
COUNCIL

Thursday, 19th May, 2016

Present: The Mayor, Mrs Marlene Haworth,, Councillors Lisa Allen, Judith Addison, Mohammad Ayub, Noordad Aziz, Peter Britcliffe, Clare Cleary, Jean Battle, Stephen Button, Loraine Cox, Paul Cox, Munsif Dad, Bernard Dawson, Diane Fielding, Melissa Fisher, Stewart Eaves, June Harrison, Glen Harrison, Eamonn Higgins, Terry Hurn, Stephanie Haworth, Abdul Khan, Julie Livesey, Gareth Molineux, Ken Moss, Jenny Nedwell, Tim O'Kane, Bernadette Parkinson, Miles Parkinson, Joyce Plummer, Kath Pratt, Malcolm Pritchard, Jeff Scales, Paddy Short and Paul Thompson

Apologies: Councillors Tony Dobson

1 Welcome

The retiring Mayor, Mrs Marlene Haworth welcomed Councillors to the Council's Annual General Meeting. She reported the death of former Councillor Roy Atkinson, who had been a Councillor for the Overton ward from 2000 to 2002, and from 2006 to 2010. A minute's silence was held in tribute.

2 Election of Mayor, 2016/17

It was proposed by Councillor Gareth Molineux and seconded by Councillor Terry Hurn, that Councillor Tim O'Kane be elected Mayor of the Borough for the Municipal Year 2016/17.

Resolved - **That, in pursuance of Section 23 of the Local Government Act 1972, Councillor Tim O'Kane be elected to the office of Mayor of the Borough of Hyndburn for the Municipal Year 2016/17.**

The retiring Mayor, Mrs Marlene Haworth, left the meeting, along with the newly-elected Mayor. Following a short adjournment, Councillor O'Kane took his place in the Mayor's seat. The retiring Mayor attached the Mayoral fob to the chain now worn by the newly-elected Mayor, Councillor Tim O'Kane, who signed the Declaration of Acceptance of Office.

3 Vote of Thanks to the Retiring Mayor

Councillor Kath Pratt proposed a vote of thanks to the retiring Mayor, Mrs Marlene Haworth, which was seconded by Councillor Munsif Dad.

The retiring Mayor duly responded, thanking all Councillors and officers for their support during her Mayoral year, after which she left the meeting.

4 Election of Deputy Mayor, 2016/17

The Mayor invited nominations for the election of Deputy Mayor for the Municipal Year 2016/17. It was proposed by Councillor Judith Addison and seconded by Councillor Clare Cleary, that Councillor Peter Britcliffe be elected to that office.

Resolved - **That in pursuance of Section 23 of the Local Government Act 1972, Councillor Peter Britcliffe be elected to the office of Deputy Mayor for the Municipal Year 2016/17.**

Councillor Britcliffe read and signed the Declaration of Acceptance of Office.

5 Apologies for absence

Apologies for absence were submitted on behalf of Councillor Tony Dobson.

6 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations.

7 Announcements

The Leader of the Council referred to the recent local elections and outlined the priorities of the Labour administration during its term of office.

The Chief Executive briefed Council members on the recent fire at the former Accrington Conservative Club on Cannon Street. Because of the condition of the building and for safety reasons, the Council had now assumed control of the building and work was proceeding to demolish it in a controlled and safe manner.

8 Confirmation of Minutes

Resolved - **That the minutes of the Council meeting held on 24th March 2016 be approved as a correct record.**

9 Declaration of the Returning Officer for the Election of Councillors, 5th May 2016

The declaration of the Returning Officer of those elected at the local elections held on 5th May 2016 was submitted as follows:-

Electoral Ward	Name and Address of Elected Councillor	Party
Altham	Stephen Button 34 Meadowside Avenue Clayton-le-Moors BB5 5XF	Labour
Barnfield	Tony Dobson Rose Dene Barn Higher Rhoden Oswaldtwistle BB5 3QL	Conservative
Baxenden	Terence Keith Hurn 64 Oakwood Road Accrington BB5 2PG	Conservative
Central	Abdul Ghafar Khan	Labour

	6 Lister Street Accrington BB5 1TA	
Church	Jean Battle 8 Ellerbeck Road Accrington BB5 5AN	Labour
Netherton	Noordad Aziz 14 Greaves Street Great Harwood BB6 7DY	Labour
Overton	Stephanie Haworth 89 James Street Great Harwood BB6 7JH	Labour
Peel	Paddy Short 61 Avenue Parade Accrington BB5 6PN	Labour
Rishton	Jeff Scales 18 Blackburn Road Rishton BB1 4BS	Labour
Spring Hill	Munsif Dad 49-51 Monk Street Accrington BB5 1SS	Labour
St Andrew's	Stewart Thurston Eaves 27 Blossom Avenue Oswaldtwistle BB5 0FD	Labour
St Oswald's	Glen Kevin Harrison 21 Lord Street Oswaldtwistle BB5 3EF	Labour

10 Appointment of Committees for the 2016/17 Municipal Year

The Leader of the Council submitted proposals for the appointment of Committees, Sub-Committees, Panels and Working Groups for the 2016/17 Municipal Year, together with their terms of reference. In addition, tabled at the meeting were proposals for the membership of those bodies.

Resolved

- (1) That the terms of reference of Council, Cabinet and other constituted bodies, as outlined in Appendices 1 and 2 be approved and the Council's Constitution (Part 3, Responsibility for Functions) be amended accordingly.
- (2) That the political composition of Committees and Sub-Committees of the Council (as set out in paragraph 4.3 of the report) be approved.
- (3) That the membership of those Committees and Sub-Committees and the proposed Chairs and Vice-Chairs, set out in the appendix circulated at the meeting, be approved.
- (4) That the establishment of an Auditor Panel and Church Gateway Group be approved.

- (5) That the membership of Working Groups and Panels and the proposed Chairs and Vice-Chairs, as set out in the appendix tabled at the meeting, be approved; and
- (6) That a Councillor unable to attend a meeting, of which he/she is a member, be authorised to appoint a Councillor not serving on that particular Committee, Sub-Committee, Panel or Working Group to act as a substitute in accordance with Council Procedure Rule A26.8.

11 Scheme of Delegation to Officers, 2016/17

Council was asked to approve a scheme of delegation of non-executive functions to officers. It was a requirement of the Constitution that the scheme was approved annually at the Council's annual meeting. The changes proposed related to legislative changes, changes to officer duties and responsibilities and changes in job titles.

Resolved - That Council approves Parts 1, 3 and 4 of the scheme of delegation to officers, now submitted, relating to the delegation of the Council's non-executive functions.

12 Amendments to the Constitution

Council was asked to approve for a number of changes to parts the Council's written Constitution.

Minor changes had been made to the Budget and Policy Framework Procedure Rules, principally to ensure they were consistent with the Council's Financial Procedure Rules in respect of arrangements for virements within the budget.

Following the abolition of the Audit Commission, the Council was now responsible for the appointment of its own external auditor. The Local Audit & Accountability Act 2014 required all local authorities, including Hyndburn, to appoint an auditor panel to assist it in choosing and maintaining an appropriate relationship with its local auditors. For example, the Council must consult the panel, and have regard to its advice, before the Council's external auditor was appointed. It was therefore recommended that such a panel be established with the terms of reference and membership as set out in the appendix.

Minor changes had been made to the Council's Petition Scheme, to simplify it and to bring it up to date, such as changes to the way E-Petitions were submitted.

The Civic Protocol had also been reviewed and changes proposed, to reflect current practice and to clarify the role of the mayor in line with the approach taken in other Boroughs. Linked to this, it was proposed that the Council Procedure Rules be amended to add a new rule 23.4,

23.4 Nature of the role

The role of the Mayor (and Deputy Mayor) is strictly a non-political one and all Councillors will respect the Mayor (and Deputy Mayor's) neutral position. For example, the Mayor (or Deputy Mayor) will maintain an apolitical stance when chairing Council meetings and will allow different opinions to be fully and fairly represented and debated subject to the requirements of these Procedure Rules.

The proposed new rule would complement the changes proposed to the civic protocol and reflected the Council's long-established and well respected practice in respect of the neutrality and non-political role of Mayor.

Resolved

- (1) That the revised Budget and Policy Framework Procedure Rules attached as Appendix 1 to the report, be approved.
- (2) That the terms of reference of the Auditor Panel attached as appendix 2 to the report, be approved.
- (3) That the following rules be adopted in relation to the Auditor Panel:-
 - Membership of the panel does not attract an allowance, but its members are able to claim travel and subsistence expenses in accordance with the Council's members allowances scheme
 - The councillor member of the panel is appointed annually, but the independent members of the panel are appointed for a term of office of up to 5 years, to avoid the need for repeated advertisement of the role and repeated submission of applications by panel members (and this approach would not prevent the Council removing an independent member at any time if it considered this appropriate)
 - The Executive Director (Legal & Democratic Services) is given delegated power to advertise and seek applications for the position of independent member of the audit panel
- (4) That the revised petition scheme attached as Appendix 3 to the report be approved.
- (5) That the revised Civic Protocol, now submitted, be approved; and
- (6) That in the light of the revised Civic Protocol, the Council Procedure Rules be amended to add a new rule 23.4, i.e.

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13 Annual Review of Planning and Licensing Codes of Practice

Council was asked to approve Planning and Licensing Codes of Practice, following an annual review. It was reported that local authorities were recommended, as a matter of

good practice, to supplement their Member Code of Conduct with specific codes of practice, to assist Members involved in the planning and licensing processes.

A key change was to implement recommendations of the Member Learning & Development Panel, that members sitting on Planning and Licensing / Judicial Committees would now be required to have undergone training before they served on the Committee and take part in decision making. It was intended that all members serving on the Planning, Licensing and Judicial Committees would receive training in respect of their respective code of practice as soon as possible after the adoption of the revised codes of conduct.

- Resolved**
- (1) That the revised Planning and Licensing Codes of Practice, now submitted, be approved and adopted; and**
 - (2) That Council notes that that training will be arranged for all members of the planning and licensing committees in respect of their respective code of practice as soon as possible in the new municipal year.**

14 Appointments to Outside Bodies, 2016/17

Council was asked to approve the list of nominations to serve on various outside bodies for the Municipal Year 2016/17, which was tabled at the meeting.

- Resolved**
- That the list of appointments to outside bodies, now submitted be approved for the 2016/17 municipal year.**

15 Timetable of Meetings, 2016/17

- Resolved**
- That the timetable of meetings for 2016/17, now submitted, be approved.**

16 Record of Attendance at Council Meetings, 2015/16

A record of attendance of Councillors at Council meetings in 2015/16 was submitted for information. A report of the attendance of Councillors at eligible meetings of the Council was submitted to the annual meeting each year.

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

Signed:.....

Date:

Chair of the meeting
at which the minutes were confirmed