
COUNCIL

Thursday, 27th March, 2025

Present: Councillor Mike Booth (Mayor), Councillors Judith Addison, Vanessa Alexander, Josh Allen, Heather Anderson, Noordad Aziz, Scott Brerton, Danny Cassidy, Jodi Clements, Loraine Cox, Paul Cox, Munsif Dad BEM JP, Bernard Dawson MBE, Stewart Eaves, Peter Edwards, Melissa Fisher, Andy Gilbert, David Heap, Zak Khan, Dave Parkins, Joyce Plummer, Kath Pratt, Clare Pritchard, Ethan Rawcliffe, Steven Smithson, Tina Walker, Kate Walsh, Kimberley Whitehead, Clare Yates and Mohammed Younis

Apologies: Councillors Stephen Button, Andrew Clegg, Shabir Fazal OBE, Marlene Haworth and Clare McKenna

The Mayor welcomed everyone to the meeting. He commented that this would be his last full meeting in the role of Chair and that the time had flown by. He was pleased to report that he had thoroughly enjoyed his year as Mayor. The office had allowed him to see the very best of Hyndburn, including the voluntary work undertaken and the efforts of community champions. Numerous organisations and individuals were striving to make Hyndburn a better place to live and work.

414 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Stephen Button, Andrew Clegg, Shabir Fazal OBE, Marlene Haworth and Clare McKenna.

415 Declarations of Interest and Dispensations

Councillors Danny Cassidy and Melissa Fisher both declared a personal interest in Agenda Item 6 – Appointments to Outside Bodies, in the light of their appointment as trustees of Carers Link Lancashire.

Councillor Andy Gilbert declared a personal interest in Agenda Item 6 – Appointments to Outside Bodies, due to his involvement with Carers Link Lancashire.

Councillors Loraine Cox, Paul Cox, Zak Khan and Mohammed Younis declared a dislcosabe pecuniary interest in Agenda Item 8 – Council Tax Empty Property Liability Policy, in the light of their possible exposure to this policy, as the landlords of rented properties in the Borough,

Councillor Noordad Aziz declared a personal interest in Agenda Item 11 – Matters Exempted from the Call-In Procedure, due to his membership of the Board of Hyndburn Leisure, that organisation being the subject of the decision exempted from call-in.

There were no declarations of dispensations submitted.

416 Announcements

The Mayor made the following announcements:

1) Lancashire Constabulary

The Mayor announced that he had recently visited Greenbank, East Divisional Police HQ, at Whitebirk, Blackburn, to meet the new Inspector for Hyndburn, Mohammed Lorgat. There had been a frank and productive exchange of views. The Mayor had noted how important the role of councillor was in supporting the maintenance of law and order. He had personally been in touch with the Police on several occasions to report local issues and concerns. Councillors were in a unique position to act as the eyes and ears of the community in their wards and, accordingly, could help gather intelligence for the Police.

The Council had built a good relationship with the previous Inspector and Members were pleased to welcome the new Inspector to this role.

The Leader of the Council then made the following announcement:

2) Devolution and Local Government Reorganisation

The Council's initial response to the Government's proposals had been submitted in January following the report presented at the January Council meeting. A further submission had been made in March by Lancashire County Council, the two unitary authorities in the Lancashire area and the 12 district councils. All of the authorities had agreed to the content of the submission, which highlighted that they would work together to identify the best way forward. A response had been received from the Jim McMahon OBE MP, Minister for Local Government and Devolution, expressing thanks to those councils for their submission and looking forward to the detail of the proposals. The letter indicated that the Ministry of Housing, Communities and Local Government (MHCLG) would provide some formal feedback on 28th April 2025 and would begin to hold meetings with local leaders in May to discuss the initial proposals.

David Welsby, Chief Executive, then made the following announcement:

3) Town Centre Partnership Board

The Town Centre Partnership Board had met earlier today. This was the body established to lead the planning and delivery of improvements in Accrington Town Centre. The independent chair of the Board, David Sanderson, had announced that he would step down from this role. He had provided exemplary leadership during this tenure and throughout his earlier service on the Accrington Town Centre Stakeholder Group. Mr Sanderson also intended to resign from his employment as Chief Executive of the Rank Foundation to allow him to focus on charity work in Africa.

Members agreed to request the Mayor to write to Mr Sanderson to express the Council's thanks for his hard work on behalf of Hyndburn.

417 Confirmation of Minutes

The Minutes of the Council meeting held on 27th February 2025 were provided.

In respect of Minute 367 – General Revenue Fund, Budget, Council Tax Levels and Capital Programme, at Section d) - Council Tax Resolution, under the Sub-Heading – The Substantive Motion, Councillor Smithson reminded Members that had asked for details about a number of projects, one of which (not minuted directly) had been about the proposed restoration works at war memorials. He now requested a reply about this matter. Councillor Walsh undertook to provide a written response.

Councillor Smithson reminded Members that he had also mentioned skip days under the same Minute. He now commented that there was no data available to confirm the effectiveness of skip days and noted that a number of planned dates had recently been cancelled. Councillor Eaves responded that the skip contractor, SUEZ, had indicated that its drivers had only undertaken weekend work on a voluntary basis, which was proving difficult to sustain. The options available were to switch to a service during the drivers' normal working hours from 6am to 3pm on weekdays, or to procure a new provider for the weekend service.

In connection with Minute 362 – Confirmation of Minutes, Councillor David Heap reminded Members that he had asked for information about when the work at King George V Playing Fields would commence. No details had yet been received. He also mentioned that he had asked a similar question at a recent meeting of the Resources Overview and Scrutiny Committee. The officers present had responded that no specific work was yet programmed and the Council had not yet let any tender. Councillor Whitehead undertook to reply directly to Councillor Heap.

Resolved - **That the Minutes of the Council meeting held on 27th February 2025 be approved as a correct record.**

418 Question Time

Two eligible questions had been received, which were set out in the report.

1) Oswaldtwistle Civic Theatre

To the Leader of the Council (Councillor Munsif Dad BEM JP) or relevant Portfolio Holder Submitted by Sarah Calderbank on behalf of Friends of the Civic Committee

"The Friends of the Civic were pleased to hear at the last full Council meeting that there is a definite commitment to reopening the Civic. We think that it is really positive that a further £250,000 has been added to the £257,000 which was carried over from the previous financial year. This £500,000+ will help to make a good start on the necessary renovations. The committee, and the wider public group, would like to ask the relevant Councillor(s) what the plans are, in terms of what that budget will be spent on and what the timeline will be for spending it, with particular reference to when the building will be made water tight, as this is a matter of urgency to prevent further damage, decay and expense.?"

Response

The Leader thanked Ms Calderbank for her question. The Council had now appointed a company to arrange for a specialist survey of the roof. The work was due to commence on 1st April 2025. The same company would then develop the detailed specification and procure an appropriate contractor to undertake any remedial works. It was envisaged that the repairs would start in late June with a proposed completion date of October 2025, subject to weather considerations and to no unforeseen problems being identified. Some grant money would be available for this work as detailed in a report to the Cabinet yesterday. In addition to the above, some dry rot investigations had taken place and dehumidifiers would be installed to tackle this issue. Overall, the project to reopen the Theatre was progressing well.

2) Rhyddings Park in Oswaldtwistle

To the Leader of the Council (Councillor Munsif Dad BEM JP) or relevant Portfolio Holder Submitted by Councillor Steven Smithson

“What is the current status of the refurbishment play area project at Rhyddings Park in Oswaldtwistle.”

Response

The Leader invited the Portfolio Holder to reply, following which Councillor Whitehead thanked Councillor Smithson for his question. A tender exercise had been completed, with a contractor now appointed and the new play equipment ordered. Phase 1 of the work was due to commence in April 2025, with Phase 2 planned to start around July 2025.

419 Appointments to Outside Bodies

A request had been received from the Controlling Group to change the Council's Trustee on Carers Link Lancashire, an outside body to which the Council made an annual appointment.

The Council was invited to agree to the stepping down of Councillor Clare Yates and to the appointment, in her place, of Councillor Andy Gilbert. The Charity had indicated its support for the proposed change.

The Mayor reminded Members that the Council had a duty under s16 Local Government and Housing Act 1989 to give effect to the wishes of the relevant political group when considering nominations to seats allocated to that party.

Resolved - **To approve the nomination of Councillor Andy Gilbert, in place of Councillor Clare Yates, as a Trustee on Carers Link Lancashire**

420 Appointment of Honorary Aldermen and Freeman

This item was withdrawn from the Agenda.

