
COUNCIL

Thursday, 20th May, 2021

Present: Councillors Judith Addison, Dominik Allen, Mohammad Ayub, Noordad Aziz, Peter Britcliffe, Andrew Clegg, Loraine Cox, Paul Cox, Munsif Dad BEM JP, Diane Fielding, Melissa Fisher, June Harrison, Marlene Haworth, Susan Hayes, Carole Haythornthwaite, Eamonn Higgins, Michael Hindley, Terry Hurn, Abdul Khan, Chris Knight, Sajid Mahmood, Patrick McGinley, Michael Miller, Jenny Molineux, Caroline Montague, Tim O'Kane, Dave Parkins, Bernadette Parkinson, Miles Parkinson OBE, Joyce Plummer, Kath Pratt, Paddy Short, Steven Smithson and Kate Walsh

Apologies: Councillors Josh Allen

The meeting was opened by the retiring Mayor, Councillor June Harrison.

1 Election of Mayor 2021/22

It was proposed by Councillor Marlene Haworth and seconded by Councillor Miles Parkinson OBE, that Councillor Kath Pratt be elected Mayor of the Borough of Hyndburn for the Municipal Year 2021/22.

Resolved - **That, in pursuance of Section 23 of the Local Government Act 1972, Councillor Kath Pratt be elected to the Office of Mayor of the Borough of Hyndburn for the Municipal Year 2021/22.**

The retiring Mayor, Councillor June Harrison and the newly-elected Mayor, Councillor Kath Pratt left the meeting.

Following a short adjournment, Councillor Pratt took her place in the Mayor's Seat and the retiring Mayor attached the Mayoral Fob to the Chain now worn by the newly-elected Mayor. She also presented the new Mayor with a bouquet of flowers. Councillor Pratt then read and signed the Declaration of Acceptance of Office of Mayor.

Mr David Welsby, Chief Executive, indicated that, due to the pandemic, instead of a Mayor Making Council meeting taking place within the next few days, a ceremonial event would be held later in the year to welcome the new Mayor.

2 Election of Deputy Mayor 2021/22

The Mayor invited nominations for the election of Deputy Mayor of the Borough of Hyndburn for the Municipal Year 2021/22. It was proposed by Councillor Miles Parkinson OBE and seconded by Councillor Marlene Haworth that Councillor Abdul Khan be elected to the Office of Deputy Mayor.

Resolved - **That, in pursuance of Section 23 of the Local Government Act 1972, Councillor Abdul Khan be**

elected to the Office of Deputy Mayor of the Borough of Hyndburn for the Municipal Year 2021/22.

Councillor Khan read and signed the Declaration of Acceptance of Office of Deputy Mayor.

3 Apologies for absence

Apologies for absence were submitted on behalf of Councillor Josh Allen.

4 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations submitted.

5 Announcements

(a) Votes of Thanks

The Leader of the Council, Miles Parkinson OBE, thanked the retiring Mayor and Mayoress for their service, which had seen them carry out splendid work with numerous voluntary groups and associations. The work was a joyful task and would create lasting memories. The mayoral year had started well, but had then been interrupted by the emergence of the pandemic. Nevertheless, a large amount of funding had been raised with the support of the Mayoral Committee of volunteers. The incoming Mayor would now continue this important work.

The Leader congratulated Councillor Pratt and was confident that she would be a splendid ambassador for the Borough, both within Lancashire and across the rest of the country.

Councillor Joyce Plummer, the retiring Mayoress, thanked the retiring Mayor and indicated that she had experienced a fantastic time while meeting businesses and individuals across the Borough. She also thanked the Mayoral Committee.

Councillor Marlene Haworth echoed the comments made by the Leader of the Council. She acknowledged that the Mayor and Mayoress had carried out their role with courage and dignity. She praised them for their work.

The Mayor presented to the retiring Mayor, Councillor June Harrison, her Past Mayor medal and a bouquet of flowers. The Mayor also presented a Past Mayoress medal and bouquet of flowers to Councillor Joyce Plummer.

Councillor Harrison thanked the members of her Mayoral Committee, without whom the Mayor's Charity would have been unable to raise the amount of money it had achieved.

The Mayor gave a vote of thanks to the retiring Mayor, citing her dignity and enthusiasm, as well as her success in raising awareness of key issues and as an ambassador for the Borough. She also thanked the Mayoress who, despite of a serious injury early in her role, had persevered with her duties. Both office-holders were a credit to Hyndburn and had carried on their work into a second term of office due to COVID 19. The Mayor indicated that it was a pleasure to take on board the role and she expressed a sincere hope that she would be able to follow the example of her predecessor.

(b) Thanks to Council Staff

The Leader of the Council announced that he wished to acknowledge the hard work of all Council departments during the pandemic of the last 12 months. He would be pleased to give something back to the staff who had worked so hard. Accordingly, full time staff would receive an extra two days leave in 2021/22, with a pro rata amount for part time staff.

(c) Israel and Palestine

The Leader referred to the current escalation of violence in Israel and Palestine and expressed a desire for the hostilities to come to an end and for basic humanity to prevail. The current situation had resulted in unacceptable loss of life.

(d) Welcome to New Councillors

The Leader welcomed the newly elected councillors to Hyndburn Council and their first meeting.

(e) Leadership Decision

Councillor Parkinson OBE expressed gratitude that his position as Leader of the Labour Group and Leader of the Council had recently been confirmed. He was now looking forward to working with all partners across the Borough.

(f) Public Interest Statement

The Leader reported that an allegation had been brought to his attention that at the Election Count an approach had been made to an existing councillor to join the Labour party and that the individual had been offered a role as a committee chair in exchange for joining the party and voting for Melissa Fisher in the Labour leadership contest. The Leader considered that the allegation was of a serious nature and should be investigated as this could have undermined the leadership decision. In addition, since the position of committee chair attracted a special responsibility allowance he considered it important to refer the matter for further investigation in order to determine whether this might constitute an improper financial inducement. The Leader indicated that he would raise matters within the Labour party and called for his concerns to be referred to the appropriate authorities for further investigation.

Councillor Patrick McGinley indicated that he was the councillor approached to join the Labour party and made a statement in which he set out the circumstances of the alleged incident. He confirmed that, after considering the matter, he had declined the offer made to him. He indicated that he would be prepared to make a full statement to any investigation.

Councillor Melissa Fisher stated that the allegation had come as a shock to her and stressed that she had no knowledge of any offers made to individuals to secure support in the Labour Leadership contest.

6 **Confirmation of Minutes**

The Minutes of the meeting of the Council held on 26th March 2021 were submitted for approval as a correct record.

Resolved - **That the Minutes of the Council meeting held on the 26th March 2021 be approved as a correct record.**

7 **Declaration of the Returning Officer for the Local Elections on 6th May 2021**

The declaration of the Returning Officer of those elected at the local elections held on 6th May 2021 was submitted as follows:-

Electoral Ward	Name and Address of Elected Councillor	Party
Altham	Dominik Allen 26 Moorfield Drive, Clayton-le-Moors, Accrington, BB5 5WG	Conservative
Barnfield	Caroline Montague 61 Avenue Parade Accrington, BB5 6PN	Labour
Baxenden	Terry Hurn 64 Oakwood Road Baxenden Accrington, BB5 2PG	Conservative
Central	Abdul Khan 29 Lister Street Accrington, BB5 1TA	Labour
Church	Sajid Mahmood 20 Portland Street, Accrington, BB5 1RH	Conservative
Netherton	Noordad Aziz 14 Greaves Street Great Harwood, BB6 7DY	Labour & Co-operative
Overton	Michael Hindley 27 Commercial Road Great Harwood, BB6 7HX	Labour & Co-operative
Peel	Paddy Short 61 Avenue Parade Accrington, BB5 6PN	Labour
Rishton	Carole Haythornthwaite 29 Cliffe Lane, Great Harwood, BB6 7PG	Conservative
St Andrews	Peter Britcliffe 106 New Lane, Oswaldtwistle, BB5 3QW	Conservative
St Andrews (Term of Office to 2022)	Steven Smithson 30 Willow Park, Oswaldtwistle, BB5 3QY	Conservative
St Oswalds	Susan Hayes Rose Cottage, High Street, Oswaldtwistle, BB5 0NS	Conservative
Spring Hill	Munsif Dad BEM JP 49 Monk Street Accrington, BB5 1SS	Labour

