
COUNCIL

Thursday, 23rd March, 2023

Present: Councillor Abdul Khan (Mayor), Councillors Judith Addison, Josh Allen, Mohammad Ayub, Noordad Aziz, Scott Breton, Peter Britcliffe, Danny Cassidy, Andrew Clegg, Loraine Cox, Paul Cox, Munsif Dad BEM JP, Bernard Dawson MBE, Peter Edwards, Melissa Fisher, June Harrison, Marlene Haworth, Susan Hayes, Carole Haythornthwaite, Eamonn Higgins, Terry Hurn, Zak Khan, Sajid Mahmood, Patrick McGinley, Colin McKenzie, Caroline Montague, Miles Parkinson OBE, Joyce Plummer, Paddy Short, Steven Smithson and Kimberley Whitehead

Apologies: Councillors Dominik Allen, Jodi Clements, Kath Pratt and Kate Walsh

351 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Dominik Allen, Jodi Clements, Kath Pratt and Kate Walsh.

352 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations notified.

353 Announcements

The Mayor made the following announcements:

1) Thanks

The Mayor indicated that this was his last full meeting in the chair and commented on how much he had enjoyed the honour of serving as Mayor. The role had allowed him to enjoy many fabulous experiences and to meet so many fantastic people along the way.

The Mayor thanked fellow councillors and the Council's staff, as well as a number of people who had been central to his successful year, including members of his charity committee, the Chief Executive and Executive Director Legal and Democratic Services.

He wished good luck to those councillors who would be seeking re-election in May and best wishes to those who intended to retire. He also wished his successor, Councillor Terry Hurn well for his term of office in 2023/24.

2) Mayor's Ball

The Mayor expressed delight at seeing so many councillors at his Mayor's Ball earlier in the month, which had been an excellent occasion. He gave a special mention to Scott Dawson Advertising for their organisation and support. Everyone had had a super time and, of course, the real purpose of the Ball had been to raise funds for the Mayor's four chosen

charities. It was estimated that in the region of thirteen thousand pounds had been raised for local good causes.

Councillor Miles Parkinson OBE, Leader of the Council, briefly congratulated the Mayor on his year in office before making the following announcements.

3) Elections

The Leader noted that Councillor Eamonn Higgins had announced that he would retire following the Elections and he wished him well. The Leader also confirmed that he would stand for office again. He wished other councillors well for the future and thanked them for their hard work.

4) Huncoat Garden Village

The Leader mentioned that he had provided an update yesterday at the Cabinet meeting on the Huncoat Garden Village proposals. He had reported that, following the Cabinet's approval to progress this project, a bid had been submitted to Homes England for some £30m funding. Their National Investment Panel Executive had recently endorsed the case for the project and it would now proceed to the second stage, during which a detailed assessment would be undertaken. If approved, the project would deliver some 1,800 new homes over a 15 year period. Their final decision was expected during the summer. The current announcement was no guarantee as to the future success of the bid, but was an important step towards the Council's ambitious grand plan.

The Chief Executive then praised the Mayor and recounted the excellent working relationship that had been enjoyed by both throughout this mayoral year.

354 Confirmation of Minutes

The Minutes of the Council Budget meeting held on 23rd February 2023 were provided.

Resolved

- **That the Minutes of the Council Budget meeting held on 23rd February 2023 be approved as a correct record.**

355 Question Time

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

356 Draft Pay Policy 2023/24

Members considered a report of Councillor Joyce Plummer, Portfolio Holder for Resources, regarding a draft Pay Policy for 2023/24.

The Leader highlighted that the report confirmed that the Council's lowest paid employees received the Foundation Living Wage, that the salaries of the Chief Executive and Corporate Management Team were determined by proper procedures and provided for the retention of long-serving and well respected individuals and that the pay award for other staff was determined in accordance with national agreements. Councillor Munsif Dad added that the Council's employees were critical to its success and worked hard.

Councillor Plummer provided a brief summary of the report. The Localism Act 2011 required all local authorities to set out various pieces of information relating to the

remuneration of its employees. The Policy had to be approved by the Council in open forum, by the end of March each year and then be published on its website.

Accordingly the Pay Policy document was produced on an annual basis and included:

- The pay structure of the Council and how it was set.;
- A link to the Council's statement of accounts where details of the pay grade for posts defined as Chief Officer and the accompanying allowances were listed;
- The relationship between the salaries of the CEO and other employees;
- Details of the lowest paid posts within the Council. At Hyndburn, the lowest paid staff were paid the Foundation Living Wage;
- Employer's Pension Contribution details; and
- Termination of employment payments.

