



# MEETING OF THE COUNCIL

TO BE HELD ON

THURSDAY 26<sup>th</sup> OCTOBER, 2017

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](http://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 بتائیے۔

# AGENDA

1. Apologies

2. Minutes of Council

**Enc.** To approve as a correct record, or otherwise, the Minutes of the Council meeting held on 20<sup>th</sup> July, 2017

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. Recorded Votes

Members are reminded that in accordance with Rule 17 of the Procedure at Full Council all votes on budget issues will be recorded. This includes all motions and amendments in relation to agenda item numbers 13(a), 13(b) and 14.

5. Announcements from the Mayor and Leader of the Council (if any)

6. Questions on Notice from the Public to the Leader (if any)

7. 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)

8. 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.

9. 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.

10. Member Code of Conduct - Councillor Rosemary Carroll

**Enc.** The Council is asked to consider the sanctions recommended by the Panel.

11. Updated Risk Management Policy and Strategy

**Enc.** The attached report from the Financial Services Manager was considered by the Executive on 24<sup>th</sup> August, 2017 and Council was recommended as follows:-

“That the revised Risk Management Policy and Strategy be endorsed and Council be **recommended** to approve and adopt the document.”

## 12. The Housing and Planning Act 2016 Civil Penalties

**Enc.** The attached report from the Housing, Health and Economic Development Services Manager was considered by the Executive on 24<sup>th</sup> August, 2017 and Council was recommended as follows:-

- “(1) That Council be recommended to approve the Policy and Matrix for the use of Civil Penalties and its inclusion into the Environmental Health Enforcement Policy.
- (2) That the Housing, Health and Economic Development Services Manager be granted delegated authority to issue, use and enforce civil penalties as detailed in the Housing and Planning Act 2016 and any regulations made there under.
- (3) That the Housing, Health and Economic Development Services Manager be granted delegated powers to issue, use and enforce rent repayment orders as detailed in the Housing and Planning Act 2016 and any regulations made there under.
- (4) That the money received from civil penalties returns to the housing revenue budget to fund further enforcement activity.”

## 13. Budget Savings 2018/19

### **(a) Grounds Maintenance**

At the Executive meeting on 21<sup>st</sup> September, 2017 it was resolved “that the following savings proposal be recommended to Council for approval: Grounds Maintenance.”

**Enc.** A copy of the savings pro-forma is attached.

### **(b) Redevelopment of Pendle Leisure Centre – Loan to Pendle Leisure Trust**

On 19<sup>th</sup> October, 2017 the Executive will be considering a report from the Financial Services Manager regarding proposals for the redevelopment of Pendle Leisure Centre.

Any recommendations will be reported at the meeting.

## 14. Review of Revenue Reserves at 31<sup>st</sup> March, 2017

**Enc.** The attached report of the Financial Services Manager was considered by the Executive on 24<sup>th</sup> August, 2017 and Council was recommended as follows:-

“That the proposal to transfer £235k in 2017/18 from specific reserves to the Budget Strategy Reserve, as set out in paragraph 11 in the report, be endorsed and **recommended** to Council for approval.”

## 15. Boundary Commission – Revised Proposals for Parliamentary Constituencies

The Boundary Commission for England has now published its revised proposals for parliamentary constituencies following public consultation on its initial proposals. The revised proposals are hardly changed from its initial proposals which the Council strongly opposed

**Enc.** (representation attached). In summary these were to abolish the present Pendle constituency

and move West Craven, Colne and District and Barrowford and the Western Parishes into a new constituency with Clitheroe and other Ribble Valley wards, and Nelson, Brierfield and Reedley into a new constituency with Burnley.

The revised proposals are open for consultation until 11<sup>th</sup> December.

## **RECOMMENDATION**

That the Corporate Director, in consultation with the three Group Leaders, formulates and submits a response to the revised proposals.

### 16. Member Champions

To receive updates from the following Member Champions:

	Armed Forces Champion	Councillor N. Butterworth
	Cycling Champion	Councillor A. R. Greaves
<b>Enc.</b>	Dementia Champion	Councillor D. Whalley
	Disability and Mental Health Champion	Councillor W. Blackburn
	Every Child Matters Champion	Councillor D. E. Lord
<b>Enc.</b>	Older People's Champion	Councillor P. A. McCormick
	Young People's Champion	Councillor Y. Iqbal

### 17. Lancashire Police and Crime Panel

We already appoint a representative (politically balanced) onto the Lancashire Police and Crime Panel which for 2017/18 is Councillor D. M. Whipp.

To ensure representative attendance at all meetings Members are asked to consider nominating a further representative, from the same political group, to act as a substitute when the panel member is unavailable.

## **RECOMMENDATION**

That Council nominates a Councillor from the Liberal Democrat Group to act as a substitute when the named panel member is unavailable.

### 18. Notices of Motion

#### **(a) Pendle Housing Needs Figures**

To be moved by Councillor A. R. Greaves and seconded by Councillor K. Hartley –

Pendle Council notes the publication of the Government's consultation report: "Planning for the Right Homes in the Right Places: Consultation Proposals" by the Department for Communities and Local Government, and the accompanying table: "Application of Proposed Formula for Assessing Housing Need."

It notes the detailed responses made to the consultation report by the Executive on behalf of the Council.

It further notes that the table sets out a figure of 165 as an indicative assessment of the annual need for new housing units in Pendle compared with 260-340 at present (which resolves to 298 in the adopted Local Plan Core Strategy). This is a reduction of 133 units per annum.

It further notes that the Government has stated that the new figures will not apply until the Core Strategy has been revised, which is likely to take up to five years, and that Part 2 of the Local Plan (Site Allocations) is currently being prepared on the basis of the present higher figure of 298.

Council therefore resolves that:

- (1) The determination of a lower figure following the consultation will be welcome since the existing figure is probably not achievable.
- (2) It does not wish to be placed in a position in which it is forced by the Government to grant approval for more new housing than will be required under the Government's new figure, which is likely to lead to the unnecessary approval of new housing on many greenfield sites.
- (3) Management Team be instructed to present reports to the Executive setting out the position as it develops, and probing ways in which this problem can be tackled.
- (4) The Member of Parliament for Pendle is required to take vigorous action within the Government to persuade them to resolve the problem that they (the Government) could be forcing the Council to give planning approval for more new housing than they (the Government) state is needed.

**(b) Leisure Centres and Swimming Pools**

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

Pendle Council notes:

- (a) That the medium term financial projections for its revenue budget produced by Management Team include the need to reduce spending by around £4 million over the next three years.
- (b) That in order to achieve these savings Management Team propose that consideration should be given to closing one of the three Leisure Centres and Swimming Pools in the Borough that are run on the Council's behalf by Pendle Leisure Trust.

The Council considers that in view of the unique geographical and social configuration of Pendle, such a proposal will not be acceptable to Pendle residents.

It therefore resolves that:

- (1) Every effort must be made to keep the three leisure centres and swimming pools in Barnoldswick, Colne and Nelson. The closure of any of these facilities is not acceptable to people in Pendle.
- (2) Management Team and Pendle Leisure Trust be asked to continue to seek savings in other ways and notably those which do not involve major losses of service.

### **(c) Elderly Care**

To be moved by Councillor K. Hartley, seconded by Councillor D. E. Lord –

This Council notes and welcomes the decision of the LCC Executive to allocate £6.6 million to upgrade the 17 Council owned residential care homes for the elderly across the County, which include those within the Borough of Pendle. It also recognises that those 17 care homes are only 5% of the registered 340 care homes in Lancashire.

However, it also notes with grave concern that St. Andrews House in Barnoldswick has now joined the more than 50 Lancashire care homes placed in special measures by the Care Quality Commission (CQC).

It also notes with equally grave concern the recently announced imminent closure of Belgarth Care Home in Barrowford following a recent CQC inspection rating the establishment as requiring improvement. Belgarth has thus joined the 50 or so care homes which are being closed every year in Lancashire.

In a sector of the economy where demand for care home services is increasing and forecast to do so for the foreseeable future and the number of available places are declining and/or sub-standard. It is the view of this Council that the current situation is very unsatisfactory and a serious threat to the continued safety and wellbeing of the ageing population of this Borough.

Council therefore resolves that:-

- (1) The Strategic Director writes to the Leader of Lancashire County Council making him aware of our concerns, and requests that the administration of the County Council make available to individual Boroughs a detailed and funded plan to take remedial action where care homes are deemed to have an unsatisfactory level of service or are threatened with closure.
- (2) That the Strategic Director writes to the Director of the East Lancashire Clinical Commissioning Group expressing this Council's concerns and pledging the Council's support to them in commissioning sufficient care home places in Pendle to satisfy current and projected future demand.
- (3) That the Strategic Director writes to the Member of Parliament for Pendle advising him of our concerns and soliciting his support to secure additional central government funding to combat the shortfall of allocated funding for social care currently being experienced and forecast to increase over the next few years.
- (4) That the Health and Social Care Scrutiny Panel be charged with monitoring progress towards a resolution of the Council's concerns including specific actions being taken at County level and by the LCC Health and Social Care Scrutiny Committee and that they be also charged with presenting periodic progress reports to Council.

### **(d) White Ribbon Accreditation**

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

Council welcomes the fact that it has shown its commitment to tackling domestic abuse by joining the Office of the Police and Crime Commissioner, Lancashire Police and all other Lancashire councils in becoming accredited as White Ribbon organisations. This has led to Lancashire becoming the first White Ribbon County.

In support of this commitment Council:

- (a) Requests the Executive and Community Safety Partnership to keep progress on the action plan under regular review.
- (b) Encourages male Councillors and staff to lead by example by signing up to become ambassadors.
- (c) Will work with partner local organisations such as the business sector, sports clubs and licensed premises on how they can inform men about violence against women and girls and encourage them to challenge it.

**(e) Universal Credit Roll Out**

To be moved by Councillor \_\_\_\_\_, seconded by Councillor \_\_\_\_\_

This Council notes that Universal Credit is a single monthly payment which replaces 6 working age benefits (known as legacy benefits). These are Housing Benefit, Income Support, Working Tax Credits, Child Tax Credit, Employment and Support Allowance (Income-related) and Jobseekers Allowance (Income-related). It supports residents on low incomes who are both in and out of work.

The Government's roll-out of Universal Credit has been described by Citizens Advice as a "disaster waiting to happen", with housing associations reporting an increase of up to 50% in the eviction of tenants with rent arrears due to Universal Credit. Even Sir John Major, the former Conservative Prime Minister, described Universal Credit as "operationally messy, socially unfair and unforgiving."

With the roll-out of the full service of Universal Credit due to come to Pendle in August 2018, this Council has many concerns about Universal Credit, including the wait times between the date of application and date of assessment; the level of deductions applied to monthly payments to claw back advance payments and sanctions; and the number of sanctions made against Universal Credit claimants.

This Council therefore calls upon the Government to suspend the roll-out of Universal Credit and ensure that changes are made to fix the issues with Universal Credit.

**(f) Pick Up for Pendle**

To be moved by Councillor \_\_\_\_\_, seconded by Councillor \_\_\_\_\_

This Council notes the work being carried out by the volunteers involved with Pick Up for Pendle across the Borough, with over 794 hours volunteered, 1035 bags of rubbish collected and 55 incidents of fly-tipping reported in the first year by the group.

The Council thanks the volunteers for their hard work for the people of Pendle and resolves to support their efforts where possible.