421 Council Tax Empty Property Liability Policy

Councillors Loraine Cox, Paul Cox, Zak Khan and Mohammed Younis, having previously declared a disclosable pecuniary interest in this matter, left the meeting for the duration of the item and did not speak or vote upon the matter.

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, seeking to further the Council's strategy to improve its housing stock and the regeneration of Hyndburn by adopting new Government provisions for exceptions to premium rates of Council Tax for properties that were left vacant for over one year and by adopting new provisions on premium rates of Council Tax for properties classed as second homes.

Councillor Alexander provided a summary of the main points within the report, including a brief description of the categories of exemptions from premium rates of Council Tax.

Since 2013, councils in England had been granted the power to charge additional Council Tax on long-term empty homes. For the purpose of Council Tax, long-term empty homes were dwellings which had been unoccupied and substantially unfurnished for a period of at

least 1 year. In April 2024, the empty homes Council Tax premium had been strengthened so that councils could charge the premium on homes that had been empty for 1 or more years.

The Council had welcomed and acted upon the Government's initial introduction of a premium on Council Tax in 2013 for long term empty properties as a means of encouraging their occupation together with the incremental changes in Council Tax premiums effective from April 2019, and, also from April 2024. While the initial Government legislation that took effect in 2013, and subsequent legislation in 2019 had helped reduce the number of empty properties, there were still over 700 empty properties that remained in Hyndburn that caused damage to the housing market and neighbourhoods.

Since 2013, the number of properties in the Borough classified as empty and unfurnished for Council Tax purposes on 1st April each year had reduced as outlined in Table 1 below. It should be noted that these figures represented those dwellings subject to former Class C empty and unfurnished discounts, not all empty dwellings in the Borough. Other empty properties included those undergoing major repairs and those subject to other exemptions.

Table 1 – Council Tax Empty Properties from 2012/2013 to 2024/2025

| Financial Year | 0-6 months | 6-24 months | 24+ months | Total |
|--|------------|-------------|--------------------------|-------------|
| 2012/2013 | 746 | 1275 | Data not recorded | 2021 |
| 2013/2014 | 593 | 751 | 593 | 1937 |
| 2014/2015 | 596 | 609 | 368 | 1573 |
| 2015/2016 | 576 | 523 | 357 | 1456 |
| 2016/2017 | 585 | 399 | 278 | 1262 |
| 2017/2018 | 437 | 553 | 252 | 1242 |
| 2018/2019 | 432 | 486 | 276 | 1194 |
| 2019/2020 | 489 | 442 | 243 | 1174 |
| 2020/2021 | 459 | 458 | 207 | 1124 |
| 2021/2022 | 193 | 364 | 193 | 750 |
| 2022/2023 | 258 | 372 | 166 | 796 |
| 2023/2024 | 225 | 411 | 166 | 802 |
| 2024/2025 | 207 | 242 | 256* | 705 |
| *Properties subject to council tax premium from 01 April 2024 | | | | |

The measures introduced to incentivise re-occupation or sale of empty property had been combined with other regeneration efforts, the work of the Council's empty properties officer and work to survey and monitor empty properties each year since 2013.

Overall, the implementation of the Council Tax premium on empty properties could be said to have had a positive impact on the number of empty dwellings in the Borough, had supported the authority's regeneration efforts and had helped to increase the Council's New Homes Bonus allocations.

New Legislation

The Government recognised that there could be instances where it might be inappropriate for the Council Tax premiums to apply. Section 11B and 11D of the 1992 Act enabled the

Government to make regulations to prescribe classes of dwellings in relation to which councils might not make a determination to apply a premium.

From April 2025, the Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024 amended section 11B and 11D of the Local Government Finance Act 1992 and prescribed the classes of dwelling which might not be made subject to a Council Tax premium.

The new legislation provided the exceptions to Council Tax premiums as shown in Table 2, with further detail provided in the Council Tax Empty Property Liability Policy. These exceptions only excluded the relevant dwellings from premiums and did not affect the standard rate of Council Tax they might be liable for:

