

**MINUTES OF THE
ANNUAL COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 19th MAY, 2016**

PRESENT –

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

Councillors

<i>G. Adam</i>	<i>Y. Iqbal</i>
<i>M. Adams</i>	<i>D. E. Lord</i>
<i>R. B. Allen</i>	<i>N. T. McCollum</i>
<i>M. Ammer</i>	<i>N. McEvoy</i>
<i>E. Ansar</i>	<i>A. Mahmood</i>
<i>Mohammed Arshad</i>	<i>B. Newman</i>
<i>Muzawar R. Arshad</i>	<i>J. A. Nixon</i>
<i>N. H. Ashraf</i>	<i>B. M. Parker</i>
<i>W. Blackburn</i>	<i>S. Petty</i>
<i>N. Butterworth</i>	<i>J. Purcell</i>
<i>R. E. Carroll</i>	<i>G. Roach</i>
<i>D. Clegg</i>	<i>M. Sakib</i>
<i>S. E. Cockburn-Price</i>	<i>K. E. Shore</i>
<i>J. Cooney</i>	<i>J. K. Starkie</i>
<i>T. A. Cooney</i>	<i>C. Teall</i>
<i>L. M. Crossley</i>	<i>K. Turner</i>
<i>L. Davy</i>	<i>C. Wakeford</i>
<i>M. S. Foxley</i>	<i>G. Waugh</i>
<i>M. Goulthorp</i>	<i>D. Whalley</i>
<i>A. R. Greaves</i>	<i>D. M. Whipp</i>
<i>K. Hartley</i>	<i>P. White</i>
<i>J. M. P. Henderson</i>	<i>S. Wicks</i>
<i>M. Horsfield</i>	<i>N. Younis</i>
<i>M. Iqbal</i>	

(Apologies for absence were received from Councillor Nadeem Ahmed).



1. ELECTION OF MAYOR OF THE BOROUGH

It was moved by Councillor M. Goulthorp, seconded by Councillor M. Iqbal, supported by Councillor B. Newman and –

RESOLVED UNANIMOUSLY

That Councillor R. E. Carroll be elected Mayor of the Borough for the Municipal Year 2015/16.

Councillor Carrol then signed the Declaration of Acceptance of Office as required by law.

The Worship the Mayor (Councillor R. E. Carroll – in the Chair)

2. MINUTES OF COUNCIL

It was moved by Councillor Nawaz Ahmed, seconded by The Worship the Mayor and –

RESOLVED

That the minutes of the meeting of the Council held on 23rd March, 2016 be approved as a correct record and signed by the Mayor.

3. VOTE OF THANKS TO THE RETIRING MAYOR

It was moved by Councillor Y. Iqbal, seconded by Councillor J. Cooney, supported by Councillor K. Hartley and –

RESOLVED UNANIMOUSLY

That the best thanks of the Council be tendered to Councillor Nawaz Ahmed, Mrs. Azmat Ahmed and Miss Uzma Ahmed for their services as Mayor and Mayoresses during their term of office.

The Worship the Mayor presented Commemorative Badges of Office to them all.

4. APPOINTMENT OF DEPUTY MAYOR

It was moved by Councillor S. Wicks, seconded by Councillor A. R. Greaves, supported by Councillor P. White and –

RESOLVED UNANIMOUSLY

That Councillor David Whalley be appointed Deputy Mayor of the Borough for the Municipal Year 2016/17.

Councillor D. Whalley then signed the Declaration of Acceptance of Office as required by law.

5(a) MAYOR'S ALLOWANCE

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

RESOLVED

That an allowance of £5,130 be paid to the Mayor for the purpose of enabling her to meet the expenses of the office and that such allowance be paid to the credit of the Mayor at the Council's Bankers and that any credit balance remaining at the date of the next Annual Meeting of the Council be re-appropriated to the Council's account.

5(b) APPOINTMENT OF MAYOR'S CHAPLAIN

The Worship the Mayor advised that she had appointed Reverend Hugh Fielden to the office of Mayor's Chaplain for the Municipal Year 2016/17 and duly signified such appointment to the Council.

The time having reached 7.35 p.m. the Mayor declared the meeting closed and there was a short break for ten minutes to allow the Mayor's guests to leave the Chamber. The meeting reconvened at 7.45 p.m.

6. DECLARATIONS OF INTEREST

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

7. VOTE OF NO CONFIDENCE

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

- (a) this Council has no confidence in the way the Leader, Councillor M. Iqbal, is leading the Council;
- (b) as a result the Leader, Councillor M. Iqbal be removed from office with immediate effect.

RESOLVED

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

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

At the request of two members a recorded vote was taken on this issue.

Those Members voting in favour of the Motion were:

Councillors Musawar Arshad, N. Butterworth, R. E. Carrol, S. E. Cockburn-Price, J. Cooney, T. A. Cooney, L. M. Crossley, L. Davy, M. S. Foxley, M. Goulthorp, M. Horsfield, N. T. McCollum, N. McEvoy, J. Nixon, S. Petty, J. Purcell, J. K. Starkie, K. Turner, C. Wakeford, G. Waugh and P. White.

Those Members voting against the Motion were:

Councillors G. Adam, M. Adams, Nawaz Ahmed, R. B. Allen, M. Ammer, E. Ansar, Mohammed Arshad, N. H. Ashraf, W. Blackburn, D. Clegg, A. R. Greaves, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, D. E. Lord, A. Mahmood, B. Newman, B. N. Parker, G. Roach, M. Sakib, K. E. Shore, C. Teall, D. Whalley, D. M. Whipp, S. Wicks and N. Younis.

**8. LOCAL GOVERNMENT AND HOUSING ACT 1989
POLITICAL BALANCE RULES**

It was reported that, whenever the allocation of seats on Committees was reviewed, the Council was required to apply the statutory political balance rules. The rules applied to the Scrutiny Management Team, the Development Management Committee, the Licensing Committee, the Taxi and Other Licensing Committee and the Accounts and Audit Committee. They did not apply to the Area Committees or the Executive.

At this point the Leader reported that membership of the Executive would remain the same as last year with six members from the Labour Group and four members from the Liberal Democrat Group. Details of the portfolios would be announced over the next few days.

A note setting out an allocation of seats which reflected the rules for the proposed Committee Structure to be considered later on the agenda was submitted.

RESOLVED

That the report be noted.

9. COMMITTEE STRUCTURE

The Corporate Director submitted a report on the possibility of sending major planning applications straight to Development Management Committee. This issue had been raised at the last meeting of the Governance Working Group in February, 2016. The Working Group felt that recent changes to the planning system, the need for more house building and the provision of land for economic development, all major applications should be considered from a borough wide point of view rather than a local one.

The major applications would be defined in line with the statutory definitions in the General Development Orders. It was suggested that Area Committees could be consulted on such applications; that speaking at these meetings remains the same; and that the reinstatement of no substitutes at Development Management be re-introduced.

The Governance Working Group had also asked that a different way of delivering Scrutiny be considered. With the Executive arrangements in place legislation required the appointment of one or more committees to carry out its overview and security functions. It was felt that the current arrangements with a Scrutiny Management Team and a Health and Social Care Scrutiny Panel no change was necessary.

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

RESOLVED

That the report be referred back to the Governance Working Group for further discussion prior to another report being submitted to a future Council meeting.

10. APPOINTMENT OF COMMITTEES

RESOLVED

That the following Committees be appointed for the Municipal Year 2016/17:-

- (a) Barrowford and Western Parishes Committee
- (b) Brierfield and Reedley Committee
- (c) Colne and District Committee
- (d) Nelson Committee
- (e) West Craven Committee
- (f) Licensing Committee
- (g) Scrutiny Management Team
- (h) Development Management Committee
- (i) Accounts and Audit Committee
- (j) Taxi and Other Licensing Committee

11. APPOINTMENT OF CHAIRMEN OF THE ABOVE COMMITTEES

It was reported that it was necessary to appoint Chairmen of the Committees as set out in Minute 10 above.

It was moved by Councillor M. Iqbal, seconded by Councillor A. Mahmood and –

RESOLVED

That Councillor S. Wicks be appointed Chairman of the Licensing Committee for the Municipal Year 2016/17.

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

RESOLVED

That Councillor D. Clegg be appointed Chairman of the Taxi and Other Licensing Committee for the Municipal Year 2016/17.

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

RESOLVED

That Councillor K. Turner be appointed Chairman of the Scrutiny Management Team for the Municipal Year 2016/17.

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

RESOLVED

That Councillor K. Hartley be appointed Chairman of the Development Management Committee for the Municipal Year 2016/17.

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

RESOLVED

That Councillor L. Davy be appointed Chairman of the Accounts and Audit Committee for the Municipal Year 2016/17.

12. DATES AND TIMES OF COUNCIL MEETINGS – 2016/17

It was moved by the Worship the Mayor, Councillor R. E. Carroll, seconded by Councillor D. Whalley and –

RESOLVED UNANIMOUSLY

(1) That the meetings of the Full Council be held on the following dates:

14th July, 2016
20th October, 2016

Annual Council (19.05.2016)

15th December, 2016
16th February, 2017 (Special Budget meeting)
23rd March, 2017
18th May, 2017 (Annual Council)

(2) That the dates of other meetings set out in the attached schedule be approved.

13. OVERVIEW AND SCURTINY

(a) Annual Report 2016

It was moved by Councillor C. Wakeford, seconded by Councillor A. Mahmood and –

RESOLVED

That the Overview and Scrutiny Annual Report for 2016 be received.

(b) Work Programme for 2015/16

It was moved by Councillor C. Wakeford, seconded by Councillor A. Mahmood and –

RESOLVED

That the Overview and Scrutiny Work Programme for 2016/17, as submitted, be approved.

14. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Appointment of Organisations/Associations

It was moved, seconded and –

RESOLVED

That the persons set out in the schedule, attached as an Appendix to these Minutes, be appointed or nominated as this Council's representatives on the bodies specified to hold office until the Annual Meeting of the Council to be held on 18th May, 2017 or such other dates as are indicated.

15. CONSTITUTION – SCHEME OF DELEGATION TO OFFICERS

The Democratic and Legal Manager submitted a report on a number of amendments required to the Council's Constitution. In particular, the amendments referred to the Scheme of Delegation to Officers and reference to the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and the Food Law Code of Practice (England) 2015.

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

RESOLVED

(1) That the amendments in the Scheme of Delegation to Officers, as set out in the report, be approved.

- (2) That the above amendments be incorporated in the Council's Constitution as published on the Council's website and that revised copies be distributed to members of the Council.

16. NOTICES OF MOTION

(a) Fracking

It was moved by Councillor K. Hartley, seconded by Councillor A. R. Greaves:

This Council **notes** with concern that the oil and shale gas energy firm Cuadrilla has announced its intention to immediately commence exploratory drilling for ground water monitoring at the Preston New Road site in Lancashire and indicates that it is about to announce the same activity for the neighbouring site at Roseacre Wood.

Despite permission for fracking activity being refused during the planning process by Lancashire County Council and in the absence of an appeal decision by the Planning Inspectorate. Cuadrilla states it intends to determine the baseline ground water conditions at both sites in advance of the appeal decision.

The Council also **notes** that under the latest round of licensing issued by the Government in December 2015, Osprey Petroleum was the recipient of an exploratory licence for Grid Block SD 83 which includes areas of Pendle including Nelson, Higham, Fence, Barrowford and the Waterside area of Colne.

Recognising previous motions to Council, which rejected fracking in Pendle, this Council **resolves** to express its grave concerns to the Secretary of State for Communities and Local Government that such monitoring activity, including drilling, was being allowed as "permitted development". In addition, this Council calls upon our Local Member of Parliament to support the Council's position on fracking and use his influence in Westminster and elsewhere to ensure that no such activity is undertaken in Pendle.

RESOLVED

Accordingly.

(b) Women's Refuge

It was moved by Councillor D. E. Lord, seconded by Councillor M. Adams:

Council **notes** the threat to funding for the Pendle Women's Refuge after the end of this financial year, due to the Government failing to fund the Supporting People programme.

Council **recognises** the invaluable support provided by the refuge for very vulnerable people and families over many years.

Council calls upon Lancashire County Council to do all that they can to ensure that the refuge can continue to operate for the foreseeable future.

Council resolves to write to the Chief Executive and Leader of the County Council to convey this view and that the member of Parliament for Pendle is requested to fight for adequate Government funding to ensure such services continue.

RESOLVED

Accordingly.

(c) Libraries

It was moved by Councillor D. M. Whipp, seconded by Councillor K. Hartley:

Council welcomes the proposals in the County Council's property review to keep libraries at Nelson, Colne and Barnoldswick, together with a 'satellite' library at Brierfield.

Council recognises the importance of public library provision and regrets that severe government underfunding to Lancashire County Council jeopardises the future of libraries at Barrowford, Brierfield, Earby and Trawden.

This Council resolves to request the County Council to urgently explore opportunities for volunteer supported library services to be provided in these communities as part of future service delivery.

RESOLVED

Accordingly.

(d) Toilets at Wycoller County Park

It was reported that the toilets at Wycoller Country Park had recently been re-opened. Therefore the motion put forward was withdrawn.

(e) Speeding Vehicles

It was moved by Councillor Mohammad Arshad, seconded by Councillor B. Newman:

Council **notes** with alarm the recent incident in Brierfield where, as a result of racing by mindless individuals, lead to a serious accident with a pedestrian.

Council **notes** the reduction in government funding to Lancashire Constabulary which in turn has led to a reduction in specialist teams including the highly trained officers who specialised in pursuit of vehicles speeding on Pendle roads.

Council **resolves** to:

- (1) Write to the Home Secretary asking that additional resources be given to Lancashire Constabulary to tackle the problem of vehicles exceeding speed limits thus causing a serious risk of injury/fatality.
- (2) Write to Andrew Stephenson MP asking for his support in lobbying the Government for additional funding to be paid to Lancashire Constabulary to tackle this problem.
- (3) Write to HM Government to consider legislating against hire car companies to prevent young drivers from hiring high performance cars.

Annual Council (19.05.2016)

- (4) Write to the Lancashire Police and Crime Commissioner and the Chief Constable to request targeted resources into the areas where this issue is prevalent and to adopt a zero tolerance approach to all vehicle related offences to help tackle this problem throughout the borough.
- (5) Write to the Cabinet member for Highways at Lancashire County Council to request officers to investigate what engineering schemes can be delivered to help in tackling this issue.

RESOLVED

Accordingly.

The Worship the Mayor _____