

**MINUTES OF THE SPECIAL BUDGET COUNCIL MEETING  
HELD AT NELSON TOWN HALL  
ON 18<sup>th</sup> FEBRUARY, 2016**

*PRESENT –*

*His Worship the Mayor (Councillor Nawaz Ahmed – in the Chair)*

**Councillors**

M. Adams  
Nadeem Ahmed  
M. Ammer  
E. Ansar  
N. H. Ashraf  
A. Aziz  
S. A. Benson  
W. Blackburn  
N. Butterworth  
R. E. Carroll  
D. Clegg  
S. E. Cockburn-Price  
J. Cooney  
L. M. Crossley  
M. Goulthorp  
A. R. Greaves  
M. Hanif  
K. Hartley  
J. M. P. Henderson  
M. Horsfield

M. Iqbal  
Y. Iqbal  
D. E. Lord  
N. McEvoy  
A. Mahmood  
B. Newman  
J. A. Nixon  
G. Roach  
M. Sakib  
J. K. Starkie  
C. Teall  
I. W. Tweedie  
C. Wakeford  
G. Waugh  
D. Whalley  
D. M. Whipp  
P. White,  
S. Wicks  
N. Younis

*(Apologies for absence were received from Councillors R. B. Allen, M. Arshad, T. A. Cooney, L. Davy, M. S. Foxley, C. Jowett, R. Milner, B. N. Parker and K. E. Shore).*



**63. MINUTES SILENCE**

A minutes silence was observed following the recent sudden death of former Councillor George Askew.

**64. DECLARATIONS OF INTEREST**

Members were reminded of the requirement to declare any pecuniary or substantial non-pecuniary items of business.

**65. RECORDED VOTES**

Members were reminded that in accordance with Rule 17 of the Procedure at Full Council all votes on budget issues would be recorded. This included all motions and amendments.

**66.**

**STANDING ORDERS**

**MOTION**

It was moved by Councillor M. Iqbal and seconded by Councillor D. M. Whipp –

That Standing Order 14.3 be suspended to allow Group Leaders to speak on the Capital Programme 2016-2019 and the General Fund Revenue Budget and Setting of the Council Tax for 2016/17 items for longer than 5 minutes.

**RESOLVED**

That Standing Order 14.3 be suspended to allow Group Leaders to speak on Capital Programme 2016-2019 and the General Fund Revenue Budget and Setting of the Council Tax for 2016/17 items for longer than 5 minutes.

**67. ROBUSTNESS OF BUDGET ESTIMATES AND ADEQUACY OF RESERVES**

The Financial Services Manager submitted a report on the robustness of the Council's budget estimates for 2016/17 and the adequacy of financial reserves in accordance with Section 25 of the Local Government Act, 2003.

The report pointed out, that the Council should have regard to the report when making decisions on the 2016/17 budget and the associated level of Council Tax. The Council was required to consider the report in order to acknowledge the risks and uncertainties faced by the Council and determine that adequate provision had been made for these, both as part of the budget estimates and also in determining the adequacy of reserves.

Statements from the Financial Services Manager were set out in Appendix A to the report and it was pointed out that these statements were predicated on the Management Team's proposed budget.

It was moved by Councillor M. Iqbal, seconded by Councillor D. M. Whipp and –

**RESOLVED**

That the statements from the Financial Services Manager set out in the report be taken into account when determining the budget and level of Council Tax for 2016/17

**68. CAPITAL PROGRAMME 2016/19 AND GENERAL FUND REVENUE BUDGET  
AND SETTING OF THE COUNCIL TAX 2016/17**

**(a) Capital Programme 2016/19**

Council considered a report from Management Team on the proposed Capital Programme for 2016/17. Details of the Medium-Term Capital Programme for 2016-2019 along with various prudential indicators were also submitted for consideration.

**(b) General Fund Revenue Budget and Setting of the Council Tax 2016/17**

Management Team submitted a report which asked Council to consider the proposed General Fund Revenue Budget for 2016/17; sought agreement on the level of Council Tax to be set for 2016/17;

and gave details of the Council's Medium Term Financial Plan for the period 2016/19 to highlight the significant budget deficit and the need to take early action to reduce expenditure to a sustainable level.

## **MOTION**

It was moved by Councillor M. Iqbal and seconded by Councillor A. R. Greaves –

- (1) That the forecast outturn position on the Council's Capital Programme for 2015/16, as shown at Appendix A and detailed in the report be noted.
- (2) That the proposed Capital Programme for 2016/7, as shown at Appendix B be approved.
- (3) That delegated authority be granted to the Financial Services Manger to determine the most appropriate methods of financing the Capital Programme for 2016/17 to ensure the use of resources was optimised by the Council.
- (4) That the indicative programmes for 2017/18 and 2018/19, as shown in Appendix B be noted and it be acknowledged that these would be subject to review as part of the development of future years capital programmes.
- (5) That the Prudential Indicators as shown in Appendix C be approved.
- (6) That Area Committees be advised that when considering their capital allocations, they seek to maximise external resources, to have regard to the Council's key objectives and to only use the funding allocated for capital purposes.
- (7) That a grant of £1,576,200 be granted to Pendle Leisure Trust for 2016/17.
- (8) That the Labour/Liberal Democrat Groups General Fund Revenue Budget for 2016/17 as set out in **Appendix 1** to these Minutes, be approved.
- (9) That the budget calculations 2016/17, the Council Tax calculations 2016/17 and the Council Tax Declaration, as set out in **Appendix 2** to these Minutes, be approved.

At this point the Conservative Group indicated that they would like to move an amendment which they circulated. His Worship the Mayor then adjourned the meeting for a period of thirty minutes to allow Members time to consider the proposals.

The meeting reconvened at 8.30 p.m.

## **AMENDMENT**

It was moved by Councillor J. Cooney, seconded by Councillor P. White –

That the Conservative Group's General Fund Revenue Budget for 2016/17 as set out in **Appendix 3** to these Minutes, be approved.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

*A. Aziz, S. A. Benson, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*Those Members voting against the Motion were Councillors:*

*M. Adams, Nadeem Ahmed, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newman, G. Roach, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, D. M. Whipp, S. Wicks and N. Younis.*

*14 in favour and 25 against.*

Upon being put to the vote the amendment was **LOST**.

#### **AMENDMENT**

It was moved by Councillor J. Cooney, seconded by Councillor P. White –

That Earby Council Offices remain open and that this be financed by increasing the ‘Liberata – change in specification’ from £50,000 to £100,000 in the proposed budget.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

*A. Aziz, S. A. Benson, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*Those Members voting against the Motion were Councillors:*

*M. Adams, Nadeem Ahmed, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newman, G. Roach, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, D. M. Whipp, S. Wicks and N. Younis.*

*14 in favour and 25 against.*

Upon being put to the vote the amendment was **LOST**.

#### **AMENDMENT**

It was moved by Councillor P. White, seconded by Councillor J. Cooney –

That a charge for green waste be removed from the proposed budget and this be financed by increasing the ‘Liberata – change in specification’ from £50,000 to £100,000.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

## Special Budget Council (18.02.2016)

*A. Aziz, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*Those Members voting against the Motion were Councillors:*

*M. Adams, Nadeem Ahemd, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newam, G. Roach, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, D. M. Whipp and S. Wicks.*

*13 in favour and 24 against.*

Upon being put to the vote the amendment was **LOST**.

### **AMENDMENT**

It was moved by Councillor P. White, seconded by Councillor J. Cooney –

That the withdrawal of route subsidy be removed from the proposed budget and this be financed by increasing the 'Liberata – change in specification' from £50,000 to £100,000.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

*A. Aziz, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*Those Members voting against the Motion were Councillors:*

*M. Adams, Nadeem Ahemd, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newam, G. Roach, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, D. M. Whipp, S. Wicks and N. Younis.*

*13 in favour and 25 against.*

Upon being put to the vote the amendment was **LOST**.

### **AMENDMENT**

It was moved by Councillor P. White, seconded by Councillor J. Cooney –

That the proposed increase in cemetery fees and charges be removed from the proposed budget and this be financed by increasing the 'Liberata – change in specification' from £50,000 to £100,000.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

## Special Budget Council (18.02.2016)

*A. Aziz, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*Those Members voting against the Motion were Councillors:*

*M. Adams, Nadeem Ahmed, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newman, G. Roach, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, D. M. Whipp, S. Wicks and N. Younis.*

*13 in favour and 25 against.*

Upon being put to the vote the amendment was **LOST**.

### **AMENDMENT**

It was moved by Councillor P. White, seconded by Councillor J. Cooney –

That Fixed Penalty Notices be introduced for failure to carry dog waste disposal bags.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

*A. Aziz, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*Those Members voting against the Motion were Councillors:*

*M. Adams, Nadeem Ahmed, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newman, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, S. Wicks and N. Younis.*

*Those Members abstaining were Councillors:*

*A. R. Greaves, G. Roach and D. M. Whipp*

*13 in favour, 22 against and 3 abstentions.*

Upon being put to the vote the amendment was **LOST**.

### **RESOLVED**

- (1) That the forecast outturn position on the Council's Capital Programme for 2015/16, as shown at Appendix A and detailed in the report be noted.
- (2) That the proposed Capital Programme for 2016/7, as shown at Appendix B be approved.
- (3) That delegated authority be granted to the Financial Services Manager to determine the most appropriate methods of financing the Capital Programme for 2016/17 to ensure the use of resources was optimised by the Council.

- (4) That the indicative programmes for 2017/18 and 2018/19, as shown in Appendix B be noted and it be acknowledged that these would be subject to review as part of the development of future years capital programmes.
- (5) That the Prudential Indicators as shown in Appendix C be approved.
- (6) That Area Committees be advised that when considering their capital allocations, they seek to maximise external resources, to have regard to the Council's key objectives and to only use the funding allocated for capital purposes.
- (7) That a grant of £1,576,200 be granted to Pendle Leisure Trust for 2016/17.
- (8) That the Labour/Liberal Democrat Groups General Fund Revenue Budget for 2016/17 as set out in **Appendix 1** to these Minutes, be approved.
- (9) That the budget calculations 2016/17, the Council Tax calculations 2016/17 and the Council Tax Declaration, as set out in **Appendix 2** to these Minutes, be approved.

*In accordance with minute 65 above a recorded vote was taken on this issue.*

*Those Members voting in favour of the Motion were Councillors:*

*M. Adams, Nadeem Ahmed, Nawaz Ahmed, M. Ammer, E. Ansar, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, M. Hanif, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newman, G. Roach, M. Sakib, C. Teall, I. W. Tweedie, D. Whalley, D. M. Whipp, S. Wicks and N. Younis.*

*Those Members voting against the Motion were Councillors:*

*A. Aziz, N. Butterworth, R. E. Carroll, S. E. Cockburn-Price, J. Cooney, L. M. Crossley, M. Goulthorp, K. Hartley, M. Horsfield, J. Nixon, J. K. Starkie, C. Wakeford, G. Waugh and P. White.*

*24 in favour and 14 against.*

## **70. SAFEGUARDING ADULTS POLICY**

The Strategic Director submitted the Safeguarding Adults Policy for consideration and which had been recommended by the Executive for adoption.

It was moved by Councillor M. Iqbal, seconded by Councillor J. Cooney –

### **RESOLVED UNANIMOUSLY**

That the Safeguarding Adults Policy be agreed and adopted by Council.

## **71. HOUSING RENEWAL POLICY**

The Housing, Health and Economic Development Services Manager submitted for consideration the Housing Renewal Policy which had been recommended by the Executive for adoption.

It was moved by Councillor M. Iqbal, seconded by Councillor J. Cooney –

**RESOLVED UNANIMOUSLY**

That the Housing Renewal Policy be agreed and adopted by Council.

**72. THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015**

The Housing, Health and Economic Development Services Manager submitted a report on the above Regulations which came into force on 1<sup>st</sup> October, 2015.

The report explained that the regulations required private landlords to ensure that there was a working smoke alarm installed on each storey of a privately rented home, whether the floor was occupied or not, that a working carbon monoxide alarm was in place in each room which contained a solid fuel burning combustion appliance and to check that appropriate alarms were in working order at the start of each tenancy.

The fire and rescue authorities were expected to support private landlords and they had supplies of each alarm to distribute and fit for landlords.

It was the Local Housing Authority whose duty it was to serve a remedial notice if a landlord was in breach of the Regulations. Details of the process were included in the report. The landlord would also be required to pay a penalty charge not exceeding £5,000 and the Authority would be required to prepare and publish a statement of principles which it proposed to follow in determining the amount of a penalty charge. A suggested statement of principles was attached to the report at Appendix A.

The report was considered by the Executive at its meeting on 9<sup>th</sup> February, 2016 where it was recommended that Council agree:

- (1) That the Housing, Health and Economic Development Services Manager be authorised to exercise the Council's full enforcement powers under the "Smoke and Carbon Monoxide Alarm (England) Regulations 2015" made under Section 150(1)-(6) and (10) of the energy Act 2013 and paragraph 3(a) of Schedule 4 to the Housing Act 2004 that came into force on 1<sup>st</sup> October, 2015.
- (2) That the statement of principles which the Local Authority will follow in determining the amount of a penalty charge related to a breach of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 be approved.
- (3) That the Council's Private Sector Housing Enforcement Policy be amended to include the new regulations.

It was moved by Councillor M. Iqbal, seconded by Councillor J. Cooney –

**RESOLVED UNANIMOUSLY**

- (1) That the Housing, Health and Economic Development Services Manager be authorised to exercise the Council's full enforcement powers under the "Smoke and Carbon Monoxide Alarm (England) Regulations 2015" made under Section 150(1)-(6) and (10) of the energy



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Act 2013 and paragraph 3(a) of Schedule 4 to the Housing Act 2004 that came into force on 1<sup>st</sup> October, 2015.

- (2) That the statement of principles which the Local Authority will follow in determining the amount of a penalty charge related to a breach of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 be approved.
- (3) That the Council's Private Sector Housing Enforcement Policy be amended to include the new regulations.

His Worship the Mayor \_\_\_\_\_