Table 2 - Exceptions to Council Tax Premium from April 2025

| Class of dwelling | Application | Definition |
|-------------------|---|--|
| Class E | Long-term empty homes and second homes | Dwelling which is or would be someone's sole or main residence if they were not residing in job-related armed forces accommodation |
| Class F | Long-term empty homes and second homes | Annexes forming part of, or being treated as part of, the main dwelling |
| Class G | Long-term empty homes and second homes | Dwellings being actively marketed for sale (12 month limit) |
| Class H | Long-term empty homes and second homes | Dwellings being actively marketed for let (12 month limit) |
| Class I | Long-term empty homes and second homes | Unoccupied dwellings which fall within exempt Class F and where probate has been recently granted (12 months from grant of probate/letters of administration) |
| Class J | Second Homes only | Job-related dwellings |
| Class K | Second Homes only | Occupied caravan pitches and boat moorings |
| Class L | Second Homes only | Seasonal homes where a year-round permanent occupation is prohibited, specified for use as holiday accommodation or planning condition preventing occupancy for more than 28 days continuously. |
| Class M | Long-term empty homes only | Empty dwellings requiring or undergoing major repairs or structural alterations (12 month limit) |

Table 3 – Second Home Charges from April 2025

| Duration | Amount |
|--------------------|---------------------------------|
| Second Home | 100% of normal liability |

The Levelling Up and Regeneration Act 2023 inserted section 11C of the Local Government Finance Act 1992 and granted authorities the discretion to apply higher amounts for properties that were occupied periodically (Second Homes).

Table 4 – Second Home Charges from April 2026

| Duration | Amount |
|--------------------|---------------------------------|
| Second Home | 200% of normal liability |

Currently there were 20 properties which were classed as second homes, and if they were classed as such at April 2026 they would be subject to a 200% Council Tax liability in 2026 if those measures were introduced.

In relation to the changes for second homes, a billing authority would have to allow at least one year before the beginning of the financial year to which it related. As such the first financial year for which the premium could be applied to property classed as a second home was from 1st April 2026.

Implementation

Should these measures be implemented, the Council should publish its intentions in at least one local newspaper at least 21 days prior to implementation.

In addition, it was the service's intention to write to all owners of empty properties and second homes to inform them of the increased premiums and the timescale for implementation, allowing them the opportunity to sell or occupy any empty properties they might have prior to any further premiums being applied.

The Council would review the administration of this policy in accordance with any guidance, as issued, by the Secretary of State.

Councillor Joyce Plummer asked whether new legislation about premiums had been introduced in 2024. She commented that the introduction of premiums in the past had not been without its problems. Councillor Alexander responded that a premium had been agreed in 2024 for implementation during 2025. The current changes, if agreed before 1st April 2025, could then be introduced in April 2026.

Resolved

- **That the revised Council Tax Empty Property Liability Policy attached to the report is approved and the exceptions to Council Tax premiums, and, premium for property classed as a second home, are revised as set out in Paragraphs 3.6 to 3.10 of the report in accordance with the provisions in:**
 - **The Local Government Finance Act 1992,**

- **The Local Government Finance Act 2012,**
- **The Rating (Property in Common Occupation) and Council Tax (Empty Dwelling) Act 2018,**
- **The Levelling Up and Regeneration Act 2023,**
- **The Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024**

422 Rules Regulations and Procedures for Hackney Carriage and Private Hire Licensing - amendment

This item was withdrawn from the Agenda.

423 Draft Pay Policy 2025/26

Members considered a report of Councillor Vanessa Alexander, Portfolio Holder for Resources and Council Operations, presenting a draft Pay Policy for 2025/26.

Councillor Alexander commented that this was an annual update report, but that there were no significant changes from the previous year's position.

The Localism Act 2011 (Chapter 8 - Pay Accountability) required all local authorities to set out the Council's position on a range of issues 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.

The Pay Policy set out the existing approach to the remuneration of all posts within the Council. In particular, it specified certain mandatory requirements that had to be detailed within the Policy, as follows:

- The pay structure of the Council and how it was set;
- Senior Management Remuneration, providing details of the pay grade for posts defined as Chief Officer and the accompanying allowances;
- The recruitment arrangements for a Chief Officer;
- The relationship between the salaries of Chief Officers and other employees;
- Details of the lowest paid posts within the Council;
- Employer's Pension Contribution details; and
- Termination of employment payments.

The Council already published pay and remuneration details of its senior managers on its website, within the annual Statement of Accounts.

The purpose of the Pay Policy was to ensure there was transparency as to how pay and remuneration was set by the Council, for all of its employees and particularly for its most senior level posts.

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

424 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 decisions had been exempted from the Call-In Procedure

Councillor Aziz provided a short introduction to the report and commented that the Council was taking active steps to work with the management team of Hyndburn Leisure. The first meeting had already taken place and further meetings would be arranged. Update reports would be provided to Cabinet in due course.

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.

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 record 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 had been agreed 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) Payment of Grant Funding to Hyndburn Leisure and Conclusion of the Leisure Review

The decision and reason for urgency were as summarised below:

Decision (taken by the Cabinet on 29th January 2025)

- (1) That Cabinet agrees to pay Hyndburn Leisure the sum of £1,000,000.00 by way of grant to support the provision of community leisure services in the Borough in respect of the period 1st April 2024 to 31st March 2025, subject to completion of a grant funding agreement in accordance with Paragraph 3.6 of the report; and
- (2) That Cabinet note the "Leisure Management Options Report" prepared by Max Associates Ltd and attached as Appendix 2 to the report; and
- (3) That Cabinet notes that discussions will now take place between Hyndburn Leisure and the Cabinet to agree a strategy for leisure provision in the Borough going forward and that such discussions will include proposals for a review of Hyndburn Leisure's structure and operations, together with ways of improving reporting arrangements to the Council in respect of Hyndburn Leisure's

performance and budgetary position. A further report will be brought to Cabinet in due course once such discussions have concluded.

Reason for Urgency

A subsidy to Hyndburn Leisure in respect of the current financial year is required urgently to provide assurance around its on-going operation, which will enable pricing levels, opening hours and service provision to be maintained at the current level. This will support the Council's objective of supporting affordable and locally accessible health and wellbeing provision to help address the health inequalities in the Borough.

Councillor Khan enquired about the reason for the withdrawal of an item to deal with this matter from the meeting of Cabinet on 22nd January 2025. Councillor Dad responded that the Cabinet had required more time to consider whether the making of a grant was the right decision, in view the large financial sum involved. The pause had enabled the Council to consider what measures might be introduced to improve financial reporting by Hyndburn Leisure and to ensure that the Council was made aware of any funding requirements for the next financial year at an early date. An on-going dialogue was now in pace between the Council and Hyndburn Leisure.

Councillor Paul Cox indicated his support for the payment of the grant, in view of the need to support the health and wellbeing of local residents. However, he expressed disappointment that engagement with Hyndburn Leisure had been included within the Resources Overview and Scrutiny Work Programme for 2025/26, but that the matter had been postponed on three separate occasions. That Committee could have looked at and made recommendations upon the issues in a timely manner.

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

425 Minutes of Cabinet

The minutes of the meeting of the Cabinet held on 22nd and 29th January and 12th February 2025 were submitted.

The following matters were raised.

In connection with the meeting held on 22nd January 2025, regarding Minute 313 – Prudential Indicators Monitoring, etc., Councillor Khan indicated that he had not yet received a reply to his question about the expenditure plans of the Net Zero Working Group. Councillor Aziz apologised for the oversight and reaffirmed his intention to respond.

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

426 Minutes of Committees

The Minutes of the following meetings were submitted:

| Meeting (Municipal Year 2024/25) | Date |
|--|--------------------------------|
| Communities and Wellbeing Overview and Scrutiny Committee | 3 rd December 2024 |
| Resources Overview and Scrutiny Committee | 10 th December 2024 |
| Judicial Committee (Private Hire & Hackney Carriage Licensing) | 17 th January 2025 |

| | |
|---|--------------------------------|
| Resources Overview and Scrutiny Committee | 20 th January 2025 |
| Planning Committee | 19 th February 2025 |

Resolved - That the Minutes be received and noted.

427 Motion(s) submitted on Notice

1) Urgent Action on the Impact of Whinney Hill Landfill Site

The following motion was proposed by Councillor Noordad Aziz and seconded by Councillor Vanessa Alexander, with support from signatories Councillors Munsif Dad, Kate Walsh and Kimberley Whitehead, under Council Procedure Rule A9:

“This Council notes:

- The ongoing issues affecting residents due to the seagulls and odour emanating from the Whinney Hill Landfill site.
- The detrimental impact these issues have on the quality of life, health, and well-being of local residents.
- The responsibility of Lancashire County Council, the Environment Agency, and SUEZ in regulating, managing, and mitigating the environmental impact of the landfill site.

This Council resolves to:

- 1) Write to Lancashire County Council, the Environment Agency, and SUEZ to highlight the significant impact the landfill site is having on residents due to the persistent odour and seagull nuisance.
- 2) Urge all responsible authorities to take immediate and effective action to address these concerns, including enhanced mitigation measures and stricter enforcement of environmental regulations.
- 3) Request a formal response outlining the actions they intend to take and a timeline for implementation.
- 4) Work closely with residents and relevant agencies to monitor progress and ensure accountability in resolving these ongoing issues.

This Council demands urgent action to protect the well-being of our community and will continue to press for a resolution to these unacceptable conditions.”

Councillors Aziz, Alexander, Fisher, Eaves, Pritchard, Walsh and Whitehead spoke in favour of the Motion. A number of councillors suggested closure or a temporary closure of the site. Councillors Parkins and Younis both considered that it would not be possible to close the site without appropriate contingencies in place. Councillor Parkins and Smithson both suggested that the MP, Sarah Smith, be encouraged to write to the Secretary of State for Environment, Food and Rural Affairs on this issue.

Councillor Khan commented that the Opposition Group supported the sentiment of the Motion in preventing environmental hazards, but was disappointed that the matter appeared to have been raised because of the forthcoming Lancashire County Council elections.

Councillor Dad thanked Councillor Aziz for the Motion. He reported that both Hyndburn and Lancashire County councillors had highlighted that the issue needed to be dealt with. He

confirmed that the local MP was already involved and that she had written to the Environment Agency and the Secretary of State. The Council would continue to work with the MP and others to consider the options available, including for the longer term. He also refuted the suggestion that the Motion had been raised because of the County Council elections.

Resolved

(1) This Council resolves:

- (a) To write to Lancashire County Council, the Environment Agency, and SUEZ to highlight the significant impact the landfill site is having on residents due to the persistent odour and seagull nuisance.**
- (b) To urge all responsible authorities to take immediate and effective action to address these concerns, including enhanced mitigation measures and stricter enforcement of environmental regulations.**
- (c) To request a formal response outlining the actions they intend to take and a timeline for implementation.**
- (d) To work closely with residents and relevant agencies to monitor progress and ensure accountability in resolving these ongoing issues.**

(2) This Council demands urgent action to protect the well-being of our community and will continue to press for a resolution to these unacceptable conditions

Councillor Andy Gilbert declared a personal interest in the following Motion on the basis of his employment in the provision of care for people with special educational needs and disabilities and in the light of the fact that a close family member had been assessed as having autism.

2) Special Educational Needs and Disabilities (SEND) Provision in Hyndburn

The following motion was proposed by Councillor Kate Walsh and seconded by Councillor Noordad Aziz, with support from signatories Councillors Munsif Dad, Clare Pritchard and Kimberley Whitehead, under Council Procedure Rule A9:

“That this Council resolves to write to Lancashire, urging immediate action to address the serious concerns raised in the recent Ofsted report on SEND provision. This includes publishing a clear improvement plan, engaging with parents and stakeholders, and ensuring transparency and accountability in delivering necessary reforms. Hyndburn children and families deserve better support without further delay.”

Councillor Walsh then spoke in favour of the Motion.

The following **AMENDMENT** was moved by Councillor Zak Khan and seconded by Councillor Loraine Cox:

The substitution of the following wording for the whole of the original Motion:

“This Council:

- Notes NHS Lancashire and South Cumbria Integrated Care Board (ICB) and Lancashire County Council, as part of the Lancashire SEND Partnership, are jointly responsible for the planning and commissioning of services for children and young people with SEND in Lancashire.
- Notes the Ofsted report recognises there were 'widespread failings' leading to 'significant concerns about the experience of Children and Young People with SEND' - which the local area partnership must address urgently.
- Notes Lancashire County Council has taken action and published its Cabinet report this month providing a comprehensive update on the Priority Action Plan to address these concerns.
- Supports the Lancashire County Council Cabinet recommendation that its Children, Families and Skills Scrutiny Committee be asked to oversee the progress against milestones in the Priority Action Plan, quarterly performance updates to Cabinet and that the County Council continues to engage with representatives of the Children and Families affected. This ensures transparency and accountability.
- Supports the County Cabinet report recommendation to agree that the Council writes to Government to offer support from Lancashire County Council to inform national legislative change and ensure that local needs and perspectives are represented.
- Notes the comments made by Professor Sarah O'Brien, chair of Lancashire SEND Partnership Board and chief nursing officer for the ICB, who has committed to co-production with our local communities to improve outcomes for all children and young people with SEND across Lancashire.
- Notes that all Councillors in Hyndburn want to see SEND provision in Lancashire deliver for the children and young people of Lancashire.”

With the agreement of the meeting, the Mayor approved a brief adjournment to allow time for Members to consider the amendment.

The meeting then reconvened.

Having considered the above wording carefully, the Mayor determined that this was not a valid amendment, on the grounds that it had the effect of negating the original Motion.

A debate then ensued on the original motion. Councillors Pritchard, Anderson, Gilbert, Aziz, Yates and Dad spoke about their personal experiences of accessing SEND provision, with some negative and some positive comments made.

Councillor Loraine Cox provided some context regarding the increasing numbers of children requiring Education, Health and Care Plans (EHCPs) and the resultant pressure on local

authority and NHS resources. Councillor Khan expressed his disappointment that the proposed amendment had been ruled inadmissible, as he considered that the original motion was flawed and that the amendment would have served to add some clarity around the current situation.

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

For

Councillors Alexander, Anderson, Aziz, Booth, Brerton, Clements, P Cox, Dad, Dawson, Eaves, Fisher, Gilbert, Parkins, Pritchard, Rawcliffe, Walsh, Whitehead and Yates.

Against

Nil

Abstain

Councillors Addison, Allen, Cassidy, L Cox, Edwards, Heap, Khan, Plummer, Pratt, Smithson, Walker and Younis

Accordingly, the Motion was **CARRIED**.

Resolved

- **That this Council resolves to write to Lancashire County Council, urging immediate action to address the serious concerns raised in the recent Ofsted report on SEND provision. This includes publishing a clear improvement plan, engaging with parents and stakeholders, and ensuring transparency and accountability in delivering necessary reforms. Hyndburn children and families deserve better support without further delay**

Councillors Bernard Dawson MBE and Kimberley Whitehead both declared a personal interest in the following Motion on the grounds that they were season ticket holders at Accrington Stanley FC.

3) Accrington Stanley FC

The following motion was proposed by Councillor Scott Brerton and seconded by Councillor Noordad Aziz, with support from signatories Councillors Vanessa Alexander, Munsif Dad and Clare Pritchard, under Council Procedure Rule A9:

“That this Council resolves to continue to work with Accrington Stanley FC and all other parties towards a solution to the issues surrounding the club.

The Council recognises that Accrington Stanley FC is a community asset for the Borough of Hyndburn.”

Councillor Brerton spoke in favour of the Motion highlighting the club's position at the heart of the community. He indicated that a positive meeting had taken place recently with representatives of the club about working together to resolve the issues which had resulted in a decision to modify the hours of operation of the premises licence and a number of conditions being attached to the licence.

Councillor Khan confirmed that the Opposition would support this Motion. However, he expressed disappointment that a proposed Opposition Motion, suggesting the provision of a financial package for the club, had not been included on the Agenda due to technical reasons. He asked if a financial support package could be included as alteration to the current Motion. He also asked if the proposed resolution to the situation could involve cross party working. Councillors Anderson, P Cox, Eaves, Pritchard and Gilbert were supportive of working closely with the club, but were mindful of the rights of residents too. They spoke against using public finances to provide direct support to the club.

Councillors Cassidy, Aziz, Younis and Heap spoke to indicate their support for the club and for working together.

Councillor Dad outlined the steps taken to engage with the club to date and acknowledged that cross party support would be helpful going forwards. However, there were no plans to establish a formal cross party working group on this matter. Councillor Whitehead provided a summary of the current progress being made by the club and reiterated the earlier comment about the positive discussions that had taken place at a recent meeting between the club's representatives and councillors. She was hopeful that the recent senior management changes at the club would help to bring about a constructive dialogue. She noted that the club were not seeking any funding from the Council and were currently looking into sound proofing options as a matter of urgency. All interested parties were looking towards finding an effective solution.

- Resolved**
- (1) That this Council resolves to continue to work with Accrington Stanley FC and all other parties towards a solution to the issues surrounding the club.**
 - (2) The Council recognises that Accrington Stanley FC is a community asset for the Borough of Hyndburn.**

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

David Welsby, Chief Executive, thanked the Mayor for his hard work, which was distinguished by bringing a sense of authority, impartiality and focus to the role of Chair and by raising the standards of debate and conduct during the meetings. A round of applause was provided in appreciation for the Mayor.

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed