publication and service of all notices and the presentation of the Council’s case at any public inquiry if required.

- 2.3 That Cabinet resolves to delegate authority to the Head of Regeneration and Housing: To finalise the wording of the Order and the Statement of Reasons and to make any final adjustments as may be necessary to reduce the boundaries of the Order Map and take all steps necessary to make and confirm the Order;
 - To take all steps to seek to acquire any or all of the necessary interests in the Order Land by agreement or by implementing any confirmed compulsory acquisition powers;
 - To remove from the Order any plot (or interest therein) no longer required to be acquired compulsorily, to amend the interests scheduled in the Order (if so advised) and to request that the Secretary of State makes any changes to the Order prior to confirmation as may be appropriate;
 - To negotiate and agree the terms of such acquisitions, settle claims for compensation and enter into such agreements or deeds necessary for the acquisition of all or part of the Order Land;
 - That if the Secretary of State authorises the Council to do so, confirm any Order made;

- 2.4 Resolves to utilise, where appropriate, either the general vesting declaration procedure under the Compulsory Purchase (Vesting Declarations) Acts 1981 or the notice to treat procedure under Section 5 of the Compulsory Purchase Act 1965 in respect of the confirmed Order.
- 2.5 Agrees, under section 6 (4) of the Acquisition of Land Act 1981 to dispense with individual service of notices in respect of land where the Council is satisfied that it has not been possible following the making of reasonable inquiry to establish ownership of the land in question and for the service of notices in the manner set out in section 6 (4) of the Acquisition of Land Act 1981.
- 2.6 Confirms that, in agreeing to recommendations 2.1 – 2.6 above, Cabinet has considered the provisions of the Human Rights Act 1998 so far as they are applicable in deciding whether to make the Order and to exercise all other statutory powers that the Council seeks to exercise and resolve the following:
- With regard to Article 1 Protocol 1, it is considered that the interference with the individual's land is justified by the advantages accruing to the public by proceeding with the development of the proposed link road particularly taking into account the fact that there is a legal right to compensation for the property taken and any rights extinguished under the Order.
 - With regard to Article 8 of Protocol 1, it is considered that in balancing the rights of the individuals who are affected by the Order against the benefit to the community of proceeding with the Order, the making of the Order resulting in the interference with the individuals rights is justified in the interest of improving the economic, social and environmental wellbeing associated with the Scheme and wider HGV project.
- 2.7 Confirms that, in agreeing to recommendations 2.1 - 2.6 above, Cabinet has had due regard to the Equality Act 2010, including the public sector equality duty in section 149 of the latter.
- 2.8 Note the overall cost estimates, including the estimated acquisition costs of those interests which are still to be acquired and the fees for making the Order will be met from existing Council budgets.

3. Reasons for Recommendations and Background

HGV Project Update

- 3.1 HGV forms a key part of Hyndburn Borough Council's growth plans. It is a residential-led, housing development project with the potential to transform the housing market within Hyndburn. HGV will bring back into use the site of the former Huncoat Power Station, and the site of the former Huncoat Colliery, to create an extension to the existing Huncoat village using new garden community principles. It will deliver circa 1,800 new homes of mixed tenure (including affordable and social housing), over a circa 15-year period, alongside a new local centre meeting amenity needs, an expanded primary

school, 24 hectares of strategic and functional open space, including a safeguarded area of ecological importance, new woodland and networked open space, and infrastructure in the form of the Scheme, car parking provision at Huncoat Railway Station, and localised road junction upgrades as required.

3.2 The Council has successfully secured circa £29.90 million from the Government's Brownfield, Infrastructure and Land Fund ("BIL Funding") which is managed by Homes England. The secured funding covers the cost of land acquisition and delivery of the Scheme. Money within the BIL Funding is also allocated for remediation works to the two largest sites within HGV at the former Huncoat Power Station and the former Huncoat Colliery as well as improvement works at Junction 8 of the M65 to the north of Huncoat which is at capacity.

3.3 The Council continues to make good progress on the HGV project, including:

3.3.1 In July 2025, the Council notified Homes England that some agreed milestones within the project would not be met and as such an extension to the funding availability period would be required. A revised programme, expenditure forecast, updated milestones and supporting narrative was submitted to Homes England with a request for an extension of the funding period to 31st March 2029, to be approved by way of an Assurance Review.

3.3.2 The Assurance Review assessed the revised programme to ensure it fitted with Homes England's corporate governance, managed financial risks effectively, and complied with government standard.

3.3.3 The Council received written confirmation from Homes England on the 6th of March 2026 that the Assurance Review process had approved the revised programme milestone and extension of the funding availability period to 31 March 2029, subject to satisfaction of the following conditions:

- a new milestone being inserted into the grant funding agreement, (via a Deed of Variation), setting the date by which the Council will have to have addressed the recommendations of the Assurance Review;
- confirmation that the Subsidy Control position on the project remains unchanged & compliant;
- confirmation in writing from that the Council accepts full responsibility for any cost overruns, setting out how these would be covered;
- confirmation the Council will be responsible for meeting all costs not incurred and claimed before the revised Availability Period of 31 March 2029 from its own resources.

The Council is already in the process of complying with these additional conditions and is confident that they will be satisfied in a timely manner.

3.3.4 The planning application for the Scheme is expected to be considered by Hyndburn Planning Committee on the 11th of March 2026.

3.3.5 The Design Code for the project was approved by the Council's Cabinet on the 18th June 2025.

3.3.6 The Council's publication Draft Local Plan was subject to public examination in September 2025. At its meeting on the 15th of January 2026, Full Council approved the consultation on the main modifications to the draft Plan which the appointed independent inspector has identified as necessary for the Plan to be found sound and legally compliant. Policy SP2 within the draft Plan sets out HGV as a strategic location for housing growth, and the main modifications continue to support HGV policy which includes site allocation and the Scheme.

3.3.7 Eric Wright Civil Engineering has been selected as the preferred bidder to construct the proposed Scheme. Stage 2 is being progressed which includes the road design to RIBA Stage 4.

3.3.8 The owners of the former colliery site have selected a preferred house builder partner.

3.3.9 The former power station site owner and their house builder partner have finalised their remediation plan for the site.

3.3.10 The Council is progressing contract terms with the landowners of 3.3.8 and 3.3.9 above to grant fund site remediation works.

3.3.11 The Council is in discussions and negotiations with landowners on the route of the Scheme.

3.4 The Scheme is a circa 1.1km proposed residential relief road with access to the north via Altham Lane and from the south via A697 Burnley Road / A56 Accrington Bypass roundabout to the south. The primary objective of the Scheme is to enable the delivery of HGV, unlocking significant social, economic and environmental wellbeing benefits to the area.

3.5 The Council's Cabinet is being asked to resolve to make a compulsory purchase order ("CPO") in order to facilitate the Scheme, which forms a critical path to delivering HGV and its substantial benefits. Given the funding and development programme for the Scheme (and wider delivery of HGV), it is considered that the use of compulsory purchase powers is necessary to effect the delivery of the proposed Scheme, enable the Council to materialise the Scheme in a timely fashion and to deliver the wider benefits of HGV. It remains the Council's preference and intention to secure interests by negotiated agreement rather than the use of CPO powers and it is hoped that negotiations can conclude prior to making the Order.

The Need for the Proposed Residential Relief Road (Huncoat Lane)

- 3.6 On the 18th June 2025 the Council's Cabinet resolved to acquire land by agreement to facilitate the construction of the Scheme which forms part of the HGV project. The Cabinet also passed a resolution to approve the in-principle use of the Council's compulsory purchase powers should the Council fail to acquire the required land by agreement. This report invites Cabinet to authorise the making of the Order under Section 226 (1)(a) and 226(3) of the Town and Country Planning Act 1990, to compulsorily acquire land, plus existing rights and interests in land required to construct the Scheme where agreement cannot be reached in order to deliver the Scheme.
- 3.7 The Council's purpose in making the Order and seeking its confirmation by the Secretary of State for Housing, Communities and Local Government is to facilitate the delivery of the Scheme, which is necessary to facilitate the delivery of HGV. The Council has identified Huncoat as a key location for strategic development and plans to deliver circa 1800 new homes, equating to a third of the Council's housing need in the new Local Plan alongside new local amenities and infrastructure improvements.
- 3.8 The primary objective of the Scheme is to enable HGV to come forward, unlocking significant social, economic and environmental wellbeing benefits to the area. It will also address local transport issues resulting from the existing network being at near capacity within, and around, the existing Huncoat Village.
- 3.9 The Scheme will:
- Provide direct access via new junctions to new homes
 - Promote sustainable transport options including bus stops and creating a pedestrian friendly environment.
 - Provide inclusive and sustainable connections for the existing and future communities of Huncoat through a landscape-led approach to the new residential relief road including provision of footways and a cycleway as well as plenty of trees, incorporation of swales and bioretention verges, enhancing the look and the biodiversity of the area.
 - Provide green infrastructure and public realm to create a gateway feel to HGV
 - Increase highway capacity. Development at Huncoat and nearby Altham Business Park is hindered by the existing road networks being near capacity. Therefore, the Scheme is also needed to ensure that there is enough highways capacity to bring forward HGV and to support wider investment at Altham Business Park.

Attempts to Acquire Interests by Agreement.

- 3.10 The Council has appointed consultants, Avison Young, to assist it with acquiring land by private treaty, or if it becomes necessary, by the Order. Negotiations will continue in parallel with making this Order.
- 3.11 There are also a number of unregistered parcels of land within the Order Land, where despite attempts to ascertain ownership, ownership remains unknown.

3.12 The Council is seeking to acquire only the land required to construct the Scheme and where appropriate is seeking to enter into licence agreements, with landowners where land/rights are only needed for the construction of the Scheme.

3.13 The Ministry of Housing, Communities and Local Government's 'Guidance on the Compulsory Purchase Process, January 2025', ("the CPO Guidance"), sets out the requirements in respect of negotiations to acquire third party property interests. The Council has followed and complied with this guidance in its approach to negotiations and will continue to do so. As would be expected for a scheme of this size and where the Order Land is in multiple ownership, the Council expects that it will need to exercise its compulsory purchase powers because either reasonable terms cannot be agreed for private treaty acquisition or because the legal owners cannot be traced. The Council will continue to seek to acquire all the required interests by negotiation alongside the Order process. This is in accordance with paragraph 17 of the CPO Guidance which at paragraph 17.1 states that:

"Undertaking negotiations and engagement prior to, and in parallel with, preparing and making a compulsory purchase order can help build good working relationships with those whose interests are affected [...] Acquiring authorities should be open and honest with those whose interests are affected and treat their concerns with respect."

3.14 The Council's approach is also in accordance with paragraphs 2.8 and 2.9 of the CPO Guidance which states that negotiations can be carried out in parallel with the CPO process and that by initiating formal CPO procedures this will help make the seriousness of the acquiring authority's intentions clear from the outset, which in turn can encourage those third parties to enter more readily into meaningful engagement.

3.15 In summary, the Council's overall approach to undertaking negotiations is as set out below:

- Initial landowner engagement started as part of the Masterplan Framework process prior to the adoption of the latter in October 2021.
- The Council contacted landowners in 2023 through a series of landowner workshops and public consultation sessions held between December 2023 and January 2024.
- Since the initial early engagement, the Council has continued to keep landowners informed about the Scheme and the wider HGV project through letters, phone calls and emails.
- The Council and its advisors offered to meet with all landowners individually from September 2025 onwards and discussions have since taken place about the Scheme including the impact on landowners and timescales as well as discussions on compensation and mitigation where appropriate.
- The Council has ensured that it has shared information about the Scheme throughout the process. This includes creating a website about the Scheme and

the production of a Frequently Asked Questions document which provides information about both the Scheme and the Order process, including who to speak to about the negotiations.

- Individual meetings with affected third parties have taken place from October 2025 onwards focusing on seeking to understand the impact of the Scheme on third parties, any possible mitigation and to reach an agreement on compensation for the acquisition.
- Financial offers, in line with paragraphs 3.1 and 3.2 of the CPO Guidance, have been made to all landowners (excluding those whose property interest in the Order is limited to subsoil, the cautioner parties of the mines and minerals interests, and beneficiaries of manorial rights).

Land Assembly and Obtaining Clean Title to the Land

3.16 The land to be included in the proposed CPO is shown edged red (referred to as the Order Land throughout this report). The total area of the land to be compulsorily acquired is approximately 13.8 hectares.

Description of the Order Land

3.17 The proposed Scheme is a circa 1.1 km residential relief road with access to the north via Altham Lane and from the south via A697 Burnley Road/A56 Accrington Bypass roundabout. The Order Land comprises land located within an area of predominantly open landscape between the current built edge of the existing Huncoat settlement and the A56 Accrington Bypass. The Order Land comprises of mostly agricultural land and is mostly situated within green belt.

Description of Interests in the Order Land

3.18 The detailed boundary of the Order Land is shown on the Order Map. The land (coloured pink) identifies the land in which the Council seeks to compulsorily acquire all third – party proprietary interests and existing rights. The land required to deliver the Scheme is held by a number of different landowners. In addition to a number of freehold interests, there are also a number of other registered interests in the Order Land and identified in the Order Schedule, including cautionary restrictions benefitting parties with mines and minerals interests, and beneficiaries of manorial rights. Some of the landowners affected by the Scheme will also benefit from its delivery as it will enable development to come forward on their (currently landlocked) land.

3.19 The full details of the interests and rights comprised in the Order Land are set out in the Order Schedule at Appendix C

3.20 Some of the land and rights included within the Order Schedule are required in perpetuity whereas others are required only for the construction phase of the Scheme. Where

there is only a need to require land/rights during construction, the Council is seeking to negotiate a licence to temporarily occupy and carry out works during construction and to secure rights of access once works are completed, rather than permanent acquisition. However, in the absence of agreement being reached with the landowners, these are included within the Order to ensure that the Council has the right to permanent acquisition if so needed to enable the construction of Scheme to proceed. The Statement of Reasons (Appendix A) includes Table, in section 4, which summarises the property interests included in the Order and reasons for their inclusion.

- 3.21 In order to ensure that the construction of Scheme can take place, the Council needs to acquire all of the interests in the Order Land. If agreements cannot be reached voluntarily in a timely manner with those with an interest in the Order Land, it will be necessary for the Council to compulsorily acquire the Order Land.
- 3.22 Cabinet is therefore asked to consider and authorise the compulsory purchase of the Order Land. The primary purpose of the Scheme is to facilitate the delivery of the HGV project and ensure clean title to land can be transferred to the Council in a timely manner, free of encumbrances which could otherwise prevent or delay construction. The Order is also necessary to ensure site assembly in a timely manner.

The Need for a compulsory Purchase Order (CPO)

- 3.23 Although the Scheme is a highways scheme, the Council considers that the use of the regeneration compulsory acquisition powers (S.226(1)(a) and S.226(3) of the 1990 Act), as opposed to powers under the Highways Act 1980, are appropriate to this case as the primary objective of Huncoat Lane is to facilitate delivery of HGV and the construction of the proposed houses
- 3.24 Section 226 (1)(a) of the 1990 Act permits a local planning authority (i.e. the Council) to exercise compulsory acquisition powers if it thinks that it will facilitate the carrying out of development, redevelopment or improvement on, or in relation to the land being acquired.
- 3.25 Section 226(1)(a) is subject to Section 226(1A) which sets out a "wellbeing" test. This requires that the acquiring authority (the Council) must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to achieve the promotion or improvement of the economic, social or environmental well-being of its area.
- 3.26 226(3)(a) gives local authorities power to compulsorily acquire land (with Secretary of State authorisation) for development, redevelopment, or improvement, (again subject to the "wellbeing" test), as a key tool for regeneration and proper planning by enabling acquisition for related works.
- 3.27 The success of any compulsory purchase action is dependent on demonstrating a compelling case in the public interest for the Order in accordance with the CPO Guidance. This requires in relation to CPOs promoted under Section 226(1)(a) and Section 226(3):

-

- that the scheme has clear public benefits.
- that there is clarity on the acquisition powers to be used.
- that planning permission for the scheme is or can be secured.
- that there is clear planning policy support for the scheme.
- that there is clarity on the funding for the scheme.
- that the human rights and equalities impacts have been considered.
- that alternatives to compulsory acquisition have been considered; and
- all other matters as set out in the CPO Guidance including any impediments to delivery.

3.28 A detailed Statement of Reasons has been prepared in support of the Order, addressing all these considerations and is enclosed at Appendix A. In summary, the key matters in demonstrating the compelling case in the public interest are set out below.

THE EXTENT TO WHICH THE PROPOSED PURPOSE WILL CONTRIBUTE TO THE ACHIEVEMENT OF THE PROMOTION OR IMPROVEMENT OF THE ECONOMIC, SOCIAL OR ENVIRONMENTAL WELLBEING OF THE AREA (CPO GUIDANCE PARAGRAPH 109.1 BULLET POINT 2)

3.29 The Scheme has direct benefits, but it also supports the wider benefits of HGV. The Scheme is critical to the delivery of HGV and will contribute to the promotion of the social, economic and environmental wellbeing of the Council's area in accordance with Section 226 (IA) of the 1990 Act because:

Economic – wider HGV benefits

- The HGV project will deliver circa 1800 new homes, with a total investment of £463,449,001 in an area that the new draft Local Plan identifies for new homes.
- The HGV project will also include the construction of a new road, and the creation of a new village centre with the potential to create up to 110 permanent jobs, in addition to the temporary jobs required during the construction period which will be available to the local jobs market.

Social - Scheme direct benefits

The HGV project will:

- Provide inclusive and sustainable connections for the existing and future communities of Huncoat through a landscape-led approach to the new residential relief road including provision of pathways and cycleways as well as the planting of trees, incorporation of swales and bioretention verges, enhancing the look and the biodiversity of the area.
- Promote sustainable transport options including bus stops and creation of a pedestrian friendly environment.
- The green infrastructure and public realm to create a gateway feel to HGV
- Incorporate amendments to existing junctions and create new junctions. This will help to reduce pollution resulting from cars idling along traffic queues that develop at times of peak flow and capacity.

Social – wider HGV benefits

The HGV project will

- Directly contribute to safety improvements to the adjacent Junction 8 of the M65 motorway.
- Allow for the provision of new open space and sports facilities for the benefit of the existing and future Huncoat community.

Environmental – Scheme direct benefits

The HGV project will:

- Provide for the planting of trees, incorporation of swales and bioretention verges, enhancing the look and the biodiversity of the area.
- Create green infrastructure and public realm (including highway, pavement and cycle way) will help create a gateway to HGV.

- 3.30 Cabinet should note that a CPO can only be made if there is compelling case in the public interest and that the purposes for making the Order should sufficiently justify interfering with the human rights of those with an interest in the Order. Based on the assessment carried out by the Council it must consider that a compelling case exists before a decision is made and consider the contribution to the social, economic and environmental wellbeing of those who live, work and visit the area which will be made by the development. Officers have carried out this assessment and are of the view that there is a compelling case in the public interest on the basis that the delivery of the Scheme is likely to contribute to the well-being objects because it will unlock the wider HGV project (of which it forms part).

COMPLIANCE WITH THE DEVELOPMENT PLAN AND THE NPPF (CPO GUIDANCE PARAGRAPH 109.1 BULLET POINT 1)

- 3.31 There is very strong planning policy support for HGV including the Scheme. Both adopted and emerging planning policies support the delivery of HGV and the Scheme, as well as national planning policy which strongly supports the delivery of new homes.
- 3.32 The Council is currently bringing forward its new Local Plan which includes a strategic policy for HGV. The examination in public took place in October 2025 and on 15 January 2026 the Council approved the main modifications with accompanying documents for the purposes of public consultation. It is anticipated that the new Local Plan will be adopted in the summer of 2026.
- 3.33 Key draft Local Plan policies relevant to Huncoat Lane and HGV:
- Policy SP1: Identifies HGV as a strategic growth location, with Huncoat expected to grow faster than other Accrington townships.
 - Policy SP2: Allocates land for 1,500–1,600 homes in Huncoat over the plan period, supporting a new local/neighbourhood centre and significant infrastructure improvements.

- a) The policy requires the delivery of a new link road, cycle and pedestrian infrastructure, and comprehensive green, blue, and grey infrastructure.
 - b) Early delivery of the Huncoat relief road is deemed essential for phased development; only the first phase of housing may proceed before the relief road is completed.
 - c) Strategic changes to the green belt have been made locally to facilitate development at HGV and safeguard land for longer-term housing requirements.
- 3.34 The HGV Masterplan Framework and Delivery Strategy (2021) provide detailed policy support and guides the local planning authority, landowners, developers and housebuilders in respect of land use, environmental, social, design and economic standards in creating HGV. It includes proposals for the Scheme and its necessity to support development at Huncoat.
- 3.35 HGV, including the Scheme, are also supported by the HGV Design Code, which was approved by Cabinet on the 18th June 2025. The Code provides detailed guidance on the design parameters, technical standards and specifications for HGV. 'Huncoat Street' provides street design principles, with the Scheme following the code for a primary street within the Code.
- 3.36 The planning framework for Huncoat Lane is shaped by national policy, adopted local plans, and the emerging draft Local Plan, which is currently nearing adoption. The draft Local Plan and accompanying Masterplan establish HGV as a strategic growth area, requiring early infrastructure delivery, including the Scheme, to support phased housing development and sustainable community objectives. The proposals are consistent with both current and emerging policy requirements for sustainable, inclusive, and well-connected development.
- 3.37 A planning application for the Scheme was submitted to the Local Planning Authority in April 2025. The application is expected to be considered by Planning Committee on the 11th March 2026.

ALTERNATIVES (CPO GUIDANCE PARA 109 BULLET POINT 3)

- 3.38 In light of the multiple ownerships within the Order Land and the efforts already made to date (unsuccessfully) to acquire all relevant interests, it is considered that the only certain way of securing development of the Scheme within a reasonable time and in accordance with the relevant policies, is for a compulsory purchase order to be made. This approach is supported by the planning policy framework of the area, the potential to deliver the regeneration well-being benefits, and the fact that alternatives that are not comprehensive would not deliver the range of regeneration benefits that are required.
- 3.39 In addition to the above, the Council's grant funding agreement (GFA) with Homes England's currently only makes grant available until the 31 March 2028 (the grant availability period). The GFA therefore includes key milestones to help to ensure that the road is constructed within the grant availability period. The milestones include legal contracts with the landowners, acquisition of all necessary rights / interests in the land for the construction of the road, start on site for the construction of the Scheme, and completion of the construction of the Scheme. In the circumstances there is a need to

proceed with a CPO as soon as possible to ensure that the programme and milestones are achieved and that the Scheme is completed within the grant availability period.

- 3.40 Given the extent of development required and the comprehensive design approach adopted across the Order Land, it is not possible for individual owners to achieve appropriate development of the Order Land (or parts of it).
- 3.41 Single ownership and control of the Order Land is necessary to enable the Scheme to proceed. Given the third-party interests identified in the Schedule to the Order it is unlikely that the Council will be able to acquire all of the necessary interests by agreement within a reasonable timescale. Officers are of the opinion that the Council therefore needs to make the Order to ensure that the significant benefits of the Scheme (and the facilitation of HGV) can be brought forward in a reasonable timescale. Whilst negotiations to acquire all interests by agreement, wherever possible, will continue, given the fragmented nature of the ownership of Order Land, the Order is required to achieve vacant possession of the land where necessary.

FUNDING AND VIABILITY (CPO GUIDANCE PARAGRAPH 109.1 BULLET POINT 4)

- 3.42 The Council has secured just under £30 million from Homes England's Brownfield, Infrastructure and Land (BIL) Grant fund for infrastructure works to facilitate the development of HGV, including the Scheme and thus making the Scheme viable. The funding includes full costs for land assembly either by agreement or CPO and the construction of the Scheme. The funding also includes the cost compensation payments and potential additional project costs to allow for inflation, risk, and contingencies. In its agreement with Homes England the Council has agreed to be responsible for any additional costs relating to the HGV project and for any cost over-run.
- 3.43 Eric Wright Civil Engineering has been selected as the preferred contractor through the Procure Northwest Framework. Stage 2 of the tender process has commenced which includes progressing the road design to RIBA Stage 4, with Eric Wright Civil Engineering firming up its final tender price.

NO IMPEDIMENT TO THE SCHEME GOING AHEAD (CPO GUIDANCE PARA 15.1)

- 3.44 As detailed earlier in this report, the planning application for the Scheme is due to go before Planning Committee on 11 March 2026. The proposals for the Scheme emerge from the HGV Masterplan Framework which was subject to extensive consultation leading up to its approval by Cabinet in October 2021. In addition, HGV formed part of the consultation on the new, draft Local Plan (Hyndburn 2040: Local Plan (Strategic Policies and Site Allocations; Policy SP2: Huncoat Garden Village). Huncoat Lane was subject to pre planning application consultation. A Statement of Community Involvement (March 2024) forms part of the Huncoat Lane planning application (Application No. 11/25/0124).
- 3.45 The HGV Masterplan Framework consultation helped to steer the final Masterplan Framework. Some of the key messages included:

- Greater support for a housing led development as opposed to any employment uses
- The need for new infrastructure including support for a new relief road
- Strong support for preserving biodiversity and improving green and open spaces
- Stronger support for new amenities and facilities including sports facilities and shops and a community centre

3.46 pre-application consultation on the Scheme generated comments and support for:

- A road that generates a “country” feel including plant and tree planting to foster biodiversity
- Support for a shared footway and cycleway and pedestrian crossing points
- Support for high quality design

3.47 As part of the planning application determination process, revisions to the Scheme have been discussed and agreed with the local planning authority and Lancashire County Council, as local highway authority.

3.48 The Scheme also requires a Stopping Up Order in relation to part of Burnley Lane at the intersection of the proposed Huncoat Lane, which will be applied for by the Council pursuant to section 247 of the Town & Country Planning Act 1990. The stopping up of this section of the adopted highway is needed to allow for the fact that the existing road gradient, (approx. 1 in 10), does not meet current highway standards and the existing site levels prevent improving it. Additionally, due to space and level constraints, there is not enough space to adjust the western arm or add appropriate traffic calming measures on approach to the junction. The proposed stopping up will also address community concerns, raised during consultation, that not stopping up this section of Burnley Lane would lead to and encourage rat-running.

3.49 The Scheme also necessitates the diversion of footpath number FP1101004, which will be applied for by the Council pursuant to section 257 of the Town and Country Planning Act 1990, as this crosses part of the Scheme at an angle. It is proposed to divert the footpath perpendicular to the road, along the route of a proposed pedestrian uncontrolled crossing.

3.50 It is anticipated that the stopping up and diversion orders will be progressed swiftly following the grant of planning permission for the Scheme.

3.51 Officers are satisfied that there are no legal or physical impediments to the Scheme progressing.

LAST RESORT (CPO GUIDANCE PARA 2.8)

3.52 The Order is to be made in relation to the Order Land under the provisions of section 226(1)(a) and 226(3) of the 1990 Act and the Acquisition of Land Act 1981.

3.53 Under section 226 (1)(a) of the Town and Country Planning Act 1990, (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) a local authority may compulsorily acquire any land in its area if it thinks that the acquisition will facilitate the

carrying out of development, redevelopment or improvement on or in relation to the land. This power is the most appropriate power available to the Council in the context of the primary objective of the Scheme i.e. the enabling of HGV.

- 3.54 It is considered that the use of these CPO powers is the most appropriate having regard to the aims of the HGV project. Paragraph 1.2 of the CPO Guidance states that: -

“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life.”

- 3.55 Officers are asking the Council to consider exercising its compulsory purchase powers to ensure the Scheme and ultimately HGV proceed within a reasonable timeframe. It is considered that the acquisition of the interests in the land in the Order will contribute to the improvement of the social, economic, and environmental well-being of the area in and around the heart of the Borough.
- 3.56 Compulsory purchase is essential to enable the Scheme to take place and for the Council to achieve its policy objectives in delivering the HGV project. There are various freehold interests and restrictions over the Order Land. The Council needs to ensure that it secures unencumbered freehold title to the Order Land, free of title restrictions, subject to payment of compensation. Without this it is very unlikely that the Scheme (and ultimately HGV) could proceed.
- 3.57 It is understood and acknowledged that the compulsory purchase of land involves interference with human rights and should be a measure of last resort where negotiations have been unsuccessful. It is also understood and acknowledged that there must be a compelling case in the public interest that sufficiently justifies interfering with the rights of those with an interest in the land. Details of the negotiations that have been undertaken with those affected by the Order can be found in Section 6 of the Statement of Reasons. A summary of the considerable public benefits of the Scheme is set out at paragraph 3.29 above. Consideration of the impacts of the Order on human rights is set out in the section below.
- 3.58 Officers believe that the considerable public benefits associated with the Scheme satisfies the “wellbeing” criteria. Officers have also considered the CPO Guidance on the use of the Council's compulsory purchase powers in making the Order. Officers believe that the proposed use by the Council of its powers under Section 226(1)(a) and Section 226(3) are necessary because achieving the voluntary transfer of the ownership of and interests in the Order Land is uncertain and the Council needs to ensure that ownership of the Order Land is vested in it so that it provides vacant possession of the Order Land to build out the Scheme.
- 3.59 Paragraphs 98, 99 and 100 of the CPO Guidance make it clear that, although the powers under Section 226(1)(a) and Section 226(3) should not be used in place of other more appropriate enabling powers, the general power is intended to provide a positive tool to

help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where there are strong planning justifications. The CPO Guidance also notes that the power can be used where it will facilitate development on land being acquired and it is not certain that they will be able to acquire it by agreement. As such (and on the basis of legal advice obtained), officers consider that the powers under Section 226(1)(a) and Section 226(3) are the most appropriate to use.

- 3.60 Part of the justification for obtaining confirmation of the Order would involve demonstrating that compulsory powers are necessary because the land required cannot be acquired by agreement. Compulsory purchase is a last resort and the acquiring authority must be able to show that it has made genuine attempts to acquire the land by negotiation. The Council has made significant efforts to acquire all interests by voluntary agreement. The CPO Guidance expects that the Council will continue those efforts and detailed evidence of those further efforts should be available prior to the making of the Order.
- 3.61 The Council must also demonstrate that there are no other impediments to proceeding with the Scheme, for example the need for planning permission, other consents, or physical constraints. The planning application in relation to the proposals is due to be determined on 11th March 2026. For the reasons detailed in paragraphs 3.44 to 3.51, Officers are satisfied that there are no legal or physical impediments to the Scheme progressing.

4. Alternative Options considered and Reasons for Rejection

- 4.1 Refer to paragraphs 3.38 to 3.41.

5. Consultations

- 5.1 The HGV project including the HGV Masterplan Framework has been subject to extensive consultation with local and wider communities, stakeholders, and locally elected members.
- 5.2 The planning application for the Scheme in April 2025 was subject to pre application engagement and consultation.
- 5.3 This report summarises the Council’s contact and engagement with landowners and the attempts so far to acquire by agreement.

6. Implications

Financial implications (including any future financial commitments for the Council)	Refer to paragraph 3.42 of the report.
Legal and human rights implications	As made clear in the CPO Guidance, a CPO should only be made if there is a compelling

case in the public interest. The Council as acquiring authority should also be sure that the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected and are proportionate.

The Council will need to consider the Human Rights implications of the Order:

a) The Human Rights Act 1998 incorporated the European Convention on Human Rights (the Convention) into domestic law and continues to be relevant. The convention includes provision in the form of Articles, the aim of which is to protect the rights and freedoms of individuals (including companies). The main articles of the Convention which are of importance in circumstances where the Council is considering making a CPO are Article 1 and Article 8 of the First Protocol.

b) Article 1 of the First Protocol protects the right of everyone to a peaceful enjoyment of their possessions. No-one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law.

c) The European Court of Human Rights has recognised in the context of Article 1 that regard must be had to a fair balance which has to be struck between the competing interests of the individual and of the community as a whole. In this case any interference is considered to be proportionate and justified in the public interest to secure the development of the Scheme so as to facilitate delivery of the HGV project.

d) The compulsory purchase process includes a statutory objection and inquiry procedure. The statutory procedure also provides for the payment of compensation where certain interests in the affected land have been lost.

Article 8 is clarified below:

Article 8(1) provides that everyone has the right to respect for his/her home but Article 8(2) allows the State to restrict the rights to respect for the home to the extent necessary in a democratic society and for certain listed public interest purposes for example, public safety, economic wellbeing, protection of health and protection of the rights of others.

When considering Article 8 in the context of a CPO the Council needs to ask the following questions:

Firstly, does a right protected by Article 8 apply – to which the answer is "yes". Secondly, has an interference with that right taken place or will take place as a result of the compulsory purchase being made - to which the answer is again "yes".

The answers to these two questions being in the affirmative confirms that Article 8 applies and it is therefore necessary to consider the possible justifications for the interference under Article 8(2). There are 3 questions for the Council to consider:

Firstly, is the interference in accordance with the law? The answer is "yes", there being a legal basis for making the CPO under Section 226(1) (a) of the 1990 Act.

Secondly, does the interference pursue a legitimate aim? The justification for the CPO is that the development seeks to improve the economic, environmental and social wellbeing of Huncoat and the Borough more widely in the public interest.

Thirdly, is the interference necessary in a democratic society? Here the Council must make a balancing judgment between the public interest and the rights of the individual – the CPO must be both necessary and proportionate.

	<p>In this matter it is considered that in balancing the rights of the individuals who are affected by the CPO against the benefit to the wider public, economic and social wellbeing of local residents, visitors and stakeholders of proceeding with the CPO, the making of the CPO and the interference with the individuals rights is justified in the interests of the community in order to achieve the improvements and benefits brought by the HGV project.</p> <p>In order to compulsorily acquire land the Council must have a relevant statutory power. In order to rely on the powers in Section 226(1)(a) of the 1990 Act, the Council will need to be satisfied that the proposals are likely to contribute to the achievement of any one or more of the economic, social or environmental well-being of the Borough or part of the Borough. Please see earlier in the report with regard to the justification(paragraph 3.29)</p>
<p>Assessment of risk</p>	<p>The main risks associated with seeking the Order in the circumstances set out in this report are:</p> <p>The Homes England's Brownfield, Infrastructure and Land (BIL) Grant fund spending timescales are tight i.e. up to the 31st March 2029. Therefore, there is a risk of not delivering the interventions within the BIL timescales if the Council is unable to secure the Order Land by agreement. The Council is therefore promoting the Order to provide certainty that the Order Land will be within the Council's control when required for the construction of Huncoat Lane.</p> <p>The other major risk is associated with cost. Current estimated costs for land acquisition, compensation payments, construction costs are estimated and covered within the BIL grant funding. In addition, allowance has also been made for potential additional costs including inflation, risk, contingencies, etc.</p>

	<p>However, it is possible that costs could exceed the grant funding available. Should this situation arise the Council will be required to meet any additional costs.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and • foster good relations between those who share a relevant protected characteristic and those who don't. <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. To assist the Council in this regard an Equality Impact Assessment (EqIA) has been undertaken by Equality Impact Consulting Ltd and this is attached as Appendix C to this report.</p> <p>Cabinet is advised to consider the EqIA and its obligations in respect of the public sector equality duty when making a decision in respect of the recommendations contained in this report</p>

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

7.1 *The Huncoat Garden Village Masterplan Framework and Infrastructure Delivery Strategy was approved by Cabinet on the 20th of October 2021.*

7.2 *Huncoat Garden Village Update and Appointment of External Consultants – Cabinet, 31st May 2023*

7.3 *Huncoat Garden Village, approval to accept the Homes England Grant Award with delegated authority to enter into a grant funding agreement with Homes England – Cabinet, 30th October 2024.*

7.4 *Huncoat Garden Village update report including the main provisions of the Home England Grant Funding Agreement – Cabinet, 26th March 2025*

7.5 *Huncoat Garden Village Relief Road – Appointment of Preferred Contractor Emergency Decision dated 27/05/25 and Cabinet Report 18th June 2025.*

7.6 *Huncoat Garden Village: Update and Steps to Acquire Land and Property for the Proposed Relief Road – Cabinet, 18th June 2025*

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Statement of Reasons

Draft for Cabinet 18 March 2026

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1. Introduction

- 1.1 On 18th March 2026 Hyndburn Borough Council (the “Council”) made the Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026 (the “Order”).
- 1.2 The Order is made pursuant to section 226(1)(a) and section 226(3)(a) of the Town and Country Planning Act 1990 (“the 1990 Act”).
- 1.3 This document is the non-statutory Statement of Reasons (“the Statement”) which has been prepared in accordance with the Ministry of Housing, Communities and Local Government’s ‘*Guidance on the Compulsory Purchase Process, January 2025*’ (“the CPO Guidance”) (CD14.27). The Council, in preparing and making the CPO, has also had regard to the advice contained within the Department of Transport Circular 2/97 ‘*Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority*’, (CD14.28).
- 1.4 The Council’s purpose in making the Order and seeking its confirmation by the Secretary of State for Housing, Communities and Local Government is to facilitate the delivery of a residential relief road, known as Huncoat Lane (“the Scheme”), which is an integral part of the Huncoat Garden Village (“HGV”) development proposals, absent which HGV cannot be delivered, given the limited existing capacity across the local highway network. The Council has identified Huncoat as a key location for strategic growth and plans to deliver circa 1,800 new homes, equating to a third of the Council’s housing need for the new plan period, alongside new local amenities and infrastructure improvements. Delivery of the Scheme will form part of the first phase of HGV, providing access to currently landlocked development parcels.
- 1.5 The primary objective of the Scheme is to deliver critical road infrastructure for (and part of) HGV, unlocking significant social, economic and environmental wellbeing benefits to the area. It will also address local transport issues resulting from the existing network being at near capacity. Section 5 of this Statement provides further detail on the progression of the wider HGV.
- 1.6 The Scheme (and ultimately HGV) requires a co-ordinated approach and none of the multiple landowners are capable of funding or delivering the necessary up front infrastructure works required.
- 1.7 The Council has worked hard and over a sustained period with landowners to ensure collaboration and coordination of costs and values (to be captured in landowner agreement(s)) and has successfully secured Brownfield Infrastructure Land grant funding of circa of £30,000,000 from Homes England. The colliery and power station sites, (the two biggest land parcels within the draft HGV allocation), have remained vacant and undeveloped since their closure in 1968 and 1984 respectively, demonstrating that the market has not been able to deliver these sites without public sector investment. Furthermore, HGV in terms of its proposed size and quality is simply not possible without highway improvements and the provision of the Scheme.
- 1.8 The Scheme is a circa 1.1km residential relief road with access to the north via Altham Lane and from the south via A697 Burnley Road / A56 Accrington Bypass roundabout to the south. The land within the Order comprises approximately 13.9ha and includes land adjacent to the Scheme to facilitate its construction, (the “Order Land”). The Order Land is described in more detail in Section 3 of this Statement.
- 1.9 The Scheme will:
- Provide direct access via new junctions for currently landlocked parcels which would facilitate the independent delivery of up to circa 590 new homes. It is clear that without the upfront funding and delivery of the extensive HGV infrastructure requirements, (including the Scheme), individual landowners of the Order Land cannot viably bring forward development proposals. Further detail is set out at section 5 of the Statement;
 - Promote sustainable transport options including bus stops, and creating a pedestrian-friendly environment;
 - Provide inclusive and sustainable connections for the existing and future communities of Huncoat through a landscape-led approach to the new residential relief road including provision of footways

and a cycleway as well as the planting of trees, incorporation of swales and bioretention verges, enhancing the look and the biodiversity of the area;

- Provide green infrastructure and public realm to create a gateway feel to HGV; and
- Increase highways capacity and unlock development potential at Huncoat, and nearby Altham Business Park which is hindered by the existing road network being near capacity. Therefore, the Scheme is also needed to ensure that there is enough highways capacity to bring forward HGV and to support wider investment at Altham Business Park.

- 1.10 The background to the need for and aspirations of the Scheme and the wider HGV is set out in section 2 of this Statement.
- 1.11 HGV is a strategic priority for the Council, and the Council is committed to the delivery of HGV, including the Scheme, which is integral to and part of the masterplan framework for HGV. HGV is also a strategic priority for Lancashire and has the potential to be one of the largest housing-led developments in the North West. Given the local and regional significance of HGV, Homes England has also identified it as a key priority and has committed significant funding to the project.
- 1.12 The Council has already committed significant efforts and resource to ensuring the delivery of HGV, relating to:
- the securing of funding – the Council was successful in a bid to Government’s Brownfield, Infrastructure and Land Fund (“BIL Funding”) and in 2025 entered into a grant agreement with Homes England for circa £30 million of funding. Further detail is set out in sections 2 and 5 of this Statement;
 - preparing robust policies to support the delivery of HGV and ensuring its comprehensive delivery.
- 1.13 Further detail on the efforts and resources committed to the delivery of HGV (and the Scheme) is set out at section 5 of this Statement.
- 1.14 There is strong policy support for HGV which includes the Scheme. Both adopted and emerging planning policies support the delivery of HGV and the Scheme, including national planning policy in the National Planning Policy Framework which strongly supports the delivery of new homes.
- 1.15 The Council is currently bringing forward its new Local Plan which includes a strategic policy for HGV. The Examination in Public took place in October 2025. On the 15th of January 2026, Full Council approved the Main Modifications and accompanying documents to be published for consultation. The public consultation will run for a six-week period which opened on the 6th of March 2026. At the end of this period, all consultation responses to the Main Modifications will be sent to the Inspector for consideration. After which the inspector can finalise her report, which will then be published. The Local Plan can then be prepared for adoption which is likely to take place towards the end of May 2026. A copy of the Regulation 22 Submission Version of the draft Local Plan is at CD14.16 and a copy of the Proposed Modifications, which are currently being consulted on is at (CD14.17).
- 1.16 The Council’s Huncoat Garden Village Masterplan Framework and Delivery Strategy (2021) (“the Masterplan Framework”) (CD14.18) provides further detailed policy support and guides the local planning authority, landowners, developers and housebuilders in respect of land use, environmental, social, design and economic standards in creating HGV. It includes the proposal for Huncoat Lane and its necessity to support development at Huncoat. Further detail is set out at sections 2 and 4 of this Statement.
- 1.17 A planning application for the Scheme was submitted to the Local Planning Authority in April 2025. Section 4 of this Statement sets out more detail on both the planning framework and the progress of the planning application for the Scheme. The Council has appointed a preferred contractor to build the Scheme and has a consultant team in place to provide the required support to deliver the Scheme and the wider HGV – all of which demonstrates the Council’s commitment to delivery of the Scheme and HGV. Further detail is set out at section 5 of this Statement
- 1.18 The Order Land is in multiple, third party ownership and the Council has sought to acquire all third party property interests by agreement. Negotiations to acquire by negotiation will continue alongside the Order

process. Section 6 of this Statement summarises the negotiations carried out to date and the current position with each affected third party. There are also a number of plots of land in unknown ownership and these are included in the Order to ensure that the Council can acquire these plots of land, to allow the Scheme to proceed.

- 1.19 The Council has followed the CPO Guidance in preparing for the making of the Order and will continue to do so throughout the Order process. Due diligence has been carried out to ensure the correct and accurate making of the Order and to inform the approvals that have been sought at appropriate times from the Council's Cabinet. In particular the Council sought approval from its Cabinet for the principle of using its compulsory purchase powers in June 2025, (report titled: *Huncoat Garden Village: Update and Steps to Acquire Land and Property for the Proposed Relief Road, June 2025*) (CD14.5) and sought and obtained approval from its Cabinet and Full Council to make the CPO in February 2026 (report titled *Huncoat Garden Village – authorisation for making a Compulsory Purchase Order (CPO) for the proposed Relief Road (Huncoat Lane)* dated 18 March 2026) (CD14.6).
- 1.20 Compulsory purchase powers are being sought in respect of the Order Land to ensure the timely delivery of the Scheme, in the event that attempts to acquire all the necessary interests and rights by agreement are not successful, and to ensure that there are no title impediments to the delivery of the Scheme.

2. The Scheme

2.1 The Scheme is a much needed residential relief road which will facilitate the wider HGV. The overarching aspirations of HGV and the needed residential relief road are set out in the Masterplan Framework and the emerging Local Plan. The Scheme will assist in delivering these aspirations.

The Scheme

2.2 The Scheme is a circa 1.1km residential relief road comprised of a c. 6.5m wide two-way carriageway, footways on both sides and a c. 3m wide segregated cycleway on the left side of the road.

2.3 The Scheme comprises several key elements:

- Amendments to the existing A697 Burnley Road / A56 Accrington Bypass western roundabout to create an additional arm at the southern end of the Scheme.
- Installation of a new signalised junction on Altham Lane at the northern end.
- At the intersection of the Scheme and the existing Burnley Lane roundabout, a new junction will be provided for the eastern arm. The western arm will be closed to deliver improved pedestrian and cyclist access.
- Provision of a footway and cycleway on the western side of the carriageway, as well as a footway on the eastern side.
- Associated earthworks, boundary treatments, highway drainage features, bus stop provision, appropriate lighting, signage and cabling.
- Measures for the protection and diversion of existing utilities within the vicinity of the new residential link road.
- Inclusion of green infrastructure and public realm improvements to create a gateway feel for the Huncoat Garden Village (HGV).

2.4 The road has been designed with a 6.5m wide two-way carriageway. On the left side, a 3.0m segregated cycleway and a 2.0m footway are provided, separated from the highway by a 1.75m verge. On the right side, there is a 2.75m wide verge and swale, along with a 2.0m footway. The proposals prioritise placemaking and local distinctiveness, offering inclusive access and sustainable connections for both existing and future communities in Huncoat. The Scheme embodies a landscape-led approach, integrating natural and sustainable elements into the new highway.

2.5 Sustainability features are central to the Scheme, including strategic tree planting, the incorporation of swales, and the use of bioretention verges. These features will enhance the appearance and biodiversity of the area and are integrated with proposed footpaths and cycleways to promote sustainable transport and foster a pedestrian-friendly environment. The carriageway is designed to facilitate a high-quality bus link, supporting new or redirected bus services to serve Huncoat in the future.

2.6 Access to the Scheme site will be gained from the A697 Burnley Road / A56 Accrington Bypass roundabout to the south, with alternative access from Altham Lane to the north and pedestrian only access from Burnley Lane to the east. The Scheme aims to address urgent transportation needs by enhancing connectivity, reducing congestion, and improving access to essential services and employment opportunities for the local community. Environmental impact has been minimised through the use of green infrastructure, sustainable construction practices, and the preservation of natural habitats.

2.7 The Scheme is designed to accommodate speeds of up to 30mph. On approach to the roundabout at A679 Burnley Road, the speed transitions from 30mph to 40mph.

2.8 Six bus stops will be strategically located along the road, with three in each direction, ensuring most residents in the HGV are within a 400m walk of bus provision. Waiting facilities, including shelters and real-time bus information, will be provided where possible. The design prioritises full accessibility for all

commuters, including those with mobility challenges. Bus shelters will comply with Lancashire County Council's adoptable shelter specifications, featuring stainless-steel structures with toughened laminated glass panels for durability, safety, and weather protection.

- 2.9 To enhance accessibility and safety for visually impaired pedestrians, blister tactile paving will be installed at highway crossing points, while corduroy tactile paving will delineate entrance points to cycleways and footways. All tactile paving installations will adhere to the specifications outlined in BS EN 1339:2003 for Tactile Paving Surfaces and the Department of Transport's 'Guidance on the Use of Tactile Paving.' Concrete road kerbs, compliant with BS EN 1340:2003 Concrete Kerb Units, will be utilised throughout the project. A dedicated active travel cycle kerb will clearly mark the boundary between cycleways and pedestrian routes.
- 2.10 The proposed lighting will comprise 10m and 12m columns with LED lanterns, spaced at 20–30m intervals at the back of footpaths to minimise direct light spillage into adjacent habitats and maintain a natural night environment. In line with ecological recommendations and to foster wildlife corridors related to the broader HGV plan, sectional breaks with low-level lighting will be integrated, creating essential dark zones for nocturnal species and sensitive ecosystems. This approach enhances road safety while minimising disturbance to wildlife habitats and migration patterns. The Scheme also provides direct access via new junctions, for currently landlocked development parcels, which would facilitate the development of up to 590 new homes. Further detail is set out at section 5 of this Statement.
- 2.11 The Council submitted a planning application for the Scheme ("the Planning Application") to the Local Planning Authority in April 2025. The Planning Application will make a significant contribution towards delivering the Council's aspirations for HGV through the delivery of the residential relief road and will ensure that the benefits of the Scheme are delivered. Further detail on the Planning Application, the relevant planning policies and compliance of the Scheme with the strategic planning framework is set out in section 4 of this Statement.
- 2.12 HGV has long been a priority for the Council and it is a strategic priority for Lancashire. The Council has made significant progress in developing the proposals for HGV. The background to HGV and the Scheme is set out below.

The Need for the Scheme

Huncoat Garden Village (HGV)

- 2.13 The Scheme is an integral part of HGV, unlocking significant social, economic and environmental wellbeing benefits to the area. It is a once in a lifetime opportunity with the BIL funding and planning policy support enabling HGV to come forward. HGV forms a key part of Hyndburn Borough Council's growth plans and is promoted through its emerging Local Plan as a strategic allocation. It is a residential-led, brownfield and greenfield (including some land to be released from the green belt) housing development project with the potential to transform the housing market within Hyndburn. HGV will bring back into use the large sites of the former Huncoat Power Station, and the former Huncoat Colliery as well as bringing forward greenfield/green belt land, to create an extension to the existing Huncoat village using new garden community principles. It will deliver circa 1,800 new homes of mixed tenure (including affordable and social housing) over a circa 15-year period, alongside a new local centre meeting amenity needs, an expanded primary school, 24 hectares of strategic and functional open space including a safeguarded area of ecological importance, new woodland and networked open space, and infrastructure in the form of the Scheme, car parking provision at Huncoat Railway Station, and localised road junction upgrades as required.
- 2.14 National Government policy promotes garden communities as a way to deliver sustainable housing development at scale, and this is the intention of HGV. The Council is seeking to stimulate sustainable economic growth and housing renewal in order to tackle the historic trends of deprivation within the borough by providing high quality housing and skilled and specialist jobs. The Scheme is included in the first phase of development of HGV and is necessary infrastructure to bring forward HGV. The Scheme itself will provide direct access via new junctions to currently landlocked development parcels, for up to circa 590 new dwellings, making up a substantial part of the emerging local plan allocation for HGV.
- 2.15 The Scheme will also enable the wider HGV to come forward, including the two largest sites within HGV, the former power station (Huncoat Power Station) and the former colliery (Huncoat Colliery). Huncoat

Power Station closed in 1984 and Huncoat Colliery closed in 1986. The market has not brought forward development on either of these brownfield sites since their closure, demonstrating the need for intervention to bring forward development. It is clear that without the upfront funding and delivery of the extensive HGV infrastructure requirements, (including the Scheme), individual landowners of the Order Land cannot viably bring forward development proposals. The planning policy support for HGV (which includes the Scheme) and the significant funding from Homes England provides the framework for the market to now bring forward HGV. Further information is set out at sections 4 and 5 of this Statement.

- 2.16 The Council has developed its policies and proposals for HGV over a number of years and is committed to bringing forward the once in a lifetime development opportunity of HGV.
- 2.17 The Council's Huncoat Garden Village Masterplan Framework & Infrastructure Delivery Strategy, October 2021 ("the Masterplan Framework") (CD14.18) provides a clear framework for the development of the Scheme. The Council carried out a thorough consultation exercise with landowners, key stakeholders and the wider public as part of the development of the Masterplan Framework from 2018 to 2021. The Council's Cabinet approved the Masterplan Framework in October 2021 (report titled *Huncoat Garden Village - Masterplan Framework & Infrastructure Delivery Strategy*, CD14.2) and the Masterplan Framework is recognised as a material consideration for any development within the masterplan area.
- 2.18 The technical assessment work underpinning the Masterplan Framework identifies, (inter alia), that the trigger point for the requirement to build the Scheme is 400 dwellings. The Masterplan provides a clear framework for the development of HGV including setting out the expected locations for new development, the type of development and design principles. Its purpose is to guide the local planning authority in developing its new local plan and to guide landowners, developers and house builders in respect of land use, environmental, social, design and economic standards in creating HGV.
- 2.19 The Masterplan Framework identifies the need for the delivery of infrastructure which is strategically significant and necessary to unlock the full potential of the area. Through highways capacity testing as part of the preparation of the Masterplan Framework, the Council confirmed that the existing road network in and around Huncoat is close to capacity. It concluded that development exceeding 400 units would require a new residential relief road connecting the roundabout on the A56 with Altham Lane. The Masterplan Framework identifies Plot C and the former Huncoat Power Station site as phase 1 of the HGV which total over 400 units, thus triggering the need to deliver the Scheme. Further detail is set out in section 5 of this Statement.
- 2.20 The Masterplan Framework shows an indicative route and sets out that this would be subject to a bespoke study to determine its actual alignment, its connections, design and costs. The Masterplan Framework sets out that that the residential relief road is an essential part of the required infrastructure to deliver HGV.
- 2.21 Whilst there are known challenges in the local road network, the main driver of the Scheme is the delivery of HGV.

Addressing Local Transport Issues

- 2.22 Wider development at Huncoat, and nearby Altham Business Park is also hindered by the road network being near capacity. Therefore, the Scheme is also needed to ensure that there is enough highways capacity to bring forward HGV and to support wider investment at Altham Business Park.
- 2.23 Altham Business Park is a significant employment area to the north of Huncoat which forms part of the East Lancashire M65 Growth Corridor. Economic growth and local employment opportunity in Huncoat is also expected to be supported by development at Altham Business Park. The intended development of this 60 acre site will result in 1.3 million sq. ft. of manufacturing and employment floorspace. This is allocated within Hyndburn's emerging Local Plan.
- 2.24 As part of the evidence base for the Masterplan Framework a highways study 'Huncoat Masterplan Development Thresholds for Highway Interventions' confirmed that the existing road network in and around Huncoat is close to capacity and that the following development thresholds could be accommodated:
- A maximum of 70 units without priority junction intervention will be required between Higher Gate Road and the A679 Burnley Road.

- A maximum of 400 units with highway improvement works delivered at the junction of Higher Gate Road/Burnley Road to increase capacity at this location, or
 - A theoretical maximum of 500 units through the implementation of improvement works at both the junction of Higher Gate Road/Burnley Road, and Bolton Avenue/ Burnley Road, noting that the costs associated with the latter are likely to be unviable.
- 2.25 According to the Huncoat Lane Transport Assessment (TA), submitted as part of the evidence base for the Planning Application, the following roads will be directly impacted by the Scheme:
- A56 Accrington Bypass
 - A679 Burnley Road
 - Altham Lane
- 2.26 Other local roads and junctions in the vicinity of the Scheme are:
- Station Road
 - Lower Gate Road
 - Higher Gate Road
 - Burnley Lane
 - Bolton Avenue
- 2.27 Traffic modelling and junctions' assessment has demonstrated that the Scheme will operate with adequate capacity to absorb increased traffic movements from HGV and other planned development within the emerging Local Plan. It should be noted that the Scheme will not generate traffic movements, but it will cause existing traffic movements to be rerouted which will have an impact on the connecting road network. In addition, it will result in changes to existing pedestrian, cycle and bus routes and Public Rights of Way (PRoW).
- 2.28 Detail on the delivery of the wider HGV is set out in section 5 of this Statement on delivery.

Securing funding from Government's Brownfield, Infrastructure and Land Fund

- 2.29 The Council has successfully secured circa £29.90 million from the Government's Brownfield, Infrastructure and Land Fund ("BIL Funding") which is managed by Homes England. The secured funding covers the cost of land acquisition and delivery of the Scheme. Money within the BIL Funding is also allocated for remediation works to the two largest sites within HGV at the former Huncoat Power Station and the former Huncoat Colliery, as well as improvement works at Junction 8 of the M65 to the north of Huncoat which is also at capacity.
- 2.30 In July 2025, the Council notified Homes England that some agreed milestones within the project would not be met and as such an extension to the Funding Availability Period would be required. A revised programme, expenditure forecast, updated milestones and supporting narrative was submitted to Homes England with a request for an extension of the funding period to 31st March 2029.
- 2.31 The Assurance Review assessed the revised programme to ensure it fitted with Homes England's corporate governance, managed financial risks effectively, and complied with government standard.
- 2.32 The Council received written confirmation from Homes England on the 6th of March 2026 that the Assurance Review process had approved the revised programme milestone and extension of the funding availability period to 31 March 2029, subject to satisfaction of the following conditions:
- 2.32.1. a new milestone being inserted into the grant funding Agreement, (via a Deed of Variation), setting the date by which the Council will have to have addressed the recommendations of the Assurance Review;

- 2.32.2. confirmation that the Subsidy Control position on the project remains unchanged and compliant;
- 2.32.3. confirmation in writing from that the Council accepts full responsibility for any cost overruns, setting out how these would be covered; and
- 2.32.4. confirmation the Council will be responsible for meeting all costs not incurred and claimed before the revised Availability Period of 31 March 2029 from its own resources.

The Council is already in the process of complying with these additional conditions and is confident that they will be satisfied in a timely manner.

- 2.33 The Council is also in ongoing regular communication with National Highways about the funding of the works at Junction 8 of the M65. The BIL funding constitutes a contribution of 50% of the costs of the works at the time of the business case. The remaining funding for the improvement works will come from the National Highways Road Investment Strategy (RIS 3), formal publication of which is expected in March 2026.
- 2.34 More detail is set out in section 5 of this Statement.

Delivery of HGV and the Scheme

- 2.35 The Council has carried out considerable work to bring forward HGV and the Scheme itself. In addition to the development of policy for HGV and the securing of the BIL Funding as summarised above, the Council has made significant progress in bringing forward the Scheme. This includes progressing a planning application for the Scheme and the procurement of a preferred contractor to construct the Scheme once vacant possession is secured.
- 2.36 In relation to the wider HGV, the Council is working with the owners of the two larger sites (the former Huncoat Power Station and the former Huncoat Colliery) to ensure that their sites come forward within reasonable timescales and that they deliver the aspirations of HGV. It is also in discussion with the owners of the other sites which will come forward to deliver HGV.
- 2.37 Section 5 of this Statement provides more detail on the delivery and funding position of the Scheme.

3. Description of Order Land and surrounding area and ownership

- 3.1 The Order Land comprises approximately 13.9ha of land located within an area of predominantly open landscape between the current built edge of the Huncoat settlement and the A56 Accrington Bypass. The Order Land comprises mostly agricultural land, and is mostly situated within the Liverpool, Manchester and West Yorkshire Greenbelt.
- 3.2 The Order Land sits within a predominantly rural landscape with open fields and natural features. There are strong urban influences from the edge of the existing Huncoat settlement, major roads, and pylon networks within and surrounding the Order Land. A rural lane runs through the centre of the Order Land bordered by scattered small trees, grass verges and post-and-rail fencing and fragmented stone walls, contributing to the open field character.
- 3.3 The existing Huncoat settlement is located on the outskirts of Accrington and to the eastern boundary of Hyndburn, bordering with Burnley. It comprises a population of approximately 4,700 people and has significant employment areas within and adjacent to it, including Huncoat Business Park and Altham Business Park to the north, and Burnley Bridge Business Park to the east. The area presents excellent connectivity to the strategic road network. The M65 and A56/M66 are immediately adjacent to the north and east, respectively with Junction 8 of the M65 located approximately 1.5 kilometres from the Huncoat village centre. Additionally, Huncoat Train Station benefits from direct services to Preston and has connections to Manchester.

Explanation of the Order Map and the interests being acquired

- 3.4 The Council have ensured that the appropriate preparation has been carried out in advance of the making of the Order. Paragraphs 20.1 and 20.2 of the CPO Guidance emphasise the importance of making sure that a CPO is made correctly including recording the names and addresses of all those with an interest to be acquired.
- 3.5 In accordance with this, a specialist land referencing company, TerraQuest, has been appointed by the Council to carry out all the necessary due diligence prior to making of the Order. TerraQuest has carried out extensive due diligence on behalf of the Council to obtain accurate information on the land ownership and occupation of the Order Land and surrounding properties. This has included: obtaining Land Registry title information; site visits; and issuing of requisitioning notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976. The most recent work was carried out from July 2025 to February 2026 including verification of information. The Council is satisfied that all the required due diligence has been carried out to establish ownership of the Order Land. Full details of the Order Land appear in the Schedule to the Order.
- 3.6 The detailed boundary of the Order Land is shown on the Order Map. The land coloured in pink identifies the land over which the Council seeks to compulsorily acquire all third-party proprietary interests and existing rights. The land required to deliver the Scheme is held by a number of different landowners with the largest parcels of land's freeholds held by; Mr Lindsey David Nutter, Ms Alison Grimshaw and Ms Irene Stevenson; Mr David and Mr John Leitherd; and Ms Judith Hughes and Mr Paul Stark. There are also a number of other registered interests across the Order Land and identified in the Order Schedule including cautionary parties with a mines and minerals interest, and beneficiaries of manorial rights as well as an occupier on one of the parcels of land. Many of the landowners affected by the Scheme will also benefit from its delivery as it will enable development to come forward on their land as part of HGV. Further detail is set out in Section 5 of this Statement.
- 3.7 The full details of the interests and rights comprised in the Order Land are set out in the Order Schedule. Table 1 of the Order Schedule sets out where the Council seeks to compulsorily acquire proprietary interests and existing rights. Table 2 of the Order Schedule includes all interests where the Council has identified that there could be a potential claim for compensation due to a right affected by the Scheme underpinning the Order.
- 3.8 Some of the land and rights included within the Order Schedule are required in perpetuity whereas others are required only for the construction phase of the Scheme. Where there is only the need to acquire land/rights during construction, the Council is seeking to negotiate a licence to temporarily occupy and

carry out works during construction and to secure rights of access once such works are completed, rather than permanent acquisition. However, in the absence of agreement being reached as yet with the landowners, these are included within the Order to ensure that the Council has the right to permanent acquisition if so needed to enable the Scheme to proceed. Table One below summarises the interests included within the Order and the reasons for inclusion in the Order.

- 3.9 The Council has at all times sought to only acquire land that is definitively needed to develop the relief road. Therefore, throughout the CPO process, the Council has tried to and successfully reduced the land extent and number of property interests to ensure it is only seeking to acquire land that is necessary. The Council is confident that only land necessary to deliver the Scheme is included within the Order.
- 3.10 Table 1 below summarises the freehold interests included within the Order and the reasons for their inclusion.

Table 1: Property interests included in the Order and the reasons for their inclusion

Order Map Plot Number	Owner	Extent, description and situation of the land	Reason for inclusion in the Order
1	Unknown Lancashire County Council (Highway Authority) Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals) Trustees of The Salford Diocesan Trust (Subsoil) D. Leitherd and J. Leitherd (Subsoil) Hyndburn Borough Council (Subsoil)	1,950 square metres, or thereabouts, of public adopted highways (Altham Lane and Peter Grime Row), Huncoat	Temporary Construction
2	Hyndburn Borough Council Lancashire County Council (Highway Authority)	490 square metres, or thereabouts, of public adopted highway (Altham Lane), Huncoat except those interests owned by the acquiring authority	Temporary Construction
3	Unknown Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals) Hyndburn Borough Council (Subsoil) D. Leitherd and J. Leitherd (Subsoil)	161 square metres, or thereabouts, of public adopted highway (Altham Lane), Huncoat except those interests owned by the acquiring authority	Temporary Construction

Order Map Plot Number	Owner	Extent, description and situation of the land	Reason for inclusion in the Order
	Lancashire County Council (Highway Authority)		
4	D. Leitherd and J. Leitherd Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals)	75,039 square metres, or thereabouts, of agricultural land, scrubland and public footpath (FP1101004) situated to the north of Bowland View, Huncoat	Relief Road Attenuation Pond Temporary Construction
5	National Highways Ltd Lancashire County Council (Highways Authority)	3,108 square metres, or thereabouts, of public adopted highway (Burnley Lane), Huncoat	Relief Road Temporary Construction
6	National Highways Ltd	640 square metres, or thereabouts, of woodland situated to the north east of Bowland View, Huncoat	Temporary Construction
7	A. Grimshaw, L. D. Nutter and I. Stevenson Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals) R. C. Assheton (Mines and Minerals)	3,857 square metres, or thereabouts, of agricultural land situated to the east of Bowland View, Huncoat	Relief Road Temporary Construction
8	Unknown A. Grimshaw, L. D. Nutter and I. Stevenson Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals) Lancashire County Council (Highways Authority)	71 square metres, or thereabouts, of public adopted highway (Burnley Lane), Huncoat	Temporary Construction
9	A. Grimshaw, L. D. Nutter and I. Stevenson Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals) R. C. Assheton (Mines and Minerals)	964 square metres, or thereabouts, of agricultural land situated to the east of Bowland View, Huncoat	Temporary Construction

Order Map Plot Number	Owner	Extent, description and situation of the land	Reason for inclusion in the Order
10	A. Grimshaw, L. D. Nutter and I. Stevenson	21,243 square metres, or thereabouts, of agricultural land and scrubland situated to the east of Avondale, Huncoat	Relief Road Temporary Construction
11	J. A. Hughes and P. M. Stark	27,425 square metres, or thereabouts, of scrubland, wooded area and agricultural land situated to the east of Sunnyside, Huncoat	Relief Road Temporary Construction Attenuation Pond
12	Unknown Trustees of the Hon. R.J. Assheton's Discretionary Minerals Trust (Mines and Minerals)	14 square metres, or thereabouts, of scrubland and pond situated to the east of 3 Griffin Close, Huncoat	Relief Road Temporary Construction
13	National Highways Ltd	1,134 square metres, or thereabouts, of scrubland and pond situated to the east of 14 Griffin Close, Huncoat	Relief Road Temporary Construction
14	E. Bowling and J. R. Bowling	1,286 square metres, or thereabouts, of scrubland, wooded area and pond situated to the east of 3 Griffin Close, Huncoat	Relief Road Temporary Construction
15	National Highways Ltd Lancashire County Council (Highways Authority)	1,273 square metres, or thereabouts, of public adopted highway and roundabout (Burnley Road, A679), Huncoat	Relief Road Temporary Construction
16	National Highways Ltd	131 square metres, or thereabouts, of public adopted highway (A679), Huncoat	Temporary Construction

4. Planning policies affecting the Order Land and the status of the planning application

- 4.1 The Planning Application, and the Scheme which it seeks to facilitate, is in accordance with national, regional and local policies. The Council has had regard to national planning policy and guidance as well as the provisions of the development plan and any other material considerations.

National Policy

- 4.2 The National Planning Policy Framework (NPPF), revised in December 2024, sets out the Government's core planning policies for England, (CD14.8). The NPPF provides the basis for local plan development and planning application determination, with a presumption in favour of sustainable development at its heart. It establishes three overarching objectives: economic, social, and environmental, which guide the preparation and implementation of plans and policies.
- 4.3 The key NPPF principles relevant to Huncoat Lane and Huncoat Garden Village (HGV) (of which the Scheme forms part) include:
- 4.3.1. Promoting Healthy, Safe and Inclusive Communities: Policies should foster social interaction, safety, accessibility, and healthy lifestyles (Paragraph 96).
 - 4.3.2. Open Space & Recreation: High-quality open spaces and opportunities for sport and physical activity are vital for community health and climate resilience (Paragraph 103).
 - 4.3.3. Sustainable Transport: Transport issues must be integrated from the earliest stages of plan-making (Paragraph 109).
 - 4.3.4. Good Design: New development should be high-quality, beautiful, and sustainable (Paragraph 131).
 - 4.3.5. Green Belt Protection: The fundamental aim is to prevent urban sprawl by keeping land permanently open (Paragraphs 142–143). Certain forms of infrastructure, including local transport infrastructure with a demonstrated need for a Green Belt location, are not inappropriate if openness is preserved.
 - 4.3.6. Climate Change & Flooding: The planning system should support the transition to net zero, enhance resilience, and support renewable energy and sustainable drainage (Paragraph 161).
 - 4.3.7. Natural Environment & Biodiversity: Development must protect and enhance landscapes, biodiversity, and ecosystem services, with net gains for biodiversity required (Paragraphs 187–194).
 - 4.3.8. Historic Environment: Heritage assets must be conserved appropriately for the enjoyment of future generations (Paragraph 202).

Local Plan Policy

- 4.4 The current Development Plan for Hyndburn Borough Council (HBC) comprises:
- 4.4.1. Hyndburn Core Strategy (2012): Sets the strategic policy direction for development. Policies A7 and A9 specifically allocate Huncoat for growth, support the removal of land from the Green Belt for housing, and require a new road connecting the A56, Huncoat Strategic Employment Site, and residential areas, (CD14.9).
 - 4.4.2. Development Management DPD (2018): Provides detailed planning policies, supplementing the Core Strategy, (CD14.10).
 - 4.4.3. 1996 Local Plan (Saved Policies): Some policies remain relevant, (CD14.11).
 - 4.4.4. Accrington Area Action Plan (2012), (CD14.12).
 - 4.4.5. Joint Lancashire Minerals and Waste Planning Documents, (CD14.13).

- 4.5 Relevant policies from the Hyndburn Core Strategy and DPD include requirements for high-quality landscaping, protection and enhancement of green infrastructure, ecological networks, sustainable design and construction, minimisation of environmental impact, and improved connectivity and transport infrastructure.
- 4.6 As set out at paragraph 1.14 of this Statement, the Council is currently bringing forward its new Local Plan which includes a strategic policy for HGV. The adoption of the Local Plan is expected to take place towards the end of May 2026. A copy of the Regulation 22 draft Local Plan and the Proposed Modifications can be found at CD14.16 and CD14.17, respectively.
- 4.7 The key draft Local Plan policies relevant to Huncoat Lane and Huncoat Garden Village (HGV) (of which the Scheme forms part):
- 4.7.1. Policy SP1: Identifies Huncoat Garden Village as a strategic growth location, with Huncoat expected to grow faster than other Accrington townships.
- 4.7.2. Policy SP2: Allocates land for 1,500–1,600 homes in Huncoat over the plan period, supporting a new local/neighbourhood centre and significant infrastructure improvements:
- (a) The policy requires the delivery of a new link road, cycle and pedestrian infrastructure, and comprehensive green, blue, and grey infrastructure.
- (b) Early delivery of the Scheme is deemed essential for phased development; only the first phase of housing may proceed before the Scheme is completed.
- (c) Strategic changes to the Green Belt have been made locally to facilitate the development of HGV and safeguard land for longer-term needs.
- 4.8 The draft policies set ambitious standards for design, sustainability, and community integration, as established in the HGV Masterplan and Huncoat Design Code. In addition, the HGV Masterplan Framework & Infrastructure Delivery Strategy (Oct 2021) is a material consideration. Until the new Local Plan is adopted, the Masterplan guides planning decisions. Highways evidence supporting the Masterplan confirms the local road network is near capacity, and development of more than 400 units requires the delivery of the Scheme, linking the A56 roundabout with Altham Lane.

Transport Policy

- 4.9 Lancashire County Council's Highways and Transport Strategy (2023–2025), (CD14.14), aims to create a modern, efficient, and sustainable transport network that drives economic growth, improves health and well-being, addresses environmental challenges, and fosters inclusive, accessible communities. The strategy is built around four core priorities: effective management of highway assets, improved network efficiency and safety, promotion of sustainable and active travel, and the development of strategic partnerships to attract investment and support regeneration. These priorities are supported by twelve specific objectives, which include reducing the carbon footprint of highways activities, enhancing safety, increasing opportunities for walking, cycling, and public transport, and aligning transport improvements with local and regional growth ambitions.
- 4.10 The Scheme addresses all four strategic priorities. The Scheme provides robust new infrastructure that enhances asset resilience and connectivity, supporting future growth and unlocking the wider HGV development. Its design improves network efficiency and safety by relieving congestion at key junctions, introducing safe crossings, and prioritising pedestrian and cyclist movement, directly supporting the strategy's goal of safer, more reliable journeys and reduced road casualties. The provision for active travel and public transport is exemplary, with dedicated facilities for walking, cycling, and bus users, meeting national standards and encouraging a shift away from private car use. This supports both the council's sustainability targets and broader health objectives. The Scheme also demonstrates strong partnership working, bringing together Hyndburn Borough Council, Lancashire County Council, National Highways, technical consultees, and the local community to deliver a plan-ready infrastructure intervention fully embedded in local and regional plans.
- 4.11 In the context of Lancashire Local Transport Plan (Consultation Version) 2025-2045, (CD14.15), which sets out a vision for a stronger economy, fairer opportunities, and a more sustainable future, all are directly

supported by the delivery of the Scheme as part of the HGV masterplan. The Scheme is a critical enabler for new homes and jobs, unlocking a major growth site as envisaged in the Local Transport Plan's "Connecting Lancashire" workstream. By providing a new link between the A56 Accrington Bypass and Altham Lane, the Scheme removes barriers to development, improves access to employment, and supports efficient movement of people and goods. This directly aligns with Policy CL1, which calls for multi-modal infrastructure to unlock growth sites and attract investment.

- 4.12 The Scheme also delivers on the Local Transport Plan's ambition to transform travel choices across Lancashire. The provision of high-quality, segregated active travel infrastructure alongside enhanced bus stops is aligned with Workstream 2 ("Transforming Travel Choices") and specifically Policies TC1 and TC3. These policies aim to make bus journeys more reliable and attractive, and to establish walking and cycling as natural first choices for shorter trips. Huncoat Lane's design, which incorporates real-time bus information, step-free access, and safe crossings, is fully consistent with the focus on modernising public transport and embedding active travel into daily life. By giving local residents viable alternatives to car travel, the scheme contributes to broader LTP goals of reducing transport-related social exclusion, improving air quality, and supporting public health.
- 4.13 Safety and placemaking are central to the "Safe and Vibrant Communities" workstream, and the Scheme addresses these priorities through its landscape-led approach and inclusive design. The Scheme introduces raised pedestrian crossings, tactile paving, and lighting designed to enhance both safety and personal security, addressing Policy SV1's "vision zero" ambitions for road safety. The Scheme's public realm and green infrastructure not only deliver measurable biodiversity net gain but also contribute to Policy SV3's commitment to high-quality, accessible places. By working closely with local stakeholders, the design process has embedded community feedback and placemaking principles, supporting the call to "embed placemaking in new developments" (Policy SV4).
- 4.14 Additionally, the Scheme supports the "Future-Ready Networks" workstream by integrating climate resilience, sustainable drainage, and low-carbon construction into the scheme's core. By choosing durable materials, providing sustainable drainage systems, and minimising embodied carbon, the Scheme exemplifies Policy FN4's goal of delivering sustainable, resilient infrastructure. Its forward-thinking approach to asset management and use of technology further aligns with the ambition to embrace innovation and prepare Lancashire's networks for future challenges.

Lancashire Growth Plan

- 4.15 The Scheme and HGV are well-aligned with the vision, strategic priorities, and growth ambitions articulated in Lancashire Combined County Authority's (LCCA) Lancashire Growth Plan 2025–2035), (CD14.16). The Lancashire Growth Plan was published in September 2025 following a public consultation exercise. The Growth Plan sets out Lancashire's ambition to be a globally recognised, highly competitive, and sustainable region, powered by innovation, advanced manufacturing, clean energy, digital transformation, and high-quality places. Central to this vision is the delivery of targeted infrastructure that supports inclusive economic growth, unlocks major development sites, and provides the connectivity needed for residents and businesses to thrive.
- 4.16 The Scheme directly addresses several of the Growth Plan's key drivers and enablers for growth. By unlocking a strategic housing site in the Pennine Lancashire corridor and improving access between the A56 Accrington Bypass and Altham Lane, the scheme supports the plan's focus on spatial priorities, including the economic 'Central Belt' running along the M65, where much of Lancashire's employment and innovation potential is concentrated. The relief road provides the physical infrastructure necessary to deliver new homes, facilitate regeneration, and attract investment, which are all highlighted as critical components in the Growth Plan's spatial vision and major project pipeline.
- 4.17 Infrastructure is identified in the Growth Plan as a foundational enabler of growth, with specific emphasis on the need to improve east-west connectivity, reduce barriers to employment, and address transport-related social exclusion. The Scheme advances these goals by providing robust multi-modal access to new and existing communities, enabling more people to connect to job opportunities, education, and services in the wider Central Belt. The scheme's design includes dedicated active travel and public

transport facilities, supporting modal shift and reducing car dependency, which is expressly encouraged in the Growth Plan as part of a low carbon, clean growth Lancashire.

- 4.18 The Growth Plan also stresses the importance of inclusive growth, quality of place, and placemaking as a catalyst for economic resilience. The landscape-led, community-informed approach to the Scheme ensures that it not only delivers essential transport capacity, but also enhances the public realm, supports biodiversity net gain, and integrates with green infrastructure; all contributing to the high-quality, sustainable communities envisaged in the Plan. The creation of accessible, attractive environments supports workforce wellbeing, talent retention, and local pride, reinforcing the Growth objective for quality of place as a lever for economic competitiveness.
- 4.19 Furthermore, the Scheme supports the Growth Plan's call for investment in a pipeline of transformational infrastructure projects that underpin economic priorities and unlock new opportunities. By coordinating with the Local Transport Plan and the wider Lancashire Infrastructure Strategy, the scheme strengthens Lancashire's case for additional government and private sector investment.

Consultation and engagement with stakeholders and the local community in preparing the Scheme for delivery

- 4.20 The Council and its team of consultants have carried out considerable engagement and consultation with stakeholders and the local community in preparing the Scheme for delivery. A summary of the consultation and engagement carried out to date is set out below. In addition, the Council and its consultants have undertaken tailored negotiations with third parties whose property interests are affected by the Scheme. Section 6 of this Statement provides further information.

Consultation events and engagement to design up a scheme for the residential relief road

- 4.21 The Scheme forms part of the Masterplan Framework for HGV, which was subject to several rounds of community and stakeholder engagement as it was developed in advance of its approval by the Council's Cabinet in 2021. The process included engagement with Council members, landowners and statutory consultees. Statutory consultees included officers from Lancashire County Council (Highways and Education Authority), the Environment Agency, National Highways and Network Rail. In addition, Arriva North were engaged in the process. Key consultation events that took place as part of the Masterplan Framework process included:
- Stage 1 Baseline Evidence (October 2018) – in person landowner and key stakeholder presentation detailing key constraints and opportunities of the masterplan area.
 - Stage 2 Option Development and Testing (Part 1) (November 2018) – in person landowner and stakeholder engagement presenting three initial growth options which considered residential and employment.
 - Stage 2 Option Development and Testing (Part 2) (February 2019 – April 2019) – in person public engagement to discuss masterplan options developed further since the events in 2018.
 - Stage 3 Draft Masterplan Framework and Infrastructure (May/June 2021) – online engagement and survey with the public, statutory consultees.
- 4.22 Prior to the submission of the Planning Application, extensive engagement was undertaken with the Local Planning Authority ("LPA"), involving proactive discussion and consultation to elicit feedback and ensure compliance with adopted and emerging planning policy.
- 4.23 In September 2023, the Council's planning department held an initial meeting with the Council, as applicant, to discuss the outline of the Scheme. The LPA agreed that the Scheme is a strategic local transport infrastructure project in line with the definition provided by the National Planning Policy Framework, and there is policy support available to support the principle of the Scheme being within a Green Belt location.
- 4.24 HGV has also been considered a strategic priority for the region and has been referenced in strategic documents such as the "Lancashire Strategic Economic Plan (2014)" and as a site within the Pennine Lancashire Housing Zone.

Engagement with Lancashire County Council (LCC) Highways Department

- 4.25 A number of design workshops were held with LCC Highways Department between November 2023 and February 2024 to discuss various aspects of the road design, including road alignment and design parameters, Burnley Road roundabout, drainage and Altham Lane design proposals.
- 4.26 The design evolved over the course of these workshops and engagement, taking into account comments received from LCC. Further explanation of the approach to highway design and associated considerations are outlined in further detailed in the Design and Access Statement (DAS) submitted with the Planning Application (CD14.22).

Public Exhibition

- 4.27 Two in-person public exhibition events were held at Huncoat Primary School on 25th January 2024 and 6th February 2024. The event was attended by local residents, stakeholders and elected members. The event was advertised by e-mail and letters delivered to local stakeholders and residents. An online survey provided an opportunity to provide feedback; paper copies of the feedback form were also available at both exhibitions.
- 4.28 A Statement of Community Involvement (SCI) was submitted alongside the Planning Application which provides further detail on the pre-application engagement with statutory consultees and the local community, including feedback from the public exhibitions and the extent to which this has informed the road design. A copy of the SCI is at CD14.23.

Planning Position for the Scheme

- 4.29 The Council is the LPA for the Scheme.
- 4.30 An application for full planning permission for the Scheme (reference 11/25/0124) was validated on 3 April 2025.
- 4.31 As detailed above, the Planning Application has been informed by consultation with key statutory bodies and the community and was supported by an Environmental Statement and other required documents.
- 4.32 The Planning Application is expected to be determined by the LPA on 11th March 2026. It is supported by robust technical and policy evidence, and the principle of development is established by both the adopted and emerging planning frameworks for Hyndburn. The proposals are designed to deliver significant public benefits, including the unlocking of much-needed housing and supporting sustainable, inclusive community growth.
- 4.33 Given the close compliance with planning policy (as detailed in this Section) and the benefits the Scheme would bring (see Section 7) it is considered that there is no reason why the Planning Application would not be approved at first instance.
- 4.34 In the event that planning permission is granted, discharge consents, ecological consents and waste management licences will be applied for during the detailed design stage of the Scheme. These are not considered to be impediments to the Scheme proceeding. As part of the planning process, there has already been extensive dialogue undertaken by the Council with all the statutory bodies affected. This includes Lancashire County Council in its role as both Lead Flood authority and the Highway Authority, National Highways, The Coal Authority (now named the Mining Remediation Authority), Environment Agency, etc. This dialogue has helped shape the preliminary design of the Scheme and has also provided an opportunity for the statutory bodies to influence matters and to ensure their own requirements will be met and included in the Scheme proposals from an early stage. For these reasons, the Council has a high level of confidence that there will be no potential impediments to the Order being implemented, if confirmed.

5. Delivery and funding

5.1 The Council is committed to the delivery of the Scheme, providing critical infrastructure necessary to support HGV and to facilitate wider investment at Altham Business Park. The Council has and continues to carry out all the required due diligence and other work to ensure that the Scheme is delivered successfully and in a timely manner. Significant progress has already been made, and the Council is continuing to progress the delivery of the Scheme and the wider HGV alongside the progression of the Order. The section below sets out a summary of the progress that the Council has made to date alongside information on how the Council intends to ensure delivery of the Scheme including the funding position.

Funding Sources and Timing

5.2 The Council has ensured that there are sufficient funds in place to deliver the Scheme. The Council has already spent and committed money to bringing forward the Scheme, which is part of the HGV masterplan framework, to its current stage including the following. As of February 2026, circa £3,365,360 has been spent including on the following:

- Monies spent on developing the policy framework for HGV.
- Monies spent on preparing and submitting various funding bids to Government/Homes England.
- Monies spent on appointing and managing a team of consultants to assist as necessary in bringing forward the Scheme and HGV.
- Monies spent on procuring the preferred contractor.
- Monies spent on the preparation and due diligence prior to submitting the planning application for the Scheme.
- Monies spent on RIBA Stage 4 design work.
- Monies spent on preparing this Order including land referencing.
- Monies spent on carrying out negotiations.
- Monies transferred to National Highways to support the delivery of upgrades to Junction 8 of the M65

5.3 The Council has been successful in securing funding for preparation of the policy framework for HGV, as well as for the delivery of the Scheme and a significant contribution towards the delivery of HGV.

5.4 Government, through Homes England, has made a significant commitment to the delivery of HGV. Firstly, the Huncoat Garden Village Framework Masterplan benefited from a significant contribution of £224,000 from Homes England's (formerly Homes & Communities Agency) Housing Zone Programme. Secondly, Homes England has made a £115,000 contribution towards the development of the Council's business case to secure further funding through Government's Brownfield, Infrastructure and Land Fund. A £50,000 contribution was also secured from DLUHC towards the production of a design code for Huncoat Garden Village as part of the national design code pilots.

5.5 Most importantly, the Council has secured a £29.90 million grant from Homes England's Brownfield Infrastructure Land Fund. The Brownfield, Infrastructure and Land Fund was established by the Government at the end of July 2023. The fund is delegated to and managed by Homes England. In October 2023 the Council submitted a business case to Homes England seeking grant funding of circa £29.9 million from the BIL fund. The funding bid was successful, and the Council entered into a grant agreement with Homes England ("the Homes England Grant Agreement") in March 2025 for the payment of grant funding to the Council of up to £29,879,722 during the "availability period", which runs from 31 March 2025 to 31 March 2028.

5.6 As confirmed in section 2 of this Statement, In July 2025 the Council submitted a formal request to revise the grant funding programme milestones and extend the grant availability period to 31st March 2029. The

Council received written confirmation from Homes England on the 6th of March 2026 that the revised programme milestone and extension of the grant availability period to 31st March 2029 was approved, subject to satisfaction of the following conditions:

- 5.6.1. a new milestone being inserted into the grant funding Agreement, (via a Deed of Variation), setting the date by which the Council will have to have addressed the recommendations of the Assurance Review;
- 5.6.2. confirmation that the Subsidy Control position on the project remains unchanged and compliant;
- 5.6.3. confirmation in writing from that the Council accepts full responsibility for any cost overruns, setting out how these would be covered; and
- 5.6.4. confirmation the Council will be responsible for meeting all costs not incurred and claimed before the revised Availability Period of 31 March 2029 from its own resources.

The Council is already in the process of complying with these additional conditions and is confident that they will be satisfied in a timely manner.

5.7 The monies secured from the Homes England Grant Agreement will fund the following:

- Land acquisition over the Order Land to build the Scheme;
- Construction of the Scheme to adoptable standards;
- Land acquisition of the former Huncoat Colliery Site and the former Huncoat Power Station Site by CPO if required;
- Financial contribution to the capacity mitigation works at Junction 8 M65;
- Site remediation of both the former Colliery Site and former Power Station Site;
- Funding for a professional consultancy team to support the delivery of HGV which includes the Scheme; and
- Any necessary package of works in relation to the adjacent local road network to the National Highways scheme at junction 8 of the M65. See paragraph 5.24 for further information on this.

5.8 Ultimately there are two key elements of the Scheme requiring funding. Firstly, funding to acquire the necessary third party land and property interests, (including appropriate compensation) and secondly funding to deliver the Scheme for which the Order Land is required. In terms of monies for acquisition, the Council and its consultants have prepared and maintain an estimate of acquisition costs for acquiring the third party property interests, which is regularly reviewed. The estimate of acquisition costs was shared with Homes England as part of the funding bid for the Brownfield Infrastructure Land Fund. In terms of funding to construct the Scheme, the Council and its consultants have prepared and maintain a cost plan to monitor the expected costs to construct the Scheme. As with the estimate of acquisition costs, this is regularly reviewed. The cost plan is kept under regular review and will be updated on completion of design to RIBA Stage 4.

5.9 As at the date of making the Order the estimates of costs for the delivery (including both the estimate of acquisition costs and the cost plan of expected costs to construct the road) of the Scheme are circa £10.3m. £8.5m is available from the Homes England Grant Agreement to contribute towards these costs with the remainder to be funded by the Council, who are responsible for any cost overruns related to the delivery of the road, over and above the grant allowance, as set out in the grant funding agreement with Homes England. The Council is committed to the delivery of the Scheme and the potential risk of the cost exceeding the available grant funding was reported to the Council's Cabinet on the 30th of October 2024 and the 26th of March 2025 when Cabinet gave its' consent to enter into the grant funding agreement and noted that the Council is responsible for all cost overruns for the HGV project, including any potential additional costs for the Scheme.

Council's Progression of the Scheme to Date

5.10 The Council has spent significant time and resources in bringing forward the Scheme for delivery to ensure that its aspirations for HGV (as set out sections 2 and 4 of this Statement) can be realised.

5.11 The Council has appointed a team of experienced consultants to assist the Council in bringing forward the Scheme and HGV. Work to date has included:

- Preparation of the Masterplan Framework to provide a framework for the delivery of HGV and the need for the residential relief road, as set out in section 3 of this Statement.
- Development of further planning policies to support the delivery of HGV and the need for the residential relief road, as set out in section 4 of this Statement.
- A successful funding bid to Government as well as preparation and review of financial and budgeting information to ensure that the Scheme can be delivered. More information is set out below.
- Due diligence to prepare this Order in the event that third party land, property and rights cannot be acquired by agreement. This has included a detailed land referencing exercise by a specialist land referencing company. More information on the due diligence carried out is set out in section 3 of this statement.
- Progression of negotiations to acquire third party land and property affected by the Scheme by agreement. More information is set out in section 6 of this Statement.
- Preparation and submission of the Planning Application for the Scheme. More information is set out in section 4 of this Statement.
- Procurement of a preferred contractor, Eric Wright Group. More information is set out below.
- Progression of negotiations and discussions with the landowners of the two large sites of the former Huncoat Power Station and the former Huncoat Colliery to ensure that these sites are brought forward in a timely manner and that the aspirations and benefits of HGV are realised.
- Obtaining the relevant Council approvals through its Cabinet to progress the Scheme and the wider HGV. These include the following Cabinet approvals:
 - Adoption of Masterplan Framework: 20th October 2021(CD14.2)
 - Approval of Procurement Strategy for a contractor for the Scheme: 18th October 2023 (CD14.3)
 - Acceptance of Homes England's Grant Funding Agreement: 30th October 2024 (CD14.4)
 - Agreeing to contract with Homes England on the Grant Funding Agreement: 30th To submit a planning application with supporting Environmental Impact Assessment for the Scheme 30th October 2024 (CD14.4)
 - To enter into a Pre-Construction Services Agreement with the preferred contractor: Urgent Decision taken on 27th May 2025 and reported to Cabinet on the 18th of June 2025 (CD14.5)
 - CPO in principal approval: 18th June 2025 (CD14.5)
 - Making the CPO: 18th March 2026 (CD14.6)

Appointment of a Contractor to Deliver the Scheme

5.12 The Council has selected a preferred contractor to construct the Scheme through the Procure Northwest Framework. Eric Wright Civil Engineering has been selected as the preferred contractor. Stage 2 of the tender process has commenced which includes progressing the road design to RIBA Stage 4.

Management of the Scheme Post Completion

- 5.13 Lancashire County Council (LCC) is the highways authority for the Scheme. The Scheme will be adopted by Lancashire County Council upon completion as a public highway and it will be managed in alignment with LCC's Highways Management Plan (updated 2023). HBC intend to enter into section 278 and 38 Agreements under the Highways Act 1980 with LCC and have already confirmed this intention to LCC. It is intended that negotiations for the section 278 and 38 agreements will commence once the planning application is approved and the Stage 4 Design is complete.

Delivery and timing

- 5.14 The Council has programmed for its preferred contractor to start on site in June 2027, on the assumption that this Order is required and confirmed, and that agreement by negotiation cannot be reached earlier with all affected third parties. If agreement can be reached with all third parties and there is no need for a public inquiry into this Order (and therefore the Council would self-confirm this Order), the Council would like to start on site at an earlier date. The Council has, as part of its negotiations with third parties, confirmed that the earliest state date would be August 2026.
- 5.15 The programmed start date is critical due to the timescales imposed by Homes England for spending the funding allocated within the Homes England Grant Agreement. As confirmed at paragraphs 5.6 to 5.8, the Council has submitted a revised programme which would extend the date for monies to be spent to 31 March 2029. Homes England's decision on whether to approve the revised programme is expected by the end of March 2026.
- 5.16 The headline delivery programme for the Scheme is set out in Table 2 below.

Table 2: Headline delivery programme for the Scheme

Milestone	Programme date
Planning application for the Scheme submitted	March 2025
Determination of the planning application	March 2026
CPO made	March 2026
Vacant possession and start on site	June 2027
Housing Start on Site Date	December 2027

- 5.17 The Scheme also requires a Stopping Up Order in relation to part of Burnley Lane at the intersection of the proposed Huncoat Lane, which has been applied for by the Council pursuant to section 247 of the Town & Country Planning Act 1990. This narrow lane was identified by local residents as a high risk of being used as a short cut by car users. As such, this feedback has been incorporated into the design of the Scheme and which now requires a small section of Burnley Lane to be amended to prevent access by vehicles but which will still provide access for pedestrians, cyclists etc. The Scheme also necessitates the diversion of footpath number is FP1101004 as this crosses part of the Scheme at an angle. It is proposed to divert the footpath perpendicular to the road, along the route of a proposed pedestrian uncontrolled crossing. Further information on both of these proposed orders is set out in section 7 of this Statement.

Delivery of the wider HGV

- 5.18 In addition to the critical infrastructure to be delivered by the Scheme, the Council has also made significant progress in delivering development parcels within the HGV
- 5.19 The Council is in discussions with the major landowners of the former Huncoat Colliery and the former Huncoat Power Station. The owners of both these sites will be recipients of the secured BIL Funding. £18m

of BIL Funding is secured to support remediation works on these brownfield sites to make them suitable for residential development. Ongoing discussions are taking place between the Council and the owners/their development partners to meet the terms of the Homes England Grant Funding Agreement, to allow for the payment of grant funding in relation to remediation activity on both sites and to ensure that development comes forward in accordance with the Masterplan Framework. Further detail on the key milestones with the Homes England Grant Agreement is set out in paragraph 5.18 of this Statement.

- 5.20 Both landowners who are the intended recipients of the BIL Funding have identified preferred housebuilder partners to bring forward residential development however, the progression of those development proposals is contingent upon the Scheme's delivery – simply put, no development will come forward until there is certainty that the Scheme will be delivered by the Council. The former Huncoat Colliery site owners and their preferred house builder have taken pre-application planning advice based on a scheme for circa 394 residential units, with an expected outline planning application submission date of mid to late 2026.
- 5.21 The owner of the former Huncoat Power Station site submitted an outline planning application in December 2021 for the delivery of up to 451 residential units together with associated landscaping, open space, access and infrastructure. In response to this planning application National Highways submitted an objection which is a holding objection that National Highways will object to any trip generating development in the Huncoat area until full funding is secured for improvement works for Junction 8 of the M56. The planning application has therefore not been determined by the Local Planning Authority and in the meantime the Local Plan has progressed with the site allocation for HGV and the Council has been in discussions with National Highways re the required work to ensure that the holding objection can be removed. The Huncoat Power Station landowner and preferred housebuilder partner are now preparing a revised outline application for up to 360 residential units for submission in Spring 2026.
- 5.22 Alongside this the Council has continued engagement with National Highways around the delivery of the improvement works at Junction 8 of the M65. Homes England BIL Funding covers circa 50% of the estimated costs for the works and National Highways are progressing with internal discussions within Central Government to secure the remainder of funding for the works. This funding is expected to form part of the Road Investment Strategy 3 (RIS 3) covering investment in highways infrastructure from 2026 to 2031. Recent discussions between National Highways and the Council have suggested that the holding objection could be lifted in favour of an approval with conditions related to the design of Junction 8 and formal publication of RIS 3 expected by the end of March 2026. The holding objection does not apply to the Planning Application for the Scheme which, as set out in section 4 of this Statement, a decision is expected to be taken by the Council's Planning Committee on 11th March 2026.
- 5.23 In terms of the other sites which are expected to come forward for development within HGV (which are not recipients of the BIL Funding), the Council is in discussion with the landowners and has been informed that, subject to construction of the Scheme, the landowners intend to bring these sites forward and have been approached by housebuilders. In accordance with the Masterplan Framework phasing plans, the Council expects these sites to come forward for residential development following completion of the Scheme. The majority of these sites will be accessed directly from the Scheme and so the routing and completion of the road is required to unlock access to these development sites.

Conclusion in respect of delivery and funding

- 5.24 The Council has carried out considerable work to bring forward HGV, of which the Scheme forms part and, is committed to its delivery. The Council has a preferred contractor appointed to deliver the Scheme and is expecting a decision on the Planning Application for the Scheme in March 2026.
- 5.25 A grant funding agreement has been signed with Homes England to fund the delivery of the Scheme and the funding covers both acquisition and the costs to build and implement the Scheme. The Council is also satisfied that there are no planning impediments to the delivery of the Scheme.
- 5.26 The Council, its preferred contractor and its team of consultants have the required knowledge, capacity and intention to deliver the Scheme, which in turn will assist in delivering the wider HGV.

6. Efforts to acquire land by agreement

6.1 The Council has sought to negotiate the acquisition of all third-party interests by agreement and is continuing negotiations in parallel with the making of this Order, to seek to acquire as much of the Order Land as possible by private treaty. There are also a number of unregistered parcels of land within the Order Land, where despite attempts to ascertain ownership, ownership remains unknown. The Council is seeking to acquire only the land required to deliver the Scheme and where appropriate is seeking to enter into licence agreements with landowners where land/rights are only needed temporarily for the construction of the road. Further information on the components of the Scheme is set out in section 3 of this Statement.

CPO Guidance and the Council's overall approach to negotiations

6.2 The CPO Guidance sets out the requirements in respect of negotiations to acquire third party property interests. The Council has followed and complied with this guidance in its approach to negotiations and will continue to do so. As would be expected for a scheme of this size and where the Order Land is in multiple ownership, the Council expects that it will need to exercise its compulsory purchase powers because either reasonable terms cannot be agreed for private treaty acquisition or because the legal owners cannot be traced. The Council will continue to seek to acquire all the required interests by negotiation alongside the Order process. This is in accordance with paragraph 17 of the CPO Guidance which at paragraph 17.1 states that:

“Undertaking negotiations and engagement prior to, and in parallel with, preparing and making a compulsory purchase order can help build good working relationships with those whose interests are affected [...] Acquiring authorities should be open and honest with those whose interests are affected and treat their concerns with respect.”

6.3 The Council's approach is also in accordance with paragraphs 2.8 and 2.9 of the CPO Guidance which sets out that negotiations can be carried out in parallel with the CPO process and that by initiating formal CPO procedures this will help make the seriousness of the acquiring authority's intentions from the outset, which in turn can encourage those third parties to enter more readily into meaningful engagement.

6.4 In summary, the Council's overall approach to undertaking negotiations with the landowners is as set out below:

- Initial landowner engagement started as part of the Masterplan Framework process prior to the adoption of the latter in October 2021.
- The Council made contact with landowners in 2023 through a series of landowner workshops and public consultation sessions held between December 2023 and January 2024. These are summarised in section 2 of this Statement.
- Since the initial early engagement, the Council has continued to keep landowners informed about the Scheme and the wider HGV through letters, phone calls and emails.
- Individual meetings with affected third parties have taken place from October 2022 onwards focusing on seeking to understand the impact of the Scheme on third parties, any possible mitigation and to reach an agreement on compensation for the acquisition.
- Further to the early engagement, the Council and its advisors offered to meet with all landowners individually from September 2025 onwards and discussions have since taken place about the Scheme including the impact on landowners and timescales as well as discussions on compensation and mitigation where appropriate.
- The Council has ensured that it has shared information about the Scheme throughout the process. This includes a website about the Scheme and a Frequently Asked Questions document which provides information about both the Scheme and the Order process, including who to speak to about the negotiations.
- Financial offers, in line with paragraphs 3.1 and 3.2 of the CPO Guidance, and in accordance with the statutory Compensation Code, have been made to all landowners (excluding those whose

property interest in the Order is limited to subsoil, the cautioner parties of the mines and minerals interests, and beneficiaries of manorial rights)

- Attempts to acquire all interests are ongoing and will continue alongside and throughout the Order process.
- The Council has given full consideration as to the mitigation and minimisation of the impact of the Order and the Scheme on landowners and occupiers. As set out in paragraphs 3.4 to 3.8 of this Statement, the Council has undertaken a full land referencing exercise and has carried out considerable due diligence to ensure that only land that is required to deliver the Scheme is included in the Order. The Council has received, discussed and given careful consideration to several points of objection raised by two landowners to the Scheme's Planning Application and is satisfied that it has taken on board the objections raised through the planning and negotiation processes. Whilst the Council has not been able to make all the changes requested by the two objectors, the Council remains committed to acquiring all interests by agreement. These negotiations will continue with the Council remaining committed to agreeing on the voluntary acquisition of all outstanding interests in the Order Land.

6.5 In addition, the Council has entered into negotiations with the occupier of plot 11 of the Order Schedule following information being provided by the freehold owners of the land that there is an occupier in place who runs a small stables on the site. The Council has met with the occupier to seek to understand her occupation and the nature of her use of the land including to see whether she may be entitled to compensation under the statutory Compensation Code, as well as to discuss any support which may be required to relocate the horses and stables. The Council will continue to negotiate with the occupier and provide the appropriate support alongside the Order process.

Parties with a property interest in the subsoil

6.6 As identified in the Order Schedule, there are a number of parties with a property interest in the subsoil. The Council's consultants Avison Young are seeking to make contact with the subsoil interest owners and will make financial offers in accordance with the statutory compensation code. In some circumstances the subsoil owners also are one of the main landowners and where this is the case, financial offers have been made as part of the overall offer to the landowner.

Registered caution: Mines and minerals beneficiaries, plots 3, 4, 7, 8, 9, 12, 13 of the Order Schedule and Order Map

6.7 There is a caution title in respect of mines and minerals registered across a number of plots within the Order. The beneficiaries of the caution title are identified on the Order Schedule.

6.8 The Council's consultants Avison Young have made contact with the appointed agent and a meeting has taken place to discuss the CPO and potential compensation. Negotiations are ongoing.

6.9 The Council will make a financial offer in accordance with the statutory Compensation Code.

Manorial beneficiaries, plots 7 and 9 of the Order Schedule and Order Map

6.10 There are two beneficiaries with manorial rights. They have appointed an agent for these negotiations. The Council's consultants Avison Young have made contact with the appointed agent and a meeting has taken place to discuss the CPO and potential compensation. Negotiations are ongoing.

6.11 The Council will make a financial offer to acquire the manorial rights in accordance with the statutory Compensation Code.

Compliance with paragraph 19 of the CPO Guidance

6.12 Paragraph 19.1 of the CPO Guidance sets out a list of steps which should be considered to help those affected by a CPO proposal. It requires an acquiring authority to explain how and to what extent the actions in the list have been taken, and if an action has not been taken the reasons why. The section below sets out the steps identified in paragraph 19.1 and how the Council has complied with these.

- 6.13 At paragraph 19.1 (a), the CPO Guidance states:
- (a) provide full information from the outset about what the compulsory purchase process involves, the rights and duties of those affected and an indicative timetable of events - information should be in a format accessible to all those affected*
- 6.14 The Council has provided this information through its Frequently Asked Questions document which sets out information on both the Scheme and the Order process, as well as through letters and emails to third parties, through information on the Council's website and through in person negotiation meetings.
- 6.15 At paragraph 19.1 (b), the CPO Guidance states:
- (b) inform owners and occupiers of guidance which is publicly available and professionally published on compulsory purchase and compensation including: this guidance, the Department's plain English guides, and any information or guidance published by the acquiring authority (including on the scheme) or other professional body*
- 6.16 The Council has provided this information through its Frequently Asked Questions document which sets out information on both the Scheme and the Order process, as well as through letters and emails to third parties, through information on the Council's website and through in person negotiation meetings.
- 6.17 At paragraph 19.1 (c), the CPO Guidance states:
- (c) appoint a specified case manager during the preparatory stage to whom those with concerns about the proposed acquisition can have easy and direct access*
- 6.18 The Council has a designated officer who is the appointed case manager for all the negotiations. The designated officer has been involved in the project since engagement and negotiations began, is named in all the correspondence and in the Frequently Asked Questions and has continued to seek to meet with all landowners in the run up to the making of this Order.
- 6.19 At paragraph 19.1 (d), the CPO Guidance states:
- (d) make owners and occupiers aware of professional advice available to assist them in understanding the impact of the scheme on their interest and the appropriate compensation which may be available to them*
- 6.20 Most of the landowners have already appointed their own independent professional advisors who have made direct contact with the Council on their clients' behalf.
- 6.21 The Council has provided this information through its Frequently Asked Questions document which sets out information on both the Scheme and the Order process, as well as through letters and emails to third parties, through information on the Council's website and through in person negotiation meetings.
- 6.22 At paragraph 19.1 (e), the CPO Guidance states:
- (e) where appropriate, in particular for estate regeneration or similar types of schemes, offer advice and assistance to affected occupiers in respect of their relocation and provide details of, and discuss with the occupier, available relocation properties*
- 6.23 The majority of the Order Land is owner occupied. The Council understands there to be one occupier who uses part of Order Land plot11 for stables and horses. The Council will seek to provide assistance to this occupier.
- 6.24 At paragraph 19.1 (f), the CPO Guidance states:
- (f) keep any delay to a minimum by completing the statutory process as quickly as possible and taking every care to ensure that the compulsory purchase order is made correctly and under the terms of the most appropriate enabling power*

- 6.25 The Council has sought to undertake and complete the statutory process as quickly as possible in parallel with undertaking the negotiations and has ensured that the Order is made correctly. Further information is set out throughout this Statement.
- 6.26 At paragraph 19.1 (g), the CPO Guidance states:
- (g) consider providing a 'not before' date, confirming that acquisition will not take place before a certain time*
- 6.27 The Council has provided this information through its Frequently Asked Questions document which sets out information on both the Scheme and the Order process, as well as through letters and emails to third parties, through information on the Council's website and through in person negotiation meetings. The 'not before' date is August 2026.
- 6.28 At paragraph 19.1(h), the CPO Guidance states:
- (h) where appropriate, give consideration to agreeing to fund owners' or occupiers' reasonable costs of negotiation or other costs and expenses likely to be incurred in advance of the process of acquisition. For example, professional fees for the undertaking of surveys or reports to assist in understanding the impact of the exercise of compulsory purchase powers included in a compulsory purchase order on particular land*
- 6.29 The Council has offered this to all landowners and four landowners have so far appointed a surveyor and the Council is reimbursing their reasonable fees.
- 6.30 At paragraph 19.1 (i), the CPO Guidance states:
- (i) consider offering to alleviate concerns about future compensation entitlement by entering into agreements about the minimum level of compensation which would be payable if the acquisition goes ahead (not excluding the claimant's future right to refer the matter to the Upper Tribunal (Lands Chamber)*
- 6.31 The Council has offered this through option agreements and through its offer letters to acquire the various parcels of land.
- 6.32 At paragraph 19.1 (j), the CPO Guidance states:
- (j) consider agreeing to fund owners' and occupiers' reasonable costs and expenses anticipated to be incurred by those owners and occupiers before an alternative property is acquired and the costs/expenses incurred. For example, professional fees for the undertaking of surveys or reports to assist in understanding the impact on the owner or occupier of the exercise of compulsory purchase powers*
- 6.33 As set out above, the Council understands that there is one occupier at plot 11 of the Order Land. The Council will consider funding reasonable costs and expenses if the occupier needs to move her stables and horses elsewhere.
- Conclusion in respect of efforts to acquire**
- 6.34 The Council has complied with the CPO Guidance in respect of negotiations and will continue to seek to acquire property interests by agreement alongside the Order, ensuring it continues to comply with the CPO Guidance.

7. Purpose and justification for the use of compulsory purchase powers

- 7.1 On 18 March 2026 the Council resolved to make the CPO for the Scheme. On [DATE], the CPO was made by the Council in accordance with such authorisation.
- 7.2 Section 226(1)(a) of the 1990 Act permits a local planning authority to exercise compulsory acquisition powers if it thinks that it will facilitate the carrying out of development, redevelopment or improvement on, or in relation to the land being acquired.
- 7.3 Section 226(1)(a) is subject to Section 226(1A) which sets out the "wellbeing" test. This requires that the acquiring authority (the Council) must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to achieve the promotion or improvement of the economic, social or environmental well-being of its area.
- 7.4 Section 226(3)(a) gives local authorities power to compulsorily acquire land (with Secretary of State authorisation) for development, redevelopment, or improvement, (again subject to the "wellbeing" test), as a key tool for regeneration and proper planning by enabling acquisition for related works.
- 7.5 The Council believes that the Scheme meets all of the wellbeing objectives. The Council has taken into account the CPO Guidance on the use of its compulsory purchase powers in making the Order. The Council is using its powers under section 226(1)(a) and 226(3)(a) because achieving the voluntary transfer of the ownership of the Order Land is uncertain and the Council needs to ensure that ownership of the Order Land is vested in it so that it provides vacant possession of the Order Land to build out the Scheme, within a reasonable timescale and thereby deliver the significant associated economic, social and environmental benefits.
- 7.6 Although the Scheme itself is a highways scheme, the Council considers that the use of the regeneration compulsory acquisition power (section 226(1)), as opposed to powers under the Highways Act 1980, is appropriate. The Order will facilitate the carrying out of development on the Order Land and will deliver the residential relief road required as part of HGV. In turn the delivery of the Scheme is likely to contribute to the positive wellbeing of the area as it will unlock and it a vital component of HGV.
- 7.7 The Council has had regard to the paragraph 166.1 of section 7 of the Guidance which states *"Where an authority has a choice between the use of housing or planning compulsory purchase powers...the Secretary of State will not refuse to confirm the CPO solely on the grounds that it could have been made under another power."*
- 7.8 Paragraphs 97, 98 and 99 of the CPO Guidance make it clear that, although the powers under Section 226 should not be used in place of other more appropriate powers of acquisition, the general power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where there are strong planning justifications. The CPO Guidance also notes that the power can be used "to assemble land for regeneration" and where it will facilitate redevelopment or improvement on land being acquired and it is not certain that they will be able to acquire it by agreement. As such (and on the basis of legal advice obtained), the Council considers that the powers under Section 226(1)(a) and Section 226(3)(a) of the 1990 Act are the most appropriate in these circumstances.
- 7.9 The section below summarises the Council's purpose and justification for the use of compulsory purchase powers to facilitate the carrying out of development for the Scheme, referencing other sections of this Statement where appropriate. Relevant sections of the CPO Guidance are referenced to demonstrate how the Council has complied with the CPO Guidance.

Compelling case in the public interest

- 7.10 The purpose of seeking to acquire the land and rights compulsorily is, inter alia, to enable the Scheme to go ahead and ultimately to deliver the significant social, economic and environmental benefits associated

with the delivery of HGV. Compulsorily acquiring the Order Land would, in the opinion of the Council, meet its housing, planning and policy objectives and do so within a reasonable timescale.

- 7.11 Compulsory purchase is essential to enable the Scheme to take place and for the Council to achieve its policy objectives. The Order Land is in multiple, third party ownership including some unknown ownership. The Council needs to ensure that it secures unencumbered freehold title to the Order Land, free of third party interests, subject to payment of compensation to any valid claimant. This is necessary to mitigate the risk that the Scheme could be delayed or not be delivered at all.
- 7.12 The Council understands and acknowledges that the compulsory purchase of land should be a measure of last resort where negotiations have been unsuccessful and that there should also be a compelling case in the public interest that justifies interfering with the rights of those with an interest in the land. Details as to the negotiations that have been undertaken can be found in section 6 of this Statement.
- 7.13 The Council considers that there is a compelling case in the public interest for the making of the Order. The Council has a clear vision and plan for the use of the Order Land and the principle of the Scheme is supported by planning policy at both a national and local level as explored further in Section 4 of this Statement.
- 7.14 Paragraph 15 of the CPO Guidance requires acquiring authorities to be able to show that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation. Paragraph 15.1 references the programming of any infrastructure accommodation works and the need for any planning permission or other consent or license. Paragraph 15.2 sets out that where planning permission is required for the scheme and permission has yet to be granted, the acquiring authority should demonstrate that there are no obvious reasons why it might be withheld.
- 7.15 As set out in section 4 of this Statement, a full planning application has been submitted to the Local Planning Authority. The intention is that this will be considered by the Council's Planning Committee for determination in March 2026. Given the clear policy support for the Scheme, (detail of which is set out in Section 4 of this Statement), the Council anticipates planning permission to be granted and sees no reasons why this would be withheld.
- 7.16 In order to the implement the Planning Application and deliver the Scheme there are a number of works to be carried out to the existing highway network. These are as follows:
- Amendments to the existing A697 Burnley Road/A56 Accrington Bypass western roundabout to create an additional arm at the southern end of the Scheme, which will be delivered via a section 278 Agreement with LCC. A financial contribution to National Highways may also need to be secured via a section 274 Agreement for any works affecting the A56 slip road.
 - A new junction on Altham Lane at the northern end of the Scheme which will be delivered via a section 278 Agreement with LCC.
- 7.17 A new priority junction (crossroads) where the existing Burnley Lane crosses the Scheme, which will again be delivered via a section 278 Agreement. All necessary highway Agreements will be secured in the usual way.

Stopping Up Order

- 7.18 In order to facilitate the Scheme, the Council has applied for a stopping up order pursuant to section 247 of the 1990 Act for the stopping up of part of Burnley Lane.
- 7.19 Section 247 states that *"The Secretary of State may by order authorise the stopping up or diversion of any highway...if he is satisfied that it is necessary to do so in order to enable development to be carried out: (a) in accordance with planning permission granted under Part III..."*.
- 7.20 The Secretary of State for Transport has written to the Council confirming that she proposes to make the stopping up order in the form applied for. Notices of the Secretary of State's intention to make the stopping up order have been erected in locations within the vicinity of the stopping up and the objection period will close on 3 April 2026.

- 7.21 The stopping up of this section of the adopted highway is needed to allow for the fact that the existing road gradient, (approx. 1 in 10), does not meet current highway standards and the existing site levels prevent improving it. Additionally, due to space and level constraints, there is not enough space to adjust the western arm or add appropriate traffic calming measures on approach to the junction. The proposed stopping up will also address community concerns, raised during consultation, that not stopping up this section of Burnley Lane would lead to and encourage 'rat-running'.
- 7.22 In the event that there are objections to the Order and the stopping up order, a request will be made for a conjoined Inquiry, such that the Order and the stopping up order can be considered together, should Inquiries be necessary. Given the anticipated programme for the making of the stopping up order and the absence of any substantial reasons why such an order should not be made, it is not considered an impediment to the Scheme proceeding.

Diversion Order

- 7.23 The Scheme also necessitates the diversion of footpath number is FP1101004 as this crosses part of the Scheme at an angle. It is proposed to divert the footpath perpendicular to the road, along the route of a proposed pedestrian uncontrolled crossing.
- 7.24 Section 257 of the Town and Country Planning Act 1990 allows a local planning authority to authorise the stopping up or diversion of footpaths, bridleways, or restricted byways if it is deemed necessary to enable development to proceed. This development must be in accordance with a planning permission granted under Part III of the Act.
- 7.25 It is anticipated that the diversion up order will be progressed swiftly following the grant of planning permission for the Planning Application.
- 7.26 Adopting the same approach as detailed in respect of objections to the stopping up order, if there are objections to the Order, the stopping up order and/or the diversion order, a request will be made for a conjoined Inquiry, such that the Order, the stopping up and/or the diversion order can be considered together, should Inquiries be necessary. Given the anticipated programme for the making of the diversion order and the absence of any substantial reasons why such an order should not be made, it is not considered an impediment to the Scheme proceeding.

Traffic Regulation Order (TRO)

- 7.27 In addition, there is likely to a need for a TRO(s) to support any change in speed limits required. Any necessary temporary orders will be sought in advance of construction commencing and any permanent orders will be sought at the appropriate time, in the usual way.
- 7.28 It is not considered that there are any planning or other impediments to the implementation of the Scheme, and that planning permission is likely to be granted. The Council considers that the Scheme will make a significant contribution to the promotion and achievement of the economic, social and environmental wellbeing of the area.
- 7.29 Single ownership and control of the Order Land is required to enable the Scheme to proceed. The Council is satisfied that it has made reasonable attempts to acquire outstanding interests by private agreement. The Council has attempted, and will continue to attempt, to purchase the outstanding interests by private agreement. However, due to the existence of the third-party interests as identified in the Schedule to the Order, the Council considers it unlikely that it will be able to acquire all the interests by agreement within a reasonable time frame. The exercise of compulsory purchase powers will enable the Scheme to go ahead by providing certainty in respect of site assembly and will enable the Council to achieve its policy objectives in a timely manner.
- 7.30 The Council has given very careful consideration to the reasons why it is necessary to include each parcel of land as shown on the Order Map. If the Order is confirmed the Council will be able to make a General Vesting Declaration which will give the Council absolute unencumbered freehold title to the Order Land enabling the Council to undertake the Scheme.
- 7.31 The overarching consideration of the Secretary of State/Inspector in deciding whether an Order should be confirmed, and which is of equal relevance to the Council in reaching its decision to make the Order, is set

out in paragraph 109 of the CPO Guidance which identifies the following issues to be considered, each of which is addressed below:-

- whether the purpose for which the Order Land is being acquired fits in with the adopted Local Plan for the area;
- the extent to which the Scheme will contribute to the achievement of the promotion and/or improvement of the economic, and/or social, and/or environmental wellbeing of the area;
- whether the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe. This may include considering the appropriateness of any alternative proposals and the suitability of any alternative locations;
- the potential financial viability of the Scheme to reassure the Secretary of State that there is a reasonable prospect that the Scheme will proceed. This includes providing a general indication of funding intentions and any commitment from third parties and details of the timing of the available funding.

Whether the purpose for which the Order Land is being acquired fits in with the adopted planning framework for the area.

7.32 Paragraph 107 of the CPO Guidance requires any programme of land assembly to be set within a clear strategic framework. Paragraph 109.1, first bullet points refers to the need to consider whether the purpose for which the land is being acquired fits in with the development plan.

7.33 The Scheme is set within a clear strategic planning framework and fits in with both the adopted and emerging development plan. The Scheme will deliver a relief road which is required infrastructure for the HGV. Both the Scheme and the wider HGV are supported by the Council's adopted and emerging local policies including the adopted Core Strategy and the draft Local Plan which has nearly finished going through the Examination in Public Process. The Framework Masterplan is also a material consideration in the planning determination process and provides more detailed support and guidance on the delivery of the Scheme and HGV. In particular draft Policy SP2 of the draft Local Plan identifies the Site as part of the wider HGV allocation and identifies the need for the relief road to unlock the first phase of much-needed housing as well as providing sustainable transport options. National policy through the NPPF also strongly supports the delivery of new homes and sustainable transport.

7.34 Section 4 of this Statement provides further information.

The extent to which the Scheme would contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.

7.35 The Council is satisfied that the Scheme represents a significant investment in the area, the benefits of which will be considerable to the economic, social and environmental wellbeing of the Borough. Paragraph 106.2 of the CPO Guidance is clear that *"the benefit to be derived from exercising the [wellbeing] power is not restricted to the area subject to the compulsory purchase order, as the concept is applied to the wellbeing of the whole (or any part) of the acquiring authority's area."* As such, the Council and Secretary of State are required to consider the benefit to the local area and the Borough when assessing whether, and to what extent, the Scheme is likely to achieve the promotion of the economic, social or environmental wellbeing of the area.

7.36 The Council has a clear intention for how it intends to use the land included within the Order and has considered fully the need to include each parcel of land shown on the CPO Map and the CPO Schedule. This is summarised at section 3 of this Statement. The Council is satisfied that the CPO is required for the purposes of site assembly to facilitate delivery of the Scheme. The use of compulsory purchase powers is necessary to facilitate the Scheme, and that the delivery of the Scheme will result in improvements to the social, environmental and economic wellbeing of the area. Further detail on the wellbeing benefits is set out in the section below.

Economic

- Key to facilitating the wider delivery of HGV which will include circa 1,800 new homes as well as new local amenities and infrastructure improvements.
- Provide direct access via new junctions to 350-400 new homes.
- The construction of a new road which will result in temporary construction jobs which will be available for the local jobs market.
- Provide extra network capacity to support development at Altham Business Park, a significant employment area to the north of Huncoat which forms part of the East Lancashire M65 Growth Corridor.

Social

The Scheme will:

- Promote sustainable transport options including bus stops and creating a pedestrian-friendly environment and encouraging physical activity.
- Provide inclusive and sustainable connections for the existing and future communities of Huncoat through a landscape-led approach to the new residential relief road including provision of footways and a cycleway as well as the planting of trees, incorporation of swales and bioretention verges, enhancing the look and the biodiversity of the area.
- The green infrastructure and public realm will help create a gateway to HGV.
- Incorporate amendments to existing junctions and provide new junctions. This will help to reduce pollution resulting from cars idling along traffic queues that develop at times of peak flow.

Environmental

The Scheme will provide for:

- the planting of trees, incorporation of swales and bioretention verges, enhancing the look and the biodiversity of the area.
- the creation of green infrastructure and public realm will help create a gateway to HGV.
- the creation of a new cycle way and well-lit paths, encouraging sustainable travel.

7.37 Beyond the direct benefits that the Scheme will unlock, delivery of the Scheme will also assist in bringing forward HGV and the following key benefits:

- The delivery of c. 1800 new homes with c. £461 million of inward investment into the area including the collection of Council tax payments.
- The construction of 1800 new homes and the associated temporary construction jobs available for the local jobs market.
- A new population of c. 4000 people who will bring economic benefits into the area through work and day to day spend.
- The creation of a new village centre at HGV which includes a requirement to deliver a 450 sqm commercial space that could be used for a food store and supporting community uses such as a café, gym or co-working space. This is located on Hyndburn Council owned land and is envisaged to be delivered by a commercial operator.
- The expansion of the existing Huncoat Junior School to a 1.5FE extension which will result permanent job creation.

The Potential financial viability of the Scheme, general funding intentions and the timing of available funding and that there is a reasonable prospect of the Scheme going ahead,

- 7.38 The Council will deliver the Scheme, retaining control and negating the need to bring a developer partner on board. It has appointed a preferred contractor already. The Council has analysed the viability of the Scheme, secured a significant level of Government funding and will also be contributing a significant amount of funding to the scheme to enable the delivery. Further detail on the delivery and funding of the Scheme is set out within Section 5 of this Statement of Reasons. The Council is committed to delivering the Scheme given its importance and the benefits it will realise.

Whether the purposes for which the Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe.

- 7.39 Single ownership and control of the Order Land is necessary to enable the Scheme to proceed. Given the third party interests identified in the Schedule to the Order it is unlikely that the Council will be able to acquire all of the necessary interests by agreement within a reasonable timescale. The Council therefore needs to make the Order to ensure that the significant benefits of the Scheme can be brought forward in a reasonable timescale. Whilst negotiations to acquire all interests by agreement, wherever possible, will continue, given the fragmented nature of the Order Land, the Order is required to achieve vacant possession of the land where necessary.
- 7.40 Given the extent and nature of Scheme, it is not possible for individual owners to achieve it (or parts of it). The Council has been negotiating with the holders of all necessary third party interests for their acquisition by agreement but has been unable to reach an agreement within the required timeframe. Details of the negotiations to date are set out in section 6 of this Statement.
- 7.41 There are two objections to the Planning Application for the Scheme which are relevant to the Order in that the landowners ask that elements of the Scheme be amended to reduce impact on their land. These are summarised in section 6 of this Statement and have also been addressed through the planning application process.
- 7.42 The Council has therefore made the Order to ensure that the significant benefits of the Scheme can be brought forward in a reasonable timescale. Whilst the Council's approach is to negotiate all interests wherever possible, given the fragmented nature of the Order Land, confirmation of the Order is required in order to use compulsory purchase powers where necessary.

Conclusion

- 7.43 The Council believes that there is a compelling case in the public interest and that it is sufficient and proportionate to justify the making and conformation of the Order. Confirmation of the Order will ensure that the Scheme can be delivered and that in turn the Scheme can facilitate HGV and the benefits that HGV will bring to the area. Without the use of the Order, it is unlikely that the Scheme will be capable of delivery and in turn, HGV and thus risks being in breach of the Grant Agreement with Homes England and the subsequent loss of £29,897,722 Government investment in addition to the private investment that would result if the Order is approved and the Scheme goes ahead. For the reasons explained above, the Council therefore considers there to be a compelling case in the public interest to proceed with the Order.

8. Human rights

8.1 The Human Rights Act 1998 (“the Act”) incorporated into the UK domestic law the European Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”). Section 6 of the Act makes it unlawful for a public authority to act in a manner which is incompatible with a Convention right.

8.2 The Convention rights engaged in the context of a compulsory purchase order are Article 1 of the First Protocol of the Convention and Article 8 of the Convention.

8.3 Article 1 of the First Protocol of the Convention states:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law...”

8.4 Article 6: this entitles those affected by the powers sought in a CPO to a fair and public hearing by an independent and impartial tribunal, of any relevant objections such persons may have to the granting of those powers. This includes property rights and can include opportunities to be heard in the CPO decision-making process, such as a public local inquiry.

8.5 Article 8 of the Convention provides:

“(1) Everyone has the right to respect for his private and family life, his home and his correspondence.

“(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interest of ...the economic wellbeing of the country...”

Duty of Decision Maker

8.6 The Secretary of State, as the decision maker in relation to the Order, is under a duty to consider whether the exercise of compulsory purchase powers would interfere with the rights protected by the Convention and if so, whether such interference is proportionate, justified and lawful.

Potential Infringement of Convention Rights

8.7 The Order has the potential to infringe the Convention Rights of persons who hold interests in the CPO Land and who are affected by the stopping up of private means of access pursuant to the SRO. Under Article 1 of the First Protocol and under Article 8, such an infringement is authorised by law provided that:

- The statutory procedures for making the Orders are followed and there is a compelling case in the public interest for the making and confirmation of the CPO; and
- The interference with the Convention right is proportionate to the legitimate aim served.

Compliance with the Convention and the Human Rights Act

8.8 The Council considers that there would be a significant public benefit arising from the confirmation of the Order, the need for which is set out in Section 2 of this Statement. For the reasons set out in Section 7 of this Statement (Justification for the Compulsory Purchase Order), these substantial benefits may only be realised if the Order is confirmed.

8.9 In relation to Article 6 of the Convention, which confers the right to a fair trial and public hearing by an independent and impartial tribunal, the Council notes that the procedures under the Highways Act 1980 and the Acquisition of Land Act 1981 are compliant with the Human Rights Act 1998 and in so far as the procedures under these Acts are properly observed by the Council, its duties under the Human Rights Act 1998 are discharged.

- 8.10 In the context of compliance with Article 6 of the Convention, the Council observes that those persons potentially affected by the Order have had the opportunity to make representations to the Council as part of the consultation process on the Scheme, as well as through the formal planning application process – see section 4 of this Statement.
- 8.11 Furthermore, should a public inquiry be held, every remaining objector and any other person who has sent a proof of evidence/outline statement or statement of case shall be entitled to appear at the inquiry and make representations orally. The Inspector may also permit any other person to appear and make representations at the inquiry (and such permission shall not be unreasonably withheld).
- 8.12 Should the Order be confirmed, any person aggrieved by the Order may challenge it in the High Court if they consider that the grounds for doing so are made out pursuant to Section 23 of the Acquisition of Land Act 1981.
- 8.13 The Council has taken into account the impact of the Order on the Convention rights of those whose interests will be affected by the Order. In making the Order, the Council has considered the potential beneficiaries of rights overridden by the exercise of the compulsory purchase powers that would be capable of making claims under Section 10 of the Compulsory Purchase Act 1965. In relation to matters of compensation for land to be acquired, affected persons have the right to apply to the Upper Tribunal (Lands Chamber), which is an independent judicial body, to determine the compensation payable.
- 8.14 The Council confirms that, in considering the potential exercise of compulsory purchase powers, it has also had regard to Article 8 of the Convention and Article 1 of the First Protocol to the Convention. The Council understands that in determining whether interference with these Convention Rights is proportionate, a fair balance must be struck between the public benefit sought and the interference with affected private rights
- 8.15 In view of the compelling justification for making the Order, the Council considers that the exercise of compulsory purchase powers in this case is justified because it is in the public interest, authorised by law and necessary and proportionate in order to achieve the Council's objectives. The Council does not consider that any single affected interest is of such importance as to outweigh the important public benefits which the Scheme is forecast to deliver, in the event that the Order is confirmed by the Secretary of State/Inspector and implemented by the Council. Furthermore, the Council does not consider that the cumulative private loss (arising on a scheme-wide basis) would be of such magnitude or severity as to outweigh the importance of the public benefits which the Scheme would deliver.
- 8.16 The Council has carried out extensive consultation on the Scheme as part of the planning application process as well as engagement and negotiations throughout the Order process. The Council continues to discuss the impacts of the Scheme with the persons affected by those impacts, with the dual aim of:
- minimising as far as reasonably possible the loss suffered by those persons; and
 - ensuring that any loss suffered is properly and fairly compensated.
- 8.17 As confirmed in section 5 of this Statement, the Council has the resources to pay such compensation.
- 8.18 Negotiations to acquire all interests in third party ownership are also underway and will continue alongside the Order process. Further information is set out in section 6 of this Statement. If the Secretary of State/Inspector confirms the Order, the compulsory acquisition of the interests in the Order Schedule will only be necessary if these interests have not already been acquired by agreement within the timescales required to achieve vacant possession by June 2027.
- 8.19 For the reasons set out above, the Council is of the view that, on balance, the significant public benefits to which the Scheme would give rise would outweigh the negative effects upon, and the private losses of those persons who own land or have an interest in land which is required for the Scheme.
- 8.20 The Council also notes that such private losses would be mitigated by the fact that landowners, and those with the benefit of interests in land affected by the implementation of the CPO, would be entitled to compensation payable in accordance with the statutory Compensation Code.
- 8.21 Overall, the Council is of the view that there is a compelling case in the public interest for the Order and that the benefits of the Scheme and its positive impact on social, environmental and economic wellbeing

outweigh the necessary interference with the private rights and interest that exist in the Order Land. The Council believes that it has reached a fair and proportionate balance between the interests of those whose Convention rights will be affected and the wider public interest.

9. Public sector equality duty

- 9.1 The Council is aware of the Public Sector Equality Duty (“PSED”) set out in section 149 of the Equality Act 2010.
- 9.2 Section 149 states that a public authority must, in the exercise of its functions, have due regard to the need to:
- 9.2.1. eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act 2010;
 - 9.2.2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - 9.2.3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.3 The relevant protected characteristics for the purposes of the PSED are listed in section 149(7) of the Equality Act 2010 and are:
- 9.3.1. age;
 - 9.3.2. disability;
 - 9.3.3. gender reassignment;
 - 9.3.4. pregnancy and maternity;
 - 9.3.5. race;
 - 9.3.6. religion or belief;
 - 9.3.7. sex;
 - 9.3.8. sexual orientation.
- 9.4 The Equality Act 2010 explains that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves:
- 9.4.1. removing or minimising disadvantages suffered by people due to their protected characteristics;
 - 9.4.2. taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
 - 9.4.3. encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 9.5 During the development of the Scheme and the preparation of the Order, the Council has had regard to the PSED and, having regard to its statutory duties under the Equality Act 2010, has carried out an Equalities Impact Assessment (“EqIA”), (CD14.29).
- 9.6 The EqIA is an ongoing process. Stage 1 comprised a screening exercise which sought to establish whether the impacts of the Scheme on persons with protected characteristics would give rise to the need for any new or amended Council policies or practices. The desktop screening exercise was based on:
- 9.6.1. Relevant legislation, policy and guidance;
 - 9.6.2. The land and interests directly affected by the Order;

- 9.6.3. Publicly available and/or Council-owned datasets on the local population living in the wider Scheme and HGV areas and who may be indirectly affected by the Order; and
- 9.6.4. Supporting documents and assessment work for Huncoat Garden Village Masterplan and the Scheme planning application, including the Environmental Impact Assessment Statement of Community Involvement.
- 9.7 Stage 2 of the EqIA assessed the level of impact of the Scheme on protected characteristic groups, in the context of the PSED objectives to which the Council must have regard in carrying out its statutory functions (as detailed in paragraph 9.3). The Stage 2 EqIA identified that the Scheme would, during its construction and operational phases, have the potential for impacts on the majority of protected characteristics groups however, these impacts could be mitigated through a range of measures, details of which are provided in Section 6 of the EqIA.
- 9.8 In formulating and promoting the Order, the Council has had full regard to its statutory duties and obligations under the Equality Act 2010 and in particular, to its obligations in sections 149 and 150 of the 2010 Act, in taking into account the differential impact the Order will have on persons with protected characteristics. Whilst it is recognised that the Scheme will have impacts on a range of land and property interests it was found that any impacts it might have on protected characteristics groups could be addressed through mitigation and monitoring.
- 9.9 The impact of the Scheme will continue to be monitored and reviewed throughout the promotion and implementation of the Order to ensure that any impact can be considered and mitigated as necessary.

10. Special considerations

Protected Assets

- 10.1 There are no known listed buildings, other buildings which may be of a quality to be listed, buildings subject to building preservation notices, buildings within a conservation area, scheduled monuments, registered parks/gardens or historic battlefields within the Order Land.

Special Kinds of Land

- 10.2 There are no plots of land in the Order which are held by the National Trust or which form part of a common, open space or fuel or field garden allotment.

Crown Land

- 10.3 There is no Crown owned land or assets within the Order.

Statutory Undertakers and Statutory Bodies and public bodies

- 10.4 There is land included within the Order held by National Highways Limited and Lancashire County Council (as highways authority). Section 6 of this Statement sets out the position in respect of negotiations with these public bodies.
- 10.5 There is no land included within the Order by any other statutory undertaking.

Caution in respect of mines and minerals

- 10.6 A large part of the Order Land is subject to a caution against first registration in respect of mines and minerals beneath the surface. This is identified in the Order Schedule and the negotiations in respect of acquisition are summarised at section 6 of this Statement. There is no active working of mines and minerals across the Order Land.

Necessity for the compulsory acquisition of mines and minerals interests

Extent of Encroachment and Engineering Requirements

- 10.7 Detailed engineering assessments and design reviews indicate that, given the depth and nature of the works, it is highly likely that the Scheme will encroach upon the minerals layer at various locations along the alignment. It is known that the proposed Scheme connecting to Altham Lane drops in elevation, resulting in the drainage sitting at a level that requires the basin 3 attenuation to be at a depth of 2.5m to allow for a positive connection.
- 10.8 The specific depth and extent of encroachment may vary, but in all cases, acquisition is considered proportionate and necessary to deliver the Scheme and manage associated risks.

Prevention of Future Third-Party Interference

- 10.9 Retaining separate ownership of the mines and minerals would risk third parties exercising rights to work or extract minerals, which could endanger the structural integrity of the road and associated infrastructure. Acquisition of mines and minerals rights will preclude such activities, thereby safeguarding the long-term stability and safe operation of the road.

Legal and Maintenance Considerations

- 10.10 The acquisition of the mines and minerals interests is necessary to ensure the Council has sufficient rights to carry out all required works without legal impediment and to facilitate ongoing maintenance and future works, which may necessitate further encroachment into the minerals layer.

10.11 The Council can therefore confirm that the mining code under Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 is not incorporated.

Conclusion

10.12 In summary, the inclusion of mines and minerals within the Order Land is a necessary and proportionate measure to:

- 10.12.1. enable the construction, operation, and maintenance of the Scheme;
- 10.12.2. prevent conflicting third-party rights; and
- 10.12.3. secure the long-term integrity of the transport infrastructure.

11. Conclusion

- 11.1 The Council has set out in this Statement of Reasons why it is using its compulsory purchase powers under section 226 of the Town and Country Planning 1990 to deliver the Huncoat Lane relief road, which in turn will facilitate the delivery of the Huncoat Garden Community.
- 11.2 Section 2 of the Statement sets out detail on the Scheme which is a circa 1.1km residential relief road including a footway on both sides and a segregated cycleway on the left side of the road. The Scheme will provide a much needed residential relief road which will facilitate the wider Huncoat Garden Village. Section 2 also explains the need for the Scheme and the need for and objectives of the HGV which will include the delivery of circa 1,800 new homes as well as supporting infrastructure. The Scheme itself will deliver the residential relief road and will provide direct access via new junctions for up to circa 590 new dwellings.
- 11.3 Section 3 provides a description of the Order Land and surrounding area, summarising the ownership of the Order Land and the need to include each parcel of land in the Order in order to deliver the Scheme.
- 11.4 Section 4 of the Statement sets out the planning framework for the Scheme and sets out the current planning status of the Order Land including a description of the Planning Application.
- 11.5 Section 5 provides information on how the Council intends to deliver and fund the Scheme. It sets out information on funding sources and the timing of these including the circa £29.90 million grant from Homes England's Brownfield Infrastructure Land Fund which will need to be spent by 31st March 2029. Information is also provided on the work carried out to date to progress the Scheme which includes the preparation of the Framework Masterplan, procured Eric Wright Group Ltd as the preferred contractor, entering into the BIL Funding Agreement with Homes England, and working with the various landowners to ensure HGV is delivered in a timely manner, delivering the aspirations of the Masterplan Framework and the adopted and emerging planning policies for HGV.
- 11.6 Section 6 summarises the Council approach to carrying out negotiations to acquire third party land and the position in relation to these negotiations. It provides a summary of how the Council has complied with the CPO Guidance in respect of negotiations. Negotiations will continue alongside the Order process.
- 11.7 Section 7 of the Statement summarises the enabling powers under which the Order is made and brings together how the CPO Guidance has been followed, and that it is appropriate and proportional for the Council to use section 226 of the 1990 Act to compulsorily acquire the required third party property interests to allow the Scheme to proceed. It summarised the compelling case in the public interest and that compulsory purchase is essential to enable the Scheme to take place and for the Council to achieve its policy objectives. The purpose for which the Order Land is being acquired fits in with both the adopted and the emerging planning framework for the area. The Scheme and the wider HGV will deliver improvements to the economic, social and environmental wellbeing of the area. Council will deliver the Scheme through an appointed contractor and has secured funding to deliver the Scheme in order to ensure that the wellbeing benefits of HGV can be realised. There are no reasonable alternatives to the Scheme which could be delivered to realise the benefits of the Scheme and crucially deliver HGV. Section 7 also provides information on associated orders and consents which are required and which the Council expects to be secured alongside the making of this Order.
- 11.8 Section 8 of the Statement considers the impact of the Scheme on the Convention rights of those affected by the Order. The Council is of the view that there is a compelling case in the public interest for the Order and that the benefits of the Scheme and its positive impact on social, environmental and economic wellbeing outweigh the necessary interference with the private rights and interest that exist in the Order Land. The Council believes that it has reached a fair and proportionate balance between the interests of those whose Convention rights will be affected and the wider public interest.
- 11.9 At section 9 of the Statement, the Council sets out how it has considered the impact of the Scheme on any group with a protected characteristic under the Equality Act 2010. The EqIA has identified that the Scheme would, during its construction and operational phases, have the potential for impacts on the majority of protected characteristics groups however, these impacts could be mitigated through a range of measures, details of which are provided in Section 6 of the EqIA, (CD14.29).
- 11.10 Section 10 provides information on any special considerations under a CPO.

- 11.11 Overall, the Council is of the view that the Order meets the requirements of legislation and that it has followed the requirements of the CPO Guidance in making the Order. There is a compelling case in the public interest for making the Order and the benefits of the Scheme and its positive impact on social, economic and environmental wellbeing by providing a new residential relief road and assisting in enabling the wider HGV outweigh the necessary interference with the private rights and interests that exist in the Order. The Council kindly requests that the Secretary of State/Inspector confirm the Order to allow the Scheme to proceed.

12. Other information of interest to persons affected by the Order

- 12.1 Parties affected by the Order with wish to discuss matters with a representative of the Council and to discuss the purchase of their interest, please contact:

Mark Hoyle
Head of Regeneration and Housing
Hyndburn Borough Council
Email: mark.hoyle@hyndburnbc.gov.uk
Phone: 01254 380 662 or 0777 625 7370

- 12.2 Alternatively contact the Council's advisors Avison Young on the details below:

Charles Trustram Eve
Director
Avison Young
Email: Charles.trustrameve@avisonyoung.com
Phone: 07900 405 568

- 12.3 Further information on the Scheme and the Order including a Frequently Asked Questions document is available on the Council's website at:

<https://www.hyndburnbc.gov.uk/huncoat-garden-village/>

- 12.4 The Royal Institution of Chartered Surveyors (RICS) operates a RICS consumer hotline which provides initial free advice for those parties affected by a compulsory purchase. Those parties wishing to make use of this service should contact the RICS on 024 7686 8555 or visit the RICS website at www.rics.org

13. Inspection of the Order and Order documents

- 13.1 Copies of the Order, Schedule, Order Map and this Statement can be inspected during the following times at the locations listed below.

LOCATION	OPENING HOURS
Hyndburn Borough Council Scaitcliffe House Ormerod St Accrington BB5 0PF	Monday – Friday 8.45am – 5pm Closed for Easter on Friday 3 rd April and Monday 6 th April 2026

- 13.2 Documents relating to the Order can also be downloaded from the website below:

<https://www.hyndburnbc.gov.uk/huncoat-garden-village/>

- 13.3 If you would like copies of any of the documents relating to the Order please contact:

Mark Hoyle
Head of Regeneration and Housing
Hyndburn Borough Council
Email: mark.hoyle@hyndburnbc.gov.uk
Phone: 01254 380 662 or 0777 625 7370

14. Documents to be referred to in the event of an inquiry

14.1 The Council reserves the right to supplement the list below as required.

Decisions made by the acquiring authority:

14.2 Report to Cabinet dated 20 October 2021 and Minutes (Adoption of HGV Masterplan Framework)

14.3 Huncoat Full Business Case October 2023 (Approval of Procurement Strategy)

14.4 Report to Cabinet 30 October 2024 and Minutes (Acceptance of Homes England Grant Funding Agreement)

14.5 Report to Cabinet 18 June 2025 and Minutes (In Principle Approval of CPO and Authority to Enter into Pre-Construction Services Agreement with Preferred Contractor)

14.6 Report to Cabinet 18 March 2026 (Resolution to Make the Order)

Planning policy documents:

14.7 National Planning Policy Framework

14.8 Hyndburn Adopted Local Plan 2012

14.9 Development Management DPD (2018)

14.10 1996 Local Plan (Saved Policies)

14.11 Accrington Area Action Plan (2012)

14.12 Joint Lancashire Minerals and Waste Planning Documents

14.13 Lancashire County Council's Highways and Transport Strategy (2023–2025)

14.14 Local Transport Plan (Consultation Version) 2025-2045

14.15 Lancashire Combined County Authority's (LCCA) Lancashire Growth Plan 2025–2035)

14.16 Hyndburn Draft Local Plan Regulation 22 dated 2025

14.17 Proposed Main Modifications to the Hyndburn Local Plan (March 2026)

14.18 HGV Design Code

Planning Application Documents

14.19 Planning Application Covering Letter (March 2025)

14.20 Planning Statement (March 2025)

14.21 Design and Access Statement (January 2025)

14.22 Statement of Community Involvement (March 2024)

14.23 Transport Assessment (March 2024)

14.24 Environmental Statement and Appendices (May 2024)

14.25 Environmental Statement Addendum (March 2025)

Other Documents:

- 14.26 Guidance on Compulsory purchase process January 2025
- 14.27 Circular 2/97 'Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority'
- 14.28 Equality Impact Assessment

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The COMMON SEAL of
 YNDBURN BOROUGH COUNCIL
 was hereunto affixed in the presence of:

 Authorised Signatory
 this day of 2026



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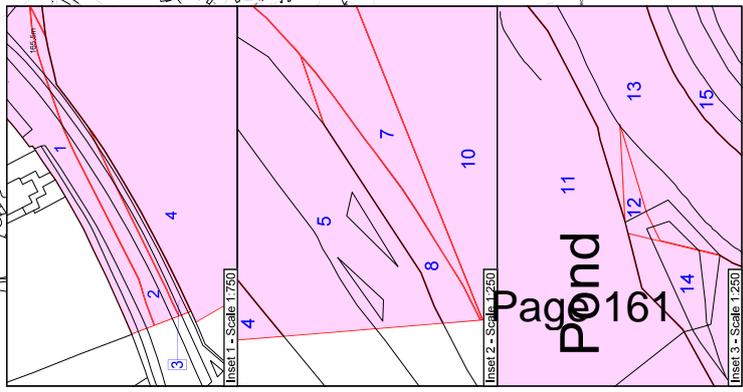
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Key
 Land to be acquired
 Public Footpath

Reference No.	Start/End Date	Start/End Time	File
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2	10/01/2025	10:00:00	10000000
3	10/01/2025	10:00:00	10000000
4	10/01/2025	10:00:00	10000000
5	10/01/2025	10:00:00	10000000
6	10/01/2025	10:00:00	10000000
7	10/01/2025	10:00:00	10000000
8	10/01/2025	10:00:00	10000000
9	10/01/2025	10:00:00	10000000
10	10/01/2025	10:00:00	10000000
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14	10/01/2025	10:00:00	10000000
15	10/01/2025	10:00:00	10000000
16	10/01/2025	10:00:00	10000000

Map referred to in The
 Hyndburn Borough Council
 (Hurcoat Lane)
 Compulsory Purchase Order 2026

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THE HYNDBURN BOROUGH COUNCIL (HUNCOAT LANE)
COMPULSORY PURCHASE ORDER 2026

Section 226(1)(a) and Section 226(3)(b) of the Town and Country Planning Act 1990
and
The Acquisition of Land Act 1981

Hyndburn Borough Council (in this order called "the acquiring authority") makes the following order:-

1. Subject to the provisions of this order, the acquiring authority is, under sections 226(1)(a) and 226(3)(b) of the Town and Country Planning Act 1990 hereby authorised to purchase compulsorily the land described in paragraph 2 for the purpose of constructing a new highway linking the A56 dual carriageway in the east with Station Road in the West and which will pass through the Village of Huncoat, in the Borough of Hyndburn and the County of Lancashire.
2. The land authorised to be purchased compulsorily under this order is the land which is described in the Schedule hereto and delineated and shown coloured pink and edged red on a map prepared in duplicate, sealed with the common seal of the acquiring authority and marked "Map referred to in The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026".
3. The acquiring authority may not serve a notice to treat or execute a general vesting declaration in respect of this order after the end of the period of three years beginning with the day on which the compulsory purchase order becomes operative.

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

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The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	All interests in 1,950 square metres, or thereabouts, of public adopted highways (Altham Lane and Peter Grime Row), Huncoat except those interests owned by the acquiring authority	<p>Unknown <i>(excluding mines and minerals)</i></p> <p>John Stanley Kenneth Arnold Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>John Hotham Assheton c/o Thomas Manson Brookside Barn Brookside Downham Clitheroe BB7 4BP <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Michael Cooke Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p>	-	-	Lancashire County Council PO Box 100 County Hall Preston PR1 0LD <i>(as highway authority)</i>

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>Christopher Dawson Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>Peter Fahy Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>Peter Hopkinson Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>Mary Hunter Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>Hyndburn Borough Council Scaitcliffe House Ormerod Street Accrington BB5 0PF <i>(in respect of subsoil fronting land to the west of Stone Hey, Huncoat)</i></p>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>Michael David Jones Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>David Leitherd Woodside Barn Mill Hill Lane Hapton Burnley BB11 5QX <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i></p> <p>David Leitherd Woodside Barn Mill Hill Lane Hapton Burnley BB11 5QX <i>(in respect of subsoil fronting land to the south of 1 Peter Grime Row, Huncoat)</i></p>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>David Leitherd Woodside Barn Mill Hill Lane Hapton Burnley BB11 5QX <i>(in respect of subsoil fronting land to the west of 1 Peter Grime Row, Huncoat)</i></p> <p>John Leitherd Green Nook Farm Mill Hill Lane Hapton Burnley BB11 5QX <i>(in respect of subsoil fronting land to the south of 1 Peter Grime Row, Huncoat)</i></p> <p>John Leitherd Green Nook Farm Mill Hill Lane Hapton Burnley BB11 5QX <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i></p>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>John Leitherd Green Nook Farm Mill Hill Lane Hapton Burnley BB11 5QX <i>(in respect of subsoil fronting land to the west of 1 Peter Grime Row, Huncoat)</i></p> <p>Elizabeth Therese Lilley Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>Brendan McCafferty Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>Edward Nally Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

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		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1 (cont'd)		<p>Eamonn O'Neal Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i> <i>(as trustee to The Salford Diocesan Trust)</i></p> <p>The Salford Diocesan Trust Cathedral Centre 3 Ford Street Salford M3 6DP <i>(in respect of subsoil fronting land to the east of Stone Hey, Huncoat)</i></p> <p>Charles Scrope Edward Yorke c/o Thomas Manson Brookside Barn Brookside Downham Clitheroe BB7 4BP <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Lancashire County Council PO Box 100 County Hall Preston PR1 0LD <i>(as highway authority)</i></p>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
2	All interests in 490 square metres, or thereabouts, of public adopted highway (Altham Lane), Huncoat except those interests owned by the acquiring authority	Hyndburn Borough Council (Address as at parcel 1) Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>	-	-	Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>
3	All interests in 161 square metres, or thereabouts, of public adopted highway (Altham Lane), Huncoat except those interests owned by the acquiring authority	Unknown (Address as at parcel 1) <i>(excluding mines and minerals)</i> John Hotham Assheton (Address as at parcel 1) <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i> Hyndburn Borough Council (Address as at parcel 1) <i>(in respect of subsoil fronting land to the west of 1 Peter Grime Row, Huncoat)</i> David Leitherd (Address as at parcel 1) <i>(in respect of subsoil fronting land to the north east of 118 Station Road, Huncoat)</i> John Leitherd (Address as at parcel 1) <i>(in respect of subsoil fronting land to the north east of 118 Station Road, Huncoat)</i>	-	-	Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
3 (cont'd)		<p>Charles Scrope Edward Yorke (Address as at parcel 1) <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i></p>			
4	75,039 square metres, or thereabouts, of agricultural land, scrubland and public footpath (FP1101004) situated to the north of Bowland View, Huncoat	<p>David Leitherd (Address as at parcel 1) <i>(excluding mines and minerals)</i></p> <p>John Leitherd (Address as at parcel 1) <i>(excluding mines and minerals)</i></p> <p>John Hotham Assheton (Address as at parcel 1) <i>(in respect of mines and minerals)</i> <i>(as reputed owner) (as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Charles Scrope Edward Yorke (Address as at parcel 1) <i>(in respect of mines and minerals)</i> <i>(as reputed owner) (as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p>	-	-	<p>David Leitherd (Address as at parcel 1)</p> <p>John Leitherd (Address as at parcel 1)</p> <p>Lancashire County Council (Address as at parcel 1) <i>(in respect of public footpath)</i></p>

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Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
5	3,108 square metres, or thereabouts, of public adopted highway (Burnley Lane), Huncoat	National Highways Limited Three Snowhill Snow Hill Queensway Birmingham B4 6GA Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>	-	-	Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>
6	640 square metres, or thereabouts, of woodland situated to the north east of Bowland View, Huncoat	National Highways Limited (Address as at parcel 5)	-	-	Unknown

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Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
7	3,857 square metres, or thereabouts, of agricultural land situated to the east of Bowland View, Huncoat	<p>Alison Grimshaw 3 Caldew Court Accrington BB5 6RG <i>(excluding mines and minerals)</i></p> <p>Lindsay David Nutter c/o Ms Alison Grimshaw 3 Caldew Court Accrington BB5 6RG <i>(excluding mines and minerals)</i></p> <p>Irene Stevenson c/o Ms Alison Grimshaw 3 Caldew Court Accrington BB5 6RG <i>(excluding mines and minerals)</i></p> <p>John Hotham Assheton (Address as at parcel 1) <i>(in respect of mines and minerals)</i> <i>(as reputed owner) (as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p>	-	-	<p>Alison Grimshaw 3 Caldew Court Accrington BB5 6RG</p> <p>Lindsay David Nutter c/o Ms Alison Grimshaw 3 Caldew Court Accrington BB5 6RG</p> <p>Irene Stevenson c/o Ms Alison Grimshaw 3 Caldew Court Accrington BB5 6RG</p>

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Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
7 (cont'd)		Ralph Christopher Assheton c/o Thomas Manson Brookside Barn Brookside Downham Clitheroe BB7 4BP <i>(in respect of mines and minerals)</i> <i>(reputed owner as Lord of the Manor of Accrington New Hold) (excluding mines and minerals forming part of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i> Charles Scrope Edward Yorke (Address as at parcel 1) <i>(in respect of mines and minerals)</i> <i>(as reputed owner) (as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i>			

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
8	71 square metres, or thereabouts, of public adopted highway (Burnley Lane), Huncoat	<p>Unknown <i>(excluding mines and minerals)</i></p> <p>Alison Grimshaw (Address as at parcel 7) <i>(in respect of subsoil fronting land to the south of Burnley Lane, Huncoat)</i></p> <p>Lindsay David Nutter (Address as at parcel 7) <i>(in respect of subsoil fronting land to the south of Burnley Lane, Huncoat)</i></p> <p>Irene Stevenson (Address as at parcel 7) <i>(in respect of subsoil fronting land to the south of Burnley Lane, Huncoat)</i></p> <p>John Hotham Assheton (Address as at parcel 1) <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Charles Scrope Edward Yorke (Address as at parcel 1) <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i></p>	-	-	Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>

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Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
9	964 square metres, or thereabouts, of agricultural land situated to the east of Bowland View, Huncoat	<p>Alison Grimshaw (Address as at parcel 7) <i>(excluding mines and minerals)</i></p> <p>Lindsay David Nutter (Address as at parcel 7) <i>(excluding mines and minerals)</i></p> <p>Irene Stevenson (Address as at parcel 7) <i>(excluding mines and minerals)</i></p> <p>John Hotham Assheton (Address as at parcel 1) <i>(in respect of mines and minerals)</i> <i>(as reputed owner) (as Trustee of the Hon. R. J. Assheton`s Discretionary Minerals Trust)</i></p> <p>Ralph Christopher Assheton (Address as at parcel 7) <i>(in respect of mines and minerals)</i> <i>(reputed owner as Lord of the Manor of Accrington New Hold) (excluding mines and minerals forming part of the Hon. R. J. Assheton`s Discretionary Minerals Trust)</i></p> <p>Charles Scrope Edward Yorke (Address as at parcel 1) <i>(in respect of mines and minerals)</i> <i>(as reputed owner) (as Trustee of the Hon. R. J. Assheton`s Discretionary Minerals Trust)</i></p>	-	-	<p>Alison Grimshaw (Address as at parcel 7)</p> <p>Lindsay David Nutter (Address as at parcel 7)</p> <p>Irene Stevenson (Address as at parcel 7)</p>

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
10	21,243 square metres, or thereabouts, of agricultural land and scrubland situated to the east of Avondale, Huncoat	Alison Grimshaw (Address as at parcel 7) Lindsay David Nutter (Address as at parcel 7) Irene Stevenson (Address as at parcel 7)	-	-	Alison Grimshaw (Address as at parcel 7) Lindsay David Nutter (Address as at parcel 7) Irene Stevenson (Address as at parcel 7)
11	27,425 square metres, or thereabouts, of scrubland, wooded area and agricultural land situated to the east of Sunnyside, Huncoat	Judith Anita Hughes Lyndhurst 27 Ribblesdale View Chatburn Clitheroe BB7 4BB Paul Martin Stark 21 Vicarage Meadow Mirfield WF14 9JL	-	Emma Finnigan <i>(in respect of lease of stables and land) (address unknown)</i>	Emma Finnigan <i>(in respect of lease of stables and land) (address unknown)</i>

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Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
12	14 square metres, or thereabouts, of scrubland and pond situated to the east of 3 Griffin Close, Huncoat	<p>Unknown <i>(excluding mines and minerals)</i></p> <p>John Hotham Assheton (Address as at parcel 1) <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p> <p>Charles Scrope Edward Yorke (Address as at parcel 1) <i>(in respect of caution against first registration in respect of mines and minerals)</i> <i>(as Trustee of the Hon. R. J. Assheton's Discretionary Minerals Trust)</i></p>	-	-	Unknown
13	1,134 square metres, or thereabouts, of scrubland and pond situated to the east of 14 Griffin Close, Huncoat	National Highways Limited (Address as at parcel 5)	-	-	Unknown

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Table 1

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 - Name and Address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
14	1,286 square metres, or thereabouts, of scrubland, wooded area and pond situated to the east of 3 Griffin Close, Huncoat	Elizabeth Bowling Huncoat Hall Farm Burnley Road Accrington BB5 6JZ John Robert Bowling Huncoat Hall Farm Burnley Road Accrington BB5 6JZ	-	-	Unknown
15	1,273 square metres, or thereabouts, of public adopted highway and roundabout (Burnley Road, A679), Huncoat	National Highways Limited (Address as at parcel 5) Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>	-	-	Lancashire County Council (Address as at parcel 1) <i>(as highway authority)</i>
16	131 square metres, or thereabouts, of public adopted highway (A679), Huncoat	National Highways Limited (Address as at parcel 5)	-	-	National Highways Limited (Address as at parcel 5) <i>(as highway authority)</i>

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1	-	-	The Applicant c/o Gloucester District Land Registry Twyver House Burton Way Gloucester GL1 1DQ <i>(in respect of pending application against Land Registry title LAN141109)</i>	Pending application under HM Land Registry Reference M660WCV
2	-	-	-	-
3	-	-	The Applicant (Address as at parcel 1) <i>(in respect of pending application against Land Registry title LAN141109)</i>	Pending application under HM Land Registry Reference M660WCV

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4	-	-	Electricity North West Limited Borron Street Stockport SK1 2JD	Restrictive covenants that no part of any building or other erection shall be constructed or placed nor any tree, shrub, or underwood allowed to grow within twelve feet of electric lines, to not raise the level of ground, and to keep land above underground cables free, open, and unbuilt upon as contained in a Deed of Grant dated 7 September 1978
			Electricity North West Limited Borron Street Stockport SK1 2JD	Restrictive covenants that no part of any building or other erection shall be constructed or placed nor any tree, shrub, or underwood allowed to grow within twelve feet of electric lines, to not raise the level of ground, and to keep land above underground cables free, open, and unbuilt upon as contained in a Deed of Surrender and Grant dated 23 August 1982
			Unknown	Unknown restrictive covenants as contained in a Conveyance dated 20 April 1903 for the benefit of unknown land
			Unknown	Provisions relating to light, air, and boundary structures as contained in a Conveyance dated 31 March 1980 for the benefit of unknown land
			Unknown	Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works as contained in a Conveyance dated 15 July 1922 for the benefit of unknown land
			Unknown	Rights of light and air and all other easements and quasi easements with respect to any adjoining land together with rights of support as contained in a Conveyance dated 31 March 1980 for the benefit of unknown land

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4 (cont'd)			<p>Electricity North West Limited Borron Street Stockport SK1 2JD</p> <p>Ralph Christopher Assheton c/o Thomas Manson Brookside Barn Brookside Downham Clitheroe BB7 4BP <i>(as Lord of the Manor of Accrington New Hold)</i></p> <p>Unknown</p> <p>Reid Stuart Lewis The Mount Burnley Lane Accrington BB5 6LJ</p> <p>Openreach Limited 6 Gracechurch Street London EC3V 0AT</p>	<p>Rights relating to the use and maintenance of overhead electric cables and towers for supporting the same and underground cables and the felling and lopping of all trees and coppice wood as contained in a Deed of Surrender and Grant dated 23 August 1982</p> <p>Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922</p> <p>Rights to control a water supply by means of a stop cock and allocate water proportionately when shortage occurs as contained in a Conveyance dated 15 July 1922 for the benefit of unknown land</p> <p>Rights to take water from Mount Quarry for all domestic purposes and a right of way as contained in a Conveyance dated 1 September 1947 for the benefit of The Mount</p> <p>Wayleave Agreement dated 27 July 1971 as contained in a Conveyance dated 31 March 1980</p>

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4 (cont'd)			<p>Openreach Limited 6 Gracechurch Street London EC3V 0AT</p> <p>Electricity North West Limited Borron Street Stockport SK1 2JD</p>	<p>Wayleave Agreement dated 29 August 1951 as contained in a Conveyance dated 31 March 1980</p> <p>Wayleave Agreement dated 7 September 1978 as contained in a Conveyance dated 31 March 1980</p>
5	-	-	<p>Electricity North West Limited (Address as at parcel 4)</p> <p>Unknown</p> <p>Electricity North West Limited (Address as at parcel 4)</p> <p>Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i></p>	<p>Restrictive covenants to not interfere with, damage, or obstruct access to underground electric cables and poles and to not construct any buildings on, plant trees on, excavate more than one foot of, or alter the surface of, easement land as contained in a Deed dated 23 August 1982</p> <p>Rights of the owners of the fee simple absolute and of any terms of years absolute in land, and easements and other interests affecting land in so far as those rights and interests may be capable of being enforced against a highway authority for the benefit of unknown land</p> <p>Rights relating to the use and maintenance of underground electricity cables and ancillary equipment and rights to fell or lop all trees and coppice wood as contained in a Deed dated 23 August 1982</p> <p>Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922</p>
6	-	-	<p>Unknown (Address as at parcel 5)</p>	<p>Rights of the owners of the fee simple absolute and of any terms of years absolute in land, and easements and other interests affecting land in so far as those rights and interests may be capable of being enforced against a highway authority for the benefit of unknown land</p>

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
7	-	-	<p>Unknown</p> <p>Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i></p>	<p>Such restrictive covenants as may have been imposed thereon before 22 June 2023 and are still subsisting and capable of being enforced for the benefit of unknown land</p> <p>Rights reserved on enfranchisement of the former copyhold of the Manor of Accrington Old Hold</p>
8	-	-	<p>The Applicant (Address as at parcel 1) <i>(in respect of pending application against Land Registry title LAN141109)</i></p>	<p>Pending application under HM Land Registry Reference M660WCV</p>
9	-	-	<p>Unknown</p> <p>Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i></p>	<p>Such restrictive covenants as may have been imposed thereon before 4 December 2024 and are still subsisting and capable of being enforced for the benefit of unknown land</p> <p>Rights reserved on enfranchisement of the former copyhold of the Manor of Accrington Old Hold</p>

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
10	-	-	<p>Unknown</p> <p>National Highways Limited Three Snowhill Snow Hill Queensway Birmingham B4 6GA</p> <p>Irene Stevenson c/o Ms Alison Grimshaw 3 Caldew Court Accrington BB5 6RG</p> <p>Alison Grimshaw 3 Caldew Court Accrington BB5 6RG</p> <p>Lindsay David Nutter c/o Ms Alison Grimshaw 3 Caldew Court Accrington BB5 6RG</p> <p>Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i></p> <p>Unknown</p>	<p>Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works as contained in a Conveyance dated 1 February 1992 for the benefit of unknown land</p> <p>Rights relating to the laying, construction, maintenance, and use of a pipe drain and a manhole as contained in a Conveyance dated 30 April 1984 for the benefit of adjoining land</p> <p>Rights relating to the laying, construction, maintenance, and use of a pipe drain and a manhole as contained in a Conveyance dated 30 April 1984 for the benefit of adjoining land</p> <p>Rights relating to the laying, construction, maintenance, and use of a pipe drain and a manhole as contained in a Conveyance dated 30 April 1984 for the benefit of adjoining land</p> <p>Rights relating to the laying, construction, maintenance, and use of a pipe drain and a manhole as contained in a Conveyance dated 30 April 1984 for the benefit of adjoining land</p> <p>Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922</p> <p>Unknown rights as contained in a Conveyance dated 9 May 1921 for the benefit of unknown land</p>

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
11	Arthur Bowling Huncoat Hall Farm Burnley Road Accrington BB5 6JZ	Unilateral notice relating to rights of way as contained in a Deed of Rectification by Licence dated 19 May 2008	Unknown Unknown Unknown Sybil Diana Stark Sunnyside Higher Gate Road Accrington BB5 6LF	Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works and the conduction of water by drains and pipes as contained in a Conveyance dated 11 April 1922 for the benefit of unknown land Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works as contained in a Conveyance dated 1 February 1922 for the benefit of unknown land Rights relating to service media and rights to erect buildings or other erections on adjoining or neighbouring land which may or may not interfere with the free access of light or air to any buildings on the plot of land and rights of entry to maintain such buildings or erections as contained in a Conveyance dated 28 December 1966 for the benefit of unknown land Rights relating to service media and support as contained in an Assent dated 27 January 2015 for the benefit of Sunnyside

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
11 (cont'd)			<p>United Utilities Water Limited Haweswater House Lingley Mere Business Park Lingley Green Avenue Great Sankey Warrington WA5 3LP</p> <p>Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i></p> <p>National Highways Limited (Address as at parcel 10)</p> <p>Unknown</p>	<p>Rights relating to the construction, use, and maintenance of an underground meter chamber as contained in an Agreement dated 1 March 1954</p> <p>Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922</p> <p>Rights to lay, use, and maintain a pipe drain and to lay, construct, maintain, and use headwalls and three manhole covers and rights of support by soil for walls as contained in a Conveyance dated 17 November 1989 for the benefit of adjoining land</p> <p>Unknown rights as contained in a Conveyance dated 4 August 1966 for the benefit of unknown land</p>
12	-	-	<p>The Applicant (Address as at parcel 1) <i>(in respect of pending application against Land Registry title LAN141109)</i></p>	<p>Pending application under HM Land Registry Reference M660WCV</p>
13	<p>Arthur Bowling (Address as at parcel 11)</p>	<p>Unilateral notice relating to rights of way as contained in a Deed of Rectification by Licence dated 19 May 2008</p>		

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
13 (cont'd)			Unknown (Address as at parcel 11)	Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works and the conduction of water by drains and pipes as contained in a Conveyance dated 11 April 1922 for the benefit of unknown land
			Unknown	Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works as contained in a Conveyance dated 1 February 1922 for the benefit of unknown land
			Unknown (Address as at parcel 11)	Rights relating to service media and rights to erect buildings or other erections on adjoining or neighbouring land which may or may not interfere with the free access of light or air to any buildings on the plot of land and rights of entry to maintain such buildings or erections as contained in a Conveyance dated 28 December 1966 for the benefit of unknown land
			United Utilities Water Limited (Address as at parcel 11)	Rights relating to the construction, use, and maintenance of an underground meter chamber as contained in an Agreement dated 1 March 1954
			Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i>	Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922
			Unknown (Address as at parcel 11)	Unknown rights as contained in a Conveyance dated 4 August 1966 for the benefit of unknown land

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
14	-	-	Unknown	Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works and the conduction of water by drains and pipes as contained in a Conveyance dated 11 April 1922 for the benefit of unknown land
			Unknown	Rights relating to service media and rights to erect buildings or other erections on adjoining or neighbouring land which may or may not interfere with the free access of light or air to any buildings on the plot of land and rights of entry to maintain such buildings or erections as contained in a Conveyance dated 28 December 1966 for the benefit of unknown land
			United Utilities Water Limited (Address as at parcel 11)	Rights relating to the construction, use, and maintenance of an underground meter chamber as contained in an Agreement dated 1 March 1954
			National Highways Limited (Address as at parcel 10)	Rights relating to the maintenance of a ditch as contained in a Conveyance dated 4 October 1984 for the benefit of adjoining land
			Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i>	Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922
			National Highways Limited (Address as at parcel 10)	Rights to lay, construct, maintain, test, inspect, and use pipes; construct and maintain a manhole and to construct and maintain a headwall as contained in a Conveyance dated 4 October 1984 for the benefit of adjoining land

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Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15	Arthur Bowling (Address as at parcel 11)	Unilateral notice relating to rights of way as contained in a Deed of Rectification by Licence dated 19 May 2008	Unknown (Address as at parcel 11) Unknown (Address as at parcel 11) United Utilities Water Limited (Address as at parcel 11) Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i> Unknown (Address as at parcel 11)	Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works and the conduction of water by drains and pipes as contained in a Conveyance dated 11 April 1922 for the benefit of unknown land Rights relating to service media and rights to erect buildings or other erections on adjoining or neighbouring land which may or may not interfere with the free access of light or air to any buildings on the plot of land and rights of entry to maintain such buildings or erections as contained in a Conveyance dated 28 December 1966 for the benefit of unknown land Rights relating to the construction, use, and maintenance of an underground meter chamber as contained in an Agreement dated 1 March 1954 Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922 Unknown rights as contained in a Conveyance dated 4 August 1966 for the benefit of unknown land

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Table 2

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 - not otherwise shown in Tables 1 & 2 (6)	
	Name and Address	Description of interest to be acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
16	Arthur Bowling (Address as at parcel 11)	Unilateral notice relating to rights of way as contained in a Deed of Rectification by Licence dated 19 May 2008	<p>Unknown (Address as at parcel 11)</p> <p>Unknown (Address as at parcel 11)</p> <p>United Utilities Water Limited (Address as at parcel 11)</p> <p>Ralph Christopher Assheton (Address as at parcel 4) <i>(as Lord of the Manor of Accrington New Hold)</i></p> <p>Unknown (Address as at parcel 11)</p>	<p>Right of easement in, through, and under premises for all waterworks, chambers, catchwaters, pipes, and fittings and rights relating to connecting to, using, and maintaining a water supply and works and the conduction of water by drains and pipes as contained in a Conveyance dated 11 April 1922 for the benefit of unknown land</p> <p>Rights relating to service media and rights to erect buildings or other erections on adjoining or neighbouring land which may or may not interfere with the free access of light or air to any buildings on the plot of land and rights of entry to maintain such buildings or erections as contained in a Conveyance dated 28 December 1966 for the benefit of unknown land</p> <p>Rights relating to the construction, use, and maintenance of an underground meter chamber as contained in an Agreement dated 1 March 1954</p> <p>Rights reserved to the lord of the former copyhold of the Manor of Accrington Old Hold by the 12th Schedule of the Law of Property Act 1922</p> <p>Unknown rights as contained in a Conveyance dated 4 August 1966 for the benefit of unknown land</p>

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The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Number on map (7)	Other qualifying persons under section 12(2)(c) of the Acquisition of Land Act 1981 (8)
	Name and Address
	None

This order includes land falling within special categories to which sections 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely –

Number on map	Special category
	None

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

The Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026

Name and Address	Capacity	Description
Cadent Gas Limited Unit 3 Pilot Way Ansty Park Ansty Coventry CV7 9JU	As statutory gas undertaker	in respect of gas mains, pipes and other apparatus
British Telecommunications plc 1 Braham Street London E1 8EE	As licensed telecommunications provider	In respect of telecommunications facilities
United Utilities plc Haweswater House Lingley Mere Business Park Lingley Green Avenue Great Sankey Warrington WA5 3LP	As statutory water mains and sewerage undertaker	in respect of water mains, foul sewer, surface water sewer and other apparatus
Electricity North West Limited Borron Street Stockport SK1 2JD	As statutory electricity distribution undertaker	in respect of electricity distribution lines, cables, conduits and other apparatus
Openreach Limited 6 Gracechurch Street London EC3V 0AT	As licensed telecommunications provider	in respect of telecommunications facilities
Virgin Media Limited 500 Brook Drive Reading RG2 6UU	As licensed telecommunications provider	in respect of telecommunications facilities

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Equality Impact Assessment

Huncoat Lane CPO

Hyndburn Borough Council

6th MARCH 2026

EQUALITY IMPACT CONSULTING LTD



EqualityImpact

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1. Introduction

Purpose of this report

- 1.1 Hyndburn Borough Council (the Council) has commissioned Equality Impact Consulting to prepare an Equality Impact Assessment (EqIA) for the proposed Hyndburn Borough Council (Huncoat Lane) Compulsory Purchase Order 2026 (the 'Order').
- 1.2 As a public sector body, the Council must pay due regard to Section 149 of the Equality Act 2010, the Public Sector Equality Duty (PSED). The PSED requires that the Council's practices do not lead to unlawful discrimination (direct or indirect), that it advances equality of opportunity and that it fosters good relations between those with a protected characteristic¹ and all others.
- 1.3 The Council's Equality and Diversity Strategy² highlights the Council's alignment with the PSED, identifies key issues regarding protected characteristic groups in the Borough, and outlines the actions the Council has and will continue to take to promote equality between groups.
- 1.4 Whilst not a protected characteristic under the Equality Act 2010, the Council also considers socio-economic inequality to be key to how the Council sets its priorities.
- 1.5 The Council aims to go beyond its legislative duties and actively promote equality for residents and address existing issues, treat people fairly and recognise their differences in service delivery, taking these differences into account by providing a choice of services and responding to a range of needs.
- 1.6 The Council delivers its equality objectives through Customer First Analyses, which involve carrying out EqIAs to assess, consult, and understand the effect that a policy, project, or service is likely to have on groups with protected characteristics as defined by the Equality Act 2010. The purpose of this EqIA is to consider how the Order could result in equality impacts on directly affected interests, as well as on those who live, work, and own businesses in the wider area.
- 1.7 Whilst an EqIA is not a statutory requirement, it is a useful tool to demonstrate the Council's due regard to the PSED. The aims of the EqIA are to:
 - Assess the potential impacts that the compulsory acquisition of land could have on directly affected interests and those living within the wider area;
 - Identify ways in which groups with protected characteristics may be subsequently beneficially or adversely affected by the construction of Huncoat Lane ('the Scheme'), as well as the release of land for the delivery of Huncoat Garden Village ('HGV'); and
 - Support the Council to fulfil its duties in relation to the PSED in using its compulsory purchase powers, as well as identifying appropriate mitigating measures.
- 1.8 The EqIA should be considered as a 'live' process that has been and will be updated as the Scheme progresses. outcomes as the Scheme progresses.

The Scheme

¹ Protected characteristics are age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy and maternity, and marriage and civil partnership.

² Hyndburn Borough Council (2020) Our Equality and Diversity Strategy 2020-2025. Available at: <https://www.hyndburnbc.gov.uk/download-package/our-equality-and-diversity-scheme-2020-2025/>

- 1.9 The Huncoat Garden Village Masterplan³ sets out a framework for new housing development and the expansion of Huncoat village. This was approved by Cabinet in October 2021, and Homes England confirmed that the proposals remain aligned with the new Government's housing growth strategy, recognising the project's contribution to Hyndburn's housing targets.
- 1.10 HGV will bring the former Huncoat Power Station and Colliery sites back into use, creating an extension to Huncoat based on garden community principles. It will deliver circa 1,800 new homes of mixed tenure, including affordable and social housing, over an estimated 15-year period.
- 1.11 The development also includes a new local centre, the expansion of Huncoat primary school, and approximately 24 hectares of strategic and functional open space, additional parking at Huncoat Station and localised road junction improvements.
- 1.12 The Scheme is a critical component of the Huncoat Garden Village Masterplan. The new road will connect the A56 Accrington Bypass with Altham Lane, provide access to HGV and aim to relieve existing congestion in Huncoat village. Without the infrastructure that the Scheme will provide, the scale of development set out in the Masterplan cannot be delivered.

Figure 1-1 The Scheme site location



- 1.13 A planning application for the Scheme was submitted in April 2025. It is a 1.1km residential relief road comprised of:
- Amendments to the existing A697 Burnley Road / A56 Accrington Bypass western roundabout to create an additional arm at the southern end of the Scheme.
 - Installation of a new signalised junction on Altham Lane at the northern end.
 - At the intersection of the Scheme and the existing Burnley Lane roundabout, a new junction will be provided for the eastern arm. The western arm will be closed to deliver improved pedestrian and cyclist access.

³ Hyndburn Borough Council (2021) Huncoat Garden Village Masterplan Framework
<https://www.huncoatgardenvillage.co.uk/masterplan-framework-2021/>

- Provision of a footway and cycleway on the western side of the carriageway, as well as a footway on the eastern side.
- Six new bus stops, with three in each direction;
- Diversion of Public Right of Way (PRoW);
- Associated earthworks, boundary treatments, highway drainage features, bus stop provision, appropriate lighting, signage and cabling;
- Measures for the protection and diversion of existing utilities within the vicinity of the new residential link road:
- Inclusion of green infrastructure and public realm improvements to create a “gateway” feel for the HGV;
- A strategy for associated highway drainage, including any attenuation/Sustainable Drainage Systems (SuDS) features that may be required;

The need for the CPO

- 1.14 The Order will be used as a last resort to ensure that all of the land required to deliver the Scheme will be brought into the Council’s ownership, in the event that attempts to acquire all the necessary interests and rights by agreement are not successful, and to ensure that there are no title impediments to the delivery of the Scheme within the timescales needed to meet Homes England grant funding conditions⁴.
- 1.15 The site can then be handed over to the appointed Contractor to commence construction of the new road, which will be adopted by Lancashire County Council as the Highway and Drainage Authority.

⁴ Homes England Brownfield and Industrial Land (BIL) funding provides key infrastructure and enabling funding for the development of 1,816 new homes at Huncoat over the next 15-20 years.

2. Approach

Introduction

2.1 This section sets out the approach to undertaking the EqlA of the Order.

Step 1: Desktop evidence review

2.2 The evidence review includes:

- Relevant legislation, policy and guidance;
- The land and interests *directly* affected by the proposed Order, the “Order Land”, a map of which is included in Appendix A of this report;
- Publicly available and/or Council-owned datasets on the local population living in the wider Scheme and HGV areas and who might be *indirectly* affected by the CPO; and
- Supporting documents and assessment work for Huncoat Garden Village Masterplan and Huncoat Lane planning application, including the Environmental Impact Assessment (EIA) and Statement of Community Involvement.

Step 2: Assessment of impacts

2.3 The assessment of impacts is based on the information gathered in Step 1. It considers how the Order could both directly and indirectly contribute to the realisation of effects for groups with protected characteristics as defined in the Equality Act 2010. Definitions for each group⁵ are as follows:

- **Age:** this refers to persons defined by either a particular age or a range of ages. For example, children (aged 0-15) or older people (aged 65+);
- **Disability:** a disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities⁶. Guidance on what is considered a disability under the Equality Act is set out in Appendix B;
- **Gender reassignment:** this refers to people who are proposing to undergo, are undergoing, or have undergone a process for the purpose of reassigning their gender identity;
- **Marriage and civil partnership:** marriage or civil partnership can be between a man and a woman or between two people of the same sex;
- **Pregnancy and maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth;
- **Race:** A race is a group of people defined by their colour, nationality (including citizenship), ethnicity or national origins. A racial group can be made up of more than one distinct racial group, such as Black British;

⁵ <https://www.equalityhumanrights.com/equality/equality-act-2010/protected-characteristics>

⁶ [Disability: Equality Act 2010 - Guidance on matters to be taken into account in determining questions relating to the definition of disability \(HTML\) - GOV.UK](#)

- **Religion or belief:** Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief, including a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition;
- **Sex:** this refers to a man or to a woman or a group of people of the same sex; and
- **Sexual orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. A person's sexual orientation relates to their emotional, physical and/or sexual attraction and the expression of that attraction.

2.4 Marriage and civil partnership discrimination under the Equality Act 2010 applies to workplace policies only⁷. Therefore, as there are unlikely to be any impacts on marriage and civil partnership arising from employment, this protected characteristic group has been excluded from the assessment work.

2.5 The Council also actively considers socio-economic disadvantage as part of the EqIA process, and as such, groups experiencing socio-economic disadvantage have also been included within the assessment.

2.6 The assessment has considered both differential and disproportionate effects;

- A **differential** equality effect affects members of a protected characteristic group differently from the rest of the general population because of specific needs, or a recognised vulnerability or sensitivity associated with their protected characteristic.
- A **disproportionate** equality effect arises when an impact has a proportionately greater effect on a protected group than on the general population overall.

2.7 The criteria used to determine disproportionate or differential impacts with respect to protected characteristics groups has included:

- Those who share a protected characteristic form a disproportionately large number of those affected by the Order. For example, affected agricultural landowners may belong to an older age group;
- Amongst the groups affected, people who share protected characteristics are particularly vulnerable or sensitive to a potential impact. For example, residents may be more vulnerable to footpath or road diversions due to mobility or sensory impairments;
- The project may either worsen or improve existing disadvantages affecting people who share a protected characteristic; and
- Groups with protected characteristics may not have an equal share in the wider benefits realised through the Order. This can be due to direct or indirect discrimination or disadvantage, and includes barriers to sharing benefits unless appropriate mitigations or actions are taken to overcome such barriers.

2.8 In some cases, groups may be subject to both differential *and* disproportionate effects. It is also important to consider how the intersectionality of characteristics may also place people at further disadvantage. For example, older people with a physical or sensory impairment.

2.9 The assessment includes:

- **Potential direct impacts of the Order** – this includes the effects on those directly affected by the acquisition of land within the Order Land; and

⁷ <https://www.equalityhumanrights.com/en/advice-and-guidance/marriage-and-civil-partnership-discrimination>

- **Potential indirect impacts of the Order**– this includes the high-level beneficial and adverse equality impacts realised through the Scheme and HGV on local residents, businesses and the wider area. This covers both construction and operational phases.

Direct impacts

2.10 Direct impacts relate to the land take associated with the Order. The assessment considers how land-take may impact the following affected interests:

- Owners of the land;
- Lessees/Tenants of the land;
- Occupiers of the land; and
- Other users of the land, e.g. members of the public, employees, and community groups.

2.11 The potential for equality effects of the direct impacts on these affected interests is then assessed with a level of risk and mitigation measures assigned to each impact.

Indirect impacts

2.12 Although this EqlA has been prepared for the Order, it also includes a proportionate, high-level review of the potential equality effects associated with the construction and operation of both the Scheme and HGV, which will be enabled by the Order.

2.13 The assessment considers how these impacts may be experienced disproportionately or differentially by groups with protected characteristics in the local area.

2.14 Planned mitigation measures and high-level recommendations to minimise negative effects are provided, as well as further actions to enhance opportunities to advance equality throughout as the Scheme progresses.

Step 3: Conclusions

2.15 This sets out the conclusions of the assessment and ongoing mitigating actions to support the Council with its PSED in respect to the Order.

3. Legislative and policy context

National legislation and guidance

Equality Act 2010 and the Public Sector Equality Duty⁸

- 3.1 The Equality Act 2010 is UK legislation protecting the rights of individuals against unlawful discrimination and advancing equal opportunities for all. Section 149 of the Equality Act sets out the Public Sector Equality Duty (PSED) to which the Council is subject in carrying out all its functions. This includes having due regard to the following three aims:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - Foster good relations between people who share a protected characteristic and those who do not.
- 3.2 The Equality Act 2010 further explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 3.3 The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

Guidance on the compulsory purchase process

- 3.4 The Government guidance on the compulsory purchase process⁹ explains how the PSED should be considered. The guidance confirms that in exercising compulsory purchase powers, public sector acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.
- 3.5 The guidance acknowledges that an important use of compulsory purchase powers is to help regenerate run-down areas. Although low income is not a protected characteristic in itself, it is not uncommon for people from ethnic minorities, older people or people with a disability to be over-represented in low income groups. As part of the PSED, acquiring authorities must have due regard to the need to promote equality of opportunity between persons who share a relevant protected characteristic and those who do not.
- 3.6 This means that the acquiring authority may need to develop a process which promotes equality of opportunity by addressing particular problems that people with certain protected characteristics might have (e.g. making sure that documents are accessible for people with

⁸ UK Government (2010) Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/introduction>

⁹ Ministry of Housing, Communities & Local Government (Jan 2025) Compulsory Purchase Process: Guidance <https://www.gov.uk/government/publications/compulsory-purchase-process-guidance>

sight problems or learning difficulties and that people have access to advocates or advice).

National Planning Policy Framework (2024)

- 3.7 The National Planning Policy Framework (NPPF)¹⁰ outlines how planning policy should help promote healthy and safe communities by taking a positive and collaborative approach to enable development to be brought forward.
- 3.8 While the NPPF does not contain specific guidance on equalities, it does emphasise the importance of sustainable development and the need to support strong vibrant communities. Planning policies and decisions should support the social, recreational and cultural facilities and services the community needs by:
- Planning positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities;
 - Supporting the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; and
 - Guarding against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

Local policy and plans

Huncoat Garden Village Masterplan

- 3.9 The Huncoat Garden Village Masterplan and Framework Delivery Strategy¹¹, approved by Hyndburn Borough Council's Cabinet in October 2021, sets out the long-term vision for transforming the former Huncoat Power Station and Colliery sites into a sustainable, high-quality garden community. The Masterplan provides the strategic context for the Order, as the new relief road is essential enabling infrastructure for the wider development.
- 3.10 The Masterplan includes the delivery of approximately 1,816 new homes, including affordable and social housing, over an estimated 15-year period. The Masterplan also includes a new local centre, the expansion of Huncoat primary school, and approximately 24 hectares of open space, incorporating green corridors, play areas, and natural landscapes. The development is designed around garden community principles, with a focus on walkability, active travel, high-quality public realm, and integration with the existing settlement of Huncoat.

Huncoat Design Code

- 3.11 The Huncoat Design Code¹² provides detailed guidance on the design parameters, technical standards and specifications permitted to shape the Huncoat Garden Village Masterplan. It sets out the dos and don'ts of creating high-quality environments for use by the Council, landowners, developers, other stakeholders, and consultants in developments for the existing village of Huncoat and the garden village.
- 3.12 Street design principles include an inclusive and accessible priority for all, with streets being designed in accordance with Lancashire County Council's Creating Civilised Streets¹³ guidance and the Department for Transport's Inclusive Mobility guidance.

¹⁰ Ministry of Housing, Communities and Local Government (Dec 2024) National Planning Policy Framework

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹¹ Hyndburn Borough Council (2021) Huncoat Garden Village Masterplan Framework

<https://www.huncoatgardenvillage.co.uk/masterplan-framework-2021/>

¹² Hyndburn Borough Council (May 2025) Huncoat Design Code <https://www.huncoatgardenvillage.co.uk/huncoat-garden-village-design-code/>

¹³ Lancashire County Council (2010) Creating Civilised Streets

https://www.lancashire.gov.uk/media/81455/creating_civilised_streets.pdf

4. Equalities baseline

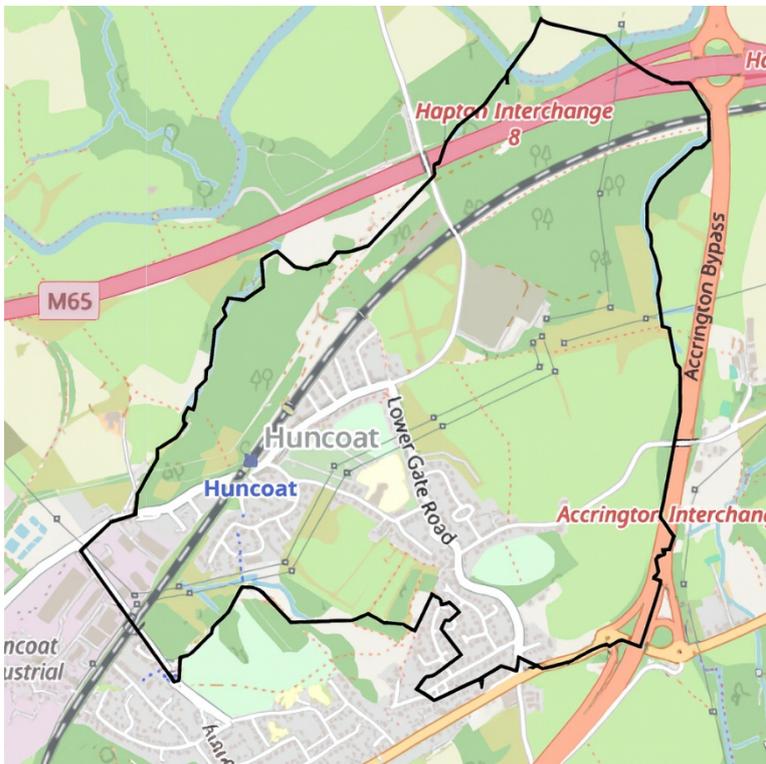
Introduction

- 4.1 This section summarises the study area, population and socio-economic evidence used to inform the assessment of equality impacts associated with the Order.
- 4.2 The evidence base draws on Census 2021 data and deprivation data to provide an understanding of the characteristics of people living in the study area and Hyndburn. This baseline enables the identification of groups who may be more sensitive to changes arising from the Order, the construction and operation of the Scheme, and the HGV.

The study area

- 4.3 The study area for this EqlA reflects the Order Land, which comprises:
- Land required for the delivery of the Scheme, i.e. the new adopted highway; and
 - Additional land required for the construction of the Scheme.
- 4.4 Surrounding communities within the wider area are likely to experience direct or indirect impacts, and as such, the study area also comprises:
- Lower Super Output Area (LSOA) 'Hyndburn 002G' (as shown in Figure 4-1) - This area encompasses those who are likely to be directly affected by the Order, as well as the indirect impacts during construction and operation; and
 - Hyndburn Local authority area (Hyndburn) – to include residents in the Borough who may benefit from the Scheme and HGV.

Figure 4-1 Boundary of the Hyndburn 002G study area



- 4.5 The Scheme is located on the eastern edge of Huncoat, a village on the edge of Hyndburn Borough. The larger urban areas of Accrington and Burnley are situated to the east and west

of the site, respectively, along the valley. Industrial estates and warehouse developments are located on the fringes of these settlements.

4.6 The Order Land comprises approximately 13.9 Hectares of land located within an area of predominantly open landscape, including green belt land, between Huncoat and the A56 Accrington Bypass. The Order Land comprises:

- Agricultural land (mostly for livestock farming);
- Woodland and scrubland; and
- Adopted Highways and Public Rights of Way.

4.7 While there are no identified residential interests within the Order Land, there are residential properties in proximity to the boundary of the land at Altham Lane, Peter Grime Row, Stone Hey and Bowland View, as well as within Huncoat Village nearby.

4.8 Huncoat village also contains a primary school, local shops, community facilities and a pub. The former Huncoat Power Station and colliery are located in an industrial area to the north of the Order Land.

4.9 The local transport network comprises:

- **Highways network:**
 - Burnley Lane - connecting Huncoat village with Hapton.
 - The A56 Accrington Bypass - providing access to the wider area.
 - Altham Lane - linking to Altham and the former power station and colliery sites.
- **Public Rights of Way:** including FP1101004, which is partially located within the Order Land.
- **Bus services:** local bus services currently connect Huncoat with Accrington and Burnley via Burnley Road.
- **Rail:** Huncoat railway station provides access to stations between Preston and Colne.

Protected characteristics groups

4.10 Census 2021 data has been analysed for the immediate study area (LSOA Hyndburn 002G), the wider Hyndburn local authority area, and England. A full analysis is provided in Appendix C. In summary:

- The demographic profile indicates that the study area is broadly consistent with local and national patterns, with some characteristics of note for the EqIA.
- The study area has a similar proportion of children and a slightly lower proportion of older people compared with England. However, the wider Lancashire projections show a significant increase in the population aged 80+ over the next 20 years, indicating an ageing population who may be more sensitive to environmental and accessibility changes.
- The proportion of disabled people living within the study area aligns with national rates. However, Hyndburn has a higher percentage of residents whose day-to-day activities are limited than the national rates, suggesting a wider population that may be more affected by changes in access, mobility, and environmental quality.

- Pakistani residents form the largest minority ethnic group locally, although the immediate study area has a much smaller proportion than for Hyndburn overall. English language proficiency is high in the study area, with 98.6% of households having all adults who speak English as their main language, indicating a low risk of language-related barriers to engagement or information access.
- The most significant minority religion in the study area is Islam, with Hyndburn having more than double the national proportion of Muslim residents.
- The population breakdown across the protected characteristics sex, sexual orientation, and gender reassignment is consistent with national rates.

Socio-economic disadvantage

4.11 Although socio-economic status is not a protected characteristic, the Council recognises socio-economically disadvantaged groups as a key equality consideration. The Council's Equality and Diversity Strategy states that:

'Inequality is not just about gender, race, disability, or the other protected characteristics. It is also about social class – family background or place of birth. By socio-economic disadvantage, we mean the state of being disadvantaged in life. This applies to getting on, getting educated, and getting a job. It is influenced by one or more external factors. Poverty is one such factor, but it can also be about the complex interplay of factors such as health, housing, education, and family background, and the resulting lack of ambition and expectations that so often combine to keep people in poverty and limit their chances of upward social mobility.'

4.12 The Indices of Deprivation (IoD) covers a set of relative measures of deprivation for small areas (Lower-layer Super Output Areas) across England.

4.13 Table 4-1 shows the deprivation decile for different deprivation domains for the LSOA in which the proposed scheme is located. This demonstrates that the lowest-ranking domain is Barriers to Housing and services, with the LSOA ranking 4th most deprived in Hyndburn for this domain.

Table 4-1 Local area deprivation

Deprivation domain	Decile (where 1 is most deprived)
Index of Multiple Deprivation	5
Income Decile	5
Employment Decile (where 1 is the most deprived 10% of LSOAs)	5
Education, Skills and Training Decile	7
Health Deprivation and Disability Decile	4
Crime Decile	6
Barriers to Housing and Services Decile	3
Living Environment Decile	5

4.14 Out of the 53 LSOAs in Hyndburn:

- 14 are in the 10% most deprived for income deprivation
- 14 are in the 10% most deprived for employment
- 21 are in the 10% most deprived for health

5. Consultation and engagement

Overview

- 5.1 Effective engagement with residents and stakeholders is important for developing inclusive proposals, contributing to equitable outcomes and supporting positive relations between groups.
- 5.2 This section summarises the engagement undertaken to date for the Scheme. Further details of engagement activities and the feedback received are set out in the Statement of Community Involvement (SCI) submitted in support of the Huncoat Lane planning application and the Statement of Reasons for the Order.

Landowner and affected third-party engagement

- 5.3 There has been regular consultation over several years with landowners. Members of the wider project team engaged with landowners during the pre-application period to discuss funding, planning, and high-level strategy, as well as to share early information and arrangements for the public consultation.
- 5.4 A face-to-face meeting with affected landowners/occupiers took place on 22nd January 2024. The purpose of the meeting was to present and discuss material to be shared in the public consultation prior to it going live and to listen to potential concerns/issues.
- 5.5 The Council has spoken to, met with and or written (by email and letter) to all landowners affected by the Order to discuss the proposals, land requirements and next steps.
- 5.6 As of February 2026, all agricultural landowners have appointed their own independent professional advisors to assist them with negotiations to sell their interests, either by agreement (the preferred option) or through a CPO if required.

Stakeholder and local community engagement

- 5.7 Stakeholders and the local community have been engaged and consulted on proposals for the Scheme and HGV. This includes consultation on the planning application for the construction of the Scheme.
- 5.8 The Council hosts two websites (a Hyndburn Borough Council website¹⁴ and an external website¹⁵ where residents, stakeholders, local businesses, and developers can access reports, policies, planning applications and project updates. If documents are needed in any other format, the Council will provide them in the preferred format.
- 5.9 In addition, information has been provided via two public exhibitions and a leaflet drop to 1,500 households.
- 5.10 The Council has taken feedback on board and developed proposals in response to feedback received from the local community, statutory consultees and other stakeholders.

Huncoat Community Forum

- 5.11 The Huncoat Community Forum was set up to improve the quality of life for the people of Huncoat and to improve the environment in and around Huncoat¹⁶. A meeting was held with the Forum on 15th November 2024 to provide an update on progress across various aspects

¹⁴ <https://www.hyndburnbc.gov.uk/huncoat-garden-village/>

¹⁵ <https://www.huncoatgardenvillage.co.uk/>

¹⁶ <https://prospectsfoundation.org.uk/huncoat/>

of HGV proposals, including the Huncoat Design Code and the planning application for the Scheme.

5.12 The meeting was used to discuss approaches for the wider public engagement, including venue, publicity and the continued role of the Forum. The meeting confirmed the following:

- Meeting with local residents likely to be most affected by the Scheme (i.e. residents along Altham Lane) to take place in advance of wider public engagement.
- Huncoat Primary School to be the venue for the public exhibition.
- Publicity leaflets would be distributed to addresses across Huncoat, as previously undertaken for the HGV proposals.
- Huncoat Community Forum to assist with publicising the consultation through the Forum's social media channels and through distribution of posters at appropriate locations within Huncoat.

Feedback from consultation

Profile of respondents

5.13 A total of 82 feedback forms were received during the public consultation. Respondents were predominantly aged 35–64, with limited engagement from:

- Disabled residents
- Younger people
- Minority ethnic groups

5.14 This underrepresentation is consistent with wider patterns of engagement and highlights the importance of targeted communication and accessible formats as the Scheme and Masterplan proposals progress.

Key themes raised

5.15 Key feedback is related to:

- Impacts of the design of the Burnley Lane junction on walkers and cyclists.
- Safety concerns –specifically to junction layouts and the speed of traffic along Huncoat Lane.
- Concerns about the shared foot and cycleway at Altham Lane junction.
- Specific concerns around construction impacts on local residents.

6. Assessment of equality effects

Overview

- 6.1 The assessment considers the potential impacts on affected people sharing protected characteristics arising from the exercise of compulsory powers to acquire land for the construction of the Scheme.
- 6.2 The assessment considers both:
- **Potential direct impacts of the Order** – this includes the effects on those directly affected by the acquisition of land and property within the Order Land: and
 - **Potential indirect impacts of the Order** – this includes the beneficial and adverse high-level equality impacts realised through the development of Huncoat Lane and subsequently, the HGV proposals. This covers both construction and operational phases.
- 6.3 The assessment draws upon the following sources of information:
- The baseline evidence and engagement feedback set out in sections 4 and 5 of this report;
 - The schedule to the Order which identifies each of the individuals and interests affected by the proposed compulsory acquisition. This assumes that the information on land ownership, occupation and land use is accurate at the time of assessment. If additional affected interests are identified later, the EqlA should be updated accordingly.
 - Planning application documents for the Scheme (Ref: 11/25/0124¹⁷). This includes:
 - Design and Access Statement;
 - Environmental Statement – including the Air Quality, Noise & Vibration, Landscape & Visual, Ecology and Biodiversity and Transport Assessment chapters; and
 - The Outline Construction Environmental Management Plan (CEMP).

Potential direct impacts

- 6.4 The compulsory acquisition of land for the Scheme will directly affect a small number of landowners, occupiers, and businesses. These impacts relate primarily to:
- Loss of agricultural land;
 - Loss of scrubland and woodland;
 - Acquisition of adopted highways land;
 - Loss of land with a public footpath; and
 - Loss of land currently used for stables/livery yard.
- 6.5 The equality effects of the above will depend on the protected characteristics of the affected parties, the nature and use of land interests, and the extent of the disruption.

¹⁷<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F25%2F0124&guid=f3139b0f-51fc-4c66-bd88-ca4d7084bf19>

Loss of agricultural land

- 6.6 The scheme requires the acquisition of multiple parcels containing agricultural land, ranging from 101 sqm to 75,039 sqm. The primary users of the land are the landowners and any agricultural employees.
- 6.7 There is one identified occupier who is using agricultural land for horse stables and a livery yard, which has been assessed as a separate impact. In addition, Parcel 8 also contains a public footpath, which has also been assessed separately.
- 6.8 The Council aims to acquire land by agreement wherever possible. However, if agreement cannot be reached, compulsory acquisition of agricultural land will be required. Loss of land and/or changes to access arrangements have the potential to:
- Affect business viability where land loss reduces the area available for agricultural activity or renders parts of the holding unsuitable for farming;
 - Impact grants, funding or other subsidy arrangements where eligibility may be dependent on land area or land use¹⁸; and
 - Reduce income stability for landowners and affect employment for agricultural workers
- 6.9 Where suitable replacement land is not available locally, landowners may need to travel to alternative sites to continue operations. This may increase operational costs and reduce efficiency, particularly where landowners live on or adjacent to their holdings. Identifying suitable replacement land can be challenging due to the specific requirements associated with different agricultural uses.
- 6.10 Agriculture typically has an ageing workforce, with over a third of all farm holders in England over the age of 65 years in 2024.¹⁹ Therefore, compulsory acquisition may disproportionately affect older landowners who rely on land-based income. Landowners or agricultural workers may also have age- or disability-related impairments that make it more difficult to adapt to land loss, changes in access, or increased travel requirements. These factors may create differential or disproportionate equality impacts.
- 6.11 To date, no landowners or occupiers have notified the Council that they have a specific need due to a protected characteristic. However, the Council will continue to engage with landowners to identify needs and appropriate support where possible.
- 6.12 The cumulative impact on the same affected interests may therefore increase over time as wider proposals progress. However, unlocking land through the construction of the Scheme may also provide major positive impacts, benefitting the majority of agricultural landowners, as their land becomes more accessible and more financially viable for housing development opportunities.

Mitigation measures

- 6.13 The Council will:
- Continue to seek acquisition by agreement with all landowners to minimise the need for compulsory purchase.

¹⁸ Department for Environment, Food & Rural Affairs, Rural Payments Agency and Forestry Commission (Jan 2026) Guidance: Funding for farmers, growers and land managers <https://www.gov.uk/guidance/funding-for-farmers>

¹⁹ Department for Environment, Food & Rural Affairs (2025) Framing Evidence – Key Statistics <https://www.gov.uk/government/publications/farming-evidence-pack-a-high-level-overview-of-the-uk-agricultural-industry/farming-evidence-key-statistics-accessible-version>:

- Maintain ongoing engagement with agricultural landowners to understand specific needs, including:
 - Making reasonable adjustments during engagement;
 - Identifying any protected characteristics that may give rise to differential impacts; and
 - Identifying impacts on employees and other interests;
- Provide compensation in line with Statutory Compensation Code and ensure timely payment to support good relations with affected landowners;

Residual impact

- 6.14 With mitigation in place, there may be **negligible to moderately adverse effects** where land loss affects business viability or requires changes to long-established working practices. This may particularly affect older landowners, those with disability-related impairments and those experiencing socio-economic disadvantage. Continued engagement and tailored support will be essential to identify needs and reduce residual risk. As a further recommendation, the Council may wish to appoint an Agricultural Liaison Officer to support and advise landowners during the construction phase.
- 6.15 However, it should be noted that these groups may also experience **moderate positive impacts** in the long term due to improved vehicle access to agricultural land as a result of the Scheme. There may also be **major positive** effects in the long term, especially for those land owners experiencing socio-economic disadvantage, as the Scheme enables HGV to come forward and allows the majority of land owners to develop or sell their agricultural land for redevelopment.

Loss of woodland and scrubland

- 6.16 The scheme requires the acquisition of land containing woodland and scrubland owned by several landowners. The acquisition is not expected to have any direct equality effects on landowners or occupiers, as there is no anticipated impact on business operations, employment, or residential accommodation.
- 6.17 None of the land is publicly accessible (with the exception of the PRow on Parcel 8, assessed separately). However, woodland and scrubland adjacent to the highway provide important environmental functions, including noise reduction, visual screening, shading, and creating a calmer sensory environment²⁰.
- 6.18 These environmental benefits are particularly relevant for groups more sensitive to changes in noise and sensory exposure, including disabled people (especially those with sensory or respiratory impairments), older people, children, and pregnant women²¹.

Mitigation measures

- 6.19 The Council will:
- Continue to seek acquisition by agreement with all landowners to minimise the need for compulsory purchase.

²⁰ Timothy Van Renterghem, Towards explaining the positive effect of vegetation on the perception of environmental noise, Urban Forestry & Urban Greening, Volume 40, 2019, Pages 133-144, ISSN 1618-8667 <https://doi.org/10.1016/j.ufug.2018.03.007>

²¹ Public Health England (2018) Health Matters: Air Pollution <https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

- Prepare a CEMP, CMTP and a Construction Phase Plan to minimise disruption to the local environment during construction.
- Incorporate a planting strategy to include new roadside vegetation, hedgerows, and landscaping into the scheme design to provide natural screening over time. This will also deliver an overall net gain in biodiversity and enhancement of local habitats.

Residual impact

6.20 With mitigation in place, the residual equality impact is expected to be negligible, as the land is not directly used by the public and environmental roadside screening will be reinstated through landscaping and biodiversity measures.

Loss of / disruption to existing highways

6.21 The acquisition of land will result in sections of the existing public highway being stopped up, reconfigured, or incorporated into the scheme.

6.22 While the acquisition of adopted highway land is not likely to have any direct equality effects on landowners or occupiers, changes to the local road network may create differential or disproportionate impacts for protected characteristic groups who rely on existing routes to access key services in the local area. Potential impacts include:

- **Changes to familiar driving routes** – this may disproportionately affect older people, disabled people, and children, particularly those with sensory or cognitive impairments or neurodiversity. These groups are more likely to experience stress or anxiety from using unfamiliar routes.
- **Longer travel distances** – this may impact children travelling to school, and older or disabled residents accessing healthcare, shopping, or social networks.
- **Potential disruption to local bus services** - although no bus stops are directly affected by the Order, any disruption to bus services due to diversions may disproportionately affect groups that rely more on bus travel, including older people, disabled people, young people, and low-income households.
- **Reduced connectivity between Huncoat and Hapton** - the stopping up of Burnley Lane, which may affect those travelling between the two villages.
- **Impacts on walking and cycling routes** – disruptions to existing walking and cycling routes may disproportionately affect low-income households and those without access to a private vehicle, including older people, disabled people, young people, and low-income households.

Mitigation measures:

6.23 The Council will:

- Continue to seek acquisition by agreement with all landowners to minimise the need for compulsory purchase.
- Prepare a CEMP and a Construction Phase Plan to minimise disruption to users of the local road network.
- Prepare a CMTP to provide clear, accessible communication on diversions, temporary closures, and the new road layout.
- Develop a Travel Plan.

Residual impact

- 6.24 Following implementation of CEMPs, CTMPs, travel plans and communication with residents, the residual impact is likely to be **minor adverse**. Some disruption to familiar routes may still be experienced by older people, disabled people and low-income households during construction, but these effects can be managed. It is recommended that travel plan measures include personalised travel planning support for local residents, informed by evidence on journeys to key services and destinations. This should also identify schools, healthcare facilities, and other key services where increased travel distances may affect vulnerable groups, and plan mitigating actions accordingly.
- 6.25 The Council should also consult with bus operators to minimise disruption to services and ensure continuity of access for groups reliant on public transport
- 6.26 In the long term, the new road should reduce journey times for most trips and improve overall accessibility across all modes of travel.

Potential closure/ diversion of public footpath

- 6.27 The scheme requires the acquisition of land containing a Public Right of Way (PRoW), specifically public footpath FP1101004.
- 6.28 While the acquisition of the land containing the PRoW is not expected to have direct equality effects on landowners or occupiers, the loss, diversion, or temporary closure of the PRoW for construction purposes may disadvantage current users of the footpath.
- 6.29 Groups with mobility or sensory impairments, including older people, disabled people, pregnant women, and people with pushchairs or young children, are likely to be most adversely affected by increased walking distances, uneven temporary routes, or diversions that reduce accessibility.

Mitigation

- 6.30 The Council will:
- Continue to seek acquisition by agreement with all landowners to minimise the need for compulsory purchase.
 - Develop a CEMP and CTMP to ensure any temporary and permanent diversions are appropriately implemented and managed and provide advanced notice of closures, diversion routes and works, using accessible communication formats for local residents and the Huncoat Community Forum
 - Develop a Travel Plan.

Residual impact

- 6.31 With mitigation in place, the remaining equality impact is expected to be **minor adverse**. However, some temporary effects may still be experienced by older people, disabled people, pregnant women, and families with young children. Ensuring accessible diversion routes and clear communication will be important to minimise disadvantage for these groups.
- 6.32 The Council may also wish to consult the Lancashire Local Access Forum on diversion routing and signposting to maintain accessibility and support the health and wellbeing benefits associated with active travel.

Loss of land used for stables and livery yard

- 6.33 The scheme requires the acquisition of land used as a livery yard and stables for horses. The land provides stables and land for horses that are not suitable for a standard stable or livery yard environment due to age, injury or health conditions.
- 6.34 The acquisition is not expected to have any direct equality effects on landowners or occupiers, as there is no anticipated impact on business operations, employment, or residential accommodation, and there are no groups with protected characteristics using the land.
- 6.35 However, the Council will undertake further engagement with the occupier to identify any specific needs in relation to the loss of this facility.

Table 6-1 Summary table of potential direct equality impacts of the Order

Land-take impact	Relevant Parcels	Affected interests	Summary of potential effects on protected groups	Key mitigation	Residual impact
Loss of agricultural land	2,3,8,1,13, 14,16	<ul style="list-style-type: none"> Agricultural landowners and any employees 	<ul style="list-style-type: none"> Older or disabled people may be disproportionately affected due to reliance on land-based income, mobility limitations, or difficulty adapting to a change in access to farming land 	<ul style="list-style-type: none"> Acquisition by agreement and compensation Tailored engagement, identification of relevant protected characteristics and implementing reasonable adjustments CEMPs/CTMPs 	<ul style="list-style-type: none"> Negligible/Minor/moderate adverse depending on the extent of land loss and individual circumstances/needs However, positive impacts may occur due to the increased value of land in the long term
Loss of woodland and shrubland	5, 8, 10, 14, 15, 16, 17, 18, 19, 20	<ul style="list-style-type: none"> Private landowners (no public access) 	<ul style="list-style-type: none"> Roadside environmental screening of noise, air quality, and sensory environment is particularly relevant for disabled people, older people, children, and pregnant women 	<ul style="list-style-type: none"> CEMPs/CTMPs Biodiversity net gain Planting strategy for the Scheme 	<ul style="list-style-type: none"> Negligible due to lack of direct users, net gain in biodiversity and proposed comprehensive planting strategy.
Loss of highways land	4,6,7,9,12, 21, 22	<ul style="list-style-type: none"> Road users, including older people, disabled people, children, and low-income households 	<ul style="list-style-type: none"> Changes to familiar routes, longer journeys, potential bus delays, and reduced connectivity between Huncoat and Hapton 	<ul style="list-style-type: none"> CEMPs/CTMPs Travel Plan Communication 	<ul style="list-style-type: none"> Minor adverse with mitigation and management of temporary disruption
Loss or diversion of the public footpath	8	<ul style="list-style-type: none"> Users of the PRow, including older people, disabled people, pregnant women, and families with young children 	<ul style="list-style-type: none"> The temporary diversion of the footpath may increase walking distances or reduce accessibility; uneven temporary routes may disadvantage mobility-impaired users 	<ul style="list-style-type: none"> CEMPs/CTMPs Accessible temporary/permanent diversions Travel Plan 	<ul style="list-style-type: none"> Minor adverse with accessible diversions and clear communication
Loss of land for stables and livery	16	<ul style="list-style-type: none"> Occupiers of land operating the stables 	<ul style="list-style-type: none"> There is no known protected characteristic of the occupiers that affects the ability to relocate, and no active use of the land by protected characteristic groups. 	<ul style="list-style-type: none"> Acquisition by agreement Minimise land-take Support to the occupier to identify alternative land 	<ul style="list-style-type: none"> Neutral

Potential indirect impacts

- 6.36 The confirmation of the Order will bring the Order Land into the ownership of the Council and enable the construction of the Scheme, subsequently unlocking development land for HGV. While the direct impacts relate to the compulsory acquisition of land, a wider set of indirect impacts will arise during both the construction and operational phases of the Scheme and the Masterplan proposals.
- 6.37 These indirect impacts may be experienced by residents, businesses, visitors and other users of the local area, including groups with protected characteristics. The assessment, therefore, also considers high-level impacts, including:
- **Construction-phase impacts** on employment, environmental impacts, traffic management, safety, and temporary changes to access.
 - **Operational impacts** following construction of the Scheme - including changes to local road networks, accessibility, and environmental conditions.
 - **High-level future impacts** associated with the delivery of HGV, including new homes, community facilities, and open space.
- 6.38 The extent to which these impacts create differential or disproportionate effects will depend on the sensitivity of particular groups, their reliance on local services and transport networks, their ability to adapt to change and whether appropriate mitigation measures are put in place.
- 6.39 Older people, disabled people, pregnant women, children, and low-income households may be more affected by temporary construction disruption, including changes to local journeys and environmental impacts.
- 6.40 However, these same groups may also benefit from improved walking, cycling and bus stop infrastructure, reduced traffic through Huncoat village, and increased access to key services in the long term.
- 6.41 The construction of the Scheme will also help to unlock HGV, with an investment worth £463,449,001 in an area that needs new homes and investment. This will contribute to positive equality effects, including:
- Approximately 1,800 new homes. This includes family housing, affordable and accessible, which can be of particular benefit to protected characteristic groups.
 - A new local centre with retail, healthcare and community facilities;
 - An expansion of Huncoat primary school;
 - Walking, cycling and public transport improvements, including improved station facilities, and increased parking;
 - An increase in public realm and open space, including sports pitches, play places, parks and other green spaces;
 - Temporary employment creation during the construction phases, as well as approximately 110 permanent jobs within the local centre;
- 6.42 Groups with protected characteristics are likely to be able to share in the benefits of increased access to housing, employment, education, transport options and outdoor space being provided.

- 6.43 However, it also noted that the cumulative construction impacts may have differential effects on vulnerable groups. In addition, an increased population over 15 years of construction time may also place temporary or long-term pressure on local services and the transport network.
- 6.44 The table below summarises the high-level indirect impacts identified, the equality relevance of each, and the mitigation measures planned to minimise disadvantage and support positive outcomes.

Impact	Summary of high-level impact	Summary of equality effects	Planned mitigation
Construction impacts – Huncoat Lane			
Local employment opportunities during construction	<ul style="list-style-type: none"> Temporary employment and training opportunities will be created during construction 	<ul style="list-style-type: none"> Younger people, disabled people and some ethnic minority groups are overrepresented in unemployment figures. Equality effects will depend on the extent to which the above groups can benefit. 	<ul style="list-style-type: none"> Contractor-led Employment, Education and Skills Strategy with targeted recruitment Disability Confident Employer commitments and contractor evidence of Inclusive recruitment policies Contractor Social Value Plan
Consultation and engagement	<ul style="list-style-type: none"> Inclusive engagement will support the successful delivery of the proposed scheme and wider development. 	<ul style="list-style-type: none"> Monitoring has shown that young people, ethnic minority groups and socio-economically disadvantaged groups are underrepresented in consultation feedback. 	<ul style="list-style-type: none"> Continued inclusive engagement using accessible media Targeted outreach to underrepresented groups Continued work with Huncoat Community Forum to reach underrepresented groups.
Environmental impacts of construction	<ul style="list-style-type: none"> The ES has identified minor adverse air quality, noise and vibration effects. Affecting nearby residents (Altham Lane, Peter Grime Row, Stone Hey and Bowland View). 	<ul style="list-style-type: none"> Older people, disabled people (especially those with respiratory or sensory impairments)²², pregnant women²³ and children²⁴ are more sensitive to the adverse health effects of environmental impacts. 	<ul style="list-style-type: none"> CEMP Adherence with codes of construction practice, Considerate Constructors Scheme; Environmental monitoring Community liaison controls
Safety and security during construction	<ul style="list-style-type: none"> Construction sites and diversions may create perceived or actual safety and security risks. 	<ul style="list-style-type: none"> Children, older people, disabled people and women may be more sensitive to security and safety concerns associated with construction sites. 	<ul style="list-style-type: none"> CTMP, CEMP, codes of construction practice, Considerate Constructors Scheme; Site security and safety management; Safe pedestrian routes; and School and community safety outreach.

²² McAllister, K et al., (2022) Autism spectrum condition and the built environment. <https://www.tandfonline.com/doi/full/10.1080/23748834.2022.2139210>

²³ Public Health England (2018) Health Matters: Air Pollution <https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

²⁴ R. Thompson et al (2024) Air pollution, traffic noise, mental health, and cognitive development: A multi-exposure longitudinal study of London adolescents in the SCAMP cohort <https://doi.org/10.1016/j.envint.2024.108963>

<https://www.eea.europa.eu/en/analysis/publications/air-pollution-and-childrens-health>

Impact	Summary of high-level impact	Summary of equality effects	Planned mitigation
Temporary disruption to the local transport network	<ul style="list-style-type: none"> The stopping up of Burnley Lane and other diversions on the local road network may increase travel distances and require unfamiliar routes. 	<ul style="list-style-type: none"> Disabled people, older people, pregnant women, and people with pushchairs may be disproportionately affected by longer or unfamiliar journeys. Older people with dementia are more likely to struggle with navigation and wayfinding skills, particularly when familiar surroundings change.²⁵ Low-income households may be more reliant on walking and buses. 	<ul style="list-style-type: none"> CTMP Engagement with Lancashire Local Access Forum Traffic management and Community Travel Plan Maintain key walking routes and create accessible diversions Engagement and coordination with bus operators. Improved active travel and bus service provision in the long term.
Visual and landscape changes	<ul style="list-style-type: none"> During the construction phase, there would be negligible to minor/moderate adverse landscape and visual impacts for surrounding areas and users of PRowS. 	<ul style="list-style-type: none"> Changes may impact groups who are particularly sensitive to changes in visual stimuli, including older people with dementia and disabled people, particularly those with autism. 	<ul style="list-style-type: none"> CEMP - appropriate hoarding and construction fencing Avoiding excessive temporary land take Temporary diversion of public footpath.
Operational impacts – Huncoat Lane			
Permanent changes to the local transport network	<ul style="list-style-type: none"> New road layout and stopping up of Burnley Lane will result in changes to travel on the local road network. 	<ul style="list-style-type: none"> Older people, disabled people and children may be affected by longer or unfamiliar routes. 	<ul style="list-style-type: none"> Travel plan (including potential for personalised travel planning) Walking and cycling access between Burnley Lane and Mill Lane to remain Clear signage and communication plan Safe crossings and active travel infrastructure

²⁵ Wiener, J.M. and Pazzaglia, F. (2021) 'Ageing-and dementia-friendly design: theory and evidence from cognitive psychology, neuropsychology and environmental psychology can contribute to design guidelines that minimise spatial disorientation', *Cognitive Processing*, 22 (4), pp. 715- 730. Available at: [Ageing- and dementia-friendly design: theory and evidence from cognitive psychology, neuropsychology and environmental psychology can contribute to design guidelines that minimise spatial disorientation - PMC](#)

Impact	Summary of high-level impact	Summary of equality effects	Planned mitigation
Reduced traffic through Huncoat village (Burnley Lane)	<ul style="list-style-type: none"> Relief of congestion and reduced through-traffic, resulting in noise and air quality benefits 	<ul style="list-style-type: none"> Potential positive impacts for older people, disabled people, children and pregnant women due to improved air quality, reduced noise and safer streets. 	<ul style="list-style-type: none"> None required beyond standard monitoring.
Increased active travel infrastructure and new bus stops	<ul style="list-style-type: none"> Increased sustainable transport options, including bus stops, provision of footways and cycleways. 	<ul style="list-style-type: none"> Some groups are more likely to depend on public transport, walking and cycling for journeys, including children, young people, older people, women and ethnic minority groups. Some groups may also benefit more from the beneficial health effects of increased walking and cycling opportunities. 	<ul style="list-style-type: none"> Inclusive design standards – through Huncoat Design Code Travel Plan
High-level impacts resulting from unlocking land for Huncoat Garden Village			
Delivery of the Huncoat Garden Village Masterplan	<ul style="list-style-type: none"> Future phases will deliver new homes, open space, school expansion and a local centre. 	<ul style="list-style-type: none"> Potential long-term benefits for all groups, including improved access to services, housing and green space. Risks include potential further CPOs, construction disruption on local communities and pressures on local amenities. 	<ul style="list-style-type: none"> Future EqlAs for HGV (including potential CPOs) Huncoat Garden Village Design Code; Affordable and accessible home provision; Continued engagement with residents and stakeholders Assessment and monitoring of cumulative impacts.

7. Conclusions

Conclusions

7.1 This Equality Impact Assessment has considered the potential equality implications arising from the compulsory acquisition of land, as well as the high-level indirect impacts associated with the construction and operation of the Scheme and the wider Huncoat Garden Village development that the Order will help unlock.

Direct impacts

7.2 The direct impacts of the Order relate to the acquisition of agricultural land, woodland and scrubland, adopted highway land, a public footpath, and land used for stables and a livery yard. The assessment concludes that:

- **Agricultural landowners** may experience *minor to moderate* equality impacts, particularly older landowners and those with disability-related impairments who may find it more difficult to adapt to land loss or changes in access. However, unlocking land through the construction of the Scheme may also provide major positive impacts, benefitting the majority of agricultural landowners, as their land becomes more accessible and more financially viable for housing development opportunities.
- **Users of the public footpath (FP1101004)** may experience *minor* temporary impacts, particularly disabled people, older people, pregnant women and families with young children, where diversions increase walking distances or reduce accessibility.
- **Woodland and scrubland acquisition** is expected to have *negligible* equality impacts due to the absence of public access currently and improved landscaping proposals for the Scheme.
- **Adopted highway land acquisition** is not expected to create direct equality impacts for landowners or occupiers, but may result in changes to journeys for local residents who currently use the highway.
- **The loss of land used by an occupier for stables and a livery yard** is likely to have neutral effects on protected characteristic groups.

Indirect impacts

7.3 The equality effects arising during the construction of the Scheme may cause short-term disruption to local residents and businesses. Groups such as older people, disabled people, pregnant women, children, and low-income households may be more sensitive to temporary changes to transport and access to services, as well as environmental impacts. The assessment finds that:

- Construction-related impacts such as noise, air quality, temporary diversions and changes to familiar routes may disproportionately affect older people, disabled people, pregnant women, children and low-income households.
- Changes to the road network during construction and operation, including the stopping up of Burnley Lane and re-routing of traffic, may affect groups more sensitive to unfamiliar routes or longer journeys, such as children, older people and disabled people.
- However, there are likely to be benefits for these groups in the long-term as a result of a more efficient road network and an increase in safer walking, cycling and bus stop infrastructure. This is a benefit for those who are less likely to have access to a private car, including children, young people, women, older people and socio-economically disadvantaged groups.

- Reduced traffic through Huncoat village will result in improved air quality and safer walking and cycling conditions for local residents.

7.4 In the longer term, the wider HGV proposals have the potential to deliver significant positive outcomes for all groups, including new homes, improved access to services, expanded education provision, and increased open space. These benefits will need to be maximised through continued inclusive design, ongoing engagement, and future equality assessments as later phases come forward. The potential adverse impacts of new development will need to be assessed, mitigated, and well managed to minimise their effects on groups with protected characteristics.

Overall conclusion

- 7.5 The Council has demonstrated due regard to the PSED by identifying potential impacts of the Order, assessing the effects on protected groups, and setting out mitigating actions to minimise disadvantage and advance equality of opportunity.
- 7.6 The adverse equality effects of the Order and the Scheme are likely to be minor, manageable, and proportionate if the mitigation measures identified in this EqlA are implemented.
- 7.7 In addition, the long-term benefits of the Scheme are likely to provide major positive outcomes for groups with protected characteristics.
- 7.8 Continued engagement, accessible communication, inclusive design and management of construction impacts will be essential to ensuring that protected characteristic groups are not disproportionately affected and can share in the long-term benefits of the Scheme and HGV.

Mitigating measures

- 7.9 The following mitigation measures and actions are made to support ongoing compliance with the PSED and to maximise positive outcomes:
- Attempt to acquire land by agreement with directly affected interests to avoid the need for compulsory acquisition;
 - No affected parties have informed the Council of any specific needs in relation to their protected characteristics to date. However, through continued engagement, the Council will attempt to identify the needs and priorities of directly affected interests and will make appropriate, reasonable adjustments to engagement, compensation, and other support accordingly.
 - Continue ongoing and accessible communication with other stakeholders, residents and community groups, using formats suitable for disabled people and those with limited digital access. This includes activities with underrepresented groups and the Huncoat Community Forum to ensure local residents continue to contribute to plans.
 - Ensure the Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP) explicitly consider the needs of protected characteristic groups. This may include the need for an Agricultural Liaison Officer to support agricultural landowners.
 - Develop a contractor-led Employment, Education and Skills Strategy and Social Value Plan to maximise opportunities for local people, particularly young people, disabled people and those from minority ethnic backgrounds. This should focus on the areas of Hyndburn with the highest levels of income and employment deprivation.
 - Ensure permanent diversions and new bus stop provision and walking/cycling routes are designed to be accessible for disabled people, older people and families with pushchairs

and young children. This may include liaison with Lancashire Local Access Forum and local bus operators where appropriate.

- Assess cumulative environmental impacts for future phases of HGV

Future EqIA requirements

- 7.10 The EqIA is a predictive assessment and considers the effects of the Order on groups of people rather than on individuals. The recommendations outlined are therefore suggested to minimise the impact on recognised groups with protected characteristics in the area at the time of the assessment.
- 7.11 This EqIA should be considered as a live document, and should be updated, refreshed, and the actions within it monitored regularly. This should include a monitoring update on the status of identified potential impacts and associated mitigation. This may result in updates to both the assessment of effects and the recommendations for the proposed mitigation measures.
- 7.12 It is also recommended that further EqIA work is undertaken to support detailed planning application(s) for the HGV and further potential CPOs.



Map CPO FINAL at
10 03 25.pdf

Appendix A: Order Land map

Appendix B: Disability definitions

Main elements of the definition of disability (adapted from Government Guidance)²⁶

The Equality Act 2010 defines a disabled person as a person with a disability. A person has a disability for the purposes of the Act if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities (**S6(1)**).

This means that, in general:

- the person must have an impairment that is either physical or mental
- the impairment must have substantial adverse effects
- the substantial adverse effects must be long-term
- the long-term substantial adverse effects must be effects on normal day-to-day activities

All of the factors above must be considered when determining whether a person is disabled.

Meaning of ‘impairment’

The definition requires that the effects which a person may experience must arise from a physical or mental impairment. The term mental or physical impairment should be given its ordinary meaning. It is not necessary for the cause of the impairment to be established, nor does the impairment have to be the result of an illness. In many cases, there will be no dispute whether a person has an impairment. Any disagreement is more likely to be about whether the effects of the impairment are sufficient to fall within the definition, and in particular whether they are long-term. Even so, it may sometimes be necessary to decide whether a person has an impairment so as to be able to deal with the issues about its effects.

Whether a person is disabled for the purposes of the Act is generally determined by reference to the **effect** that an impairment has on that person’s ability to carry out normal day-to-day activities. It is not possible to provide an exhaustive list of conditions that qualify as impairments for the purposes of the Act. Any attempt to do so would inevitably become out of date as medical knowledge advances.

A disability can arise from a wide range of impairments, which can be:

- sensory impairments, such as those affecting sight or hearing

²⁶ Government Equalities Office/ Women and Equalities Unit (March 2013) Disability: Equality Act 2010 - Guidance on matters to be taken into account in determining questions relating to the definition of disability

- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy
- progressive, such as motor neurone disease, muscular dystrophy, and forms of dementia
- auto-immune conditions such as systemic lupus erythematosus (SLE)
- organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia
- learning disabilities
- mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post-traumatic stress disorder, and some self-harming behaviour
- mental illnesses, such as depression and schizophrenia
- produced by injury to the body, including to the brain

It may not always be possible, nor is it necessary, to categorise a condition as either a physical or a mental impairment. The underlying cause of the impairment may be hard to establish. There may be adverse effects which are both physical and mental in nature. Furthermore, effects of a mainly physical nature may stem from an underlying mental impairment, and vice versa.

Appendix C: Protected characteristic groups

An analysis of Census 2021 data has been undertaken to produce a profile of protected characteristic groups living in the study area. The areas analysed include:

- Lower Super Output Area (LSOA) E01025053: Hyndburn 002G - This area encompasses those who are likely to be directly affected by the Order, as well as the indirect impacts during construction and operation;
- Hyndburn Local authority area (Hyndburn) - this has been included due to the residents benefiting from wider scheme proposals; and
- National level data (England) has also been collated for further analysis and comparison.

Census 2021 data is the most robust source of demographic information; however, it does not capture all protected characteristics at the small-area level. Hyndburn level data has been analysed in these cases.

It should be noted that some protected characteristic groups are small in number locally and, therefore, limit the ability to draw statistically significant conclusions about potentially affected groups.

Protected characteristic groups

Sex

Table C-1 shows that the study area's distribution of residents by sex aligns with Hyndburn and national rates.

Table C-1 Population by sex

Sex	LSOA Hyndburn 002G	Hyndburn	England
Females	50.6%	50.8%	51.0%
Males	49.4%	49.2%	49.0%

Source Census 2021: TS008 - Sex ²⁷

Age

Table C-2 shows the age profile for the study area, compared with local and national rates. The percentage of children living in the study area is in line with the national level and slightly lower than the Hyndburn level.

Although the percentage of people aged 65 and over is slightly lower than the national rate, this age group will see a larger increase than other age groups over the next 20 years. The number of people aged 80 and over is projected to nearly double in Lancashire, from 2022 (68,980) to 2047 (132,018). The proportion of the population aged 80 and over is projected to grow from 5.5% in 2022 (England = 5.0%) to 9.2% by 2047 (England = 8.3%) in Lancashire²⁸.

Table C-2 Population by age group

Age (years)	LSOA Hyndburn 002G	Hyndburn	England
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²⁷ ONS (2021). Census 2021: TS008 – Sex. Available at: [Dataset Selection - Query - Nomis - Official Census and Labour Market Statistics \(nomisweb.co.uk\)](https://www.nomisweb.co.uk/dataset-selection-query)

²⁸ <https://www.lancashire.gov.uk/lancashire-insight/population-and-households/population/population-projections/>

Children (0-15)	18.6%	20.2%	18.5%
Young People (16-24)	9.4%	10.2%	10.6%
Older People (65 and over)	18.3%	18.3%	19.4%

Source: Census 2021 (TS007B - Age by broad age bands)

Disability

Table C-3 shows that the percentage of the population reporting as disabled in the study area is in line with national rates, with Hyndburn having higher rates of disabled people.

Table C-3 Population by disability

Disability	LSOA Hyndburn 002G	Hyndburn	England
Disabled under the Equality Act	17.9%	20.8%	17.3%
Disabled under the Equality Act: Day-to-day activities are limited a lot	7.3%	9.7%	7.3%
Disabled under the Equality Act: Day-to-day activities are limited a little	10.6%	11.1%	10.0%
Not disabled under the Equality Act: Has long term physical or mental health condition but day-to-day activities are not limited	6.8%	6.0%	6.8%
Not disabled under the Equality Act: No long term physical or mental health conditions	75.4%	73.2%	75.9%

Source: Census 2021 (TS038 – Disability)

Race

Table C-4 shows that Pakistani ethnicity constitutes the largest share of ethnic minority groups (4%) in the study area and in Hyndburn (13.2%). Table C-5 shows that 7.8% of households in Hyndburn have at least one household member who does not speak English as their main language, compared with 10.7% nationally. However, only 1.5% of households in the immediate study have at least one adult in the household who does not speak English as their main language.

Table C-4 Population by ethnicity

Ethnicity	LSOA Hyndburn 002G	Hyndburn	England
Asian, Asian British or Asian Welsh: Bangladeshi	0.0%	0.6%	1.1%
Asian, Asian British or Asian Welsh: Chinese	0.1%	0.2%	0.8%
Asian, Asian British or Asian Welsh: Indian	0.0%	0.4%	3.3%
Asian, Asian British or Asian Welsh: Pakistani	4.0%	13.2%	2.8%
Asian, Asian British or Asian Welsh: Other Asian	0.3%	0.8%	1.7%
Black, Black British, Black Welsh, Caribbean or African: African	0.1%	0.2%	2.6%

Ethnicity	LSOA Hyndburn 002G	Hyndburn	England
Black, Black British, Black Welsh, Caribbean or African: Caribbean	0.1%	0.0%	1.1%
Black, Black British, Black Welsh, Caribbean or African: Other Black	0.0%	0.0%	0.5%
Mixed or Multiple ethnic groups: White and Asian	0.9%	0.7%	0.8%
Mixed or Multiple ethnic groups: White and Black African	0.1%	0.1%	0.4%
Mixed or Multiple ethnic groups: White and Black Caribbean	0.3%	0.2%	0.9%
Mixed or Multiple ethnic groups: Other Mixed or Multiple ethnic groups	0.0%	0.3%	0.8%
White: English, Welsh, Scottish, Northern Irish or British	92.8%	79.6%	73.5%
White: Irish	0.3%	0.4%	0.9%
White: Gypsy or Irish Traveller	0.0%	0.1%	0.1%
White: Roma	0.0%	0.1%	0.2%
White: Other White	0.7%	2.5%	6.3%
Other ethnic group: Arab	0.1%	0.2%	0.6%
Other ethnic group: Any other ethnic group	0.1%	0.4%	1.6%

Source: Census 2021 (TS021 - Ethnic group)

Table C-5 Household language of population

Household Language	LSOA Hyndburn 002G	Hyndburn	England
All adults in household have English as a main language	98.6%	92.3%	89.3%
At least one but not all adults in household have English as a main language	1.0%	4.3%	4.3%
No adults in household, but at least one person aged 3 to 15 years, has English as a main language	0.0%	0.8%	1.4%
No people in household speak English as a main language	0.5%	2.7%	5.0%

Source: Census 2021 (TS025 - Household language)

Religion

Table C-6 shows that the percentages of the population who are Christian are higher than in Hyndburn and at the national level. The most significant percentage of religious minority groups is Muslim, which is more than twice the percentage in Hyndburn than at the national level.

Table C-6 Population by religion

Religion	LSOA Hyndburn 002G	Hyndburn	England
No religion	33.8%	28.4%	36.7%

Religion	LSOA Hyndburn 002G	Hyndburn	England
Christian	55.7%	51.0%	46.3%
Buddhist	0.1%	0.2%	0.5%
Hindu	0%	0.1%	1.8%
Jewish	0%	0.0%	0.5%
Muslim	4.5%	14.7%	6.7%
Sikh	0%	0.0%	0.9%
Other religion	0.5%	0.4%	0.6%
Not answered	5.4%	5.2%	6.0%

Source: Census 2021 (TS030 – Religion)

Sexual orientation

Table C-7 provides a breakdown by sexual orientation for Hyndburn. This shows that percentages of sexual orientation groups are on a par with national rates.

Table C-7 Population by sexual orientation

Sexual orientation	Hyndburn	England
Straight or Heterosexual	90.4%	89.4%
Gay or Lesbian	1.2%	1.5%
Bisexual	1.0%	1.3%
All other sexual orientations	0.2%	0.3%
Not answered	7.2%	7.5%

Source: Census 2021 (TS077 - Sexual orientation)

Gender reassignment

Table C-8 provides a breakdown of the population by gender identity. This shows similar rates among those whose gender identity matches the gender registered at birth, compared with national rates.

Table C-8 Population by gender identity

Gender Identity	Hyndburn	England
Gender identity the same as sex registered at birth	93.6%	93.5%
Gender identity different from sex registered at birth but no specific identity given	0.2%	0.2%
Trans woman	0.1%	0.1%
Trans man	0.1%	0.1%
Non-binary	0.0%	0.1%
All other gender identities	0.0%	0.0%

Source: Census 2021 (TS070 - Gender identity (detailed))



EqualityImpact

Agenda Item 8.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Cllr Melissa Fisher – Deputy Leader of the Council Housing and Regeneration	
REPORT AUTHOR:		Steve Riley, Executive Director (Environment)	
TITLE OF REPORT:		Healthy Weight Management Services	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

- 1.1 To update Cabinet on the outcome of the recent tender exercise for the delivery of Healthy Weight Management Services on behalf of the Council for the period 1 April 2026 to 31 March 2029.

2. **Recommendations**

- 2.1 Cabinet note the outcome of the tender exercise recently undertaken and the successful tender was submitted by Hyndburn Leisure.
- 2.2 That Cabinet agrees to delegate authority to the Executive Director (Environment) to negotiate and agree all terms relating to the Healthy Weight Management Services contract in consultation with the Executive Director (Legal & Democratic Services) and Portfolio Holder.

3. **Background**

- 3.1 In 2024 Lancashire County Council took the decision to collaborate directly with District Councils for the delivery of a new healthy weight management service. As such, Hyndburn Borough Council entered into a 5-year collaboration agreement with Lancashire County Council for the provision of Weight Management Services in Hyndburn from 1 April 2024 until 31 March 2029. Within the agreement, District Councils have the ability to deliver services in house or appoint a provider to deliver the service on its behalf.
- 3.2 Reports presented to Cabinet in February 2024 and March 2025, highlighted levels of obese and overweight adults and children in Lancashire continued to increase and where were also significantly higher than the Lancashire and National averages. Working collaboratively has provided the opportunity to reshape and redesign services in Hyndburn. Healthy weight management programs typically run for around 12 weeks and often operate in group settings, either; in-person, on-line or web-based applications, (or a combination). Participants receive expert guidance on diet, nutrition,

and lifestyle changes, with a strong focus on behaviour change generally centred around exercise.

3.4 The services look to combine healthy weight management with PASTA, (Play and Skills at Teatime Activity) which was a programme previously commissioned by LCC which aims to encourage and empower families to make choices to lead a healthier lifestyle through participation in an active play and cooking session. Participants prepare and eat/or take home a nutritious and budget conscious family meal each week and the opportunity to understand the importance of good nutrition and physical activity.

3.3 These programmes aim to empower individuals to manage their weight, improve their well-being, and reduce their risk of weight-related health issues. Though limited in duration, they act as a crucial springboard for lasting change, helping individuals find their footing on the path to a healthier and more active lifestyle.

3.4 The Council does not have the resources or expertise to deliver the healthy weight management service in-house and needed to appoint a provider to deliver the service on its behalf. At the meeting in January 2024 and again in March 2025, Cabinet agreed to waive the Council’s Contract Procedure Rules to allow funding to be passported to an external provider (Hyndburn Leisure) but at the latter meeting, it noted the Council would be required to openly tender these services for the remaining 3 years of the collaboration agreement period from 1 April 2026 to 31 March 2029.

4.0 Procurement of an External Provider

4.1 In line with the open and transparent tender process, the Council published an Invitation to Tender through the Governments recommended ‘Find a Tender’ portal on 9 December 2025 seeking a partner to deliver the Healthy Weight Programme for Hyndburn (see Appendix). The key dates for the tender were as follows:

- Tender Published – 9 December 2025
- Deadline for receipt of queries – 18 December 2025
- Final response to queries – 5 January 2026
- Tender submission deadline – 22 January 2026
- Tender decision announced – 13 February 2026
- Contract decision notice published – 1 March 2026

4.3 Five submissions were received by the required closing date. All submissions were independently assessed and scored by officers on the necessary skills and experience within the following areas highlighted.

1	Overview of how the organisation will deliver the healthy weight outcomes	30%
2	Evidence of successful delivery of a similar project and lessons learned	30%
3	Overview of how the organisation will improve the social, economic, and environmental wellbeing of Hyndburn, in line with the Public Services (Social Value) Act 2012	20%
4	Overview of how the organisation will sustain the project beyond initial delivery	15%
5	Submission of last year’s accounts	5%

4.4 The range of scores was from 39 to 89, with the highest scoring and winning tender being submitted by Hyndburn Leisure (Tender 1).

	Marks	Tender 1	Tender 2	Tender 3	Tender 4	Tender 5
1	30	28	25	26	13	24
2	30	27	28	25	10	25
3	20	18	16	17	6	16
4	15	11	12	11	5	11
5	5	5	5	5	5	5
TOTAL	100	89	86	84	39	81

NB Tenders scored in the order they were received

5. Alternative Options considered and Reasons for Rejection

5.1 The Council could decide to deliver the service in-house. This is not recommended as the Council does not have resource or in-house expertise to deliver the service directly.

6. Consultations

6.1 With LCC and Portfolio Holder

7. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>Hyndburn Council will receive £70,000 for the financial year 2026/27 from Lancashire County Council and the Council will pay Hyndburn Leisure £70,000 to deliver the services on behalf of the Council for 2026/27.</p> <p>For the remaining subsequent financial years, the Council will receive the same funding from Lancashire County Council and the Council will pay Hyndburn Leisure the full amount each year.</p>
<p>Legal and human rights implications</p>	<p>The Council will enter into a written agreement with Hyndburn Leisure for the provision of these services which will pass on the funder's conditions and requirements to Hyndburn Leisure.</p>
<p>Assessment of risk</p>	<p>The Council intends to appoint Hyndburn Leisure for the remaining three years of the collaboration agreement with Lancashire County Council. The reciprocal contract between the Council and Hyndburn Leisure will pass on all relevant conditions of the collaboration agreement between the Council and Lancashire County Council to Hyndburn Leisure.</p>

<p>Equality and diversity implications A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who do not; and • foster good relations between those who share a relevant protected characteristic and those who do not. <p>For these purposes, the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>In this case there are no direct equality or diversity issues arising from this report.</p>
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**8. Local Government (Access to Information) Act 1985:
List of Background Papers**

Cabinet Report March 2025 – Weight Management Services March 2025
<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MIId=2900&Ver=4>

Cabinet Report January 2024 – Weight Management Services
<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MIId=2800&Ver=4>

9. Freedom of Information

9.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

Hyndburn Borough Council

INVITATION TO TENDER

Delivery of the Healthy Weight Programme for Hyndburn



Important Notice

This Invitation to Tender (“ITT”) is issued to those who wish to tender (“Tenderers”) to Hyndburn Borough Council (the “Council”) to deliver the grant funded Healthy Weight programme.

In order to deliver this programme, LCC grant fund the Council to deliver the key outcomes which are listed in section 2.5. The Council is seeking to appoint experts within this area to deliver the requirements of the programme in line with the grant funding terms and conditions. Suitable contract monitoring and reporting will be undertaken in accordance with the terms of the grant funding and at such intervals to be agreed between the parties upon award of contract.

The successful Tenderer will be required to abide by the terms of any grant funding agreement between LCC and the Council and will indemnify HBC fully, without limit of liability, in relation to the same to include but not limited to the repayment of any clawback triggered as a result of the default of the successful Tenderer.

The anticipated project is for 3 years (*1st April 2026 to 31st March 2029*), with an option to extend for a further 3 years subject to confirmation of further funding from LCC. Grant funding is paid on an annual basis and any contract awarded following this tender exercise will be subject to the continuation of grant funding being received.

Introduction

Background

- 1.1 Hyndburn is a local government district with borough status. Lancashire County Council (LCC) is the upper-tier authority. Hyndburn is made up of several small towns and communities in Lancashire, England, centred around the town of Accrington and encompassing Clayton-le-Moors, Oswaldtwistle, Great Harwood, Rishton, Church, Altham and surrounding rural areas. The borough combines urban and semi-rural characteristics and is situated close to the larger neighbouring areas of Blackburn, Burnley, Preston and the Ribble Valley in the industrial North West of England.
- 1.2 Hyndburn Borough Council (HBC) is the local authority for the Hyndburn District of Lancashire in North West England. The district was formed on 1 April 1974 under the Local Government Act 1972, from the former municipal borough of Accrington, the urban districts of Clayton-le-Moors, Great Harwood, Oswaldtwistle and Rishton, and part of Church Urban District.

Rationale for Tender

- 1.3 Hyndburn Borough Council (HBC), in partnership with Lancashire County Council (LCC), is seeking to commission a Healthy Weight Service that will contribute to improving the health and wellbeing of residents across the borough. This forms part of Lancashire's wider public health approach to reducing obesity, tackling health inequalities, and supporting the priorities identified within the Lancashire Healthy Hearts Strategy.
- 1.4 The Public Health England (PHE) Whole Systems Approach to Obesity recognises that obesity is a complex issue with multiple causes and cannot be addressed through individual interventions alone. Tackling obesity requires a long-term, coordinated approach across local systems, communities, and sectors to create environments that enable healthier choices and reduce the barriers to change.
- 1.5 Across Lancashire, health outcomes remain below the national average, with high levels of deprivation, obesity, and physical inactivity contributing to poor population health. Rates of cardiovascular disease (CVD) mortality are significantly higher than the England average, with obesity and inactivity identified as two of the main modifiable risk factors. These issues are particularly acute in Hyndburn, where residents experience some of the highest levels of deprivation in the county, leading to poorer health outcomes and a reduced healthy life expectancy.
- 1.6 In Hyndburn, obesity levels in both adults and children are above regional and national averages, and there are persistent inequalities in access to healthy food, green space, and opportunities for physical activity. Addressing unhealthy weight is therefore a local public health priority and aligns with Hyndburn Borough Council's wider ambitions to reduce health inequalities and improve residents' overall wellbeing.
- 1.7 In line with Lancashire's Healthy Weight Declaration, HBC is committed to supporting a whole systems approach that works collaboratively with communities and partners to address the complex drivers of obesity. The commissioned Healthy Weight Service will play a central role in delivering this commitment.

1.8 Population Need

District	Population aged 5+ years (2021) (count)	Adults overweight or obese (2021/22) %	Population aged 4–5 (2021) (count)	Population aged 10–11 (2021) (count)	Reception: Prevalence of overweight (including obesity) (NCMP 2021/22) %	Year 6: Prevalence of overweight (including obesity) (NCMP 2021/22) %	Deprivation (IMD) score 2019 (score)
Burnley	88,886	73.4	2,481	2,505	25.4	42.6	37.8
Chorley	111,670	61.5	2,762	2,860	22	34.2	16.9
Fylde	78,064	62.5	1,426	1,619	23.5	31.7	15.9
Hyndburn	77,308	71.7	2,006	2,194	24.6	42.4	34.3
Lancaster	136,192	60.7	2,865	3,060	24	36.6	24.2
Pendle	89,805	67.6	2,621	2,752	24.2	40.1	30.7
Preston	138,912	62.1	3,772	3,786	24.1	37.4	29.5
Ribble Valley	58,926	66.7	1,121	1,403	20	33.9	10.6
Rosendale	67,091	63.3	1,673	1,846	23.6	38.1	24.1
South Ribble	105,534	64.2	2,452	2,593	21.9	36.2	15.3
West Lancashire	112,183	68.6	2,246	2,564	26.5	37.9	18.6
Wyre	107,056	66.7	2,149	2,407	24.6	36.4	20.9

Requirements

2..1 Scope

2..2 HBC, in partnership with Lancashire County Council (LCC), is commissioning a provider to deliver a Healthy Weight Service for adults and families.

The service will support the following outcomes:

- Reduce overweight and obesity levels.
- Adopt a whole-system approach to healthy weight.
- Reduce health inequalities.
- Improve wellbeing across Hyndburn.

2..3 Service Components

2..4 The service must include:

- A single point of assessment for all eligible individuals, whether self-referral or via health professionals.
- Adult weight management/healthy weight interventions that are evidence based and support healthy nutritionally balanced diets and healthier lifestyles.
- A family intervention based on the piloted programme known as PASTA (Play and skills at Teatime Activities) which will support healthy behaviours focusing on being active as a family, cooking healthy meals, playing out and reducing sedentary behaviour.
- Adult healthy weight interventions will be provided for a minimum of 10 sessions across a 12-week period, Family based interventions will be delivered for a minimum of 6 weeks.
- Provide programmes embedded in the principles of and delivery methods that support behaviour change.
- Advice and support to access appropriate physical activity opportunities and reduce sedentary behaviours.
- An integrated approach that offers support outside of the Provider(s) own delivery, utilising a place-based approach that links with community assets.
- Raising awareness of healthy eating, and physical activity during pregnancy.
- Development of a network of place-based opportunities and encourage ongoing peer connection and support network.

Delivery Requirements

2..5 The provider will:

- Deliver service components (2.4)
- Employ suitably qualified staff.
- Deliver family healthy weight sessions and adult only healthy weight sessions
- Place based programme utilising key organisations to reduce the levels of adult obesity through health coaching and social prescribing
- To deliver a programme that does not place a focus purely on weight
- Targeted to families that are accessing other services including free school meals

- Provide a referral system to community based physical activity sessions
- Nutritional guidance including cooking lessons and cook books
- Collect and submit data via the Community Services Data Set (CSDS) and agreed KPIs.
- Work collaboratively with the Council, LCC, and local partners.
- Participate in quarterly monitoring and annual quality reviews.

2..6 Contract Monitoring

Suitable contract monitoring and reporting will be undertaken in accordance with the terms of the grant funding and at such intervals to be agreed between the parties upon award of contract. The successful Tenderer will be required to abide by the terms of any grant funding agreement between LCC and HBC and will indemnify HBC fully, without limit of liability, in relation to the same to include but not limited to the repayment of any clawback triggered as a result of the default of the successful Tenderer.

The anticipated project is for 3 years (with an option to extend for a further 3 years subject to confirmation of further funding from LCC). Grant funding is paid on an annual basis and any contract awarded following this tender exercise will be subject to the continuation of grant funding being received. In the event that funding is not awarded, the contract will be brought to an end without any continuing liabilities to make payment for future years. The grant funding awarded to HBC is £70k per annum and will be paid to the successful tenderer in line with the LCC grant funding requirements.

Target areas will be agreed with the Project Board and reviewed annually.

2..7 The tenderer will provide the Council with the following information.

- i. Name and address of organisation
- ii. Company registration number
- iii. Brief history of the organisation and business activity (max 800 words)

	Score
Overview of how the organisation will deliver the healthy weight outcomes	30%
Evidence of successful delivery of a similar project and lessons learned	30%
Overview of how the organisation will improve the social, economic, and environmental wellbeing of Hyndburn, in line with the Public Services (Social Value) Act 2012	20%
Overview of how the organisation will sustain the project beyond initial delivery	15%
Submission of last year's accounts	5%

2..8 Timescales

2..9 The Healthy Weight Programme will run for an initial **three years**, funded through LCC Public Health.

2..10 Timescales for the process are expected to be as follows, but are subject to change as the process develops:

Out to Tender:	9 th December 2025
Deadline for receipt of queries:	18 th December 2025
Final response to queries:	5 th January 2026
Tender deadline:	22 th January 2026
Tender decision:	13 th February 2026
Standstill period:	2 nd March 2026
Award of contract:	13 th March 2026

Submission Criteria

3.1 Overview of Submission

3.2 Submissions will be assessed based on the scored answers outlined in 2.5. The Tenderer shall be deemed to have satisfied itself before submitting its tender as to the accuracy and sufficiency of the information provided so that it shall cover all the obligations under the Contract and the Tenderer shall be deemed to have obtained for itself all necessary information as to risks and any other circumstances which might reasonably influence or affect the Tenderer's tender.

3.3 Responses are due back in a PDF by email no later than **22nd January** sent to tpp@hyndburnbc.gov.uk.

3.4 File size must be kept below 10 MB

3.5 The following information is required as part of the submission:

3.6 Tenders must be written in the English language.

3.7 Only one Tender is permitted from each Tenderer. In the event that more than one is submitted by a Tenderer, the one with the latest time of submission will be evaluated and the other(s) disregarded. It is the Tenderer's responsibility to ensure that the tender is received by the Council by the time stipulated. Any tender submitted after the date and time specified for submission shall only be accepted for consideration by the Council following agreement by the Monitoring Officer and the Section 151 Officer. The Tender should remain valid for a minimum period of 90 days. Any signatures must be made by a person who is authorised to commit the Tenderer to the license.

3.8 Your full registered business/name and main office address must also be provided.

3.9 Signed.

Assessment Criteria

- 4.1 Each Tender will be checked initially for compliance with all requirements outlined in 2.5
- 4.2 Tenders will be evaluated against the award criteria in 2.5.
- 4.3 During the evaluation period, the Council reserves the right to seek clarification in writing or by means of a clarification meeting from any or all of the Tenderers, to assist it in its consideration of their Tenders.

Freedom of Information Act and Environmental Information Statement

- 4.4 The Council is subject to The Freedom of Information Act 2000 ("Act") and The Environmental Information Regulations 2004 ("EIR").
- 4.5 As part of the Council's obligations under the Act or EIR, it may be required to disclose information concerning the procurement process or the Contract to anyone who makes a reasonable request.
- 4.6 If Tenderers consider that any of the information provided in their Tender is commercially sensitive (meaning it could reasonably cause prejudice to the organisation if disclosed to a third party) then it should be clearly marked as "Not for disclosure to third parties" together with valid reasons in support of the information being exempt from disclosure under the Act and the EIR.
- 4.7 The Council will endeavour to consult with Tenderers and have regard to comments and any objections before it releases any information to a third party under the Act or the EIR. However, the Council shall be entitled to determine in its absolute discretion whether any information is exempt from the Act and/or the EIR, or is to be disclosed in response to a request of information. The Council must make its decision on disclosure in accordance with the provisions of the Act or the EIR and can only withhold information if it is covered by an exemption from disclosure under the Act or the EIR.
- 4.8 The Council will not be held liable for any loss or prejudice caused by the disclosure of information that:
- 4.9 Has not been clearly marked as "Not for disclosure to third parties" with supporting reasons (referring to the relevant category of exemption under the Act or EIR where possible); or
- 4.10 Does not fall into a category of information that is exempt from disclosure under the Act or EIR (for example, a trade secret or would be likely to prejudice the commercial interests of any person); or
- 4.11 In cases where there is no absolute statutory duty to withhold information, then notwithstanding the previous clauses, in circumstances where it is in the public interest to disclose any such information.

Agenda Item 9.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Cllr Melissa Fisher – Deputy Leader of the Council Housing and Regeneration	
REPORT AUTHOR:		Steve Riley, Executive Director (Environment)	
TITLE OF REPORT:		Smoke Free programme services	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

1.1 To inform Cabinet of the Smoke Free programme services in Hyndburn.

2. **Recommendations**

- 2.1 That Cabinet agrees to waive the Council’s Contract Procedure Rules to appoint Hyndburn Leisure to deliver the Smoke Free programme on behalf of the Council for the period September 2025 to 31st March 2026.
- 2.2 That Cabinet agrees to delegate authority to the Executive Director (Environment) to agree all terms relating to a Smoke Free Service Level Agreement with Hyndburn Leisure, in consultation with the Executive Director (Legal & Democratic Services) and Portfolio Holder.

3. **Background**

3.1 Hyndburn Leisure submitted a grant application to Lancashire County Council (LCC) in respect of its Lancashire Local Stop Smoking Services and Support Grant programme (LLSSASG) for £98,000 and the funding was approved by LCC Public Health in August 2025. The project was to be delivered from September 2025 until 31 March 2026 by Hyndburn Leisure, but the funding would be given to the Council.

3.2 Hyndburn Leisure’s programme was to deliver services that support the following overarching key project outcomes:

- Build demand for Smokefree Lancashire
- Increase the number of smokers accessing the Smokefree Lancashire service
- Increase the number of smokers setting a quit date
- Increase the number of smokers who are quitting
- Reduce the smoking prevalence in Lancashire
- Improve the respiratory and cardiovascular health of local populations
- Reduce health inequalities for target populations

- Deliver a “Making Every Contact Count” approach to encourage positive behaviour change and outcomes

3.3 Appended to this Cabinet report is a brief interim progress update of the work delivered by HL, with a final report to be presented later in the year.

3.4 This report recommends that the Council waives its Contract Procedure rules and appoints Hyndburn Leisure to deliver the smoke free service from September 2025 to 31 March 2026 for the following reasons:

- Whilst Hyndburn Leisure submitted the grant application to LCC, the funding is paid via a contractual agreement between Hyndburn Council and Lancashire County Council. Whilst this agreement was signed in January 2026, the Trust has been working at risk to deliver the project since September 2025.
- The Council is under a contractual obligation with Lancashire County Council to deliver the smoke free project and will passport this grant funding to Hyndburn Leisure via a service level agreement.
- This service level agreement cannot be signed and the funding released to Hyndburn Leisure unless the Council’s Contract Procedure Rules are waived. Given the relatively late receipt of the funding from LCC there is not time for the Council to run a procurement exercise and ensure delivery of the project by the deadline date.

4. Alternative Options considered and Reasons for Rejection

4.1 Cabinet could decide not to waive the Contract Procedure Rules to appoint Hyndburn Leisure to deliver smoke free service. This is not recommended for the reasons highlighted in paragraph 3.1 and 3.4 in the report.

5. Consultations

5.1 LCC and the Portfolio Holder and Executive Director (Resources) have been consulted.

6. Implications

Financial implications (including any future financial commitments for the Council)	The are no financial implications on the Council as the Council will receive £98,000 from Lancashire County Council and pay Hyndburn Leisure the full amount.
Legal and human rights implications	The cost of the contract is £98,000.00 and the public procurement rules in the Procurement Act 2023 therefore do not apply. Cabinet is able to waive the Council’s Contracts Procedure Rules if satisfied that this is justified and reasonable in all the circumstances. The justification for waiver in this instances is set out in section 3 of this report.

	<p>The Council will enter into a service level agreement (i.e. a contract) with Hyndburn Leisure for the provision of smoke free services, which will pass on LCC's conditions and requirements to Hyndburn Leisure.</p> <p>There are no human rights implications for this report.</p>
Assessment of risk	<p>There is a risk that the outcomes/outputs will not be delivered. This has been reduced as far as possible by the reciprocal agreement between the Council and Hyndburn Leisure passing on all relevant conditions in the agreement between the Hyndburn Council and Lancashire County Council.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who do not; and • foster good relations between those who share a relevant protected characteristic and those who do not. <p>For these purposes, the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>In this case there are no direct equality or diversity issues arising from this report.</p>

7. **Local Government (Access to Information) Act 1985:**
List of Background Papers

N/A

8. **Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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Interim Report - Smoke-Free Hyndburn Programme

Reporting Period: September 2025 – January 2026

1. Executive Summary

This interim report outlines progress made during the period September 2025 to January 2026 as part of the 7-month Smoke-Free Hyndburn Venues Programme.

The project aims to reduce smoking prevalence and exposure to second-hand smoke by embedding smoke-free principles across Hyndburn Leisure venues, strengthening referral pathways into local cessation services, and supporting cultural change through visible leadership and workforce development.

During this reporting period, good progress has been made in:

- Increasing visibility of smoke-free messaging across venues
- Direct engagement with approximately 3,000 residents through community open weekends
- Training frontline staff to deliver brief interventions
- Embedding smoke-free conversations within structured health programmes
- Strengthening partnerships with Smoke Free Lancashire
- Developing monitoring systems to evidence impact

The programme continues to support Hyndburn Leisure's wider pivot towards becoming a wellbeing-led organisation and a key preventative health partner across the borough.

2. Current Position of the Service Offer and Progress to Date

2.1 Smoke-Free Promotion and Visibility

A strong foundation of awareness and visibility has been established across the borough and plans are broadening to include direct marketing to our customer base.

Community Engagement Activity

Two Open Day Weekends were delivered:

- The Cath Thom Leisure Centre, Clayton-le-Moors
- Mercer Hall, Great Harwood

Combined attendance across both events is estimated at approximately 3,000 people.

At both events, smoke-free messaging was actively promoted and discussed with attendees, providing direct engagement opportunities with families and community members. Conversations focused on:

- The benefits of smoke-free environments
- Protecting children and young people
- Signposting to cessation support

These events provided a high-volume opportunity to normalise smoke-free expectations within community settings.

Digital and Venue-Based Promotion

- Smoke-free campaign artwork is displayed on digital screens at The Cath Thom Leisure Centre.
- Digital screens have been procured for Mercer Hall and Hyndburn Leisure Centre, with installation scheduled next month to extend campaign reach.
- Messaging is being integrated across venue communications to reinforce consistency.

Online Access and Self-Referral

- A dedicated Smoke-Free webpage has been added to the Hyndburn Leisure website.
- The page includes:
 - Information on the harms of smoking
 - Benefits of smoke-free environments
 - A direct self-referral form to local cessation services

This ensures residents can move from awareness to action quickly and independently.

3. Integration into Health & Wellbeing Delivery

The smoke-free offer is embedded into structured health improvement activity.

The Health and Wellbeing Coach (HAWC) has been delivering Healthy Heart sessions, incorporating:

- Education on smoking as a cardiovascular risk factor
- Prevention-focused discussions
- Direct smoke-free conversations with participants
- Signposting to cessation services
- Early discussions with PCN to link to Primary Care respiratory services

These sessions strengthen the link between smoking behaviour and heart health, supporting motivation for behaviour change within a broader wellbeing context.

4. Workforce Development

Workforce capability has been prioritised during this reporting period:

- All Health Activators have completed Brief Advice Training.
- Two Health Activators have completed extended training.
- Monthly partnership meetings are established with Smoke Free Lancashire (East Lancashire team).
- Ongoing operational engagement continues as required.

This ensures smoke-free conversations are delivered confidently, consistently and in alignment with local cessation pathways.

5. Partnership Engagement and Policy Development

Engagement has taken place with:

- Smoke Free Lancashire
- A local secondary school
- The local Hospital Trust
- Other Leisure Trusts across East Lancashire to progress policy development together

Learning from these organisations will inform the drafting and phased rollout of a Smoke-Free Facility Policy across all Hyndburn Leisure venues during the next phase of delivery.

6. Monitoring and Data Development

Work is underway to:

- Clarify referral recording and attribution processes.
- Understand current take-up levels from leisure-based signposting.
- Strengthen performance reporting mechanisms.

A performance dashboard is in development with Smoke Free Lancashire and will track:

- Staff training completion
- Engagement activity
- Referral volumes
- Conversion and uptake data (where data sharing permits)

This will form a key part of ongoing evaluation.

7. Future Commitment and Opportunities to Increase Referrals

The next phase (February–March 2026) will focus on:

- Embedding smoke-free prompts within membership inductions and structured health sessions.
- Increasing visibility of the self-referral pathway via QR codes, digital screens and social media.
- Strengthening referral attribution processes.
- Tighten up on reporting and analysis of impact
- Develop plans for introducing smoke free signage across facilities
- O2 monitors and events/days to increase engagement and support people to test their respiratory health
- Considering expansion of Level 2 training to increase intervention capability.

The Healthy Heart sessions represent a strong opportunity to increase referrals among higher-risk cardiovascular groups.

8. Role Within the Pivot to Wellbeing

The programme supports Hyndburn Leisure's transition to a wellbeing-led model by:

- Embedding prevention into everyday delivery
- Positioning venues as health-promoting environments
- Strengthening partnership working across the local health system
- Aligning smoke-free messaging with heart health, physical activity and inequality reduction priorities

9. Summary of Progress (September 2025 – January 2026)

- Two large-scale open weekends delivered, engaging approximately 3,000 residents
- Smoke-free messaging active across venues and on social media pages
- Digital infrastructure expanded
- Smoke-free webpage and self-referral form launched
- All Health Activators trained in Brief Advice
- Two staff completed extended training
- Healthy Heart sessions embedding smoke-free conversations
- Monthly partnership meetings established
- Dashboard development underway
- Smoke-free policy drafting informed by best practice

10. Conclusion

Between September 2025 and January 2026, the Smoke-Free Hyndburn Programme has made strong progress in visibility, workforce development, integrated health delivery and partnership engagement.

The next phase will focus on formal policy adoption, measurable referral growth, expanded training capability and deeper integration into Hyndburn Leisure's wellbeing model to ensure sustainable, long-term impact.

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Agenda Item 10.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Cllr Melissa Fisher – Deputy Leader of the Council Housing and Regeneration	
REPORT AUTHOR:		Steve Riley, Executive Director (Environment)	
TITLE OF REPORT:		Holiday Activity and Food Programme Services	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. **Purpose of Report**

- 1.1 For Cabinet to consider the provision of the Holiday Activity and Food Programme Services (HAF) in Hyndburn.

2. **Recommendations**

- 2.1 That Cabinet agrees to waive the Council's Contract Procedure Rules to appoint Hyndburn Leisure to deliver the 2026 Spring / Easter HAF Programme on behalf of the Council.
- 2.2 Cabinet agrees to a £67,000 payment to Hyndburn Leisure in financial year 2025/26, for the delivery of the Spring / Easter HAF programme prior to the Council receiving the full grant funding from Lancashire County Council.
- 2.3 That Cabinet agrees to delegate authority to the Executive Director (Environment) to negotiate and agree all terms relating to the HAF Services Contract with Lancashire County Council and service level agreement with Hyndburn Leisure in consultation with the Executive Director (Legal & Democratic Services) and Portfolio Holder.

3. **Background**

- 3.1 Holiday Activity and Food Programme (HAF)
- 3.2 Hyndburn Leisure were procured as the preferred provider by Lancashire County Council (LCC) to deliver the HAF Programme in Hyndburn from 2021/22 to 2025. LCC has shifted to a collaboration agreement with District Councils which transfers the delivery and funding obligations to District Councils for future financial years. Working collaboratively may provide the opportunity to review services in Hyndburn and within the agreement, District Councils will have the ability to deliver services in-house or appoint a provider to deliver the service on its behalf.

- 3.3 The HAF Programme runs during the Spring / Easter, Summer and Winter holiday months with the aim of providing free holiday provision to children whose families receive eligible benefits and related free school meals. The Programme looks to provide children with:
- Healthy and nutritious meals
 - Maintain a healthy level of physical activity
 - Be happy, have fun, meet new friends
 - Develop a greater understanding of food, nutrition and other health-related issues
 - Take part in fun and engaging activities that support development
 - Feel safe and secure
 - Get access to the right support services
 - Return to school feeling engaged and ready to learn
- 3.4 LCC have only recently received confirmation from the Department for Education on the HAF funding for 2026/27 and because LCC only receives funding / notification on an annual basis, it will facilitate agreements with District Councils on a year-by-year extension. Whilst LCC have indicated Hyndburn's 2026/27 allocation for HAF delivery will be circa £351,000, at the time of writing the report, the Council has yet to receive the legal agreement from LCC.
- 3.5 The Council also received a request from LCC asking it to financially support the cost of this year's Spring / Easter Programme delivery. This is to ensure the HAF Programme in Hyndburn can continue providing its valuable offer to children and families, whilst the funding is transferred from LCC.
- 3.6 Hyndburn Council does not have the resources or expertise to deliver the HAF service in-house and due to the limited timescales before the start of the 2026/27 Spring / Easter service Programme and it is not possible to tender the provision for the service.
- 3.7 Whilst the full year report is in the process of being finalised, the following information is a brief overview of the 2025 HAF Programme successfully delivered by Hyndburn Leisure:

Easter 2025 Programme

- Children engaged: 614
- Provisions: 27 locations
- Total attendances: 1,685

Summer 2025 Programme

- Children engaged: 980
- Provisions: 26 locations
- Total attendances: 7,369

Christmas 2025 Programme

- Children engaged: 667
- Provisions: 23 locations
- Total attendances: 1,616

Overall Delivery Position

- Total children engaged across 2025: 2,261 (non-unique total across programmes)
- Total attendances across 2025: 10,670
- Average children engaged per programme: 753.6
- Average provisions per programme: 25 locations
- Summer remains the highest-impact delivery period, generating the greatest volume of engagement and attendance across the year.

SEND

- Specific places remain limited due to the specialist skillset required, enhanced staffing ratios, suitable venue requirements and access to specialist equipment and resources.
- Of the SEND places offered, 61.5% were attended. However, despite the limited number of designated SEND-specific spaces, 657 children with SEND accessed HAF provision during the 2025 delivery period, demonstrating a strong inclusive practice across mainstream delivery, provider commitment to supporting additional needs and ongoing demand for specialist provision.

3.8 This report recommends that the Council waives its Contract Procedure Rules and appoints Hyndburn Leisure to deliver the 2026 Spring / Easter HAF Programme for the following reasons:

- The Council does not have the resources or experience to deliver the services itself.
- Given the late funding acknowledgment from LCC there is not time for the Council to run a procurement exercise and ensure delivery of the project in time.
- A service's agreement cannot be signed and the funding released to Hyndburn Leisure unless the Council's Contract Procedure Rules are waived.
- Hyndburn Leisure has a proven track record of HAF Programme service delivery and holds existing operational infrastructure, safeguarding systems, community partnerships and delivery capacity necessary to deliver the services within the required timescales.

3.9 Once the Council has received the legal agreement from LCC, it will review the best mechanism and approach for delivery of the remaining HAF Programme for 2026/27 given that LCC have confirmed HAF funding will be ringfenced until 2029.

4. Alternative Options considered and Reasons for Rejection

4.1 Cabinet could decide to not agree to waive Contract Procedure rules to appoint Hyndburn Leisure to deliver the Spring / Easter 2026 HAF Programme on our behalf. This is not recommended for the reasons mentioned in section 3 in the report.

4.2 The Council could decide to deliver the services in-house. This is not recommended as the Council does not have resource or in-house expertise to deliver the services directly.

5. Consultations

5.1 LCC, the Portfolio Holder, Executive Director (Legal and Democratis Services), Executive Director (Resources).

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>Hyndburn Council will receive circa £351,217 HAF funding for the financial year 2026/27 from Lancashire County Council.</p> <p>The Council has sufficient funding to cover the required gap funding of £67,000 to Hyndburn Leisure in financial year 2025/26 to deliver the Spring / Easter programme before legal agreement are signed between Hyndburn Council and LCC</p>
<p>Legal and human rights implications</p>	<p>The total value of the contract is £67,000.00 As this falls below the applicable threshold for services contracts under the Procurement Act 2023, the full above threshold procurement procedures do not apply. Cabinet is able to waive the Council’s Contracts Procedure Rules if satisfied that this is justified and reasonable in all the circumstances. The justification for waiver in this instances is set out in section 3 of this report.</p> <p>Notwithstanding the above, the Council remains subject to the procurement objectives and transparency requirements set out in the Act and must ensure that the proposed approach is proportionate and represents value for money. This has been duly considered and will be achieved through a clear justification for HLs appointment, oversight by the relevant officers and publication of the contract details in line with transparency requirements.</p> <p>The Council will enter into a service’s agreement (i.e. contract) with Hyndburn Leisure for the provision of these services, which will pass on the funder’s conditions and</p>

	<p>requirements to Hyndburn Leisure.</p> <p>There are no human rights implications for this report.</p>
Assessment of risk	<p>There is a risk that the outcomes/outputs will not be delivered. This has been reduced as far as possible by the reciprocal contracts between Hyndburn Council and Hyndburn Leisure passing on all relevant conditions of the collaboration agreement between the Council and Lancashire County Council to Hyndburn Leisure.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who do not; and • foster good relations between those who share a relevant protected characteristic and those who do not. <p>For these purposes, the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>In this case there are no direct equality or diversity issues arising from this report.</p>

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

N/A

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Cllr Kimberley Whitehead – Deputy Leader of the Council Culture Heritage and Sport	
REPORT AUTHOR:		Steve Riley, Executive Director (Environment)	
TITLE OF REPORT:		Sports Development Programme	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

- 1.1 To seek Cabinet approval for the creation of a Sports Development Programme in Hyndburn.

2. Recommendations

- 2.1 That Cabinet agrees to waive the Council’s Contract Procedure Rules to appoint Hyndburn Leisure (HL) to deliver the Sports Development Programme on behalf of the Council for the period 1 April 2026 to 31st March 2028.
- 2.2 That Cabinet agrees to delegate authority to the Executive Director (Environment) to agree all terms relating to the Sports Development Programme Service Level Agreement with HL, in consultation with the Executive Director (Legal & Democratic Services) and Portfolio Holder.

3. Background

- 3.1 As part of the budget process, the Council has agreed to provide £45,000 funding per annum (for financial years 2026/27 and 2027/28) for the creation of a new sports development post, together with £100,000 (total funding for financial years 2026/27 and 2027/28) to support healthier communities, youth engagement and long-term participation in sport in the Borough and aligning with the Council’s wider commitment to community wellbeing. Hyndburn Council does not have the resources or expertise to deliver the proposed Sports Development Programme in-house and due to the limited timescales before needing to start delivery of the 2026/27 programme, it is not considered possible or sensible to tender the provision for the service or recruit an in-house sports development officer.
- 3.2 This report recommends that the Council waives its Contract Procedure Rules and appoints HL to deliver the Sports Development Programme from 1 April 2026 to 31 March 2028 for the following reasons:

- HL are ideally placed to start deliver of the programme quickly having already extensive networks with local sports teams and strong relationships with local schools, colleges and national governing bodies for sport, together with a successful record of securing grants from external funders, which could generate additional resources for sports development activity.
- HL holds existing operational infrastructure, safeguarding systems, community partnerships and delivery capacity necessary to mobilise within the required timescales.
- The Council wishes to commence the provision of the programme quickly and there is not time for the Council to run a procurement or recruitment exercise given the short period before the commencement date.
- HL would be better placed than the Council to support the work of the new sports development officer.
- HL would directly employ the sports development officer and would take on full employer responsibility.
- A service's agreement cannot be signed and the funding released to HL unless the Council's Contract Procedure Rules are waived.

3.2 Its is envisaged that HL will create a new post with the overall purpose of providing strategic leadership for the development, sustainability and profile of sport and physical activity across Hyndburn. The new postholder will lead the strengthening of local sport infrastructure, oversee borough-wide club network development, build strong and effective partnerships with national governing bodies of sport (NGBs) and education providers, and take strategic responsibility for marketing and promotion of sport and physical activity opportunities. The new postholder will ensure that opportunities to be active are visible, accessible and inclusive — making sport and physical activity something everyone in Hyndburn can enjoy.

3.3 Key responsibilities of the role will be:

- Strategic Leadership & Infrastructure
- Club Development & Network Leadership
- Strategic Partnerships
- Education & Participation Pathways
- Marketing, Communications & Profile Raising
- Inclusion & Reducing Inequalities
- Funding, Investment & Performance

3.4 The Sports Development Programme to be delivered by HL under the terms of the proposed service's agreement will generate initiatives that deliver the overarching outcomes mentioned below. The final targets and thresholds will be requirements of the service's agreement. Performance will be monitored through quarterly reporting to the Council, supported by narrative case studies where appropriate.

3.4.1 Support delivery of the Active Environment Strategy

The Sports Development Programme will make a direct contribution to the delivery of the Council's Active Environment Strategy by increasing opportunities for residents of all ages and abilities to participate in regular physical activity. The role will work across

leisure facilities, parks, open spaces, schools and community venues to ensure that physical activity opportunities are visible, accessible and well-connected across the Borough.

The programme will place a particular emphasis on increasing participation among those who are currently inactive or under-represented in sport and physical activity, supporting the Council's wider ambitions around prevention, health improvement and community wellbeing. Aligning sports development activity with the Active Environment Strategy will help create a coherent, borough-wide approach that embeds physical activity into everyday life and supports healthier, more active communities.

3.4.2 Support grassroots sports teams/clubs

The programme will provide structured and strategic support to grassroots sports teams and clubs operating within Hyndburn, recognising their vital role in delivering local participation opportunities and sustaining long-term engagement in sport. This will include support with club development, funding opportunities, governance, safeguarding, volunteer recruitment and retention, and pathways to accreditation where appropriate.

By strengthening club networks and improving connectivity between clubs, schools, education providers and NGB's, the programme will help to build capacity, resilience and sustainability within the local sporting infrastructure. This support will enable clubs to grow participation, improve quality of provision and respond more effectively to local need, ensuring that grassroots sport continues to thrive across the Borough.

3.4.3 Establish a benevolent fund

As part of the Programme, HL will establish and oversee a benevolent fund designed to reduce financial barriers to participation in sport and physical activity. The fund will be used to provide targeted support to individuals, clubs or community groups where cost would otherwise prevent engagement, such as assistance with membership fees, equipment, kit or access to facilities.

The benevolent fund will be aligned with the Council's equality and participation objectives and will support inclusive access to sport, particularly for children and young people, those from low-income households and other under-represented groups. By addressing affordability and access challenges, the fund will help ensure that opportunities to be active are genuinely open to all residents, regardless of background or circumstance.

3.4.4 Secure long-term sports legacy

The Sports Development Programme is designed to deliver sustainable, long-term benefits rather than short-term interventions. By investing in strategic leadership, partnership development and local capacity-building, the programme will help create a strong foundation for sport and physical activity that endures beyond the life of the initial funding period.

Through strengthened infrastructure, enhanced club networks, improved participation pathways and the pursuit of external funding opportunities, the Programme will support the creation of a lasting sports legacy for Hyndburn. This legacy will be characterised by increased participation, stronger community organisations, improved health and wellbeing outcomes, and a higher profile for sport and physical activity across the Borough.

4. Alternative Options considered and Reasons for Rejection

4.1 Cabinet could decide not to waive the Contract Procedure Rules to appoint HL to deliver the Sports Development Programme. This is not recommended for the reasons highlighted in paragraph 3.1 and 3.2 of the report.

5. Consultations

5.1 HL, the Leader of the Council, Portfolio Holder and Executive Director (Resources) have been consulted.

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>At its budget setting meeting in February 2026, the Council approved a budget of £45,000 per annum (for financial years 2026/27 and 2027/28) for the creation of a new post, together with an additional £100,000 of funding for use by the new sports development officer in delivering the programme of initiatives. It is proposed that this money will be paid to HL under the terms of a service’s agreement and, as such, the proposed service is fully funded.</p> <p>HL have agreed to employ the sports development officer directly and will pick up all employer costs as part of the proposed contract.</p>
<p>Legal and human rights implications</p>	<p>The total value of the proposed contract is £190,000.00. As this falls below the applicable threshold for services contracts under the Procurement Act 2023, the full above threshold procurement procedures do not apply. Cabinet is able to waive the Council’s Contracts Procedure Rules if satisfied that this is justified and reasonable in all the circumstances. The justification for waiver in this instance is set out in section 3 of this report.</p> <p>Notwithstanding the above, the Council</p>

	<p>remains subject to the procurement objectives and transparency requirements set out in the Act and must ensure that the proposed approach is proportionate and represents value for money. This has been duly considered and will be achieved through a clear justification for HLs appointment, oversight by the relevant officers and publication of the contract details in line with transparency requirements.</p> <p>The Council will enter into a service level agreement (i.e. a contract) with HL for the provision of the Sports Development Programme, which will set out the conditions and requirements for service delivery by HL.</p> <p>The fee paid to HL will cover the cost to HL of employing the new post, with the remainder of the funding being used to deliver sports development activity in the Borough. As such there is not considered to be any element of subsidy to HL and the Subsidy Control Act 2022 does not apply.</p> <p>There are no human rights implications for this report.</p>
<p>Assessment of risk</p>	<p>There is a risk that the outcomes/outputs will not be delivered. This will be reduced as far as possible by agreeing upfront key performance indicators to be reported on a quarterly basis.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who do not; and • foster good relations between those who share a relevant protected characteristic and those who do not.

	<p>For these purposes, the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>In this case there are no direct equality or diversity issues arising from this report. However, the Council will liaise with HL to ensure that delivery of the proposed activity meets the Council's equality and participation objectives.</p>
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7. Local Government (Access to Information) Act 1985:

List of Background Papers

N/A

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

Agenda Item 12.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Councillor Stewart Eaves - Environmental Services	
REPORT AUTHOR:		Craig Haraben (Head of Environmental Services)	
TITLE OF REPORT:		Dog Control in Accrington Cemetery	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

1.1 To inform Cabinet of additional dog control measures in Accrington Cemetery.

2. Recommendations

2.1 That Cabinet note the report.

2.2 That Cabinet agree to the installation of fencing and introduce additional dog control measures in Accrington Cemetery as set out in paragraph 3.5 of this report.

2.3 That Cabinet delegate authority to the Executive Director (Environment) to implement the installation of the fencing and in consultation with the Executive Director (Legal and Democratic Services) to amend the dog controls in Accrington Cemetery.

3. Reasons for Recommendations and Background

3.1 Currently there is a Public Space Protection Order (PSPO) relevant to dog control in force at Accrington Cemetery. While PSPO's are reviewed every three years, there has been a dog control PSPO for Accrington Cemetery since 2015. This is because there is a high level of public support to have some reasonable dog control in the cemetery.

3.2 The current PSPO permits dog walkers to walk their dogs throughout Accrington Cemetery but does require dog walkers to keep their dogs on a lead at all times and to pick up any dog fouling after their dogs.

3.3 A considerable number of the dog walkers who walk their dogs in Accrington Cemetery enter the cemetery via the pedestrian access off Whitewell Road. Dog walkers who enter through this access tend to turn left and walk down the footpath towards the bottom of the cemetery between plots MA and EO.

- 3.4 Members of the community with relatives buried in burial area MA adjacent to the footpath referenced above, have made representation to the Council stating they have seen dogs on leads being allowed to walk on the grass burial plots and on occasion seen some dog owners cleaning up dog fouling from the grass burial area. While this behaviour does not breach the current PSPO, it has caused some distress to the families who have requested additional dog control due to the dog walking traffic in that part of the cemetery.
- 3.5 There were a number of options available to Cabinet which could address the specific complaints received and this report recommends implementing the following:
1. Create a fenced 'dog free zone' by installing a fence along the boundary of EO plot with a gate at either end of the footpath and one in the middle running between EO and MA plot (a map highlighting the fenceline is appended to this report).
 2. Amend the existing dog control order to exclude dogs from the footpath running between EO and MA plot, (a fenced dog free zone) so the Council's dog wardens can take enforcement action should any dog walkers choose to ignore the fenced dog free zone and walk through it with their dogs.
- 3.6 To ensure the Council was compliant with its equality duty, the Council engaged a specialist consultant to undertake an equality impact assessment (EIA) in relation to the possible options Cabinet could choose to strengthen dog control, or not, in Accrington Cemetery (the EIA is appended to this report).

4. Alternative Options considered and Reasons for Rejection

- 4.1 The following options were considered by the Council:
- (a) Do nothing and leave the current dog control arrangements in place.
 - (b) Install a fence with multiple access gates, along the boundary of MA plot in Accrington Cemetery with no change to the existing PSPO.
 - (c) Implement a new PSPO which excludes dogs from the whole of Accrington Cemetery (except for assistance dogs).
 - (d) Implement a new PSPO which excludes dogs just from the footpath running between MA and EO plots in Accrington Cemetery, effectively creating a dog free zone (except for assistance dogs).
 - (e) Install a fence along the boundary of EO plot with a gate at each end and one in the middle, to create a fenced dog free zone (except for assistance dogs) along the footpath running between MA and EO plots in Accrington Cemetery. In addition, implement a new PSPO which excludes dogs just from the footpath running between MA and EO plots in Accrington Cemetery.
- 4.2 These options were evaluated after taking into consideration the equality impact assessment. The following were some of the key points relevant to each option:
- 4.2.1 The Council had received a number of complaints and option (a) of doing nothing would not be acceptable.

- 4.2.2 Option (b) does provide a physical barrier between MA plot and dog walkers. However, having the fence along the boundary MA plot would create difficulties for visitors to access graves, would mean certain graves would become entrances to the plot, and would cause access issues for people with mobility issues, wheelchair and mobility scooter users and people with visual impairments. It would also make grave digging and grounds maintenance operations more difficult and less safe for staff to undertake. The fence would also have to be a removable fence so that it could be removed to facilitate grave digging and grounds maintenance operations. This would lead to a lower quality fence, compared to a fixed permanent fence, and would make it harder to respond to some short notice burials due to the extra time required to remove the fence before grave digging operations could safely commence.
- 4.2.3 Option (c) would lead to dogs not having access to MA plot. However, this would also mean responsible dog owners, with their pets, could not visit the graves of family members in the cemetery and prevent those dog owners who use the cemetery as an open space from walking their dogs along their usual dog walking route.
- 4.2.4 Option (d) would exclude dogs from the footpath running between MA and EO plots in Accrington Cemetery, effectively creating a dog free zone. This option does allow dog walkers to walk their dogs (on leads) in the majority of the cemetery. However, there would be no physical barrier and require the current PSPO to be amended to exclude dog owners from walking dogs using the footpath running between MA and EO plot.
- 4.2.5 Option (e) creates a fenced dog free zone by installing a fence along the boundary of EO plot and having a gate at either end and in the middle of the footpath running between EO and MA plot. As the fence runs along the boundary of EO plot (which is full for coffin burials) it does not cause any significant maintenance, grave digging or staff safety issues. It also means that access to the whole MA plot is via one gate on the footpath which retains the open access of MA plot for visitors. The current PSPO would then be amended to exclude dogs from the footpath running between EO and MA plot, so the dog wardens can take enforcement action should any dog walkers choose to ignore the fenced dog free zone and walk through it with their dogs.

5. Consultations

- 5.1 The leader of the Council, deputy leader of the Council, portfolio holder, cemetery staff, funeral directing leads from the three main mosques in Hyndburn and trade unions have been consulted in writing this report.

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>The Council has allocated a budget of £30,000 to implement this project.</p> <p>Installing new fencing and gates would require maintenance. However, due to them being new, there would be a limited call on the cemetery service staff and cemetery revenue budget in the immediate future.</p>
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<p>Legal and human rights implications</p>	<p>To ensure the Council met its equality duty, the Council engaged a specialist consultant to undertake an equality impact assessment.</p> <p>Where dog control orders need changing, the correct process for amending the PSPO will need to be followed. This includes a statutory 4-week period of public consultation and a further Cabinet decision/approval to implement and changes.</p>
<p>Assessment of risk</p>	<p>The cemetery staff and trade unions have been consulted and have not raised any maintenance or health and safety concerns with implementing the preferred option.</p> <p>The Council has two dog wardens, but it is not possible to monitor the cemetery 24/7. Even with a fence in place to create a dog free zone, it is possible that pet dogs or stray dogs could still access graves in this area. However, with the fenced area and stronger dog control measures in place, will help to deter most dog owners.</p>
<p>Equality and diversity implications</p>	<p>An equality impact assessment relevant to this report is appended.</p>

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

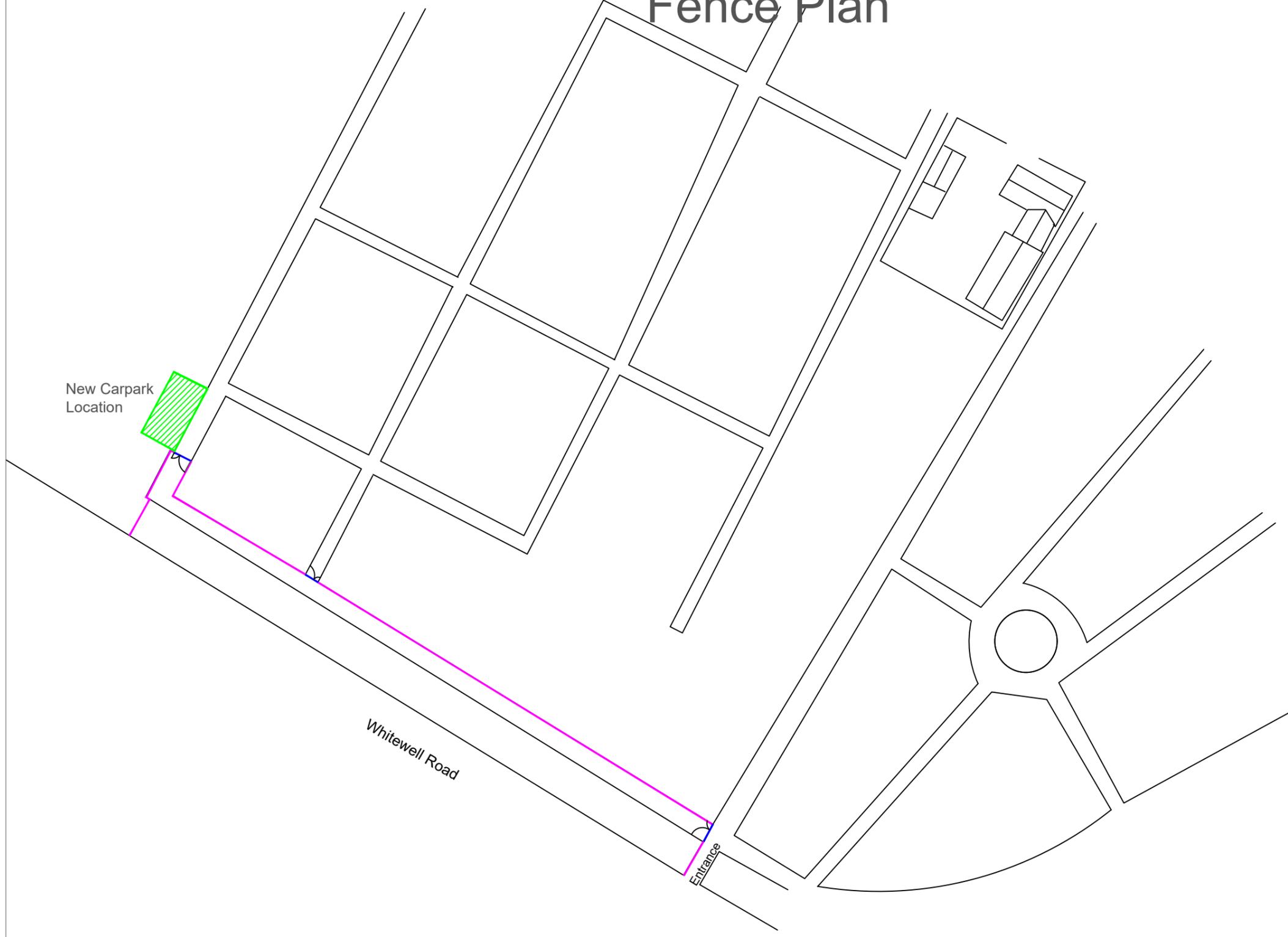
7.1 There are no background papers to this report.

8. Freedom of Information

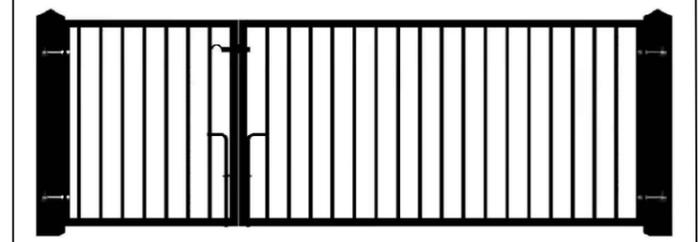
8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

1:1000

Accrington Cemetery Revised Fence Plan



B	Gates and Fencing
B1	Supply and install 1000mm x 2750mm bow top fencing, galvanised and Powder Coated in Green (RAL 6005). Fencing to be installed as per the specification. To be secured with locking nuts for ease of removal. Fencing to conform with Bs En 1176.
B2	Supply and install of 3/4 double leaf gate (approx 1000mm x 3700mm) galvanised finished in Green (RAL 6005) with lockable drop bolts (Drop bolt locators to be set in concrete) and self closing mechanism fitted to smallest gate



$\frac{3}{4}$ Gate 1m pedestrian 2.7m approx vehicle gate double leaf, Lockable vehicle side via drop bolts. colour RAL 6005



1000 x 2750 Bow Top Fencing

Revisions O.S. Licence 100022321

ENVIRONMENTAL SERVICES <small>PARKS AND OPEN SPACES Willows Lane Depot, Willows Lane, Accrington, Lancashire, BB5 0RT. Tel. (01254) 388111 Craig Haraben Parks Manager</small>		 HYNDBURN The place to be an excellent council
PROJECT TITLE: Accrington Cem Fence	DRAWING TITLE: Revised Layout	
SCALE: On Drawing @A3 DATE: 04/02/26	DRAWN: AH CHECKED: MP	DRAWING NUMBER: 239-03

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Equality Impact Assessment

Accrington Cemetery Proposals

Hyndburn Borough Council

10th MARCH 2026

EQUALITY IMPACT CONSULTING LTD



EqualityImpact

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1. Introduction

Purpose of this report

- 1.1 Hyndburn Borough Council (HBC) has commissioned Equality Impact Consulting to prepare an Equality Impact Assessment (EqIA) for new proposals for Accrington Cemetery.
- 1.2 As a public sector body, HBC must pay due regard to Section 149 of the Equality Act 2010, the Public Sector Equality Duty (PSED). The PSED requires that the Council's practices do not lead to unlawful discrimination (direct or indirect), that it advances equality of opportunity and that it fosters good relations between those with a protected characteristic¹ and all others.
- 1.3 Whilst an EqIA is not required by law, it is a valuable tool to demonstrate how due regard has been paid to the PSED. It considers potential impacts on equality (both positive and negative) associated with HBC's activities and supports informed, evidence-based decision-making.
- 1.4 This EqIA is four proposed options to address complaints associated with dog walking and fouling on grave plots at Accrington Cemetery. It identifies key considerations, assesses the potential effects for each option on protected characteristic groups and summarises and concludes on impacts in line with the PSED. It also provides further recommendations for HBC to consider in discharging its ongoing PSED for the proposals at Accrington Cemetery.

Context

Accrington Cemetery

- 1.5 Accrington Cemetery is located on Burnley Road and is the oldest and largest cemetery in Hyndburn, dating back to 1864. The cemetery occupies over 45 acres and is split into seven areas; Roman Catholic Area, Church of England Area, Non-Conformist Area, Muslim Area, Ashes Area, Infant Area and the Gardens of Remembrance².
- 1.6 The main site entrance is located on Burnley Road with the main drive leading to the Crematorium Chapel. An additional pedestrian entrance (and vehicle entrance for funeral vehicles) is located on Whitewell Road. Pedestrians can also access the cemetery from the north of the site from Within Grove. The majority of the cemetery has vehicle access and internal cemetery roads lead to different plots across the cemetery. There are two car parks with designated disabled bays as well as accessible toilets, seating and water taps. The site is considered to be well-maintained and was awarded a Green Flag Award for 2019/2020.
- 1.7 The cemetery is open to the public for access to graves and the crematorium, but its internal roads and paths are not part of the statutory public rights of way (PRoW) network. Access is managed by HBC under cemetery regulations.

Issue to be addressed

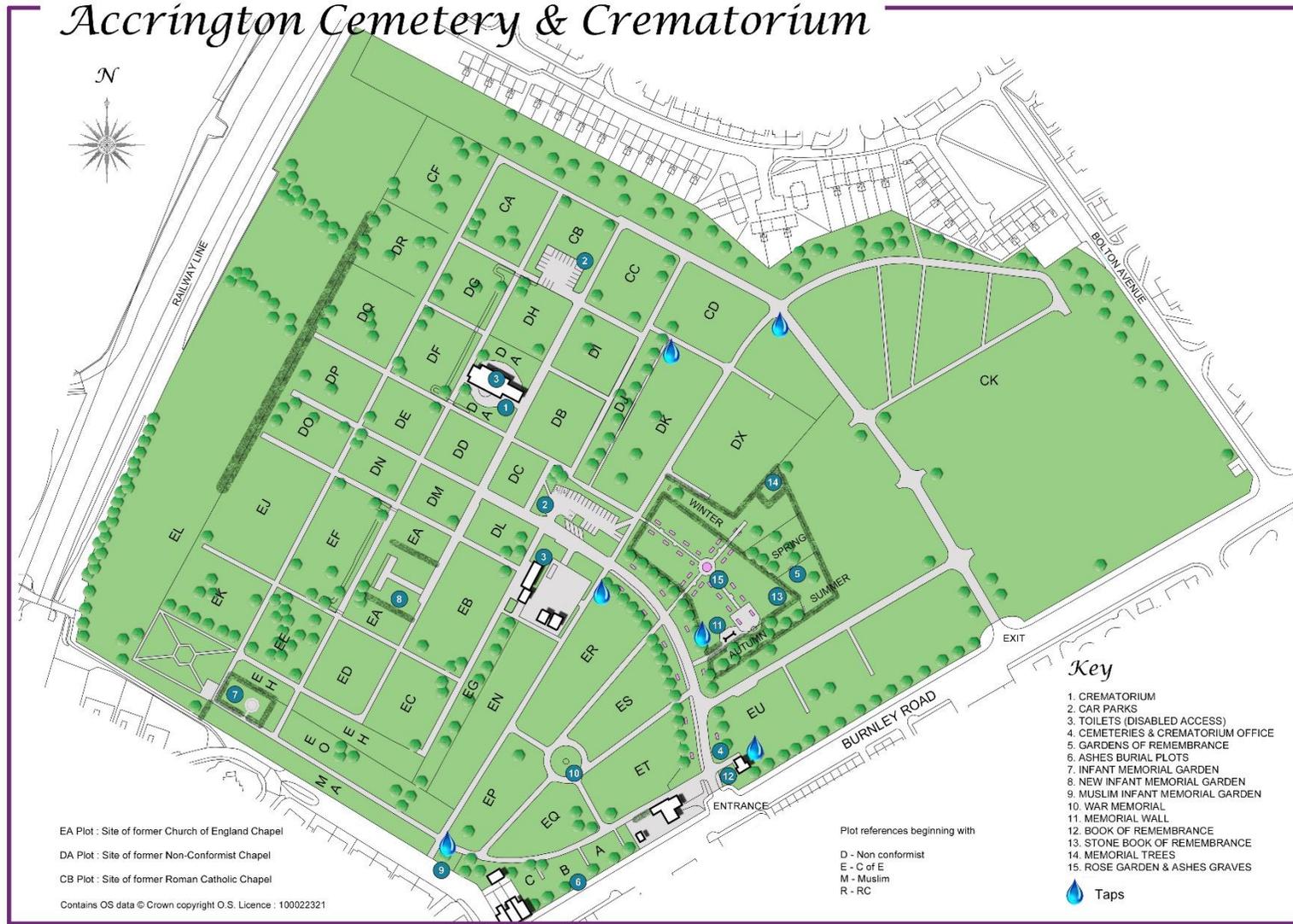
- 1.8 The cemetery is subject to the Hyndburn Borough Council Public Spaces Protection Order 2024 (the PSPO)³ which has a requirement for dogs to be kept on leads in the Borough's cemeteries and for dog owners to clean up after their dogs. Failure to comply with the order can result in a fine of £80. Council officers and dog wardens patrol the area and are authorized to issue a Fixed Penalty Notice to anyone breaching the PSPO.

¹ Protected characteristics are age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy and maternity, and marriage and civil partnership.

² <https://www.hyndburnbc.gov.uk/accrington-cemetery/>

³ <https://democracy.hyndburnbc.gov.uk/documents/s20688/Appendix%204%20-%20Draft%20PSPO.pdf>

Figure 1-1 Layout of Accrington Cemetery & Crematorium and location of complaints



- 1.9 However, complaints have been received from members of the public about dogs walking (on and off leads) and fouling on the grave section within the plot referenced MA in the south western section of the plan shown in Figure 1-1.
- 1.10 The section is designated for Muslim graves, with much of the land closest to the internal road secured for future graves. Currently, the area between existing graves and the internal road is grass-covered and is reportedly the focus of complaints regarding dog walking and fouling.

Proposed options

- 1.11 The proposals considered by the Council's Environmental Services team to address the issue include:
- **Option B:** Install a movable fence around the Muslim section (plot MA) to prevent dogs from entering, while maintaining access for burial teams and visitors.
 - **Option C:** Ban dogs from entering the cemetery entirely, except for assistance dogs.
 - **Option D:** Dog-free zone implemented within a specific area of the cemetery (plot MA and adjacent access road).
 - **Option E:** Fenced dog-free zone implemented within a specific area of the cemetery (plot MA and adjacent access road - with fencing on the southern border of plots EO and EH, and access gates at the northern and southern ends of the access road).
- 1.12 The proposals aim to reduce the potential for dogs walking and fouling on cemetery plots and therefore minimise distress for those visiting graves and reduce potential conflict between those visitors and dog owners.

Legislative and policy context

Equality Act 2010 and the Public Sector Equality Duty⁴

- 1.13 The Equality Act 2010 is UK legislation protecting the rights of individuals against unlawful discrimination and advancing equal opportunities for all. Section 149 of the Equality Act sets out the Public Sector Equality Duty (PSED) to which the Council is subject to in carrying out all its functions. This includes having due regard to the following three aims:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - Foster good relations between people who share a protected characteristic and those who do not.
- 1.14 The Equality Act 2010 further explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and

⁴ UK Government (2010) Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/introduction>

- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 1.15 The duty covers the following nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership.
- 1.16 The duty also requires consideration of intersectionality, recognising that individuals may experience multiple forms of disadvantage. For example, a Muslim person who is also disabled may face barriers relating to both religious sensitivities and accessibility needs. The PSED requires public bodies to consider these intersecting impacts to ensure policies do not inadvertently disadvantage people at the intersections of protected groups.
- 1.17 Section 29(7) sets out the duty to make reasonable adjustments in the provision of a service. Crematoriums are service providers under Part 3 of the Equality Act and must make reasonable adjustments to ensure disabled people are not placed at a substantial disadvantage. Reasonable adjustments can involve changing the way things are done, making changes to the environment or providing auxiliary aids or services.
- 1.18 Guidance on what is considered a disability under the Equality Act is set out in Appendix A.

Control of Dogs Public Spaces Protection Order 2024

- 1.19 In 2014, all Dog Control Orders were converted into Public Spaces Protection Orders (PSPOs) under the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.20 Hyndburn Borough Council currently enforces dog control through its Control of Dogs PSPO (Number 1 of 2021), which has since been extended and varied in 2024⁵.

Hyndburn Borough Council - Equality and Diversity Strategy: 2020-2025

- 1.21 The Council's Equality and Diversity Strategy⁶ outlines key equality issues facing HBC, actions to address these issues. The strategy highlights the Council's alignment with the PSED, identifies key statistics and issues regarding protected characteristic groups in the Borough, and outlines the actions the Council will take to promote equality between groups.
- 1.22 The Council aims to go beyond its legislative duties and actively promote equality for residents and address existing issues. The strategy is about treating people fairly and recognising their differences in service delivery, taking these differences into account by providing a choice of services and responding to a range of needs.
- 1.23 The Council delivers its equality objectives through Customer First Analyses, which involve carrying out EqlAs to assess, consult, and understand the effect of a policy, project, or service is likely to have on different groups of people.

⁵ <https://democracy.hyndburnbc.gov.uk/documents/s20688/Appendix%20-%20Draft%20PSPO.pdf>

⁶ Hyndburn Borough Council (2020) Our Equality and Diversity Strategy 2020-2025. Available at: <https://www.hyndburnbc.gov.uk/download-package/our-equality-and-diversity-scheme-2020-2025/>

2. Assessment of impacts

Introduction

2.1 This section sets out the assessment of equality impacts of the proposed options. The evidence used to undertake the assessment has included:

- A guided site visit of Accrington Cemetery by HBC's Head of Environmental Services;
- An equality baseline comprising a profile of protected characteristics groups living in the local area and Hyndburn Borough (see Appendix B);
- A review of legislation, policy, literature, best practice and evidence in relation to the proposed options; and
- Other evidence from HBC including consultation on the PSPO undertaken in 2021 and 2024.

Key considerations and evidence

2.2 This section sets out some key equality considerations for the proposed options based on the evidence review. These considerations are themed as follows:

- **Health and safety:** How the options may positively or negatively affect the health, wellbeing and safety of protected characteristic groups.
- **Accessibility:** How the options may affect access to the cemetery and graves for different groups.
- **Respect and dignity:** How the options may affect the respect and dignity of different groups when visiting the cemetery or in relation to their mourning and remembrance of loved ones.
- **Community Cohesion:** How the options may support or reduce community cohesion and foster good relations between groups.

Health and safety

Stress and anxiety

2.3 Many people visiting cemeteries are grieving and may already be struggling emotionally. Dog phobias in addition to grief, may exacerbate feelings of stress and anxiety, especially where dogs are uncontrolled. Dogs running off-lead or not controlled whilst on leads can be a nuisance, interfering with funeral services and creating an unpleasant or unsafe experience for others. There are potential safety risks for the animals too, if dogs are uncontrolled near vehicles or where staff are using tools and machinery.

2.4 Stress and anxiety may be more acute for those with cognitive impairments or those with mobility impairments including some disabled people, pregnant women and older people.

2.5 However, for some people, taking their dog to the cemetery may be part of their grieving process. Their dog may have been an important part of the deceased person's life and offer comfort during grieving and cemetery visits.

2.6 Some groups are also more likely to depend on emotional support animals (ESAs). Dogs who are ESAs do not have the same rights under the Equality Act 2010 as assistance dogs, as they are considered pets with comfort roles and are not trained to perform specific tasks for a disability. However, owners are usually those with impairments or conditions such as

mental health conditions, anxiety, or who are neurodivergent. In some cases, there may be a requirement to make reasonable adjustments for these groups, including by accommodating an emotional support animal⁷.

Risk of toxocariasis

- 2.7 Dog excrement can transmit diseases to humans through contact with contaminated soil, a condition known as Toxocariasis⁸ which may lead to blindness or seizures in rare cases. Children are more vulnerable to toxocariasis because they are more likely to play in the soil. However, as many cemetery visitors will be laying flowers and potentially touching soil at the cemetery, this opens up the risk to those with compromised immunity, such as older people and some disabled people. This could include staff members with protected characteristics who are involved in burials or in maintaining the grounds.
- 2.8 Therefore, any activities that control, reduce or remove the potential for dog fouling could reduce the risk of toxocariasis. Whilst assistance dogs would be exempt from bans or dog-free zones, they are highly trained and would be unlikely to foul in public places⁹.

Respect and dignity

- 2.9 Dogs fouling or walking across graves can be perceived as disrespectful to mourners and cause distress to grieving families.
- 2.10 In particular, burial grounds are considered to be consecrated and sacred spaces by many religions. Therefore, those who follow certain religions may especially find dogs on graves distressing and disrespectful.
- 2.11 The presence of dogs in cemeteries may be more problematic for Muslims, as dogs are traditionally considered impure in Islam. Therefore, contact with dogs may be regarded as offensive by some Muslims from a religious perspective. Thus, the Muslim community is likely to be disproportionately affected by dogs in cemeteries compared to other groups.
- 2.12 While some Muslims may have specific views on dogs in cemeteries, those from Christian, Catholic, Jewish, and Hindu communities may also view dogs in cemeteries as disrespectful. This means that dog control measures can be justified on the grounds that they promote respect and dignity across multiple religions, not just Islam.

Accessibility

- 2.13 The installation of fencing along the periphery of the Muslim section may create accessibility barriers for visitors in wheelchairs or with mobility, visual, sensory or cognitive impairments, older people and pregnant women.
- 2.14 Uneven ground, narrow access points, or poorly positioned gates could result in indirect disadvantage by making it more difficult for these groups to reach graves safely and independently. Inclusive design principles must therefore be embedded to ensure access for all cemetery users. Furthermore, the increase in people walking across graves may also be considered disrespectful to the deceased.
- 2.15 Assistance animals are protected by the Equality Act 2010 and therefore exempt from dog bans in the majority of places¹⁰. This is to ensure that access to public services is not affected for individuals with impairments that may require an assistance dog, including those with sight or hearing loss, or those with a medical condition.

⁷ https://esaregistry.co.uk/emotional-support-dogs-in-the-uk-guide/#elementor-toc_heading-anchor-2

⁸ <https://www.nhs.uk/conditions/toxocariasis/>

⁹ <https://www.equalityhumanrights.com/guidance/assistance-dogs-guide-businesses-and-service-providers>

¹⁰ <https://www.equalityhumanrights.com/guidance/assistance-dogs-guide-businesses-and-service-providers>

Community cohesion

- 2.16 Options associated with changes to dog walking restrictions in cemeteries may result in changes to community cohesion. Some dog owners may use the cemetery as a place to connect and be part of an existing community of dog walkers. Actions implemented that support one group at the detriment of another may cause conflict and reduce cohesion amongst different communities.
- 2.17 HBC undertook a consultation exercise to support the PSPO in 2021 and subsequent extension and variation of the PSPO in 2024. Key stakeholders, including the Police and Crime Commissioner's Office, Dogs Trust, the Kennel Club, and user groups such as Sports Leagues and local 'Friends Of' groups, were informed of the consultation.
- 2.18 A summary of the consultation results is shown in Table 2-1. This shows unanimous support for dog owners clearing up after their dogs foul and strong support for keeping dogs on leads in cemeteries compared with other locations. An increase in favour of measures since 2021 indicates significant support for dog controls in cemeteries within the Borough, which may help to justify further action and enhance community cohesion.

Table 2-1 Results from the Hyndburn Borough Council consultation on the PSPO

PSPO option	2021		2024	
	In favour	Against	In favour	Against
Exclude dogs from Council play facilities	83.79%	16.21%	89.47%	10.53%
Exclude dogs from Council bowling greens	77.78%	22.22%	88.30%	11.70%
That dog owners or those in charge of the dog clear up after the dog fouls	99.6%	0.4%	100%	0%
Dogs are kept on leads in Borough townships	85.71%	14.29%	91.49%	8.51%
Dogs are kept on leads in the Borough's cemeteries	87.25%	12.75%	94.38%	5.62%
Dogs are kept on leads on designated sports pitches	65.08%	34.92%	71.74%	28.26%
Dogs are kept on leads within the grounds of Churchfield House in Great Harwood	75.29%	27.71%	90%	10%
Dogs are kept on leads within the rose garden at Haworth Park	65.86%	34.14%	82.42%	17.58%

Summary of impacts

- 2.19 Table 2-2 compares the key considerations and equality impacts for each option. Tables 2-3, 2-4 and 2-5 summarise the potential equality effects of each option for protected characteristic groups. This provides an assessment of groups with protected characteristics who are likely to be disproportionately or differentially affected by the impacts.
- A *disproportionate* equality effect arises when an impact has a proportionately greater effect on protected characteristic groups than on the general population overall at a particular location.
 - A *differential* equality effect affects members of a protected characteristic group differently from the rest of the general population because of specific needs, or a recognised vulnerability associated with their protected characteristic.
- 2.20 The tables also provide a brief overview of mitigation or recommended actions to minimise adverse impacts and enhance positive impacts.

Table 2-2 Comparison of options

Theme	Option B: Fencing	Option C: Ban Dogs	Option D: Dog-Free Zone	Option E: Fenced Dog-Free zone
Health and Safety	<ul style="list-style-type: none"> Potential to reduce stress/anxiety and fouling risks in fenced area only. 	<ul style="list-style-type: none"> Eliminates fouling and associated health risks within the cemetery. Safer for children, older people, and those with phobias. May cause stress and anxiety for some disabled people who depend on ESAs for comfort or anxiety reasons. 	<ul style="list-style-type: none"> Potential to reduce stress/anxiety and fouling risks in dog free zone only. 	<ul style="list-style-type: none"> Potential to reduce stress/anxiety and fouling risks in dog-free zone only.
Respect and Dignity	<ul style="list-style-type: none"> Positive for Muslim community. 	<ul style="list-style-type: none"> Strong positive impact across all faiths; consistent respect for mourning practices. 	<ul style="list-style-type: none"> Positive for Muslim community. 	<ul style="list-style-type: none"> Positive for Muslim community.
Accessibility	<ul style="list-style-type: none"> Potential negative impacts on those visiting the fenced section who have mobility, visual, sensory or cognitive impairments, those with prams, and older people. Inclusive design will need to be implemented to minimise accessibility barriers. 	<ul style="list-style-type: none"> Does not involve the installation of physical infrastructure and therefore would not create new physical accessibility barriers for visitors. This option would also continue to allow assistance dogs (in line with the Equality Act 2010). However, there is the potential for disadvantage for some disabled groups who rely on ESAs. 	<ul style="list-style-type: none"> Does not involve the installation of physical infrastructure and therefore would not create new physical accessibility barriers for visitors. Some distances for dog walkers (including those visiting graves) may be longer as a result of the dog-free zone. However, this impact is likely to be minor and would not affect those who have an assistance animal. 	<ul style="list-style-type: none"> Inclusive design guidance will need to be followed to ensure access gates are accessible for those with mobility, visual, sensory or cognitive impairments, those with prams, and older people.

Theme	Option B: Fencing	Option C: Ban Dogs	Option D: Dog-Free Zone	Option E: Fenced Dog-Free zone
Community Cohesion	<ul style="list-style-type: none"> Potential positive community cohesion impacts by showing the needs of a minority religious group have been addressed whilst limiting the impact on dog walkers (across all groups). Potential for other groups to question the lack of measures in other sections of the cemetery. 	<ul style="list-style-type: none"> Consistent rule across all faith groups. May help to minimise conflict between anti-social dog owners and other visitors to the cemetery across all groups. However, there may be some negative impacts on dog owners who may feel excluded. In particular, those visiting graves with dogs or ESAs. 	<ul style="list-style-type: none"> Potential positive community cohesion impacts by showing the needs of a minority religious group have been addressed while limiting the impact on dog walkers (across all groups). Potential for other groups to question the lack of measures in other sections of the cemetery. 	<ul style="list-style-type: none"> Potential positive community cohesion impacts by showing the needs of a minority religious group have been addressed while limiting the impact on dog walkers (across all groups). Potential for other groups to question the lack of measures in other sections of the cemetery
Scope of Impact	<ul style="list-style-type: none"> Localised: only protects the Muslim section. 	<ul style="list-style-type: none"> Site-wide: applies across the entire cemetery. 	<ul style="list-style-type: none"> Localised: only protects Muslim grave area and adjacent internal road. 	<ul style="list-style-type: none"> Localised: only protects Muslim grave area and adjacent internal road.
Legal Compliance	<ul style="list-style-type: none"> Assistance dogs must be allowed into fenced areas under the Equality Act. Failure to do so can be considered as direct discrimination. 	<ul style="list-style-type: none"> Assistance dogs are exempt from ban HBC may need to consider reasonable adjustments for disabled ESA owners. 	<ul style="list-style-type: none"> Assistance dogs are exempt from dog-free zone. 	<ul style="list-style-type: none"> Assistance dogs are exempt from dog-free zone.
Enforcement Needs	<ul style="list-style-type: none"> Targeted enforcement around the fenced section, which can be supported by signage on the fence. 	<ul style="list-style-type: none"> Broader enforcement across the entire site. 	<ul style="list-style-type: none"> Targeted enforcement around the dog-free zone. 	<ul style="list-style-type: none"> Targeted enforcement around the dog-free zone, which can be supported by signage on gates.
Consultation Evidence	<ul style="list-style-type: none"> Addresses specific complaints but may leave any wider concerns unresolved. 	<ul style="list-style-type: none"> Aligns with strong public support for dog controls in cemeteries (94% in favour of dogs on leads in cemeteries in 2024 survey). 	<ul style="list-style-type: none"> Addresses specific complaints but may leave any wider concerns unresolved. 	<ul style="list-style-type: none"> Addresses specific complaints but may leave any wider concerns unresolved.

Theme	Option B: Fencing	Option C: Ban Dogs	Option D: Dog-Free Zone	Option E: Fenced Dog-Free zone
Other factors/mitigation	<ul style="list-style-type: none"> The fence would be designed to be easily movable for the purpose of burials. 	<ul style="list-style-type: none"> Alternative dog walking areas are located nearby for 'general' dog walking activities. 	<ul style="list-style-type: none"> Would allow dog walkers to still use the crematorium grounds with the exception of the dog-free zone 	<ul style="list-style-type: none"> Would allow dog walkers to still use the crematorium grounds with the exception of the dog-free zone.

Table 2-3 Summary of impacts by protected characteristic group: Option B

Protected Characteristic	Option A: Install a movable fence around the Muslim section to prevent dogs from entering, while maintaining access for burial teams and visitors.		
	Positive	Negative	Proposed mitigation
Age	<ul style="list-style-type: none"> Reduces distress for older visitors and children encountering dogs on graves within a fenced area 	<ul style="list-style-type: none"> Potential access issues for older visitors with age-related impairments. 	<ul style="list-style-type: none"> Fencing must be designed inclusively to meet the needs of older people with age-related impairments (wide gates, tactile signage, level access).
Disability	<ul style="list-style-type: none"> Allows emotional support animals (not legal assistance dogs) continued access to the cemetery, supporting disabled people who may rely on them. Maintains access for disabled visitors if gates are removable/accessible 	<ul style="list-style-type: none"> Risk of barriers for wheelchair users or those with mobility/sensory impairments. 	<ul style="list-style-type: none"> Fencing must be designed inclusively to meet the needs of those with mobility, sensory and cognitive impairments (wide gates, tactile signage, level access).
Pregnancy and maternity	<ul style="list-style-type: none"> May reduce stress/anxiety for pregnant visitors to the fenced section 	<ul style="list-style-type: none"> Possible navigation difficulties with pushchairs and prams. 	<ul style="list-style-type: none"> Fencing must be designed inclusively to meet the needs of those with prams (wide gates, tactile signage, level access).
Race	<ul style="list-style-type: none"> May provide a positive impact for ethnic minority groups disproportionately represented in the Muslim section. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Religion	<ul style="list-style-type: none"> Directly addresses concerns raised by the community about respect for graves in the Muslim section of the cemetery. 	<ul style="list-style-type: none"> May be seen as a partial solution, not addressing wider cemetery concerns across all faith sections. 	<ul style="list-style-type: none"> Ongoing engagement with faith groups to monitor impacts and perceptions
Gender Reassignment/ Marriage and Civil Partnership/ Sex/ Sexual Orientation	<ul style="list-style-type: none"> No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> N/A

Table 2-4 Summary of impacts by protected characteristic group: Option C

Protected Characteristic	Option B: Ban dogs from entering the cemetery entirely (except for assistance dogs)		
	Positive	Negative	Proposed mitigation
Age	<ul style="list-style-type: none"> • Safer environment for children and older people, due to less risk of dog fouling or aggressive dogs. 	<ul style="list-style-type: none"> • Removes the opportunity for older dog owners to bring pets as part of the grieving process. • Removes the opportunity for dog walking activity for older people. 	<ul style="list-style-type: none"> • Alternative areas for dog walking located nearby include the Coppice and Bolton Avenue Recreation Ground (not covered by the PSPO except for the Bolton Avenue play area). • Highams play area is also located nearby (covered by the PSPO).
Disability	<ul style="list-style-type: none"> • Cleaner environment. • Reduced anxiety for those with dog phobias. 	<ul style="list-style-type: none"> • Emotional support animals (not legally assistance dogs) are excluded, potentially disadvantaging some disabled people. 	<ul style="list-style-type: none"> • Assistance dogs would be exempt from the ban. • Council could consider case-by-case discretion for ESAs, supported by medical evidence, while maintaining enforcement of PSPO conditions.
Pregnancy and maternity	<ul style="list-style-type: none"> • Safer environment due to reduced risk of toxocariasis or aggressive dogs. 	<ul style="list-style-type: none"> • Emotional support animals (not legally assistance dogs) are excluded, potentially disadvantaging some pregnant people. 	<ul style="list-style-type: none"> • Consider discretion for ESAs where linked to maternal wellbeing.
Race	<ul style="list-style-type: none"> • Reinforces respect for diverse cultural practices. 	<ul style="list-style-type: none"> • N/A 	
Religion	<ul style="list-style-type: none"> • Strong respect for sensitivities across all faiths. 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Alternative areas for dog walking in the nearby area.
Gender Reassignment/ Marriage and Civil Partnership/ Sex/ Sexual Orientation	<ul style="list-style-type: none"> • No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> • No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> • N/A

Table 2-5 Summary of impacts by protected characteristic group: Option D

Protected Characteristic	Option C: Dog-free zone (within and around Muslim area)		
	Positive	Negative	Proposed mitigation
Age	<ul style="list-style-type: none"> Reduces distress for older visitors and children encountering dogs on graves within the dog-free zone. 	<ul style="list-style-type: none"> Some older people with dogs may have a slight walk distance increase to graves. However, this impact is expected to be minimal due to the limited size of the dog-free zone. 	<ul style="list-style-type: none"> Clear signage and route maps to help with navigation around the site.
Disability	<ul style="list-style-type: none"> Allows emotional support animals continued access to the cemetery, supporting disabled people who may rely on them. 	<ul style="list-style-type: none"> Some disabled visitors with dogs may have a slight walk distance increase to graves. This may affect people with mobility impairments that do not have assistance animals. However, this impact is expected to be minimal due to the limited size of the dog-free zone. 	<ul style="list-style-type: none"> Clear signage and route maps to help with navigation around the site. Assistance dogs to be exempt from the dog-free zone.
Pregnancy and maternity	<ul style="list-style-type: none"> May reduce stress/anxiety for pregnant visitors within the dog-free zone. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Race	<ul style="list-style-type: none"> May provide a positive impact for ethnic minority groups disproportionately represented in the Muslim section. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Religion	<ul style="list-style-type: none"> Directly addresses concerns raised by the community about respect for graves in the Muslim section of the cemetery. 	<ul style="list-style-type: none"> May be seen as a partial solution, not addressing wider cemetery concerns across all faith sections. 	<ul style="list-style-type: none"> Ongoing engagement with all faith groups to monitor impacts and perceptions.
Gender Reassignment/ Marriage and Civil Partnership/ Sex/ Sexual Orientation	<ul style="list-style-type: none"> No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> N/A

Table 2-6 Summary of impacts by protected characteristic group: Option E

Protected Characteristic	Option D: Fenced dog-free zone		
	Positive	Negative	Proposed mitigation
Age	<ul style="list-style-type: none"> Reduces distress for older visitors and children encountering dogs on graves within the dog-free zone. 	<ul style="list-style-type: none"> Some older people with dogs may have a slight walk distance increase to graves. However, this impact is expected to be minimal due to the limited size of the dog-free zone. 	<ul style="list-style-type: none"> Fully accessible gates installed at either end of the dog-free zone. Clear signage and route maps to help with navigation around the site.
Disability	<ul style="list-style-type: none"> Allows emotional support animals continued access to the cemetery, supporting disabled people who may rely on them. 	<ul style="list-style-type: none"> Some disabled visitors with dogs may have a slight walk distance increase to graves. This may affect people with mobility impairments who do not have assistance animals. However, this impact is expected to be minimal due to the limited size of the dog-free zone. 	<ul style="list-style-type: none"> Clear signage and route maps to help with navigation around the site. Assistance dogs to be exempt from the dog-free zone.
Pregnancy and maternity	<ul style="list-style-type: none"> May reduce stress/anxiety for pregnant visitors within the dog-free zone. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Fully accessible gates installed at either end of the dog-free zone.
Race	<ul style="list-style-type: none"> May provide a positive impact for ethnic minority groups disproportionately represented in the Muslim section. 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Religion	<ul style="list-style-type: none"> Directly addresses concerns raised by the community about respect for graves in the Muslim section of the cemetery. 	<ul style="list-style-type: none"> May be seen as a partial solution, not addressing wider cemetery concerns across all faith sections. 	<ul style="list-style-type: none"> Ongoing engagement with all faith groups to monitor impacts and perceptions.
Gender Reassignment/ Marriage and Civil Partnership/ Sex/ Sexual Orientation	<ul style="list-style-type: none"> No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> No disproportionate or differential impacts have been identified for these groups. 	<ul style="list-style-type: none"> N/A

3. Conclusions and recommendations

Conclusions

- 3.1 This report has summarised the main equality effects of the proposed options for the Accrington cemetery. The findings of the assessment with regard to the three aims of the PSED are:

Aim 1: To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

- 3.2 The development of the proposed options demonstrates that HBC is actively considering measures to reduce distress and potential discrimination for protected groups, particularly the Muslim community and disabled visitors.
- 3.3 Exemptions for assistance dogs ensure compliance with the Equality Act 2010 and avoid direct discrimination against disabled people. However, potential risks remain because ESAs are excluded from the cemetery under Option C and a section of the cemetery under Options D and E. This could indirectly disadvantage some disabled or neurodivergent visitors. Reasonable adjustments may need to be considered to reduce this risk.
- 3.4 Enforcement of the PSPO and any new measures will be critical to ensure that protections are meaningful and consistently applied.
- 3.5 **Conclusion:** HBC is paying due regard to eliminating discrimination by addressing religious sensitivities and accessibility needs, but must ensure enforcement and reasonable adjustments for those reliant on emotional support animals.

Aim 2: To advance equality of opportunity between people who share a protected characteristic and those who do not by:

- 3.6 Option B and E advance equality by directly meeting the needs of the Muslim community, but may create physical barriers for disabled visitors due the implementation of fencing and gates. HBC has committed to making the design as inclusive and flexible as possible, but there may still be issues for those with mobility, sensory and cognitive impairments who need to access graves within the fence section for Option B.
- 3.7 Option C (dog ban) advances equality of opportunity more broadly across all faith groups by ensuring respect and dignity in mourning spaces, but risks excluding disabled people who rely on ESAs.
- 3.8 Option D and Option E (dog-free zone) advances equality by directly meeting the needs of the Muslim community while still maintaining access to the majority of cemetery for dog owners.
- 3.9 All options highlight the need for proactive design and consultation to minimise disadvantages and ensure participation by groups who may otherwise be excluded.
- 3.10 **Conclusion:** HBC is taking steps to advance equality of opportunity by tailoring measures to different groups' needs. Inclusive design and reasonable adjustments are essential to prevent new barriers for disabled people and to ensure that all groups can continue to participate fully in cemetery use.

Aim 3: Foster good relations between people who share a protected characteristic and those who do not.

- Options B, D and E may foster good relations by showing responsiveness to the Muslim community's concerns, but could be perceived as a partial solution by other groups.

- Option C may foster good relations across all groups by creating a consistent rule, but risks tension with dog owners who feel excluded, particularly those who rely on ESAs.
- 3.11 Transparent consultation, clear communication of reasons, and information on alternative dog-walking spaces nearby will be key to maintaining trust and cohesion.
- 3.12 **Conclusion:** HBC has an opportunity to foster good relations by demonstrating respect for different religious practices and by reducing conflict between visitors and dog owners. Ongoing consultation and communication will be vital to balance sensitivities and avoid perceptions of exclusion.

Recommendations

- 3.13 Below sets out some further recommendations for HBC to consider for the ongoing discharge of the PSED.
- 3.14 Option B (Fencing) should be supported by:
- Inclusive design checklist for fencing, including accessible gate placement, width, and potential pathways.
 - Consultation with affected families - engage with visitors whose access routes may be affected to understand specific needs and preferences.
 - Clear signage: Provide unobtrusive but clear signage.
 - More clear signage directing visitors to accessible routes and gates.
 - A dog walking code of conduct for the cemetery.
 - A clear policy and communication that assistance dogs would need to be permitted into the fenced area.
- 3.15 Option C (Banning Dogs) should be supported by:
- Clear signage at all entrances outlining that dogs are prohibited, except for assistance dogs; and
 - Potential permits to allow those with emotional support animals to use the cemetery.
- 3.16 Option D (Dog-free zone) should be supported by:
- Clear signage at all entrances and at each end of the dog-free zone outlining that dogs are prohibited (except for assistance dogs). Appropriate road markings for the dog-free zone could be considered for clarity;
 - A clear policy and communication that assistance dogs would need to be permitted into the dog-free zone area; and
 - A formalised dog-walking route around the cemetery, which can be planned with dog walkers (including those with protected characteristics). This may also help build a community of dog walkers who can work with PSPO officers to conduct informal monitoring of non-compliant dog walkers. This may help to foster good relations between groups and promote community cohesion.
 - A dog walking code of conduct for the cemetery.
- 3.17 Option E (Dog-free zone with fencing and gates) should be supported by:
- Inclusive design checklist including accessible gate placement and width;

- Clear signage on gates at each end of the dog-free zone outlining that dogs are prohibited (except for assistance dogs);
- A clear policy and communication that assistance dogs would need to be permitted into the dog-free zone area;
- A formalised dog-walking route around the cemetery, which can be planned with dog walkers (including those with protected characteristics). This may also help build a community of dog walkers who can work with PSPO officers to conduct informal monitoring of non-compliant dog walkers. This may help to foster good relations between groups and promote community cohesion; and
- A dog walking code of conduct for the cemetery.

3.18 Other recommendations include:

- 1) **Pilot scheme with monitoring** - The selected option(s) should be piloted to test the effectiveness of each option in addressing the issue and to monitor equality impacts. The public and stakeholders should be consulted following the pilot stage of the option(s). The consultation should seek to include respondents from all groups identified in this assessment.
- 2) **Communication and engagement** - Visitor consultation and engagement will play an important role in the decision process or in monitoring. Involving residents and other stakeholders in the design and development process is essential to achieving an inclusive option that works for everyone. It is therefore recommended that the public be consulted on proposals in an inclusive manner. This should include a clear communication plan for dog owners and faith groups.
- 3) **PSPO Variations** - HBC may wish to make future variations to the PSPO which limit dogs to paved areas of cemeteries or exclude them from walking or fouling on or near graves.
- 4) **ESAs** - HBC may wish to take a case-by-case approach to permitting access to the cemetery for those with ESAs under specific guidelines and restrictions. This may be a requirement under Section 29(7) of the Equality Act 2010 in regard to making reasonable adjustments for disabled people to access the cemetery.
- 5) **Monitoring of equality impacts** – this should be included as part of a Monitoring and Evaluation Plan for the proposals.

Appendix A: Disability definitions

Main elements of the definition of disability (adapted from Government Guidance)¹¹

The Equality Act 2010 defines a disabled person as a person with a disability. A person has a disability for the purposes of the Act if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities (**S6(1)**).

This means that, in general:

- the person must have an impairment that is either physical or mental
- the impairment must have substantial adverse effects
- the substantial adverse effects must be long-term
- the long-term substantial adverse effects must be effects on normal day-to-day activities

All of the factors above must be considered when determining whether a person is disabled.

Meaning of ‘impairment’

The definition requires that the effects which a person may experience must arise from a physical or mental impairment. The term mental or physical impairment should be given its ordinary meaning. It is not necessary for the cause of the impairment to be established, nor does the impairment have to be the result of an illness. In many cases, there will be no dispute whether a person has an impairment. Any disagreement is more likely to be about whether the effects of the impairment are sufficient to fall within the definition, and in particular whether they are long-term. Even so, it may sometimes be necessary to decide whether a person has an impairment so as to be able to deal with the issues about its effects.

Whether a person is disabled for the purposes of the Act is generally determined by reference to the **effect** that an impairment has on that person’s ability to carry out normal day-to-day activities. It is not possible to provide an exhaustive list of conditions that qualify as impairments for the purposes of the Act. Any attempt to do so would inevitably become out of date as medical knowledge advances.

A disability can arise from a wide range of impairments, which can be:

- sensory impairments, such as those affecting sight or hearing

¹¹ Government Equalities Office/ Women and Equalities Unit (March 2013) Disability: Equality Act 2010 - Guidance on matters to be taken into account in determining questions relating to the definition of disability

- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy
- progressive, such as motor neurone disease, muscular dystrophy, and forms of dementia
- auto-immune conditions such as systemic lupus erythematosus (SLE)
- organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia
- learning disabilities
- mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post-traumatic stress disorder, and some self-harming behaviour
- mental illnesses, such as depression and schizophrenia
- produced by injury to the body, including to the brain

It may not always be possible, nor is it necessary, to categorise a condition as either a physical or a mental impairment. The underlying cause of the impairment may be hard to establish. There may be adverse effects which are both physical and mental in nature. Furthermore, effects of a mainly physical nature may stem from an underlying mental impairment, and vice versa.

Appendix B: Protected characteristic groups

An analysis of Census 2021 data has been undertaken to produce a profile of protected characteristic groups living near Accrington cemetery. The areas analysed include:

- Middle level Super Output Area - The area surrounding the cemetery is likely the catchment for cemetery use, including visitors to the graves, local dog walkers and other recreational users;
- Hyndburn Local authority area (Hyndburn) – this has been included due to the cemetery being the largest in Hyndburn and catering for specific religious groups living within the wider Borough; and
- National-level data (England) has also been collated for further analysis and comparison.

Protected characteristic groups

Sex

Table B-1 shows that the study area has an equal distribution of residents by sex to that of national rates.

Table B-1 Population by sex

Sex	Study area	Hyndburn	England
Females	51.1%	50.8%	51.0%
Males	48.9%	49.2%	49.0%

Source Census 2021: TS008 - Sex ¹²

Age

Table B-2 presents the age distribution for the study area, compared with local and national rates. There is a slightly higher percentage of children living in the study area and in Hyndburn than at the national level.

Although the percentage of people aged 65 and over is slightly lower than the national rate, this age group will see a larger increase than other age groups over the next 20 years. The number of people aged 80 and over is projected to nearly double in Lancashire, from 2022 (68,980) to 2047 (132,018). The proportion of the population aged 80 and over is projected to grow from 5.5% in 2022 (England = 5.0%) to 9.2% by 2047 (England = 8.3%) in Lancashire¹³.

Table B-2 Population by age group

Age (years)	Study area	Hyndburn	England
Children (0-15)	19.9%	20.2%	18.5%
Young People (16-24)	10.1%	10.2%	10.6%
Older People (65 and over)	18.1%	18.3%	19.4%

Source: Census 2021 (TS007B - Age by broad age bands)

¹² ONS (2021). Census 2021: TS008 – Sex. Available at: [Dataset Selection - Query - Nomis - Official Census and Labour Market Statistics \(nomisweb.co.uk\)](https://www.nomisweb.co.uk/dataset/ts008-sex)

¹³ <https://www.lancashire.gov.uk/lancashire-insight/population-and-households/population/population-projections/>

Disability

Table B-3 shows that the percentage of the population reporting as disabled in the study area and Hyndburn is higher than the national rate.

Table B-3 Population by disability

Disability	Study area	Hyndburn	England
Disabled under the Equality Act	22.2%	20.8	17.3%
Disabled under the Equality Act: Day-to-day activities are limited a lot	10.4%	9.7%	7.3%
Disabled under the Equality Act: Day-to-day activities are limited a little	11.9%	11.1%	10.0%
Not disabled under the Equality Act: Has long term physical or mental health condition but day-to-day activities are not limited	6.5%	6.0%	6.8%
Not disabled under the Equality Act: No long term physical or mental health conditions	71.2%	73.2%	75.9%

Source: Census 2021 (TS038 – Disability)

Race

Table B-4 shows that Pakistani ethnicity constitutes the largest share of ethnic minority groups (8.8%) in the study area (8.8%) and in Hyndburn (13.2%). Table B-5 shows that only 5.8% of households in Hyndburn have one or more household members who do not speak English as their main language, compared with 10.7% nationally.

Table B-4 Population by ethnicity

Ethnicity	Study area	Hyndburn	England
Asian, Asian British or Asian Welsh: Bangladeshi	0.5%	0.6%	1.1%
Asian, Asian British or Asian Welsh: Chinese	0.1%	0.2%	0.8%
Asian, Asian British or Asian Welsh: Indian	0.3%	0.4%	3.3%
Asian, Asian British or Asian Welsh: Pakistani	8.8%	13.2%	2.8%
Asian, Asian British or Asian Welsh: Other Asian	0.7%	0.8%	1.7%
Black, Black British, Black Welsh, Caribbean or African: African	0.1%	0.2%	2.6%
Black, Black British, Black Welsh, Caribbean or African: Caribbean	0.0%	0.0%	1.1%
Black, Black British, Black Welsh, Caribbean or African: Other Black	0.1%	0.0%	0.5%
Mixed or Multiple ethnic groups: White and Asian	0.7%	0.7%	0.8%
Mixed or Multiple ethnic groups: White and Black African	0.1%	0.1%	0.4%
Mixed or Multiple ethnic groups: White and Black Caribbean	0.2%	0.2%	0.9%

Ethnicity	Study area	Hyndburn	England
Mixed or Multiple ethnic groups: Other Mixed or Multiple ethnic groups	0.3%	0.3%	0.8%
White: English, Welsh, Scottish, Northern Irish or British	83.7%	79.6%	73.5%
White: Irish	0.6%	0.4%	0.9%
White: Gypsy or Irish Traveller	0.1%	0.1%	0.1%
White: Roma	0.1%	0.1%	0.2%
White: Other White	3.1%	2.5%	6.3%
Other ethnic group: Arab	0.2%	0.2%	0.6%
Other ethnic group: Any other ethnic group	0.4%	0.4%	1.6%

Source: Census 2021 (TS021 - Ethnic group)

Table B-5 Household language of population

Household Language	Hyndburn	England
All adults in household have English as a main language	94.2%	89.3%
At least one but not all adults in household have English as a main language	2.8%	4.3%
No adults in household, but at least one person aged 3 to 15 years, has English as a main language	0.6%	1.4%
No people in household have English as a main language	2.4%	5.0%

Source: Census 2021 (TS025 - Household language)

Religion

Table B-6 shows that the percentages of the population who are 'no religion' or Christian are in line with national levels. The most significant percentage of religious minority groups is Muslim, which is more than twice the percentage in Hyndburn than at the national level.

Table B-6 Population by religion

Religion	Study area	Hyndburn	England
No religion	34.4%	28.4%	36.7%
Christian	49.1%	51.0%	46.3%
Buddhist	0.2%	0.2%	0.5%
Hindu	0.0%	0.1%	1.8%
Jewish	0.0%	0.0%	0.5%
Muslim	10.5%	14.7%	6.7%
Sikh	0.1%	0.0%	0.9%
Other religion	0.5%	0.4%	0.6%
Not answered	5.1%	5.2%	6.0%

Source: Census 2021 (TS030 - Religion)

Sexual orientation

Table B-7 provides a breakdown by sexual orientation for Hyndburn. This shows that percentages of sexual orientation groups are on a par with national rates.

Table B-7 Population by sexual orientation

Sexual orientation	Study area	Hyndburn	England
Straight or Heterosexual	89.8%	90.4%	89.4%
Gay or Lesbian	1.4%	1.2%	1.5%
Bisexual	1.0%	1.0%	1.3%
All other sexual orientations	0.2%	0.2%	0.3%
Not answered	7.5%	7.2%	7.5%

Source: Census 2021 (TS077 - Sexual orientation)

Gender reassignment

Table B-8 provides a breakdown of the population by gender identity. This shows similar rates among those whose identity is the same gender as registered at birth, compared with national rates.

Table B-8 Population by gender identity

Gender Identity	Hyndburn	England
Gender identity the same as sex registered at birth	93.6%	93.5%
Gender identity different from sex registered at birth but no specific identity given	0.2%	0.2%
Trans woman	0.1%	0.1%
Trans man	0.1%	0.1%
Non-binary	0.0%	0.1%
All other gender identities	0.0%	0.0%

Source: Census 2021 (TS070 - Gender identity (detailed))



EqualityImpact

Agenda Item 13.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Councillor Clare Pritchard – Transformation and Town Centres	
REPORT AUTHOR:		Steve Riley – Executive Director (Environment)	
TITLE OF REPORT:		Town Centre Levelling Up funded project progress	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	Options	Not applicable	
KEY DECISION:	Options	If yes, date of publication:	

1. Purpose of Report

- 1.1 To update Cabinet on the Levelling Up funded (LUF) town centre projects.

2. Recommendations

- 2.1 That the Cabinet note the progress update as set out in this report.

3. Reasons for Recommendations and Background

- 3.1 The Levelling Up Fund was announced at the 2020 Government Spending Review. Its focus was on capital investment in local infrastructure projects that require up to £20m of funding and builds on prior programmes such as the ‘Local Growth Fund’ and ‘Towns Fund’.

- 3.1.1 In January 2022, Cabinet gave its formal approval in support of the Town Centre Stakeholder Board’s recommendations that the Council’s LUF submission should focus around the following three principal interventions, noting that at the time 2 and 3 were not in the Council’s ownership.
 1. Redevelopment within the Indoor Market Hall and removal of the outdoor pavilions along Peel Street to provide an enhanced food and drink offering alongside traditional market stalls and new leisure offering – the intervention known as Market Hall.
 2. Acquisition and external façade improvements/roof repairs to the properties of 43-59 Blackburn Road / 2-4 Church Street – the intervention known as Market Chambers.
 3. Acquisition and redevelopment to the block 61-69 Blackburn Road to provide for a shared workspace offering – the intervention known as Burtons Chambers.

3.2 Acquisitions

3.2.1 Market Chambers - In total, six freehold and twenty-five leasehold interests have been acquired across the properties 2-4 Church Street and 43-59 Blackburn Road. The first secured in August 2023 and the last in July 2025. A General Vesting Declaration was made by the Council on the 10 February 2026 and notices have been posted around the property subsequent to the confirmation of the Compulsory Purchase Order by the Inspector. Following a 3-month notice period, the Council will register the acquired land as a single title with the Land Registry.

3.3 Phase 1 construction contract

3.3.1 All works procured under the phase 1 contract are complete and the small number of defects identified by the phase 2 contractor have been resolved by the phase 1 contractor and their subcontractors.

3.4 Phase 2 construction contract (fit-out)

3.4.1 The following work headings are instructed:

- Full internal fit-out works to Market Hall and Burtons Chambers, such as floors, walls, ceilings, electrical, mechanical and ventilation systems, decorations, fixtures/fittings etc.
- Installation of a new damp proof protection system to two elevations in Burtons Chambers which are below the external ground level
- Re-covering to the roof of Burtons Chambers
- Further replacement of roof glazing, guttering and safety walkway to the Market Hall roof
- Installation of a Solar Photovoltaic system to the Market Hall roof including any repairs to the existing covering
- External public realm works to Peel Street (reduced scope from the original approved planning application, following extensive surveys which identified the proximity/quantity of utility services and river culvert)

3.4.2 Additional works have been identified as the project has progressed. These being additional asbestos removal, make secure existing floor joists, additional weatherproofing details to roof glazing. Whilst it has been necessary to instruct this work under the phase 2 contract, these costs are being managed within the overall approved budget.

3.4.3 There is no LUF funded work planned to the remaining leaseholder's ground floor external façade in Burtons Chambers, although designs have been future proofed as far as possible to enable the space could be incorporated, the curtain walling system/windows and internal services extended into the redeveloped workspace if/when it becomes vacant and the Council wished.

3.5 Monitoring / Reporting

3.5.1 The quarterly reporting requirement to MHCLG has changed. The Council is now required to report progress every six months, starting from April 2026 and the spending deadline has been extended, from 31 March 2026 to 31 March 2028.

3.5.2 The phase 2 contractor's most recent progress report highlights seventeen different contractors on the project. Of these, seven have head offices in the Merseyside area, four

in Greater Manchester, two in Cheshire/North Wales, two in West Yorkshire and one in Lancashire. Whilst there are no contractors registered address in Hyndburn, twelve operatives working on site live within postcodes BB3, BB4, BB5 and BB12.

3.6 Budget

3.6.1 At the end of the phase 1 contract, the project cost consultants and Council finance team reported £14,336,357 expenditure against £25,416,516 of available funding (£20,000,000 LUF funding, £3,916,516 from Hyndburn Borough Council and £1,500,000 of match funding from Lancashire County Council). This provided a remaining approved budget of £11,080,159 for phase 2 works (plus a separate client contingency of £500,000). At the time of writing the report, the latest cost report produced by the Council's consultants Rihbell and Rider Levett Bucknall, currently estimate an overall phase 2 cost of £11,129,503, which would be a £49,344 overspend and less than 2% of the approved budget. However, there are still twenty-two outstanding Provisional Sums yet to be agreed and instructed. These have a tender estimated contract value circa £1.3m so the overall phase 2 cost could still fluctuate upwards or downwards. The project team and phase 2 contractor are working to have these works agreed and the prices fixed within the coming month.

3.7 Programme

3.7.1 At the time of writing the report, the contractor's programme still showed a working assumption that the construction works to Burtons Chambers will be 'practically complete' by 6 July 2026 and Market Hall by 13 July 2026 (**RIBA 6 – Handover**).

3.7.2 Following the change to leasing the Market Hall, where the Council will now manage the Market Hall day-to-day operations, there is a substantial amount of work for the Council to undertake in promoting and signing up new food and drink traders plus any other general market type traders to compliment the existing traders temporarily decanted to the town square. The Head of Policy and Communications, who is not part of the existing LUF project team, has been asked to lead this work to ensure the Market Hall opens successfully.

3.7.3 Given the time required to secure new tenants and recant the traders from the temporary cabins, it has been agreed that the Market Hall re-opening will align with the Christmas Lights Switch events, on either the 19 or 20 November 2026 (exact day will be agreed nearer the time with market traders). The Council continues to liaise closely with the Burtons Chambers operator to understand the work/timescale they require for testing or any soft launching, but the operator has agreed to open in line with the Market Hall as the temporary cabins will need to have been removed from in front the building's entrance (**RIBA 7 – Use**).

4. Alternative Options considered and Reasons for Rejection

4.1 The report is for updating Cabinet on progress only.

5. Consultations

5.1 Monthly update meeting with Portfolio Holders, updates to Cabinet and progress briefings the existing Accrington Town Centre Stakeholder Board.

6. Implications

<p>Financial implications (including any future financial commitments for the Council)</p>	<p>The Council approved an additional £250,000 of funding to complete the agreed scope of works under the phase 2 contract (this represents a circa 1% increase in the total phase 1&2 LUF budget).</p> <p>The Council approved a £500,000 'Client Contingency' for the phase 2 contract. Any use of this contingency will be at the sole discretion of the Council.</p> <p>The Council has updated its medium term financial strategy MTFP as a result of acknowledging it will need to create a suitable maintenance budget and staffing structure given its responsibilities as a landlord, obligations under the management agreement with Burtons Chambers operator and funding the new in-house Market Hall operations team.</p> <p>Once the temporary market cabins on the town square have been removed some repairs to the existing paving may be needed. At present the work is unknown/uncosted but any repair work will be managed directly by the Council.</p>
<p>Legal and human rights implications</p>	<p>There are no legal and human rights implications from this update report.</p>
<p>Assessment of risk</p>	<p>There is a risk of unforeseen additional costs or client driven changes to the phase 2 works. This is mitigated as far as possible in agreeing a defined scope of works, fixing the costs of works were ever possible, strict procedures to investigate/sign off any claims for additional work/cost incurred by the contractor and where the designs have yet to be finalised/agreed, provisional sums have been market tested to give accuracy and some assurance.</p> <p>There is a risk to the Council of the contractor not completing by their programme date. This is mitigated as far as possible by including</p>

	<p>appropriate levels of liquidated damages. The level of such damages would cover additional costs incurred by the Council such as retaining the client project team, extended cabin hire etc.</p> <p>There is a risk to the Council of the Burtons Chambers operator withdrawing if the project is substantially delayed. This is mitigated as far as possible by regular briefings with the operator on the fit-out specification and project progress.</p>
<p>Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>Not applicable for this report</p>

7. Local Government (Access to Information) Act 1985: List of Background Papers

7.1 Accrington Martel Hall Operator Update – Cabinet December 2025

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=3031&Ver=4>

Levelling Up Funded Projects Update – Cabinet October 2025

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=3030&Ver=4>

Town Centre Levelling Up Funded Project Update – Special Overview & Scrutiny Committee October 2025

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=323&MId=3053&Ver=4>

Town Centre Levelling Up Funded Project Update – Special Overview & Scrutiny Committee February 2025

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=323&MId=2990&Ver=4>

Market Chambers Operating Costs - Cabinet January 2025

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2898&Ver=4>

Appointment of Operator for Burtons Chambers – Cabinet March 24

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2802&Ver=4>

Levelling Up Funded Projects Update - Special Scrutiny Committee March 2024

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2802&Ver=4>

LUF and Other Funding Update – Cabinet February 2024

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2801&Ver=4>

Markets Decant – Cabinet December 2023

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2799&Ver=4>

Market Traders Decant Accommodation – Cabinet October 2023

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2798&Ver=4>

LUF General Update and Operator Procurement – Cabinet September 2023

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2797&Ver=4>

Levelling Up Update – Special Scrutiny Committee July 2023

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=323&MId=2814&Ver=4>

Levelling Up Update – Cabinet June 2023

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2795&Ver=4>

Levelling Up Update – Special Scrutiny Committee March 2023

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=323&MId=2773&Ver=4>

Levelling Up Update – Special Scrutiny Committee December 2022

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=323&MId=2762&Ver=4>

8. Freedom of Information

- 8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

Agenda Item 14.

REPORT TO:		Cabinet	
DATE:		18 March 2026	
PORTFOLIO:		Councillor Clare Pritchard - Transformation and Town Centres	
REPORT AUTHOR:		Kirsten Burnett, Head of Policy and OD	
TITLE OF REPORT:		Accrington Market Hall – Rents and other Terms of Trading	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

- 1.1 To update Cabinet on progress with reopening Accrington Market Hall.
- 1.2 To seek delegated authorities in relation to the setting of market rents, service charges, fees, market regulations and other terms and conditions for trading at Accrington Market

2. Recommendations

- 2.1 That Cabinet grant delegated authority for the Head of Policy and OD to determine rent levels, fees and service charges and the opening arrangements for Accrington Market, in consultation with the Executive Director (Finance) and the Portfolio Holder for Transformation and Town Centres.
- 2.2 That, if proposed rent levels are at a level below market value, the Head of Policy and OD ensures compliance with the Subsidy Control Act 2022, in consultation with the Executive Director (Legal and Democratic).
- 2.3 That Cabinet grant delegated authority for the Head of Policy and OD to agree, set and implement the market regulations and other trading terms and conditions for Accrington Market and to grant the respective traders' leases or other agreements, all in consultation with the Executive Director (Legal and Democratic).

3. Reasons for Recommendations and Background

- 3.1 Accrington Market Hall is one of the key town centre projects largely funded by the Council's Levelling Up allocation, with match funding from a number of sources.
- 3.2 The market traders were decanted to cabins in the Town Square to enable substantial repair, construction and refit works to the Market Hall building. These have been detailed in reports from the Executive Director (Environment) and are now nearing completion. The site is expected to be handed back to the Council from our construction contractors in July 2026.
- 3.3 Following consultation with consultants Barker Proudlove (appointed in line with Cabinet report in December 2025) and the Portfolio Holder for Transformation and Town Centres, a proposed reopening date has been set for mid-November. This was to allow time for recruiting and agreeing leases with traders / food and drink operators and to recant traders from the Town Square back into their new Market Hall units / stalls.
- 3.4 The Council (with Barker Proudlove) is looking to move forward on detailed discussions (with clear information on rent levels) with existing traders. This will establish which traders will be moving onto new leases, on the Market's reopening. Following these discussions, there will be a clear picture of any gaps, both in terms of number and type of traders. Recruitment of new traders will then take place, led by Barker Proudlove.
- 3.5 At the same time as discussions begin with existing traders, Barker Proudlove will seek potential new food and beverage operators, including a bar operator. There are no existing food and beverage operators in the temporary Town Square market.
- 3.6 The Council will shortly receive specialist external advice on the estimated costs of running the Market. This has been a new piece of work since the Council decided to run the Market in house, rather than through an outsourced model as was previously planned. This advice will outline the estimated actual costs per square metre, alongside a picture of the commercial "going rates" for similar provision in towns bearing similar economic characteristics. This advice will inform decisions as to rent levels (including service charges).
- 3.7 In the past, rent levels have been subsidised and if this continues to be the case, the Council will need to ensure it is compliant with subsidy control rules.
- 3.8 Recruitment to a new post of Town Centre Venues Manager is underway. The objectives of this role will be to:
 - *Create a vibrant destination venue:* Transform Accrington Market Hall into a thriving visitor destination and community hub that drives footfall throughout opening times during the week, including evenings and weekends, creating economic activity and social value in the town centre
 - *Deliver exceptional programming and activation:* Develop and implement an innovative year-round programme that includes food and drink events, live entertainment, family

activities, cultural celebrations and special markets, creating compelling reasons for people to visit, stay longer and return regularly

- *Maximise commercial performance:* Drive income growth through strategic trader management, diverse food and beverage operations, new revenue streams, partnership development and commercial innovation whilst maintaining community focus and accessibility
- *Champion place-making:* Position the Market Hall as a catalyst to support Accrington's regeneration, working collaboratively with town centre partners to create a distinctive and cohesive visitor experience that supports the evening and weekend economy
- *Build community connections:* Ensure the Market Hall serves diverse community needs through inclusive programming that balances social value with commercial viability, demonstrating that community benefit and financial sustainability strengthen rather than compete with each other

3.9 There is an internal cross-service project team working on the reopening plans, as well as advice and services commissioned via Barker Proudlove.

4. **Alternative Options considered and Reasons for Rejection**

4.1 N/a

5. **Consultations**

5.1 As set out in recommendations.

6. **Implications**

Financial implications (including any future financial commitments for the Council)	The recent annual Council budget set aside provision of £300k per annum for the in-house operation of Accrington Market.
Legal and human rights implications	It is likely that the intention will be for most traders within the Market Hall to trade on fixed term leases for terms of up to 3 years. The statutory powers pursuant to s123 of the Local Government Act 1972 would be applicable to those lettings. Lettings for term of up to 7 year would be considered a 'short tenancy' for the purposes of s123 Local Government Act 1972 and as such the consent of the Secretary of State is not required even if the rent is discounted and

	<p>considered to be at an undervalue. Terms in excess of 7 years would either need to be at best consideration or with the consent of the Secretary of State. However, Secretary of State approval is unlikely to be required for tenancies at an undervalue as the General Disposal Consent permits the same if the Council considers that the purpose of the disposal is likely to achieve the promotion or improvement of one or more of either economic well-being: social well-being or environmental well-being of the area or persons resident in it.</p> <p>Should a lease rent be discounted this maybe considered to be a subsidy for the purposes of the Subsidy Control Act 2022 and the procedures for awarding subsidies pursuant to that Act would need to be considered and followed.</p>
Assessment of risk	<p>In setting rent levels and other charges and terms, it will be important to strike an appropriate balance between the actual service cost, market rates, and what will ensure the Market is as close to full as possible, with the right trader and operator mix to support those businesses and serve our community. Rents which are too high make void units at reopening more likely, while setting them too low creates subsidy control issues and long-term financial pressure on Council budgets.</p>
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	<p>Work on rents and trader selection will include ensuring the Market is accessible to a diverse range of traders and serves the needs of the whole community, as far as possible.</p>

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

Cabinet Report March 2025 - Appointment of the operator and granting of a lease for Accrington Market Hall

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2900&Ver =4>

Cabinet Report March 2025 - Market Trader Rent/Licence Fee Concessions

<https://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=2900&Ver=4>

Cabinet Report December 2025 - Accrington Market Hall Operator Update

<https://democracy.hyndburnbc.gov.uk/documents/s22227/Accrington%20Market%20Hall%20Operator%20-%20Main%20Report.pdf>

Cabinet Report February 2026 - Market Trader Rent/Licence Fee Concessions

<https://democracy.hyndburnbc.gov.uk/documents/s23362/Market%20Trader%20Rent%20Licence%20Fee%20Concessions%20-%20Main%20Report.pdf>

8. Freedom of Information

- 8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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