

**MINUTES OF THE ANNUAL COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 16th MAY, 2019**

PRESENT –

His Worship the Mayor (James Keith Starkie – in the Chair)

Councillors

G. Adam
M. Adams
N. Ahmed
Z. Ali
M. Ammer
E. Ansar
Mohammed Arshad
Musawar Arshad
N. H. Ashraf
M. Aslam
N. Butterworth
R. E. Carroll
C. Carter
D. Clegg
S. E. Cockburn-Price
T. A. Cooney
L. M. Crossley
V. A. Fletcher
M. S. Foxley
P. J. Foxley
M. Goulthorp
A. R. Greaves
M. Hanif

K. Hartley
J. M. P. Henderson
M. Iqbal
Y. Iqbal
N. T. McCollum
N. McEvoy
N. McGowan
A. Mahmood
A. R. Mann
J. M. Mills
B. Newman
J. A. Nixon
S. Petty
M. Sakib
Q. Shazad
K. E. Shore
Y. M. Tennant
C. Wakeford
G. Waugh
D. M. Whipp
T. Whipp
S. Wicks

(Apologies for absence were received from Councillors C. Lioni, D. E. Lord, J. Purcell and K. Turner).



1. ELECTION OF MAYOR OF THE BOROUGH

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

RESOLVED

That Councillor K. Hartley be elected Mayor of the Borough for the Municipal Year 2019/20.

His Worship the Mayor (Councillor K. Hartley – in the Chair)

2. MINUTES

It was moved by Mr. J. K. Starkie, seconded by Councillor K. Hartley and –

RESOLVED

That the Minutes of the meeting of the Council held on 26th March, 2019 be approved as a correct record and signed by the Mayor.

3. VOTE OF THANKS TO THE RETIRING MAYOR

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

RESOLVED

That the best thanks of the Council be hereby tendered to James Keith Starkie and Mrs. Janet Starkie for their services as Mayor and Mayoress during their term of office.

4. APPOINTMENT OF DEPUTY MAYOR

It was moved by Councillor J. Nixon, seconded by Councillor G. Adam, supported by Councillor M. Adams and –

RESOLVED

That Councillor N. Butterworth be hereby appointed Deputy Mayor of the Borough for the Municipal Year 2019/20.

5. MAYOR'S ALLOWANCE

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

RESOLVED

That an allowance of £5,130 be paid to the Mayor for the purpose of enabling him 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 any credit balance remaining at the date of the next Annual Meeting of the Council be re-appointed to the Council's account.

6. APPOINTMENT OF MAYOR'S CHAPLAIN

The Mayor announced that he had appointed Reverend Sheena McMain to the office of Mayor's Chaplain for the Municipal Year 2019/20 and duly signed such appointment to the Council.



The time having reached 8.00 p.m. the Mayor declared the meeting adjourned and there was a short break to allow the Mayors guests to leave the Chamber. The meeting reconvened at 8.15 p.m.



7. DECLARATIONS OF INTEREST

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

8. APPOINTMENT OF LEADER AND DEPUTY LEADER

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

RESOLVED

That Councillor M. Iqbal be appointed Leader and Councillor D. M. Whipp be appointed Deputy Leader for the Municipal Year 2019/20.

**9. 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 Policy and Resources Committee, the Accounts and Audit Committee, Licensing Committee, Employment Appeals Committee and Standards Hearing Committee. They did not apply to the Area Committees.

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

RESOLVED

That the report be noted.

10. APPOINTMENT OF COMMITTEES

Council considered the appointment of Members to Committees for the Municipal Year 2019/20.

- (a) Policy and Resources Committee – a politically balanced Committee of 13 Members.
- (b) Accounts and Audit Committee – a politically balanced Committee of 5 Members.
- (c) Licensing Committee – a politically balanced Committee of 11 Members.
- (d) Employment Appeals Committee – a politically balanced Committee of 3 Members.
- (e) Standards Hearing Committee – a politically balanced Committee of 5 Members.
- (f) Five Area Committees – along with the usual co-optees.

AMENDMENT

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

A Taxi Licensing Sub-Committee (a Sub-Committee of the Policy and Resources Committee) be appointed – a politically balanced Committee of 9 Members (4:3:2).

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

In accordance with rule 17.4 of the constitution and at the request of two Councillors a recorded vote was taken.

Those Members voting in favour of the amendment were Councillors –

G. Adam, M. Adams, Z. Ali, M. Ammer, E. Ansar, Mohammed Arshad, N. H. Ashraf, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, A. Mahmood, A. R. Mann, J. M. Mills, B. Newman, M. Sakib, Q. Shazad, K. E. Shore, Y. M. Tennant, D. M. Whipp, T. Whipp and S. Wicks.

Those Members voting against the amendment were Councillors –

N. Ahmed, Musawar Arshad, M. Aslam, N. Butterworth, R. E. Carroll, C. Carter, S. E. Cockburn-Price, T. A. Cooney, L. M. Crossley, V. A. Fletcher, M. S. Foxley, P. J. Foxley, M. Goulthorp, N. T. McCollum, N. McEvoy, N. McGowan, J. A. Nixon, S. Petty, C. Wakeford and G. Waugh.

RESOLVED

That the appointment of Committees for the Municipal Year 2019/20 be agreed as –

- (a) Policy and Resources Committee – a politically balanced Committee of 13 Members.
- (b) Accounts and Audit Committee – a politically balanced Committee of 5 Members.
- (c) Licensing Committee – a politically balanced Committee of 11 Members.
- (d) Employment Appeals Committee – a politically balanced Committee of 3 Members.
- (e) Standards Hearing Committee – a politically balanced Committee of 5 Members.
- (f) Taxi Licensing Sub-Committee – a politically balanced Committee of 9 Members.
- (g) Five Area Committees – along with the usual co-optees.

11. APPOINTMENT OF CHAIRMEN OF COMMITTEES

MOTION

It was moved by Councillor M. Iqbal and seconded by Councillor A. Mahmood that the Chairmen of the following Committees be agreed as:

- (a) Policy and Resources Committee – Councillor M. Iqbal
- (b) Accounts and Audit Committee – Councillor T. Cooney
- (c) Licensing Committee – Councillor S. Wicks
- (d) Senior Management Appointments Committee – Councillor M. Iqbal
- (e) Standards Hearing Committee – Independent Person
- (f) Taxi Licensing Sub-Committee – Councillor D. Clegg

12. DATES AND TIMES OF COUNCIL MEETINGS FOR 2019/20

A revised timetable of meetings was circulated at the meeting and it was moved by Councillor M. Iqbal and seconded by Councillor D. M. Whipp –

- (1) That meetings of the Full Council and Policy and Resources Committee meetings be held on a Thursday evening as shown on the revised calendar of meetings.
- (2) That meetings of the Full Council be held on the following dates:

11th July, 2019

Annual Council (16.05.2019)

26th September, 2019
17th December, 2019
27th February, 2020 (Special Budget)
26th March, 2020
21st May, 2020 (Annual Council)

- (3) That the dates of other meetings set out on the timetable circulated at the meeting be approved.

13. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

(a) Appointment to Organisations and Associations

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

That the following amendments to the schedule be agreed:

Organisation

Airedale General Hospital Foundation Trust
Burnley and Pendle Citizens' Advice Bureau

Burnley, Pendle and Rossendale CVS Board
Colne Business Improvement District
District Councils Network
Forest of Bowland AONB
Growth Lancashire Ltd.

Joint Venture Company (PEARL Board, PEARL Brierfield
Mill and PEARL Together)

LCC Health Scrutiny Committee
Lancashire Police and Crime Panel

Lancashire Waste Partnership (LCC)
Local Government Association

(a) General Assembly

(b) Voting re: Lancashire Leaders Group

North Western Local Authorities' Employers Organisations
Pendle Community Health and Wellbeing Board
Pendle Community Safety Partnership Steering Group

Pendle Countryside Access Forum

Pendle Hill Landscape Partnership Board
Pendle Public/Private Partnership Board (with Liberata)

Representative

Councillor T. Whipp
Councillor J. Mills
Councillor K. Shore
Councillor M. Hanif
Councillor D. Clegg
Councillor M. Iqbal
Councillor B. Newman
Councillor M. Iqbal
Councillor M. Iqbal
Councillor A. Mahmood
Councillor C. Wakeford
Councillor D. M. Whipp
Councillor T. Whipp
Councillor M. Foxley
(Sub: Cllr. C. Carter)
Councillor D. M. Whipp
(Sub: Cllr. B. Newman)
Councillor D. Clegg
Councillor M. Iqbal

Councillor M. Iqbal
Councillor K. Hartley
Councillor M. Aslam
Councillor M. Hanif
Councillor B. Newman
Councillor D. M. Whipp
Councillor S. E. Cockburn-Price
Councillor A. R. Greaves
Councillor Y. Tennant
Councillor B. Newman
Councillor M. Goulthorp

Pendle Twinning Association	Councillor M. Hanif Councillor M. Iqbal Councillor G. Waugh Councillor D. M. Whipp Councillor K. E. Shore Councillor N. Butterworth
Pendle Vision Board	Councillor M. Hanif Councillor M. Iqbal Councillor B. Newman Councillor C. Wakeford
Pennine Lancashire Leaders and Chief Executive (PLACE) Lancashire Leaders	Councillor M. Iqbal Councillor M. Iqbal

(b) Member Champions

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

That the following Councillors be appointed as Member Champions for Municipal Year 2019/20:

Armed Forces Champion	Councillor N. Butterworth
Cycling Champion	Councillor A. R. Greaves
Dementia Champion	Councillor K. E. Shore
Disability and Mental Health Champion	Mr. W. Blackburn
Every Child Matters	Councillor D. E. Lord
Loneliness Champion	Councillor Y. Tennant
Older People's Champion	Mr. D. Whalley
Young People's Champion	Councillor Z. Ali

AMENDMENT

It was moved by Councillor C. Wakeford and seconded by Councillor V. Fletcher –

That Councillor J. Purcell be appointed the Member Champion for Dementia; Alderman P. A. McCormick be appointed the Member Champion for Older People and Councillor N. McCollum be appointed Member Champion for Young People.

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

RESOLVED

That the following Councillors be appointed as Member Champions for 2019/20 Municipal Year:

Armed Forces Champion	Councillor N. Butterworth
Cycling Champion	Councillor A. R. Greaves
Dementia Champion	Councillor K. E. Shore
Disability and Mental Health Champion	Mr. W. Blackburn
Every Child Matters	Councillor D. E. Lord
Loneliness Champion	Councillor Y. Tennant
Older People's Champion	Mr. D. Whalley
Young People's Champion	Councillor Z. Ali

14.

NOTICES OF MOTION

(a) District Enforcement Limited

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

Pendle Council notes the commencement of the contract for District Enforcement Limited to issue Fixed Penalty Notices (FPNs) for littering and dog fouling has led to well over a thousand fines being issued worth scores of thousands of pounds. And that the vast majority of FPNs have been related to cigarettes rather than more significant street litter with fines for dog fouling representing an extremely small proportion of the total.

Council also notes that there have been reports of FPNs being issued to vulnerable people and in inappropriate circumstances and that there has been no discernible impact on the level of littering on Pendle's streets and public spaces since the contract commenced.

Council therefore resolves that an urgent review of the litter enforcement contract is carried out with a view to making it more effective in tackling the real issues of littering and dog fouling, or terminating the contract at the earliest opportunity – and that the Policy and Resources Committee considers the issue as soon as possible.

AMENDMENT

It was moved by Councillor C. Wakeford and seconded by Councillor N. Ahmed –

Pendle Council notes the commencement of the contract for District Enforcement Limited to issue Fixed Penalty Notices (FPNs) for littering and dog fouling has led to well over a thousand fines being issued. And that the vast majority of FPNs have been related to cigarettes rather than more significant street litter with fines for dog fouling representing a small portion of the total.

Council further notes the improved KPIs in terms of FPNs issued for both littering and dog fouling in comparison to previous years. However Council also notes that there have been reports of FPNs being issued to vulnerable people and in inappropriate circumstances.

Council therefore resolves that an urgent review of the Enforcement Trial is carried out and that the Policy and Resource Committee considers this issue as soon as possible along with any possible options to amend the contract.



The time having reached 9.10 p.m. the Mayor declared the meeting be adjourned to allow Members to observe Ramadhan and the breaking of the fast. The meeting reconvened at 9.20 p.m.



When the meeting reconvened His Worship the Mayor put forward the amendment.

In accordance with rule 17.4 of the constitution and at the request of two Councillors a recorded vote was taken.

Those Members voting in favour of the amendment were Councillors –

N. Ahmed, M. Aslam, N. Butterworth, R. E. Carroll, C. Carter, S. E. Cockburn-Price, L. M. Crossley, V. A. Fletcher, M. S. Foxley, P. J. Foxley, M. Goulthorp, N. T. McCollum, N. McGowan, C. Wakeford and G. Waugh.

Those Members voting against the amendment were Councillors –

G. Adam, M. Adams, Z. Ali, M. Ammer, E. Ansar, Mohammed Arshad, N. H. Ashraf, D. Clegg, A. R. Greaves, M. Hanif, K. Hartley, J. M. P. Henderson, M. Iqbal, Y. Iqbal, A. Mahmood, A. R. Mann, J. M. Mills, B. Newman, M. Sakib, Q. Shazad, K. E. Shore, Y. M. Tennant, D. M. Whipp, T. Whipp and S. Wicks.

Upon being put to the vote the amendment was **LOST** and it was –

RESOLVED

Pendle Council notes the commencement of the contract for District Enforcement Limited to issue Fixed Penalty Notices (FPNs) for littering and dog fouling has led to well over a thousand fines being issued worth scores of thousands of pounds. And that the vast majority of FPNs have been related to cigarettes rather than more significant street litter with fines for dog fouling representing an extremely small proportion of the total.

Council also notes that there have been reports of FPNs being issued to vulnerable people and in inappropriate circumstances and that there has been no discernible impact on the level of littering on Pendle's streets and public spaces since the contract commenced.

Council therefore resolves that an urgent review of the litter enforcement contract is carried out with a view to making it more effective in tackling the real issues of littering and dog fouling, or terminating the contract at the earliest opportunity – and that the Policy and Resources Committee considers the issue as soon as possible.

(b) Standing Orders

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

That in order to consider the next item Standing Order 16.1 be suspended to rescind a previous decision. A decision on the motion below (2) was made at the Full Council meeting on 26th March, 2019.

RESOLVED

That Standing Order 16.1 be suspended to rescind a previous decision.

(c) New Warding Pattern

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

Pendle Council resolves to immediately inform the Local Government Boundary Commission:

Annual Council (16.05.2019)

- (1) That the recommendation on new ward boundaries in line with Appendix 2 of Minute 84 “Electoral Review – Submission to the Boundary Commission on a New Warding Pattern” of the meeting of the Council on 26th March, 2019 be rescinded.
- (2) The recommendation of the Council is now the recommendation of the all-party Governance Working Group as set out in Appendix 1 of the minutes of that meeting.
- (3) Council request the Local Government Boundary Commission to accept this late change in view of the changes following the elections which took place on 2nd May, 2019.

Upon being put to the vote the motion was **CARRIED** and it was

RESOLVED

Accordingly.

His Worship the Mayor _____