The national pay negotiations were not yet concluded for 2023 so any increases, if agreed, were likely to be backdated to April 2023.

Resolved - **That the draft Pay Policy be agreed and be published on the Council's website.**

357 The Scheme of Delegation 2022/23 to take account of the Elections Act 2022

Members considered a report of Councillor Miles Parkinson OBE, Leader of the Council, seeking approval to amend the scheme of delegation of non-executive functions to officers for 2022/23 to take account of the provisions of the Elections Act 2022.

It was good practice to review the scheme of delegation regularly to keep it up to date. This helped to ensure that the Council's decision-making processes operated as effectively as possible and in accordance with legal requirements. The scheme was updated annually at the Council's Annual Meeting and also as required to take account of changes in legislation.

The proposed amendment to the scheme of delegation for 2021/22 was set out in Schedule 1 to the report and related to the changes made to the election process by the Elections Act 2022. The Act imposed additional statutory responsibilities on the Electoral Registration Officer and the Returning Officer. Those were statutory roles currently held by the Executive Director (Legal & Democratic Services). Council's attention was particularly drawn to the new requirement for all voters to produce evidence of identity in the polling station before they could be issued with a ballot paper and the requirement for the issue of electoral identity cards by the Electoral Registration Officer, as these provisions were now in force and would apply at the upcoming May local elections. The amendment was intended to ensure that officers had the necessary power to administer the upcoming elections in accordance with the new legal requirements.

The report also included a summary of the Elections Act 2022. The Council's website contained a list of the acceptable forms of voter ID and a detailed explanation of the process for applying for an electoral identity document.

Resolved - **That Council agrees amend the scheme of delegation to officers by adding the additional delegation to the Executive Director (Legal & Democratic Services) as set out in Schedule 1 to the report.**

358 Nominations for the Title of Honorary Freeman

Members considered a report of Councillor Miles Parkinson OBE, Leader of the Council, seeking approval for the conferment of the title of Honorary Freeman of the Borough of Hyndburn on Ms Catherine (Cath) Holmes and Mr Jawid Hussain.

Ms Cath Holmes

Accrington resident, Cath, had been involved in numerous projects across the Borough and had volunteered on several groups over a long period of time. She had been improving Hyndburn's Green spaces for over 20 years.

Cath was currently chair of the Hyndburn Green Spaces Forum, which had been instrumental in helping the authority to improve many of the Borough's parks and open spaces and had resulted in Hyndburn receiving no less than 10 prestigious Green Flag Awards. Her work with the Forum would continue to drive improvements and bring in funding for residents, such as the development of the new play area and recreation space underway in Knuzden

Cath was also involved in the Prospects Foundation and Hyndburn Federation of Allotments, and was a keen supporter of Hyndburn's historical heritage and, in particular, the Accrington Pals.

Cath's work in numerous voluntary roles and her work to improve the natural environment demonstrated that she had rendered eminent service to the Borough of Hyndburn.

Mr Jawid Hussain

Accrington resident and entrepreneur, Jawid, was a key figure within local business and the wider Hyndburn community.

Jawid had found success as one of the founders of Blackburn-based Accrol Papers in 1998, but had stood aside from running its successor Accrol UK in 2016 when it was floated on the Stock Market. However, he remained active in the world of business as a director of companies including Nisiac, JH Estent and Acsini Investments. His business connections with Hyndburn continued, as his family's company JH Estent Ltd bought Hyndburn Council's shares in Globe Enterprises in 2020. The company remained committed to securing further long-term private sector investment to create jobs and wealth within the Borough.

Jawid was also a founder member and a remained a patron of the iconic Raza Jamia Masjid, which, as well as supporting the Muslim community as a place of worship, had achieved so much in serving the needs of the whole community both before, during and after the pandemic. This £8.3m facility, which had opened in 2017, was used for conferences, business meetings, educational workshops and everything from first aid training to functions.

Jawid was also a trustee of the JMWM Hussain Foundation, a charity whose aim was to advance such charitable purposes as the trustees saw fit from time to time, in particular by providing grants.

Jawid's contribution to business, the local community and his charitable works demonstrated that he had rendered eminent service to the Borough of Hyndburn.

The Leader noted the achievements of the two nominees and indicated that there would be an opportunity to say more at the Mayor Making Meeting later in the year. Councillor Dad

added that both nominees had firmly made their mark in the voluntary sector and he hoped that the honours would be a suitable reward for their efforts.

Resolved

- (1) **That in accordance with Section 249(5) of the Local Government Act 1972, Ms Catherine Holmes and Mr Jawid Hussain be conferred with the title of Honorary Freeman of the Borough and be presented with the award at the Mayor Making Council on 27th May 2023, or should that not prove possible due to the unavailability of the recipients, at some stage during the remainder of the Municipal Year 2023/24.**
- (2) **That the Chief Executive, in consultation with the Leader of the Council, be authorised to make the necessary arrangements.**

359 Minutes of Cabinet

The minutes of the meetings of Cabinet held on 25th January and 8th February 2023 were submitted.

Resolved

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

360 Minutes of Committees

The Minutes of the following meetings were submitted:

Meeting (Municipal Year 2022/23)	Date
Audit Committee	28 th November 2022
Resources Overview and Scrutiny Committee	15 th December 2022
Standards Committee	19 th December 2022
Management Review Committee	17 th January 2023
Planning Committee	18 th January 2023
Licensing Sub-Committee	31 st January 2023
Planning Committee	15 th February 2023
Resources Overview and Scrutiny Committee	16 th February 2023

Resolved

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

361 Motion(s) submitted on Notice

1) Motion Submitted on Notice – Levelling Up Bid Outcome

The following motion was proposed by Councillor Peter Britcliffe and seconded by Councillor Peter Edwards under Council Procedure Rule A9:-

“That this Council wishes to put on record and write to the MP and stakeholders regarding the successful levelling up fund bid outcome and to thank them for their involvement in securing this historic investment.”

Councillor Britcliffe commented that, not long ago, the public, traders and some councillors had said that Accrington was in decline. However, the Council had subsequently announced that it had developed a plan and this had started to come to fruition over the last

few months. Closer working between the Conservative group, the MP, stakeholders and independent councillors had prompted positive change. The Council was no longer managing decline, but was overseeing regeneration. Residents and businesses previously felt ignored, but now they felt engaged and enthusiastic. Citizens would no longer feel that Hyndburn was falling behind other towns and cities. Over £20m of investment had already been brought into Accrington.

Councillors Zak Allen, Josh Allen, Marlene Haworth and Patrick McGinley all spoke in support of the level of funding achieved and the ambitious project that would be delivered. Councillors Melissa Fisher, Colin McKenzie, Bernard Dawson MBE and Noordad Aziz were also pleased to see the investment being made, but had some concerns or observations, as indicated below.

- Uncertainty expressed by some members of the public over the viability of the food court plans for the Market Hall;
- A comment that the grant funding provided was insignificant compared to the overall funding lost from the Revenue Support Grant since 2010;
- Lack of direct funding for the townships from Levelling Up monies;
- An overarching need to create social mobility and economic prosperity within the Borough in order to provide the footfall necessary for the longevity of existing and new town centre businesses; and
- The need for an anchor attraction or amenity within the town centre to generate greater footfall.

There was an acknowledgment that the Levelling Up bid had needed to be tailored to the funding criteria to maximise potential for the bid to be successful and that there was much more that could be done if additional investment was realised in the future. The plans were not just about the Market Hall, but involved two other key town centre buildings which would provide office space and a culture and heritage centre. It was estimated that some £41m in total could flow into the Borough from other sources, including from Lancashire County Council.

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

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

For the Motion

Councillors Abdul Khan (Mayor), Judith Addison, Josh Allen, Mohammad Ayub, Noordad Aziz, Scott Brereton, Peter Britcliffe, Danny Cassidy, Andrew Clegg, Loraine Cox, Paul Cox, Munsif Dad BEM JP, Bernard Dawson MBE, Peter Edwards, Melissa Fisher, June Harrison, Marlene Haworth, Susan Hayes, Carole Haythornthwaite, Eamonn Higgins, Terry Hurn, Zak Khan, Sajid Mahmood, Patrick McGinley, Colin McKenzie, Caroline Montague, Miles Parkinson OBE, Joyce Plummer, Paddy Short, Steven Smithson and Kimberley Whitehead

Against the Motion

None

Abstentions

Councillors Noordad Aziz, Scott Brereton, Bernard Dawson MBE and Colin McKenzie

Accordingly, the **MOTION** was **CARRIED** and it was:-.

Resolved

- **That this Council wishes to put on record and write to the MP and stakeholders regarding the successful levelling up fund bid outcome and to thank them for their involvement in securing this historic investment.**

2. Motion Submitted on Notice – Future Use of Mercer Hall

The following motion was proposed by Councillor Carole Haythornthwaite and seconded by Councillor Peter Edwards under Council Procedure Rule A9:-

“That the Council resolves to continue working together with the residents of Great Harwood, the Leisure Trust and fellow councillors across the parties to seek the best possible use for Mercer Hall, for the benefit of the Borough.”

Councillor Haythornthwaite commented that Mercer Hall was a beautiful and significant building in Great Harwood town centre. However, the Council was coming to terms with the fact that it was no longer viable as a swimming pool. Accordingly, the local community were being invited to put forward ideas for its future use. Funding was available for the repurposing of the building.

Councillors Marlene Haworth, Munsif Dad BEM JP, Miles Parkinson OBE and Zak Khan spoke in favour of the motion and reiterated that residents needed to engage with the Council about its future use and that councillors should work together to determine the optimum solution. Councillor Andrew Clegg outlined a need for a live music venue in the area which could be one possible use. Councillor Noordad Aziz noted that Mercer Hall could be Great Harwood's jewel in the crown, with appropriate investment. Councillor Colin McKenzie expressed the view that consultation with residents needed to be meaningful and this view was endorsed Councillor Scott Breton, who also urged Members to continue to consider alternative sites for a swimming pool in Great Harwood.

On being put to the vote the **MOTION** was **APPROVED**.

Resolved

- **That the Council resolves to continue working together with the residents of Great Harwood, the Leisure Trust and fellow councillors across the parties to seek the best possible use for Mercer Hall, for the benefit of the Borough.**

3. Motion Submitted on Notice – Improvement of Parks and Green Spaces

Councillor Kimberley Whitehead declared a personal interest in the following item, as secretary to Hyndburn Green Spaces Forum.

The following motion was proposed by Councillor Zak Khan and seconded by Councillor Loraine Cox under Council Procedure Rule A9:-

“That this Council resolves to continue to seek external funding to improve our parks and green spaces across Hyndburn.”

Councillor Zak Khan provided a brief introduction to the motion and observed that the Council was doing some great work in its parks and open spaces. Hyndburn had the

largest proportion of public green space in Lancashire. Work was on-going on projects such as the new country park at Bury Meadows, Oswaldtwistle, and various planned improvements to local parks. He thanked Councillor Steven Smithson, Portfolio Holder for Environmental Services, and his predecessor Councillor Paul Cox for their efforts. He also commented that the Borough was fortunate that the Prospects Foundation, a community owned environmental charity, was based in Hyndburn.

Councillors Sajid Mahmood, Paul Cox, Colin McKenzie, Steven Smithson, Munsif Dad BEM JP, Noordad Aziz, June Harrison and Loraine Cox all spoke in favour of the motion. Some observations made were as follows:

- The relevant Portfolio Holder had been working to introduce a weekend burial service in the Council's cemeteries;
- A new cricket pitch was due to be installed at Bullough Park next month;
- Acknowledgement that much of the groundwork for the successes in the Borough's parks and open spaces had been developed over a long period of time and with the involvement and support of the various 'Friends of' groups and other bodies and by maximising external funding;
- The need to improve accessibility for disabled people wherever possible;
- There were some good examples of cross-party working to improve park facilities;
- Thanks was expressed to the Council staff who worked hard to maintain these green spaces;
- An aspiration to develop some open space in Accrington West during its regeneration, but which had, unfortunately, not been realised;
- The need to bring in external funding, such as monies from the Woodland Trust;
- The possible use of legacy Area Council funding to improve facilities;
- On-going discussions between Play4Uz2 and Hyndburn Leisure about the possible provision of play facilities for disabled children and young adults and a possible dedicated facility at Wilson Playing Fields; and
- A list of the individual improvements made in 2022/23 and those proposed for 2023/24 was provided.

Councillor Zak Khan summed up by noting the concerns about accessibility and gave an assurance that this would be looked into. He also thanked the various groups of volunteers who worked to improve the Borough's green spaces.

On being put to the vote the **MOTION** was **APPROVED**.

Resolved

That this Council resolves to continue to seek external funding to improve our parks and green spaces across Hyndburn.

4. Motion Submitted on Notice – Youth Investment Fund

The following motion was proposed by Councillor Loraine Cox and seconded by Councillor Zak Khan under Council Procedure Rule A9:-

"That this Council looks to improve the youth facilities across Hyndburn and welcomes the Youth Investment Fund from the Government. The Council resolves to write a letter of support for the Youth Investment Fund proposals to the Government."

Councillor Loraine Cox commented that expressions of interest had been made last year from relevant organisations in the Borough which had resulted in over £100k being provided

to date. An additional phase of funding had been announced, for which a further bid was being submitted in June 2023 involving Lancashire County Council, Hyndburn Leisure and other partners, for a purpose-built space for young people Hyndburn. There would be a formal youth plan for the area and a lead organisation would be appointed in April 2023.

Councillors Kimberley Whitehead, Marlene Haworth, Noordad Aziz, Munsif Dad BEM JP and Zak Khan spoke in support of the motion and most recounted some of their own personal experiences of positive youth engagement across a variety of voluntary organisations.

Councillors Scott Brerton and Noordad Aziz commented that it was disappointing to see that Lancashire County Council were selling the former Young People's Centre premises in Great Harwood. Councillor Brerton expressed the view that Government cuts had decimated youth provision generally. Councillor Britcliffe responded that the decision to close the Centre in Great Harwood had been taken by the previous Labour administration at the County Council.

Councillor Melissa Fisher indicated that she was Vice-Chair of Clayton Amateur Boxing Club. She noted the importance of youth provision and cited police reports that anti-social behaviour in Clayton had fallen following the establishment of the boxing club.

On being put to the vote the **MOTION** was **APPROVED**.

Resolved

That this Council looks to improve the youth facilities across Hyndburn and welcomes the Youth Investment Fund from the Government. The Council resolves to write a letter of support for the Youth Investment Fund proposals to the Government.

5. Motion Submitted on Notice – Fly-Tipping

The following motion was proposed by Councillor Josh Allen and seconded by Councillor Judith Addison under Council Procedure Rule A9:-

“That this Council welcomes the reduction of fly-tipping across the Borough and the introduction of FPNs which have helped to tackle it. That the Council resolves to continue with this work and thanks the Cabinet Member and officers for their work in implementing these changes which are having a positive effect.”

Councillor Josh Allen provided a brief introduction to the motion and thanked Councillor Steven Smithson, Portfolio Holder for Environmental Services, and his predecessor, Councillor Paul Cox, as well as staff and volunteers, including litter pickers, for their work. The money saved by deterring littering could be reinvested in other priorities.

Councillor Smithson noted that fly-tipping had reduced year on year since COVID-19. He added that an application had recently been made for £50k in grant funding to support these activities.

Councillor Kimberley Whitehead commented that there were still some hotspots for fly-tipping, such as in Spring Hill. She invited the Portfolio Holder to visit the area, and the invitation was duly accepted. She also reported that the use of a risk assessment form for volunteers was sometimes off-putting. She asked whether funding could be obtained for CCTV to be installed in problem locations.

Councillor Judith Addison recalled the Keep Britain Tidy campaign dating back to 1954. She surmised that if the sunken gardens on Broadway in Accrington were still in existence they would be strewn with litter. After the recent carnival in Oswaldtwistle, Rhyddings Park was full of litter left over from picnics. Accordingly she was in favour of strong measures to deter and punish those who littered. The offence of littering was covered by the Environmental Protection Act 1990 and subsequent amendments have allowed a range of fixed penalty notices (FPNs) to be issued, which had helped to manage the issue. She reported that Neighbourhood Watch around Rhyddings Park had reported incidents on a number of occasions, but had become disillusioned by the lack of an effective response by the Police and Council. She thanked the volunteers who went out regularly to clear litter. She also hoped that the Council would be able to bring in measures to tackle blight on private land caused by absentee landlords.

On being put to the vote the **MOTION** was **APPROVED**.

Resolved

That this Council welcomes the reduction of fly-tipping across the Borough and the introduction of FPNs which have helped to tackle it. That the Council resolves to continue with this work and thanks the Cabinet Member and officers for their work in implementing these changes which are having a positive effect.

The Mayor thanked all for their attendance. He reiterated that he had greatly enjoyed his mayoral year and thanked all councillors for their support.

He reminded Members that the next Council meeting would be the Annual Meeting on 18th May 2023 at which the reins would be handed over to Councillor Terry Hurn. He also thanked those councillors who would not be returning in 2023/24 for their valued service.

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed