



MEETING OF THE COUNCIL

TO BE HELD ON

THURSDAY 20th OCTOBER, 2016

AT 7.00 p.m.

IN THE COUNCIL CHAMBER AT NELSON TOWN HALL

Minutes of all meetings held since the last Council meeting can be accessed via the Council's website www.pendle.gov.uk followed by the "Council" tab.

Members are reminded that it is now not necessary to submit amendments in writing prior to the start of the meeting. Members are however urged wherever possible to continue to do this so that the effect of amendments can be fully understood.

For further information please contact **Jane Watson** on telephone **661648**.

PHILIP MOUSDALE, CORPORATE DIRECTOR



If you would like this information in a way which is better for you, please telephone us.



اگر آپ یہ معلومات کسی ایسی شکل میں چاہتے ہیں، جو کہ آپ کے لئے زیادہ مفید ہو تو براہ مہربانی ہمیں بتائیوں کریں۔

AGENDA

1. Apologies
2. Minutes of Council

Enc. To approve as a correct record, or otherwise, the Minutes of the meeting held on 14th July, 2016.

3. Declarations of Interest

Members are reminded of the legal requirements concerning the declaration of interests.

A Member must declare a disclosable pecuniary interest which he/she has in any item on the agenda. A Member with a disclosable pecuniary interest in any item may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting.

In addition the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

4. Minutes silence for former Councillor and Freeman of the Borough John David

5. Stephen Burke

To be moved by the Leader of the Council:

That the congratulations of the Council and the people of Pendle be extended to Steven Burke for his outstanding achievement in winning a second Olympic gold medal at the games in Rio de Janeiro.

6. Announcements from the Mayor and Leader of the Council (if any)
7. Questions on Notice from the Public to the Leader (if any)
8. Questions on Notice by Members to the Leader, a Committee Chairman or a Representative on an Outside Body on Matters not otherwise on the Agenda (if any)
9. Report by the Leader on the Executive's Work

Enc. A report of the Leader on the work of the Executive since the last Council meeting is attached.

10. Report by the Chairman of the Scrutiny Management Team

Enc. A report of the Chairman of the Scrutiny Management Team on recent overview and scrutiny activity is attached.

11. Member Champion Updates

To receive updates from the following Member Champions:

- Janice Taylor – Armed Forces Champion
- Councillor W. Blackburn – Disability Member Champion

- Councillor D. E. Lord – Every Child Matters Member Champion
- Councillor D. Whalley – Older People and Dementia Member Champion
- Councillor L. Davy – Young People Member Champion

12. Budget Savings 2017/18

Enc. To consider the attached report from the Financial Services Manager.

This report was considered by the Executive on 22nd September, 2016 where it was resolved:

“(1) That Council be recommended to approve the following savings:

	£
Transfer of Services – Income from Town and Parish Councils	50,000.00
Transfer of Services – Full Impact of transferring Colne Town Hall	20,000.00
Staffing – Primarily Management of Vacant Posts	200,000.00
Liberata - Software Rationalisation (IDOX)	50,000.00
Rationalisation of Telephones/Related IT	10,000.00
Property – Reduction in Reactive Maintenance (greater planned maintenance)	30,000.00
Waste Management – Reduction in ‘Flyer’ Service	25,580.00
Waste Management – Vehicle Changes	25,000.00
Discover Pendle Visitor Centre	40,000.00
Total	450,580.00

(2) That the proposed saving in the reduction in mechanical sweeping be deferred and considered further during the budget making process along with other savings proposals.

(3) That the transfer of Discover Pendle into the Boundary Mill store be approved subject to Boundary Mill making a contribution towards the costs of operating the instore facility.”

13. Income Review 2016 – New Charges

At the Executive meeting on 22nd September, 2016 Members considered the Income Review 2016 report. At that meeting it was resolved:

“That a charge of £20 (excluding VAT) be agreed for the treatment of rats, mice and cockroaches in residential premises (as per paragraphs 17-19 in the report) and this be recommended to Council for approval.”

Enc. The relevant extract from the report is attached.

14. Acquisition of the ACE Centre, Nelson

Enc. To consider the attached report from the Strategic Director.

This report was considered by the Executive on 25th August, 2016 where it was resolved:

“(1) That the Council be recommended to approve a supplementary capital estimate of £2.200m for the acquisition of the Council’s interest in the ACE Centre;

- (2) That subject to (1) above, that the proposal to borrow £2.200m from the Public Works Loan Board to fund the acquisition be noted.”

15. Licence Fees for Vehicles, Drivers and Operators

Enc. To consider the attached report from the Planning, Building Control and Licensing Services Manager.

This report was considered by the Executive on 22nd September, 2016 where it was resolved:

- “(1) That Council be recommended to approve the fees as set out in the report and that these fees be implemented from 1st November, 2016.
- (2) That it be agreed that private hire operators and drivers licences be issued for a lesser period if there are exceptional reasons for doing so.”

16. Corporate Peer Challenge Action Plan: Progress Report

Enc. To consider the attached report from the Strategic Director.

17. Scheme of Delegation

The Council is **RECOMMENDED** to make a number of small amendments to the Officer Scheme of Delegation and Proper Officer functions. In essence these are:

- As a consequence of the deletion of the post of Democratic and Legal Services Manager the substitution of Head of Legal Services and Head of Democratic Services as appropriate.
- In the case of the Environmental Services Manager to give authority to take action under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.
- In the case of the Housing, Health and Economic Development Services Manager to exercise certain powers in relation to Homelessness and the Pendle Women’s Refuge; to take action under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015; and to regularise the delegation in relation to various pieces of Food legislation.

Enc. These are shown in the attached extracts from the Scheme of Delegation.

18. Notices of Motion

(a) Fracking

To be moved by Councillor Yasser Iqbal, seconded by

Council notes with disappointment the decision by the Communities Secretary to ignore local democracy and grant a fracking licence in Lancashire.

Council also notes the decision of the Conservative government to allow companies to apply for fracking in parts of Pendle, namely Brierfield.

Council resolves to:

- (1) Write to the Prime Minister and the Communities Secretary to not proceed any further with plans to grant licences which allow fracking in Pendle.

(2) Write to Andrew Stephenson MP asking him to publicly speak against fracking.

(b) Proposed Parliamentary Boundaries

To be moved by Councillor A. R. Greaves, seconded by

Pendle Council –

- (1) Notes the draft proposal from the Boundary Commission for new parliamentary constituencies in Lancashire. It rejects the proposals for Pendle.
- (2) Believes that the best interests of people in Pendle would be met by keeping the whole of the Borough within one parliamentary constituency.
- (3) In particular believes that the proposed Clitheroe and Colne constituency should be rejected due to its long and narrow geographical shape, and lack of affinity and common interests of the communities at the opposite ends of the proposed area.
- (4) Authorises the Corporate Director to make an evidence-based submission to the Boundary Commission on these lines, in consultation with the Leaders of the three parties on the Council.

(c) North West Ambulance Service in Pendle

To be moved by Councillor K. Hartley, seconded by Councillor M. Adams:

This Council recognises the exceptional standards of service and dedication to duty of front line paramedics and individual ambulance crews from the North West Ambulance Service (NWAS) operating within the Borough of Pendle.

The Council also recognises the positive contribution to a much needed reduction in emergency response times made by the successful trial within Pendle, and subsequent expansion across all NWAS sub regions, made by the introduction of Senior Community Paramedics as a part of the service provision.

It does, however, note with grave concern the continued and progressive deterioration in the performance of the NWAS response times for Red 1 emergency calls across the entire region of the NWAS service area, and specifically both within the Borough of Pendle as a whole and the West Craven Ward, in particular.

It also notes with concern that consequent upon internal restructuring, the post of Senior Community Paramedic for Pendle is not only vacant, but that it is also in serious jeopardy of not being replaced as a result of budget constraints within the service.

This Council therefore instructs the Strategic Director to communicate these concerns to the Chief Executive and the Director of Operations of the North West ambulance Service, the Chair of the East Lancashire Clinical Commissioning Group, the Chief Executive of NHS England, the local MP for Pendle Andrew Stephenson and the Secretary of State for Health.

(d) Public Health Concerns within Pendle

To be moved by Councillor K. Hartley, seconded by Councillor C. Teall:

Following the publication of Public Health England regional profiles on 6th September, 2016 this Council expresses its concern that within Pendle 12 of the 31 comparison categories are significantly worse than the England average and a further 7 categories are worse than average. Only 3 of the 31 categories are significantly better than average.

Comparison with our near neighbouring regions shows that Pendle is significantly worse than both Craven and Ribble Valley.

Pendle is significantly worse than the England average on GCSE achievement, new mothers smoking at the time of delivery, under 18 conceptions, percentage of physically active adults, hospitalisation for alcohol related harm, onset of diabetes, incidence of tuberculosis, life expectancy for both males and females, infant mortality, smoking related deaths and under 75 cardio vascular premature deaths.

This Council therefore:

- (1) Calls upon the standing Health and Social Care Panel, as a matter of some urgency, to investigate and report to full council at a later date on the causes and issues raised by the Public Health Profile.
- (2) That the Strategic Director is requested to write to the chair of the East Lancashire Clinical Commissioning Group and the chair of the Lancashire Health and Wellbeing Scrutiny Team advising them of our concerns and requesting their full co-operation in assisting investigations into the reasons for the Pendle poor performance.
- (3) That the Strategic Director communicate with his counterparts in Craven and Ribble Valley seeking their co-operation and assistance in this investigation, in order to help understand why there are differences and what do they do differently resulting in improved outcomes.
- (4) That the Corporate Director allocate resources from the Neighbourhood/Localities Team to assist in the development of an action plan to improve public health outcomes within Pendle.
- (5) That the Strategic Director seeks the assistance of the MP for Pendle in identifying and securing additional funding streams that can be made available to Public Health Commissioners to tackle and improve outcomes on behalf of the people of Pendle.

(e) Parliamentary Boundary Review

To be moved by Councillor J. Cooney, seconded by Councillor Musawar Arshad:

Council notes the recent publication of the proposed new Parliamentary Constituency Boundaries issued by the Boundary Commission. While the Council supports the reduction of the number of constituencies from 650 to 600, to ensure more equal representation across the country, Council is concerned with the proposals for Pendle.

The Boundary Commission proposal would see Pendle abolished with the 20 wards being split between a Burnley Constituency and a new Clitheroe and Colne Constituency. The creation of a Clitheroe and Colne seat would see a constituency starting in Bamber Bridge and ending

in West Craven taking in 3 different local authority areas that have no historical association is of particular concern.

Council therefore resolves to submit in writing to the Boundary Commission its support for a revised constituency that would see Pendle retain all 20 wards with the addition of 3 wards from Burnley, namely Briercliffe, Worsthorne and Cliviger and Lanehead. This proposal is a slight amendment to the Boundary Commission's final proposals from 2012 and would ensure historic ties are maintained within Pendle, while adding similar wards based on their semi urban, semi-rural settings from Burnley.

(f) West Craven Sports Centre

To be moved by Councillor D. M. Whipp, seconded by

Council notes the successful partnership approach which saw the construction of the West Craven Sports Centre and its operation since opening in 1997 under joint use arrangements with West Craven High School, and that the Sports Hall has been a vital facility for pupils at the school during the subsequent two decades.

Council notes with regret that the advent of Academy status for the school is jeopardising the future joint use of the sports centre and that the school is due to quit using the sports hall after this academic year.

Council believes the school's withdrawal from the centre will result in pupils only having the school gym for indoor sports, which was considered to be wholly inadequate over 20 years ago.

Council therefore resolves that representations be made to the Academy for the schools continued use of the Sports Centre and that a senior level meeting be sought with the Academy to discuss this issue further.

(g) Police and Communities

To be moved by Councillor B. Newman, seconded by

Council notes the beneficial impact of the neighbourhood policing model used by Lancashire Constabulary in recent years and the strengthening of links between the police service and local communities.

Council also notes the impact of Government austerity cuts on police staffing levels and the reduction in the strength of neighbourhood policing teams and the consequent erosion of the links with local residents through initiatives such as Police and Communities Together.

Council therefore resolves to request Lancashire's Police and Crime Commissioner, in the development of his new Police and Crime Plan, to put a high priority on the provision of local and accessible police officers together with an emphasis on strong partnership working with local communities and local representatives.

(h) Business Rate Revaluation

To be moved by Councillor D. Clegg, seconded by

Council notes the outcome of business rate revaluation across the country and the continued concentration of wealth in a small number of London and South East authorities.

Council resolves that a report detailing the impact of the revaluation is presented to the Executive at the earliest opportunity.