

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD AT NELSON TOWN HALL
ON 11TH SEPTEMBER 2025**

PRESENT –

Councillor C. Church (Chair)

Councillors

*R. Anwar
D. Cockburn-Price
S. Cockburn-Price
M. Stone
Y. Tennant*

Officers in attendance

<i>Karen Spencer</i>	<i>Director of Resources</i>
<i>Howard Culshaw</i>	<i>Legal and Democratic Services Manager</i>
<i>David Walker</i>	<i>Assistant Director, Operational Services</i>
<i>Lynne Rowland</i>	<i>Committee Administrator</i>



11. SEPTEMBER 11

The meeting stood in silence for one minute to mark the anniversary of 9/11.

12. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests and that whipping declarations were also required.

Members' attention was also drawn to the requirements of the Council's Code of Conduct relating to the disclosure of Other Registrable Interests and Non-Registrable Interests.

13. MINUTES

RESOLVED

That the Minutes of the meeting held on 24th July 2025 be approved as a correct record and signed by the Chair.

14. REVIEW OF COUNCIL CONSTITUTION

The Head of Legal and Democratic Services, in his role as the Council's Monitoring Officer, presented a report which invited the Committee to consider the findings of a constitutional review carried out by council officers and make recommendations to Council.

Details were provided on proposed changes to specific sections of Part 2 and Part 4 of the Constitution. This included amendments to the Financial Procedure Rules and Contract Procedure Rules, which were highlighted by the Director of Resources.

Overview and Scrutiny Committee (11.09.2025)

The Committee considered each change separately and received information on the rationale and evidence for each proposal. Some of the changes were intended to bring clarity to certain elements and to make the decision-making process more efficient. Others were a matter of law. They would also bring Pendle in line with other local authorities and therefore contribute to the preparation for Local Government Reorganisation.

During discussion, Members agreed that the Council should be more explicit in its definition of the Policy Framework and that the Council should abolish the power currently afforded to the Leader of the Council to object to the Council's decisions in relation to the Executive's proposals as respects the Budget and Policy Framework, as the Council was the decision maker so far as developing that framework was concerned.

It was noted that appointments to the Executive could only be made by the Leader as a matter of law and therefore the use of substitutes should not be permitted for meetings of the Executive.

The Committee recognised the importance of all Members being trained in how to make lawful decisions in relation to planning applications and agreed that training in this area should be made mandatory, as was the case with licensing matters. This would lower, as far as possible, the risk of challenges to those decisions. It was suggested that the training could be followed by a test.

A proposal that the start time of evening meetings be changed from 7.00 p.m. to 6.30 p.m. was detailed in the report. A further amendment put forward for consideration was to change the time at which a meeting must adjourn (unless the majority of members present vote for the meeting to continue) to 10.00 p.m., from 11.00 p.m.

The Committee discussed these proposals in detail and commented on the length of meetings, particularly meetings of the Council. Alternative ways of reducing the length of meetings were suggested including mandatory training for the Chair to help them to deal with strong characters and repetition; reducing the time allowed for speeches in relation to Motions, other than the mover of that Motion; and limiting the number of Motions allowed.

It was agreed not to pursue the suggested alternatives at this time, but that the view of all Members should be sought on meeting start and finish times.

A further proposal that was discussed in detail was one that would give the Leader the discretion to allow speeches by non-Executive members at Executive meetings. The current situation, where non-Executive members seemed to have the absolute right to speak at Executive meetings, was not best practice and was unusual when compared with other local authorities.

The Committee did not support this proposal but instead recommended that non-Executive members be allowed to speak once on each agenda item at Executive meetings.

RESOLVED

That, in advance of the Council meeting to be held on 25th September, all Councillors be surveyed on the proposals to change the start time of meetings to 6.30 p.m. (from 7.00 p.m.) and to change the time at which a meeting must adjourn to 10.00 p.m. (from 11.00 p.m.), and the results reported to the Council meeting for consideration.

RECOMMENDATION

That Council be recommended to note the comments of this Committee and –

- (a) Extend the definition of the Policy Framework, to bring clarity to the question of which the correct decision-making forum should be.
- (b) End the practice of Executive member substitutions in accordance with section 9C(3)(b) of the Local Government Act 2000.
- (c) Endorse the need for mandatory training for councillors who make decisions in relation to licensing and planning matters.
- (d) Consider the results of the Member survey in relation to the start and finish time of meetings and support the majority view.
- (e) Amend the rules relating to the Process for Developing the Budget and Policy Framework.
- (f) Agree that all members of the Council may attend meetings of the Executive, including those parts where the public and press are excluded, and may speak once on each agenda item.
- (g) Note the amendments to the Financial Procedure Rules and the Contract Procedure Rules.

15. LITTERING/FLY-TIPPING

The topic of littering and fly-tipping was last considered at the Committee's March 2025 meeting. After learning of the adoption of a new policy, designed to provide an effective enforcement service for litter and dog fouling offences, it had been agreed to change the focus of the work to look at ways in which to relay key messages about the hazards related to littering.

At the request of the Committee, the Assistant Director, Operational Services presented a report which provided information on the most recent communication campaigns and their effectiveness, along with details of campaigns across the country.

• Behavioural Change Campaigns

Since 2023 a minimum of three behavioural change campaigns had been delivered each year. These included a fly-tipping amnesty and rehome, recycle events and had been used to connect with communities, to educate and encourage a positive change in behaviour.

Information on participation levels and tonnages from the events were provided in the report. These showed that the 2023 and 2024 campaigns in relation to communication with residents had proved more successful than the 2025 campaign. There were no clear identifiers as to why this was the case though the 2025 campaign concentrated on re-homing, reusing and recycling rather than offering a means of simply disposing of unwanted items.

• Chewing Gum Disposal

In 2023 Operational Services successfully bid for £25,000 from DEFRA's chewing gum task force action fund. This was used to buy handheld gum removal equipment, stencils and signs that promoted responsible disposal of chewing gum. The campaign was also promoted

through local media channels. Examples of the signs and banners used were included in the report, along with details of where these had been placed/erected.

- **Great British Spring Clean**

The Great British Spring Clean was annually supported and the Keep Britain Tidy branding was used to promote action from schools, businesses and other volunteer groups.

- **Ongoing action**

In addition to the one-off and seasonal campaigns, changeable banners were used on refuse and recycling collection vehicles to promote income generating activities and encourage behaviour change. This would continue, with messages being refreshed and the use of vehicle banners expanded.

The Council also linked up with other agencies such as Pendleside Hospice for rehoming items, and Lancashire Fire and Rescue, highlighting fire hazards.

- **National action**

As well as working with local agencies, the Council linked in with national campaigns. Currently, Keep Britain Tidy was promoting the responsible disposal of cigarette butts. It was explained that the current campaign was aimed at reducing the number of cigarette butts that ended up in drains, rivers and waterways, harming marine life. Research showed that cigarette butts made up the majority of littered items (66%) and 80% of cigarettes smoked outdoors were discarded improperly. This impacted heavily on the environment and local authority budgets.

The report provided links to further examples of campaigns, both locally and nationally.

It was noted that, overall, most local campaigns had been successful. Surveys had shown that during the campaigns, the locations used for promotion of responsible disposal of gum had seen a 90% reduction in gum staining and the areas selected for intervention in relation to the fly-tipping amnesties had remained tidy for weeks after the events had been held.

However, it was acknowledged that beyond the life of the campaigns, when no longer being newly promoted or there being a physical presence, people became blind to the message.

Reports on successful enforcement cases and visible patrols helped to get the message across, although offences continued to occur. It was noted that Nelson Town Council was paying for a town centre officer to help the Council tackle grot spots in the community.

The Committee considered all the information provided and discussed potential ways to deal with the issues of dog fouling and littering and further engage with the community. Suggestions included –

- School visits/assemblies, possibly with a refuse vehicle and making use of Keep Britain Tidy (KBT) materials.
- Social media reels (e.g. showing snippets of the Operational Services Team at work).
- Increasing the number of fines issued and publicising the enforcement action.
- Publicising a fly-tipping scene.
- Encouraging people to adopt their local area.

- Promoting those that were doing good for the area and the community.

In response the Assistant Director, Operational Services advised that regrettably, due to officer time being taken up elsewhere (such as dealing with court hearings and investigations relating to approximately 2,500 fly tipping cases per quarter) Operational Services staff no longer had the capacity to attend school assemblies and take vehicles to schools as they had done in the past. However, it was noted that a manufacturer of refuse collection vehicles had created a mobile classroom which they took to events to promote behaviour change messages. Pendle had approached Lancashire County Council (LCC) for their interest.

Members were also advised that any school could join KBT to access learning materials. The Council was not a member and therefore access to the information would be at a cost.

It was acknowledged that work was already ongoing in relation to some of the proposals including working with other agencies and volunteer groups and providing equipment where needed. This work would continue. Members were also keen for the other suggested options to be pursued where possible.

16. EXECUTIVE WORK PROGRAMME/FORWARD PLAN

The draft Executive Forward Plan, to be published on 15th September 2025 was circulated at the meeting, for information.

CHAIR _____