Resolved - **To note the list of councillors elected on 6th May 2021.**

8 Appointment of Committees, Sub-Committees, Panels and Working Groups and Notification of Cabinet Appointments 2021/22

The Leader of the Council submitted proposals for the appointment of Committees, Sub-Committees, Panels and Working Groups for the Municipal Year 2021/22, including the Terms of Reference for those bodies. Proposals for membership of those bodies were tabled at the meeting.

Resolved

- (1) That the Terms of Reference of Council, Cabinet and other constituted bodies as outlined in Appendices 1 and 2 of the report be approved; the bodies listed at paragraph 5.1 be disestablished; and the Council's Constitution (Part 3 – Responsibility or Functions) be amended accordingly;**
- (2) That the political composition of those Committees and Sub-Committees of the Council, as set out in Paragraph 4.5 of the report, be approved;**
- (3) That the membership of those Committees and Sub-Committees and the proposed Chairs and Vice-Chairs, as set out in the Appendix tabled at the meeting, be approved;**
- (4) That the membership of Panels and Working Groups, together with the proposed Chairs, as set out in the Appendix tabled at the meeting, be approved;**
- (5) That the membership of Cabinet and the allocation of Portfolio responsibilities for 2021/22, as set out in the Appendix tabled at the meeting, be noted; and,**
- (6) That a Councillor unable to attend a meeting of which he/she is a member, be authorised to appoint a Councillor not serving on that particular Committee, Sub-Committee, Panel or Working Group to act as a substitute in accordance with Council Procedure Rule A26.8.**

9 Appointments to Outside Bodies

A report relating to the appointment of Council representatives to Outside Bodies and Organisations for the Municipal Year 2021/22 was submitted for approval. The report included information on the bodies proposed for deletion, addition or variation in connection with the list. The proposed appointments were tabled at the meeting as Appendix A to the report.

In accordance with the Council's Procedure Rule A1.2(x), the Council was required to receive nominations and make appointments to outside bodies and organisations, except where appointment to those bodies had been delegated by the Council or was exercisable only by the Executive.

Resolved

- That the appointments to Outside Bodies and Organisations for the Municipal Year 2021/22, as set out in Appendix A to the report as tabled at the meeting, be approved.**

10 Timetable of Meetings 2021/22

The proposed Timetable of Meetings for 2021/22 was submitted for approval. It was reported that the Council meeting scheduled for November 2021 should read 18th November (not 16th).

Resolved - **That, subject to the above mentioned amendment, the Timetable of Meetings for 2021/22 be approved.**

11 Nominations for the Title of Honorary Freeman

A report was provided seeking approval to the conferment of the title of Honorary Freeman of the Borough of Hyndburn on Mr Rennie Pinder and Ms Stacy Walsh.

Mr Rennie Pinder

It was proposed to nominate Mr Rennie Pinder to receive the title of Honorary Freeman of the Borough. Mr Pinder was a long-serving member of Altham Parish Council and had been the Chair of the Parish for a significant number of years, rendering eminent services to the parish and wider Borough of Hyndburn.

Ms Stacy Walsh

It was proposed to nominate Ms Stacy Walsh to receive the title of Honorary Freeman of the Borough. Ms Walsh was a key figure within the Hyndburn Food Bank which worked to support hundreds of local residents in need and had been particularly active during the Coronavirus pandemic in ensuring the most vulnerable families across the Borough had enough food to eat and essential supplies for a daily life. Her efforts in this voluntary role demonstrated that she had rendered eminent services to the Borough of Hyndburn.

The title of Honorary Freeman would recognise the achievements and services of both Mr Pinder and Ms Walsh.

A vote was then taken, which was passed by not less than two thirds of the members present who voted on it.

Resolved

- (1) That in accordance with Section 249(5) of the Local Government Act 1972, Mr Rennie Pinder and Ms Stacy Walsh be conferred with the title of Honorary Freeman of the Borough and be presented with the award at the Mayor's Celebratory Luncheon proposed to be held on 21st August 2021, or should that not prove possible due to the unavailability of the recipients, at some stage during the remainder of the Municipal Year 2021/22.**
- (2) That the Chief Executive, in consultation with the Leader of the Council, be authorised to make the necessary arrangements.**

12 Record of Attendance at Council Meetings 2019/20 - 2020/21

A report relating to the annual attendance of Members at Council meetings held in 2019/20 and 2020/21 was submitted for information. The report detailing the attendance of

Councillors at eligible meetings of the Council was submitted each year to the Annual Meeting of the Council.

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

13 Annual Review of the Planning and Licensing Codes of Practice

A report seeking approval of the Planning and Licensing Codes of Practice following an annual review of the same was submitted. Local Authorities were recommended, as a matter of good practice, to supplement their Member Code of Conduct with specific Codes of Practice to assist Members involved in the planning and licensing processes. These were complex areas, involving quasi-judicial decision-making and the codes were designed to give members guidance about dealing with the difficult issues that could arise – such as conflicts of interest, dealing with applicants, possible bias and predetermination etc.

There were only a few, minor changes to the codes proposed this year. The changes were intended to:

- better explain the Council’s requirements in respect of possible predetermination of applications;
- make the documents clearer to read; and
- alert members to possible predetermination issues that might arise from their use of social media.

Following a recommendation of the Member Learning & Development Panel in 2016, members sitting on Planning and Licensing / Judicial Committees were required to have undergone training before they served on the Committee and took part in decision making.

It was intended that all members serving on the Planning, Licensing and Judicial Committees would receive training in respect of their respective code of practice as soon as possible after approval of the codes of conduct. These sessions would be as short and informal as possible and would be delivered by Legal Services staff and their Planning and Licensing colleagues at no additional cost to the Council.

- Resolved**
- (1) That Council approves the planning code of practice and licensing code of practice as appended to the report;**
 - (2) That Council notes that training will be arranged for all members of the Planning and Licensing Committees in respect of their respective code of practice as soon as possible in the new municipal year.**

14 Review of the Constitution

A report on the annual review of the Council’s written Constitution was submitted.

The Council’s Constitution had been updated on a number of occasions during 2020/21 to take account of the ongoing Covid pandemic. The Virtual Meeting Procedure Rules had been adopted, and updated several times, as the Council commenced, and became increasingly familiar with, virtual meetings. The legal power to hold virtual meetings had now lapsed and the Virtual Meeting Procedure Rules had ceased to have effect.

In 2019 the Committee of Standards In Public Life had published a report entitled “Local Government Ethical Standards”, which made a range of recommendations in respect of councillor codes of conduct. Those recommendations were summarised in Appendix 1 to the report, alongside a summary of the Council’s performance against each one of them. Work on implementation of the various recommendations had been halted at the start of the Covid pandemic, when all efforts focussed on the Council’s response to the same.

In June 2020 the LGA had begun work on a model code of conduct for members and this had now been published. There was no national councillor code of conduct and each Council was able to adopt its own, leading to varying standards and expectations across the country. The LGA model code was an attempt to set out a minimum set of obligations for councillors to promote public confidence in local governance arrangements. In light of those developments, the Council’s Standards Committee had agreed in October 2020 to review the Council’s Member Code of Conduct during the 2021/22 municipal year. This work would begin shortly and any recommendations to change the existing Code of Conduct would be presented to Council for approval in due course.

A more general review of the Constitution would be conducted alongside the review of the Code of Conduct and, again, any proposed changes to the Constitution would be presented to full Council for consideration and approval.

Resolved

- **That Council:**

- (1) Notes that the Virtual Meeting Procedure Rules no longer have effect;**
- (2) Notes that the various elements of the Council’s Constitution, including the Member Code of Conduct, will be reviewed during 2021/22 and that further reports will be submitted to Council in due course.**

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed