
COUNCIL

Thursday, 16th January, 2025

Present: Councillor Mike Booth (Mayor), Councillors Judith Addison, Vanessa Alexander, Heather Anderson, Noordad Aziz, Scott Brerton, Stephen Button, Danny Cassidy, Andrew Clegg, Jodi Clements, Loraine Cox, Paul Cox, Munsif Dad BEM JP, Bernard Dawson MBE, Stewart Eaves, Peter Edwards, Shabir Fazal OBE, Melissa Fisher, Andy Gilbert, Marlene Haworth, Zak Khan, Clare McKenna, Dave Parkins, Clare Pritchard, Steven Smithson, Tina Walker, Kate Walsh, Kimberley Whitehead, Clare Yates and Mohammed Younis

Apologies: Councillors Josh Allen, Joyce Plummer, Kath Pratt and Ethan Rawcliffe

The Mayor welcomed everyone to the January Council meeting and wished everyone a happy New Year.

Councillors were then asked to indicate if they would agree to the bringing forward of Agenda Item 13 – English Devolution White Paper Update and Indicative Council Position, to be considered after Agenda Item 5, so as to ensure sufficient time for this important debate. The consent of the meeting was granted.

280 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Josh Allen, Joyce Plummer, Kath Pratt and Ethan Rawcliffe. It was noted that Councillor Kimberley Whitehead would be delayed for a short while at the start of the meeting.

281 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations submitted.

282 Announcements

The Mayor made the following announcements:

1) Hyndburn's Green Spaces

The Mayor announced that he was proud that the Council was working in partnership with Hyndburn Prospects Foundation. Hyndburn had rich heritage of improving its open spaces. In the 1970s, extensive tree planting was undertaken on the Coppice. Since then a vast woodland had matured. Across the Borough there were woodland walks and splendid recreational facilities. The Borough boasted 11 Green Flag Awards for its parks and open spaces. It had excellent sports and leisure facilities, including those operated independently such as the Accrington Stanley Community Sports Hub. These assets had helped individuals to maintain their health and wellbieng during the COVID pandemic. Prospects Foundation was currently involved in the Brooksdie Restoration Project, also known as Bury Meadows, in Stanhill Village.

There were lots of other activities taking place in the Borough to support its rich heritage and history. The refurbishment of the Accrington Pals Memorial Gardens was just one such example. The area had an amazing history of enterprise, particularly in respect of the cotton industry. The following individuals had been central to Lancashire's textile industry:

- Robert "Parsley" Peel (1723 – 1795) – calico printing
- Frederick Steiner (1787- 1869) – steam printing
- William Blythe – chemical company for the textile industry (founded in 1845)
- Thomas Hargreaves (1771 – 1822) – owner of Broad Oak Printworks
- Frederick Gatty (1819 - 1888) - khaki dye
- John Mercer (1791 – 1866) – inventor of mercerised cotton.

Hyndburn today could benefit from reinvigorating its identity and perhaps could learn from its past. After all, the industrial revolution started in this area. The Mayor suggested a theme of 'How could Hyndburn be more colourful in 2025?' to launch its Culture and Heritage Strategy.

The Leader of the Council then made the following announcements:

2) Accrington Victoria Hospital

A letter had been received from East Lancashire Hospitals NHS Trust (ELHT) following the motion submitted by Councillor Paul Cox at the last Council meeting.

The Chief Executive of the Trust. Martin Hodgson, had acknowledged the Council's letter and thanked the Council for its comments about the future of Accrington Victoria Hospital. The letter explained the background to the closure of the building and the transfer of its services to other sites. The building had been in a poor condition and was no longer fit for purpose. The heating plant had also failed. The moves were in accordance with appropriate risk assessments and all clinical services would be retained in Accrington and would not be diminished.

The Council's suggestions about future investment in the hospital building warranted some further consideration. The Trust had invited Council representatives to join a Steering Group meeting due to be held in February. Councillor Dad confirmed that Councillors Fisher and Whitehead would attend this meeting along with Sarah Smith MP. Ideally, the Council would like to see all services returned to that site in a new campus, along with improved services generally in Accrington.

Councillor Dad added that he had visited the minor injuries unit at the Acorn Primary Care Centre earlier today. The building was now fully equipped to deal these types of injuries. However, the Council would continue to pursue bringing the Accrington Victoria Hospital site back into use, and the health services being returned there.

3) Hospitals Shuttle Bus

The Leader had written to East Lancashire Hospitals NHS Trust to express the Council's concerns, following the announcement that the Trust would cease to fund the shuttle bus between Burnley General and Royal Blackburn Teaching Hospitals. Residents were concerned about the loss of this service and, accordingly, the Council had raised this matter with the Trust.

4) Israel/Hamas Conflict

The news of the ceasefire in Gaza, which took effect on Sunday 19th January 2025, was extremely welcome. The conflict had caused unimaginable suffering to countless individuals. A collective commitment to peace should bring about an end to the continuation of numerous lives being lost, families torn apart and children blighted by war. It was hoped that the calm would prevail and that this would lead to the release of hostages and prisoners alike.

Thanks was due those who had made this situation possible through the power of dialogue and diplomacy. There was now a need to take this initiative forward by addressing the root causes of the conflict and considering the possibility of a two state solution, which might provide lasting peace for generations to come.

There were no announcements from the Chief Executive on this occasion.

283 Confirmation of Minutes

The Minutes of the Council meeting held on 7th November 2024 were provided.

In respect of Minute 224 – Question Time (Taxis), Councillor Walsh reported that she had met with the team at Lancashire County Council to discuss the provision of electric vehicle (EV) charging points in the Borough. There was some focus on improving the current provision. The Council's Net Zero Working Group had some remaining concerns, but an open dialogue was underway. The infrastructure was not currently in place to merit offering financial incentives to taxi operators to switch to EVs, but this would be looked at again in the future.

In connection with Minute 228(3) – Accrington Victoria Hospital, Councillor Paul Cox, noted the response of ELHT, as announced by Leader above, but was disappointed that the Trust had only now offered to talk to the Council, after the hospital closure decision had already been taken. He expressed the view that the closure must have been planned a long time in advance. Furthermore, he was not satisfied with the reasons for closure as stated in the letter. He remained extremely disappointed by the outcome.

On a related point, Councillor Clare Pritchard reported that the Council had fought to retain health services in Accrington for a long time. However, as a consequence of the relocation of services from Victoria Hospital to the Acorn Primary Care Centre, the Holly House Child Development Centre at that location, which provided services for children with special educational needs and disabilities (SEND), had been fragmented and relocated to other children's centres. Councillor Anderson spoke about her personal experience of using services at Holly House, when it had been based in Rishton. She commented that travelling on public transport with children with SEND was often difficult and that a change to a new environment was not easy for the children involved.

Councillor Melissa Fisher commented that the Council would continue to exert pressure on the NHS Trust at the Steering Group meeting on 26th February 2025. However, it appeared that there was little urgency on the part of the Trust to address the concerns raised in connection with Accrington Victoria Hospital. Nevertheless, the Council would continue to engage with the Trust.

Councillor Dave Parkins added that the residents of Huncoat had no local GP practice. As such, Accrington Victoria Hospital had been a useful access point for health services. He hoped that NHS services could be provided in Huncoat directly in the future.

In response to a question raised by Councillor Steven Smithson, the Leader of the Council indicated that there had been no reply to date from the Secretary of State for Health and Social Care, The Rt Hon Wes Streeting MP, about the hospital closure.

Councillor Clegg expressed concern that Government funding for the NHS in Lancashire and South Cumbria was being diverted to fund new hospitals to replace Royal Preston Hospital and Royal Lancaster Infirmary. As a result Hyndburn appeared to be losing out. The A&E at Royal Blackburn Teaching Hospital was potentially at breaking point. Whereas, investment into Accrington Victoria Hospital could help to relieve this pressure.

Resolved - **That the Minutes of the Council meeting held on 7th November 2024 be approved as a correct record.**

284 Question Time

Three eligible question had been received, which were set out in the report.

1) Local Government Reorganisation

*To the Leader of the Council (Councillor Munsif Dad BEM JP)
Submitted by Councillor Zak Khan*

“Do you support the abolition of Hyndburn Borough Council, in favour of an East Lancashire Authority?”

In the light of the report included at Agenda Item 13 and with the consent of the meeting, Councillor Khan withdrew this question

The Mayor then read out the following questions:

2) King George V Playing Fields

*To the Deputy Leader of the Council and Portfolio Holder for Housing and Communities
(Councillor Melissa Fisher)
Submitted by Cllr Steven Smithson*

“Is there an update on the King George V Playing Fields and when it will be brought back into use?”

Response

A written response provided by Councillor Whitehead (Portfolio Holder for Culture, Heritage and Arts) was read out by Councillor Fisher, a summary of which is as follows:

It was noted that there might be some increased interest in this matter due to the forthcoming by-election in the nearby Baxenden ward.

The drainage at the King George V site was in a poor condition, which meant that the pitches were not fit for purpose. Overall, the playing fields needed significant investment. The controlling group planned to bring the site back into use and was currently in discussions with interested parties. It would not be appropriate at this stage of the negotiations to name those parties, but information would be released as soon as possible. It was estimated that it might take around 18 months to implement plans for new drainage and to reinstate the playing surface. The facilities could be back in use by September 2026.

Criticism was levelled at the previous Portfolio Holder for not progressing this matter sufficiently during their tenure.

Councillor Smithson asked a follow up question in which he indicated that money had been allocated in the 2024/25 Budget for drainage and a new boiler for the changing rooms. He asked why the work had not already commenced.

Councillor Fisher responded that there was a gap in the funding available, which meant that the project could not have been started sooner.

3) Oswaldtwistle Civic Theatre

*To the Portfolio Holder for Sustainability and Families (Councillor Kate Walsh)
Submitted by Cllr Steven Smithson*

“Is there an update on the Oswaldtwistle Civic Theatre?”

Response

Councillor Kate Walsh responded that an announcement on the Civic Theatre was imminent, but that the information was embargoed until the end of the month. It was hoped to be able to deliver some good news at that time.

Councillor Smithson was pleased to hear the answer and asked a follow up question in which he reminded members that some £390k had been set aside in the 2024/25 Budget for the Civic Theatre. He asked if a report could be provided to Cabinet on:

- how the above funding had been spent;
- what works had already been completed;
- what other works remained to be carried out;
- timescales for when these works were programmed; and
- when the Civic Theatre would reopen.

Councillor Walsh responded that information would follow.

285 English Devolution White Paper Update and Indicative Council Position

Members considered a report of Councillor Munsif Dad BEM JP, Leader of the Council, providing a summary of the English Devolution White Paper (EDWP) published on the 16th December 2024 and an indicative Council Position to the Government’s consultation.

Councillor Dad outlined the contents of the summary section of the report and the potential benefits of reorganisation / devolution and, in particular, the anticipated benefits of a Pennine Lancashire option. He outlined the consultation process and overall timescales. He also expressed a preference for Lancashire to be included in the Devolution Priority Programme (DPP), so that this area could lead the way.

Councillor Dad and other Lancashire area council leaders had previously met with the Government Minister responsible. The following three key questions, posed in November, could now be answered as indicated:

- Would reorganisation happen? – This would definitely go ahead;

- When would this occur? - The timetable was as set out in the report;
- How would this be implemented? – The outcome would depend on the details of the plan that the relevant stakeholders drew up.

The report set out a summary as follows:

The Government's intention was that Local Government reorganisation would take place across England. All two-tier areas, including Lancashire, were to be replaced by unitary authorities by either April 2027 or April 2028.

The Government expected new unitary authorities to cover population sizes of at least 500,000. No upper limit had been set. Populations of under 500,000 would be considered under specific circumstances. 500,000 had been set as the Government felt this was the minimum population required to achieve efficiencies, withstand financial shocks and provide quality of service.

There were two "paths" to reorganisation, either through the Devolution Priority Programme (DPP), which was fast track approach and aimed to have new local government structures in place by April 2027. Or, the non DPP areas (areas not on the devolution priority programmes) would be expected to have new local government structures by April 2028.

Councils (upper tier and unitary only) who wanted to take part in the DPP would have to have confirmed this to government by the 10th January.

By the end of January, the Council should know whether or not Lancashire was on the DPP.

Mayoral elections would take place in 2026 (DPP areas) and 2027 (non DPP areas).

The Government expected all Councils in an affected area to work together to submit one proposal for reorganisation. However, they understood that this might not be possible and would consider more than one proposal.

A formal invitation to submit reorganisation proposals would be issued to authorities in January.

Initial proposals for reorganisation would have to be submitted to the Government by March 2025.

Final proposals would have to be submitted by May 2025 (for those on the DPP) and Autumn 2025 (for those not on the DPP).

The Government would be responsible for public consultation on the proposals. However, they emphasised that this would be consultation and not a referendum.

The Government would accept requests to cancel 2025 local elections from areas affected. Councils wishing to cancel their election would have to notify the Government by 10th January. There were no local elections scheduled in Hyndburn this year, however, Lancashire County Council elections were due in May 2025.

Electoral wards would change under the reorganisation and the Boundary Commission would work with councils on this. Parish Councils might have a role in reorganisation, although it was not yet known what this would look like.

Further background was set out in the report under the following headings:

- The English Devolution White paper;
- New Powers;
- Potential Benefits of Reorganisation / Devolution;
- Key Benefits of a Pennine Lancashire Proposals;
- Timetable; and
- Next Steps

Councillor Khan expressed disappointment that the recommendations had been drafted without consultation with Conservative Group, or with residents. He recognised the benefits of devolution and reorganisation, but was not in favour of Lancashire being included in the Devolution Priority Programme. An additional year would allow more time to plan for IT, staffing and boundary changes. There was also a case for ensuring sufficient time to spend the Council's reserves in Hyndburn, rather than allowing that funding to be subsumed into plans for projects in Blackburn or Burnley. Councillors Fazal and Pritchard also expressed a preference for a later implementation date. Councillor Fazal supported comprehensive consultation with residents.

Councillor Smithson asked whether a request should be submitted to Lancashire County Council for a further extension to the waste disposal contract at Whinney Hill, in the light of reorganisation.

David Welsby, Chief Executive, clarified the devolution arrangements and proposed local government reorganisation were separate issues with different timetables. The devolution question and DPP would be determined by upper tier authorities in the region, whereas every council could express a view in relation to local government reorganisation. Councillor Khan indicated that the Lancashire upper tier authorities had already written to the Government to say that Lancashire did not want to be in the DPP.

Councillors Aziz, Brerton, Walsh and Younis spoke in favour of the overall proposals.

Councillors Pritchard, Clegg and Paul Cox expressed some reservations about the changes.

Councillor Dad summed up by indicating that the report to the Council today represented the start of the consultation process. The timescales would be set by the Government. He acknowledged that a variety of views had been expressed, some positive and some negative. He also confirmed that he had contacted Councillor Khan to discuss the proposals but it had not been possible to agree a mutually convenient time. However, he hoped that the respective group leaders could work together on this matter going forward. He expressed concern that Hyndburn had no voice in respect of the Lancashire Combined County Authority (CCA). However, it was hoped that Hyndburn could take the lead by becoming the administrative centre for a new Pennine Lancashire Unitary Authority.

Resolved

- That Council:

(1) Notes the content of the report;

- (2) Supports the process of devolving powers from Whitehall to Local Government;**
- (3) Supports the creation of a Pennine Lancashire Unitary Authority (which includes Blackburn with Darwen, Burnley, Hyndburn, Pendle, Ribble Valley & Rossendale);**
- (4) Supports the Council's inclusion in the Devolution Priority Programme;**
- (5) Supports a proposal for Hyndburn to be the administrative centre of the unitary authority due to its symbolic and central location and good infrastructure.**

286 LGA Corporate Peer Challenge Report

The Council considered a report of Councillor Munsif Dad BEM JP, Leader of the Council, informing elected members of the findings and recommendations from the recent Local Government Association Corporate Peer Challenge (CPC). The full CPC report was provided as Appendix 1 to the covering report.

The report also informed elected members of the next steps and sought approval to the establishment of a cross-party working group to support and have oversight of the action plan.

Councillor Dad provided a brief verbal introduction to the report and was pleased to receive the report's overall findings. He also thanked all who had taken part in the process.

The Council had invited a team of senior local government councillors and officers to undertake a Local Government Association Corporate Peer Challenge, including a visit to Hyndburn between 29th and 31st October 2024.

A CPC was a comprehensive review of key finance, performance and governance information and formed a key part of the improvement and assurance framework for local government. CPC assisted councils in meeting part of their Best Value duty, with the UK Government expecting all local authorities to have a CPC at least every five years. Peer challenges were improvement focused, not inspections, and the process was not designed to provide an in-depth or technical assessment of plans and proposals.

The Peer Team

Peers, who were experienced elected members and officers, were at the heart of the peer challenge process and provided a 'practitioner perspective' and 'critical friend' challenge. Peers took time away from their busy "day job" to contribute to improvement within the local government sector. The peer team for Hyndburn Borough Council had comprised:

- Member Peer – Cllr Tricia Gilby, Leader, Chesterfield Borough Council;
- Member Peer – Cllr Simon Minas-Bound, Group Leader, Basingstoke & Deane Borough Council;
- Chief Executive Peer – Ian Miller, Chief Executive, Wyre Forest District Council;

- Officer Peer – Artemis Ansell, Director of Planning & Regeneration, Lichfield District Council and Lichfield West Midlands Traded Services;
- Officer Peer – Dominic Bradley, Director of Resources, Horsham District Council;
- LGA Peer – Alex Howell, Adviser - Devolution, Local Growth and Digital;
- Peer Challenge Manager – Anne Brinkhoff, LGA Associate; and
- Project Support Officer – Kristel Whittaker, LGA.

The peer team had prepared by reviewing a range of documents and information and had then spent three days on site at Hyndburn Borough Council, during which they had spoken to more than 110 people including a range of council staff, members and external stakeholders. They had toured our Accrington Town Square regeneration projects, had visited the Raza Jamia Masjid mosque, and had attended a meeting of HBC's Cabinet.

Findings and Recommendations

The team had presented their main findings and recommendations verbally to the Council on their final day here and had now provided a formal report.

The report included a number of recommendations, listed below, which were designed to help the Council improve and build on the many positive findings of the peer team. Some of these positive findings were outlined in the report and included:

- Strong progress on key projects, such as Accrington Town Centre Regeneration, Huncoat Garden Village, and Leisure Transformation;
- Leveraging cultural and industrial heritage to drive economic growth and community engagement;
- Positive relationships with partners, including police, businesses, and the voluntary sector;
- Strong focus on improving health and well-being through partnerships and innovative projects;
- Successful initiatives to reduce carbon emissions and address climate change;
- Loyal, committed staff with high retention and a friendly, collegiate culture;
- Robust audit arrangements and a commitment to modernisation;
- Improved reserves, better financial systems, and effective management;
- Investments in training and development, internal promotions, and effective apprenticeship schemes;
- A more constructive and collaborative political environment; and
- Willingness to embrace external peer reviews and share learning.

The following were the peer team's key recommendations to the Council:

1. Conduct the planned review of the corporate strategy and align the organisational structure accordingly;
2. Engage in top team development to develop effective relationships within Cabinet/CMT as a group to create agreed ways of working and clarity of roles and responsibilities;
3. With partners, lead the development of a clear and well understood vision for the whole borough (Place Strategy);
4. Consider what capacity and skills the council needs to develop and address this as part of the review of organisational structure, including options for collaboration with partners and the use of consultants;
5. Design a transformation & digital strategy and action plan;
6. Develop a strategy for income generation, including commercial income, fees & charges and council tax;
7. Review and implement new plans for internal and external communication, aligning it with the new corporate strategy;
8. Create and implement a well understood and effective process for forward planning of Council decision making which engages Cabinet members and Scrutiny;
9. Promote the Council's approach to climate change and decarbonisation and play a key role in leading the Borough on this agenda; and
10. Continue and broaden engagement with local government and beyond in order to learn from others and offer experience and learning.

Next steps

The Council was required to develop an action plan to address the recommendations within 3 months. A separate report on the proposed process for developing this would be brought to Cabinet for agreement. This proposal would include establishing a working group of elected members (4 labour, 2 from other parties), supported by officers, to help shape and oversee the proposed action plan, and make recommendations to Cabinet.

A progress visit would be arranged for some or all of the peer team. This was likely to take place in September or October 2025.

Councillors Khan, Fazal and Clegg spoke positively about the outcome and about the need to implement improvements, which would make a difference for residents. Councillor Khan added that Motion 2 at Agenda Item 12, proposing a cross party working group, had been withdrawn by Councillor Josh Allen, as this matter was covered in the report now presented.

Councillor Dad indicated his intention to invite Councillor Fazal to serve on the Working Group.

Resolved

- (1) That Councillors note the report on the LGA Corporate Peer Challenge and the next steps in considering and implementing the recommendations, including the proposed**

establishment of a cross-party working group of elected members, supported by key officers.

(2) That the full report is published on the Council's website.

(3) That the Leader of the Council writes to all those who gave up their time to engage with the peer team, expressing the Council's appreciation and gratitude and informing them where they can access a copy of the final CPC report.

287 Submission of the Local Plan for Examination

Members considered a report of Councillor Munsif Dad BEM JP, Leader of the Council, seeking approval to submit the Local Plan to the Secretary of State for examination.

Councillor Dad provided a summary of the main points within the report.

Local authorities had a statutory responsibility to identify their strategic priorities and had policies to address these in their development plan documents. The development plan for an area was made up of the combination of strategic policies (that addressed the priorities for the area) and non-strategic policies that dealt with more detailed matters.

The development plan was at the heart of the planning system, with a requirement set in law that planning applications should be determined in accordance with the development plan unless material considerations indicated otherwise. Plans should set out a vision and a framework for the future development of the area and address needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as conserving and enhancing the natural and historic environment.

The Hyndburn Local Plan 2040

The new Local Plan (Strategic Policies and Site Allocations) would set out the strategic vision, objectives and spatial strategy for the Borough, including strategic planning policies that would guide future development. It established policies and guidance to ensure local development was built in accordance with the principles set out in the National Planning Policy Framework (NPPF). Covering the period 2021-40, the Local Plan set out the main areas for growth by identifying site allocations to meet development requirements of 194 dwellings per year (3,686 in total) and 70 hectares of employment land. These figures were considered to be suitably ambitious, yet realistic insofar that they reflected actual delivery that had taken place in the Borough in recent years.

Once adopted, the new Plan would replace the saved elements of the 1996 Local Plan, and the 2012 Core Strategy. The two key documents representing the full development plan for Hyndburn would then become the new Local Plan (the subject of this report), together with the existing Development Management DPD 2018, which contained local (non-strategic) policies. The Accrington Area Action Plan would also remain in force as part of the development plan for Hyndburn.

The emerging Local Plan had already been through 3 rounds of consultation at Regulation 18 stage, and 2 rounds of consultation at Regulation 19 stage. The Regulation 19 consultation stage preceded the submission of the Local Plan (and all associated evidence base and other supporting material) to the Secretary of State. Following submission, an Inspector from the Planning Inspectorate would be appointed to take the plan forward to

Examination and subsequent adoption. The version of the Local Plan consulted on at Regulation 19 stage was intended to represent the settled view of the Council on what the adopted Plan should contain and that the authority believed to be sound and ready for ‘Examination’. It was also known as the “Pre-submission” or “Publication” Plan.

Table illustrating key stages of Local Plan preparation.

Stage	
Regulation 18	Consultation on draft strategy and proposals.
Regulation 19	Consultation on the Publication version of the plan.
	<i>We are here</i>
Regulation 22	Submission of plan, documents and information to Secretary of State
Regulation 24	Independent Examination in Public (EiP)
Regulation 25	Publication of findings of EiP and modifications needed (if any)
Regulation 26	Adoption

Responses to the Regulation 19 consultation

During the first Regulation 19 (Reg19(1)) consultation, representations had been received from 133 separate respondents and 65 separate respondents had commented during the Reg19(2) consultation - 22 of whom had also commented at Reg19(1) stage. Across the two consultations, a greater number of respondents had been members of the public (around 72%) rather than organisations.

The general issues which had received the most comments had included the Huncoat Garden Village policy, the Spatial Development Strategy (which set out the amount and distribution of proposed growth), climate change and housing provision. The specific sites which had received the most comments were the Whitebirk employment sites; sites at Huncoat; land off Cut Lane, Rishton; employment land south of Altham; and Ringstonhalgh Farm, Clayton-le-Moors.

A summary of all the comments, along with a brief indicative Council response, would be set out in a Consultation Statement which was being prepared for the Examination. This would be sent to the Planning Inspectorate upon submission, along with copies of all the original representations.

The report included further detailed information about changes to national policy and the plan-making system. The Government had published its revised National Planning Policy Framework on 12th December 2024 (Dec 2024 Framework). For the purposes of preparing Local Plans, the policies of the Dec 2024 Framework would come into force on 12th March 2025. In Hyndburn, the effect of the Dec 2024 Framework was to give the Council two options:

- A. Submit the Local Plan on or before 12th March 2025 to allow the Local Plan to be examined under the provisions of 2023 NPPF [the previous version of the framework] and the housing numbers proposed in the plan (194 dwelling per annum), as set out in paragraphs 234(b) and 235 of the Dec 2024 Framework. This would also require the Council to begin work on a new plan immediately following adoption of the current draft Local Plan in order to address the shortfall in housing need as set out in paragraph 236 of the Dec 2024 Framework.

OR

- B.. If the Council was not able to submit the Local Plan on or before 12th March 2025, then it would be necessary to start work on the preparation of a new Local Plan in which it would be necessary to meet the new mandatory housing figure of 304 dwellings per annum. This represented a significant increase on the proposed Local Plan requirement of 194 dwellings per annum.

The adoption of Option A was strongly recommended.

Further information was provided in the report around the detailed requirements for submission of the Local Plan.

Next Steps

At this stage, it was not possible to accurately estimate how long the adoption of the Plan would take to complete, particularly if further evidence gathering or consultation was required to take place as part of the Examination process. Once the dates could be confirmed, a revised timetable would be published in the Local Development Scheme on the Council's website.

There was no prescribed timescale for implementing a Local Plan from the start of the process (Regulation 18) through to adoption (Regulation 26). However, the previous and new Government had made it clear through various announcements that it wished to see Local Plans progressed as fast as possible. It must be borne in mind, however, that timescales were heavily influenced by the resources available (including at the Planning Inspectorate), the complexity of the topics raised within the Plan, and the number of objections received.

Councillors Khan, Clegg and Paul Cox spoke in favour of the Local Plan. Councillor Parkins placed on record his concerns about the Huncoat Garden Village proposals, but supported the Local Plan overall.

Resolved

- (1) That Council approve the submission of the Local Plan.**
- (2) That the Local Plan is submitted to the Secretary of State when the outstanding work needed for submission is complete.**

288 Appointment of Overview and Scrutiny Co-optees

Members considered a report of Councillors Jodi Clements, Chair of the Communities and Wellbeing Overview & Scrutiny Committee and Stephen Button, Chair of the Resources Overview & Scrutiny Committee, in connection with recommendations for the appointment of co-opted members to their respective committees.

Councillor Button announced the following:

He noted that members would have read the joint report of the Chairs of the Communities and Wellbeing OSC and Resources OSC. As Chair of the Resources OSC, he moved the recommendations in the report, subject to a revised recommendation at Paragraph 2.3.

On reflection, he considered that the Resources OSC would benefit from the contributions of a young person, as originally proposed, and accordingly moved the following revised recommendation at Paragraph 2.3 of the report:

“2.3 That Council approves the appointment of Christine Heys as a co-opted member to the Resources Overview and Scrutiny Committee and the reservation of the remaining vacant co-optee position on the Committee for a young person (between the age of 18 to 25 years)”

He invited councillors to join him in supporting this positive move to engage with local young people.

The report indicated that the Council’s Constitution, Overview and Scrutiny Procedure Rule C2 stated:

“Up to four members of the public may be appointed to each Overview and Scrutiny Committee as non-voting co-optees, if they are deemed to have relevant experience of matters falling within the remit of that Overview and Scrutiny Committee.

- (i) Co-optees may be appointed following nomination by a councillor or following an application received directly from a member of the public.
- (ii) Applications received directly from the public will be considered first at the relevant Overview and Scrutiny Committee. The Committee will consider the knowledge and experience of the applicant relevant to the terms of reference or work programme of the Committee. If the majority of the Overview and Scrutiny members support the appointment of the applicant, the proposed appointment will be presented to Council for approval.
- (iii) Nominations received from councillors will be presented to the Council for approval, if supported by the Chair of the relevant Overview and Scrutiny Committee. In reaching a decision, the Council will consider the knowledge and experience of the nominee relevant to the terms of reference or work programme of the Committee.”

The Communities and Wellbeing Overview & Scrutiny Committee had previously appointed two co-optee members, Jean Battle and Jackie Rawstron with two vacant co-optee positions remaining.

The Communities and Wellbeing Overview & Scrutiny Committee had taken a view that a young person would provide greater balance to discussion and be more representative of the community and therefore, had recommended that one co-optee position was reserved for this purpose.

The Communities and Wellbeing Overview & Scrutiny Committee, therefore, still had one vacant co-optee position remaining with three nominations received for the post. At the meeting held on 8th October, it was considered that there was insufficient information on the three nominees to make a fully informed recommendation. Each of the three nominees had been nominated by a Member of the Council and therefore, because all supporting Councillors would be present and in the interest of fairness, Committee had made no recommendation and decided that Council would be a better forum for discussions to determine the final co-optee post. However, due to a delay in the report being presented to Council, it was determined that the Committee should seek additional information regarding the three nominations and that the Committee would use this to make a recommendation at their next meeting held on 3rd December, to Full Council. A report was, therefore, submitted to this meeting and, after consideration, Committee determined that Sandie Dent should be recommended to Full Council, as a co-optee of the Communities and Wellbeing Overview & Scrutiny Committee.

The Resources Overview & Scrutiny Committee had previously appointed two co-optee members, Tim O’Kane and Richard Downie and had recommended that the further two vacancies were filled by Eddy O’Brien and Christine Heys. This recommendation had been reviewed by the Chair as indicated above and a revised recommendation was now being proposed.

Councillor Khan expressed support for the inclusion of a young person on both committees. He indicated that he had previously expressed concerns that co-optees were often former councillors and could be perceived to be political appointments. There was a need for greater independence and transparency regarding those persons appointed to this role. Councillor Clements also indicated her support for the co-option of a young person on the Resources Overview & Scrutiny Committee.

Councillor Button summed up by indicating that he would welcome receiving information about the names of any interested young people from councillors. He also responded to the comment about co-optees’ independence, noted that only one of the current co-optees was a former councillor.

Resolved

- (1) That Council approves the appointment of Sandie Dent as a co-opted member to the Communities and Wellbeing Overview & Scrutiny Committee;**
- (2) That Council approves the reservation of the remaining vacant co-optee position on the Communities and Wellbeing Overview & Scrutiny Committee for a young person (between the age of 18-25 years);**
- (3) That Council approves the appointment of Christine Heys as a co-opted member to the Resources Overview and Scrutiny Committee and the reservation of the remaining vacant co-optee position on the Committee for a young person (between the age of 18 to 25 years);**
- (4) That Council approves the above co-optee appointments to cover a period of 2 municipal years until the end of the 2025/26.**

289 Matters Exempted from the Call-In Procedure

Members considered a report of Councillor Noordad Aziz, Deputy Leader and Portfolio Holder for Transformation, Education and Skills, in respect of recent executive decisions taken as a matter of urgency where the decision could not be delayed until the next meeting of the Cabinet and which had, therefore, been exempted from the Call-In Procedure

Councillor Aziz provided a short introduction to the report. He also indicated that a member of the public had submitted some questions directly to him about one of the decisions, to which he would respond. The responses are provided under the relevant heading below.

Paragraph B16 of the Executive Procedure Rules provided that urgent executive decisions which could not be delayed until the next meeting of the executive, or executive committee

(as the case may be), might be taken by the relevant chief officer after consultation with the following:

- Leader;
- Deputy Leader;
- Relevant portfolio holder (if any) or any other cabinet member if there was no relevant portfolio holder in respect of the decision in question;
- The Mayor pursuant to Rule C14 of the Overview and Scrutiny Procedure Rules;
- Plus one of the following:
 - the Chief Executive; or
 - the Deputy Chief Executive (in the absence of the Chief Executive or if the Chief Executive was the decision taker) or
 - the Monitoring Officer (in the absence of the Chief Executive and Deputy Chief Executive or if one was absent and the other was the decision taker)

Rule C14 of the Overview and Scrutiny Procedure Rules set out the provisions allowing for a period of Call-In by members of a relevant Overview and Scrutiny Committee, in respect of certain executive decisions. That Paragraph included the detailed procedures which supported this arrangement.

Notwithstanding the above Rule, Paragraph C14(i) stated that the call-in procedure should not apply where the decision being taken by the executive was urgent. A decision would be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interest. The record of the decision and notice by which it was made public should state whether in the opinion of the decision making person or body, the decision was an urgent one, and therefore not subject to call-in and the reason for that opinion. The Mayor would have to agree both that the decision proposed was reasonable in all the circumstances and to it being treated as a matter of urgency prior to the decision being taken. Provision was also made for consent to be obtained in the absence of the Mayor.

In addition to the above, Paragraph C14(i) stated that decisions taken as a matter of urgency would have to be reported to the next available meeting of the Council, together with the reasons for urgency. Previously, compliance with this Rule had been actioned by reference to the Cabinet minutes reported to Council, which included a list of any urgent decisions taken. However, it was considered that this did not fully comply with the requirements of Rule C14(i), with regard to the need to report the reason for urgency to Council. Accordingly, it was proposed to strengthen oversight of the use of the urgency procedure (and the disapplication of the Call-In procedure) by providing a more comprehensive update report to Council.

The following urgent executive decisions had been taken within the last reporting period:

- (a) Hyndburn Borough Council Shirt Sleeve Sponsorship Agreement with Accrington Stanley Women's Football Team

The decision and reason for urgency were as summarised below:

Decision

That Cabinet agree to authorise the sponsorship by the Council of Accrington Stanley Women Football Club at a cost of £4,000 (plus VAT if applicable) in respect of the period from 1st November 2024 until 31st October 2025, on the basis set out in the report and

delegates authority to the Executive Director (Legal & Democratic Services) to agree and execute a sponsorship agreement.

Reason for Urgency

The Agreement must be approved and signed by the 30th November 2024 and cannot wait until the next Cabinet meeting takes place.

(b) Leisure Transformation Project - Wilson Playing Fields Site

This report contained exempt information in accordance with Paragraph 5 of Schedule 12A to the Local Government Act 1972 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. The decision and reason for urgency were as summarised below:

Decision

- (1) To accept further grant funding of £240,000 from Sport England to assist the re-starting of the works,
- (2) To agree to direct the sum identified in the report and the use of contingency sums towards meeting the additional costs of completing the project, and
- (3) To agree to give Alliance Leisure Services Ltd the instruction to appoint Universal Civils & Build Ltd to complete the works.

Reason for Urgency

Time was of the essence to give Alliance, the Council's appointed project manager, the instruction to appoint the replacement contractor no later than Friday 13th December 2024 to facilitate a restart on site on 6th January 2025. In order to do this Cabinet needed to consider and approve the funding proposals as described in the main report. Delays beyond these key dates would result in additional construction costs of £237,400 and security costs of £12,700 per month, together with probable insurance costs to insure the site.

Questions

The following is a summary of the questions submitted by a member of the public to the Portfolio Holder and the responses given:

Question 1 - What grant application process was used to apply for a further £240,000 from Sport England? Sport England have now granted, in total, £2.640m to the Wilson's project. What are the restrictions that Sport England have imposed on the Council in using this funding?

Response: No additional restrictions had been placed on the use of the funding. Sport England were a key strategic partner. Given the priority of tackling health inequalities, including obesity, the need for sports facilities was recognised. Accordingly, Sport England had provided an additional 10% of funds. The Council would continue to seek to maximise funding opportunities for local sports facilities.

Question 2 - What are the additional costs of the Wilson's project following the collapse of ISG?

Response: The controlling administration was clear that there should be no additional costs to the Council due to the loss of the contractor. The Council, therefore, had worked closely with Alliance Leisure and Sport England to achieve this result. The additional grant funding received would be sufficient to cover any future costs.

Question 3 - ISG went into administration on 19th September 2024 and 2 months later, around 12th November, Universal Civils & Build Ltd were appointed to replace them. In this short timeframe, what process did Alliance Leisure go through before appointing Universal? What input did the Council have on this appointment? What other construction companies were investigated prior to Universal's appointment?

Response: The Council's contract for overall delivery of the project was with Alliance Leisure. That organisation had followed the appropriate framework to procure a new construction company. Alliance had existing contracts with Universal Civils and Build Ltd. The Council had also looked into the financial health of the new partner and was satisfied that the Council would not be exposed to additional risk.

Councillors Khan and Younis confirmed that they were in agreement with the decisions taken. Councillor Whitehead highlighted the engagement of the Council with Accrington Stanley Women FC and their positive contribution to sport for women and girls. The Council was always keen to support grassroots sport. Councillor Dad thanked Councillor Aziz for his work to secure the recommencement of construction at the Wilson Sports Hub.

Resolved - **To note the report on recent executive decisions taken as a matter of urgency.**

The Mayor asked the permission of the meeting for a brief adjournment, which was granted.

The meeting recommenced at 9.00pm.

290 Minutes of Cabinet

The minutes of the meeting of the Cabinet held on 30th October and 4th December 2024 were submitted.

The following matters were raised.

In respect of Minute 255 – Litter and Fly-Tipping, Councillor Smithson asked if skip days had replaced beat sweeps and what criteria were in use to book a skip day. In respect of the sub-heading on the Waste Transfer Station, he asked if a letter could be sent to Lancashire County Council seeking a further extension to the use of Whinney Hill for waste disposal.

Councillor Dad responded that the Council was still working on the waste transfer issue and had discussed prices for possible use of the Suez facility in Darwen. Councillor Whitehead commented that the controlling group had asked Lancashire County Council about waste disposal on several occasions, including at a meeting yesterday, but no firm decision had been forthcoming.

Councillor Eaves reported that skip days were not intended to replace beat sweeps. Any requests for skip days should be submitted to Mick Coyne, Waste Services Manager, with the Portfolio Holder copied into the proposed date. Councillor Aziz noted that most townships might have a particular 'grot spot' and that all councillors could request a skip day. This might need to be built into future Budgets. Councillor Whitehead indicated that beat sweeps had previously been led by the Police.

Councillor Khan commented that he had posed a number of questions during Cabinet meetings and to Portfolio Holders directly, but that in some instances questions raised at the Cabinet remained unanswered. Councillor Dad confirmed that every effort would be made to respond to questions raised at Cabinet.

In respect of Minute 255 – Taxi MOT Testing Station, Councillor Dad reminded members that the current administration was considering the establishment of an independent MOT testing station in Hyndburn. A report had now been commissioned and discussions were moving forward.

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

291 Minutes of Committees

The Minutes of the following meetings were submitted:

Meeting (Municipal Year 2024/25)	Date
Communities and Wellbeing Overview and Scrutiny Committee	8 th October 2024
Special Scrutiny Committee	14 th October 2024
Resources Overview and Scrutiny Committee	15 th October 2024
Licensing Sub-Committee	31 st October 2024
Planning Committee	13 th November 2024
Licensing Sub-Committee	28 th November 2024
Audit Committee	5 th December 2024

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

292 Motion(s) submitted on Notice

1) Winter Fuel Allowance Support

The following motion was proposed by Councillor Marlene Haworth and seconded by Councillor Danny Cassidy, with support from signatories Councillors Josh Allen, Loraine Cox, Zak Khan and Kath Pratt, under Council Procedure Rule A9:

“The impact of withdrawing the Winter Fuel Allowance for pensioners across the country will be felt hard particularly in Hyndburn.

The starts of the year are often the coldest, putting our older, vulnerable residents at risk.

Some local authorities are using the Household Support Fund to cover the shortfall for their most vulnerable residents.

This motion makes a request to the Cabinet to authorise widening the eligibility of the Household Support Fund to provide for extra support this winter. As well, to write to Sarah Smith MP and the Chancellor urging them to reverse the cut.”

The following **AMENDMENT** was moved by Councillor Noordad Aziz and seconded by Councillor Scott Brerton:

- The insertion of the word “some” between the words “for” and “pensioners” in sentence 1;
- The insertion of the following words after sentence 1, as part of the same paragraph:

“However, the Council has undertaken an exercise to increase the uptake of Pension Credit in the Borough and thereby shielding the poorest pensioners in the Borough from this cut.”;
- The deletion of sentences 3 and 4, commencing “Some local authorities...” and ending “...reverse the cut.”;
- The insertion of new sentences 3 and 4 as follows:

“The Council recognises that Hyndburn’s Household Support Fund criteria allows for all residents to apply to cover the shortfall in their finances.
We also resolve to write to Sarah Smith MP and the Chancellor where possible to help the poorest in our society.”.

The Mayor asked the permission of the meeting for a brief adjournment, which was granted.

The meeting recommenced at 9.18pm.

Councillor Khan spoke against the amendment and commented that take up of the Household Support Fund was low. Councillors Fazal, Younis, Smithson and Cassidy also spoke against the amendment.

Councillors Pritchard, Clements, Clegg and Fisher spoke in favour of the amendment.

Councillor Anderson expressed disappointment that a cross-party statement could not be agreed. She would have preferred the motion to be deferred to try to enable a consensus to be reached. Councillor Gilbert indicated that he provided military style survival blankets for charities, which councillors could access thorough him in an emergency on behalf of their residents.

Councillor Haworth replied to the amendment asking members not to support it, to enable the original motion to be adopted.

On being put to the **VOTE** the **AMENDMENT** was **CARRIED**

Whereupon the substantive motion was put.

In accordance with Council Procedure Rule 16.5, six members present requested a recorded vote, the outcome of which was a follows:

For

Councillors Anderson, Aziz, Booth, Brerton, Button. Clegg, Clements, Dad, Dawson, Eaves, Fisher, Gilbert, Parkins, Pritchard, Walsh and Whitehead.

Against

Councillors Addison, Cassidy, L Cox, Edwards, Fazal, Haworth, Khan, Smithson, Walker and Younis

Abstain

Councillors P Cox, McKenna and Yates

Accordingly, the substantive Motion was **CARRIED**.

Resolved

- **The impact of withdrawing the Winter Fuel Allowance for some pensioners across the country will be felt hard particularly in Hyndburn.**

The starts of the year are often the coldest, putting our older, vulnerable residents at risk.

The Council recognises that Hyndburn's Household Support Fund criteria allows for all residents to apply to cover the shortfall in their finances.

We also resolve to write to Sarah Smith MP and the Chancellor where possible to help the poorest in our society

2) Peer Review Improvements

This motion had been withdrawn, as noted at Minute 286 above.

3) Reverse Anti-business Tax Rises

The following motion was proposed by Councillor Zak Khan and seconded by Councillor Mohammed Younis, with support from signatories Councillors Josh Allen, Danny Cassidy, Loraine Cox, Marlene Haworth and Kath Pratt, under Council Procedure Rule A9:

“Business confidence in the UK has experienced a sharp decline after Labour's anti-growth, anti-business Autumn budget. Rising costs and reduced confidence, a drop in GDP and productivity, has been the result.

Many companies will pass these costs onto customers or in lesser pay rises. They will avoid taking on new employees, at a time we need to get more people back to work.

Our businesses are not a result of economic growth; they drive our economic growth. In Hyndburn, small businesses will struggle to absorb these costs, risking their existence.

We believe in creating an environment in which our businesses can thrive, making our country more prosperous and allowing them to invest in our communities.

As such, we propose for the Leader of the Council to write to our MP, Sarah Smith, and the Chancellor, Rachel Reeves MP, asking them to reverse these far-reaching and damaging tax rises in employers national insurance.

Locally, we urge the Council to do more to mitigate the impacts from the budget. The Economic Investment Strategy, voted on by this Council, should be fast-tracked to give businesses the confidence to invest in our Borough.”

The following **AMENDMENT** was moved by Councillor Scott Brerton and seconded by Councillor Noordad Aziz:

- The deletion of the words in sentence 1 “...Labour’s anti-growth, anti-business Autumn budget.” and the substitution of the words “...a period of challenges.”;
- Sentence 2, commencing “Rising costs...” to form the start of a new paragraph and the addition of the following words after that sentence.
“This places some extra pressure on some businesses.”;
- The deletion of the original paragraphs 2 and 3 comprising the words “Many companies...” and ending “...risking their existence.”;
- The deletion of the following words in the original paragraph 5: “...asking them to reverse these far-reaching and damaging tax rises in employers national insurance.” and the substitution of the words “...requesting them to keep taxation as low as realistically possible and making sure everyone pays their fair share.”;
- In sentence 1 of the original paragraph 6, the insertion of the words “to continue” between “...the Council...” and “...to do more...” and the deletion of the words “...impacts form the budget.” and the substitution of the words “...economic challenges.”;
- In sentence 2 of the original paragraph 6, the insertion of the words “continue to” between “...Council, should...” and “...be fast-tracked...”;
- At the end of sentence 2 of the original paragraph 6, the addition of the words “..., especially now with the opportunities devolution may bring.”.

Councillor Khan spoke against the amendment and commented that the proposed amendment diluted the message that would be given by the Council to businesses.

Councillors Clegg, Pritchard and Aziz spoke in favour of the amendment.

On being put to the **VOTE** the **AMENDMENT** was **CARRIED**

Whereupon the substantive motion was put.

Resolved

- **Business confidence in the UK has experienced a sharp decline after a period of challenges.**

Rising costs and reduced confidence, a drop in GDP and productivity, has been the result. This places some extra pressure on some businesses.

We believe in creating an environment in which our businesses can thrive, making our country more prosperous and allowing them to invest in our communities.

As such, we propose for the Leader of the Council to write to our MP, Sarah Smith, and the Chancellor,

Rachel Reeves MP, requesting them to keep taxation as low as realistically possible and making sure everyone pays their fair share

Locally, we urge the Council to continue to do more to mitigate the economic challenges. The Economic Investment Strategy, voted on by this Council, should continue to be fast-tracked to give businesses the confidence to invest in our Borough, especially now with the opportunities devolution may bring.

The Mayor reminded councillors that his Charity Ball was due to take place on Saturday 15th February 2025, from 7.00pm, in the 1968 Lounge, at Accrington Stanley FC's Wham Stadium. Tickets were now on sale.

The Mayor thanked all for their attendance tonight and then closed the meeting.

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed