

**MINUTES OF THE COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 11th JULY, 2019**

PRESENT –

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

Councillors

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

M. Iqbal
Y. Iqbal
C. Lioni
D. E. Lord
N. T. McCollum
A. Mahmood
A. R. Mann
J. M. Mills
B. Newman
J. A. Nixon
M. Sakib
Q. Shazad
K. E. Shore
Y. M. Tennant
K. Turner
C. Wakeford
G. Waugh
D. M. Whipp
T. Whipp
S. Wicks

(Apologies for absence were received from Councillors S. E. Cockburn-Price, L. M. Crossley, N. McEvoy, N. McGowan, S. Petty and J. Purcell).

15. DECLARATIONS OF INTEREST

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

16. MINUTES

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

RESOLVED

That the Minutes of the Annual Council meeting held on 16th May, 2019 be approved as a correct record and signed by the Mayor.

17. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

The Mayor welcomed back to the Chamber Councillor K. Turner following his recent absence due to health reasons.

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He congratulated Ian Wetherill MBE from Hope Technology, Barnoldswick and Beverley Pollard MBE a resident of Foulridge who worked in the NHS who had both been recognised in the Queen's Birthday Honours List. Members were encouraged to put forward names for next year's list.

The Mayor announced he was launching "The Mayors Commendation Awards" which was aimed at recognising everyday people who had "gone that extra mile" and made a difference in Pendle. Further details along with the nomination form could be found on the Council's website: https://www.pendle.gov.uk/info/20087/the_mayor_and_civic_affairs/231/the_mayors_office/3

The Mayor also asked Members to volunteer to be part of an all-party judging panel. The deadline for the first round of nominations was 12th September, 2019 with the first awards evening on 17th October, 2019.

Members were advised that the Mayoress's Charity would be holding the following events:

24 th August, 2019	Car Treasure Hunt
25 th October, 2019	Gin Fest at Booths, Barrowford
24 th January, 2020	Barn Dance

Members were asked to consider donating any raffle or tombola prizes that would help raise money for the Mayoress's Charity.

The Leader announced that the Council had been chosen as one of only fifty areas in the UK to get government funding to develop a business plan for Nelson. If successful the Council would benefit from the Future High Street Fund which was worth £675m across the UK.

Bids had also been submitted for Barnoldswick and Colne to the High Street Heritage Action Zone fund. The deadline for submissions was 12th July, 2019.

The Leader said that he and the Chief Executive had held a 'Let's Talk Event' a few weeks ago at Asda, Colne. A further event was scheduled for 10.00 a.m. on 3rd August, 2019 at West Craven Sports Centre. The Leader said the first event had been very well received and he was planning further sessions throughout the year.

18. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

19. 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

Councillor A. Mahmood asked the Leader to confirm when the transfer of the Pendle Heritage Centre lease to Barrowford Parish Council was completed by the previous administration. The Leader said the lease had not been completed and he was disappointed no progress had been made. He said he would arrange a meeting with Barrowford Parish Council and Pendle Heritage Centre with a view to progressing this issue and he assured Members that it would be completed by 1st September, 2019.

Councillor C. Wakeford said following the Labour Party's change in policy, did the Leader now support a second referendum? In response the Leader said the Government had not yet made a decision on Brexit and that this would be discussed by his Group at the appropriate time.

Councillor C. Wakeford said following the shambles of the appointment of an Older People's Champion for the Council, could the Leader advise if the Council now had an Older People's Champion and if so, who this was. The Leader disagreed he said the decision had been made by a democratic vote at the Annual Council meeting. He added that the post was currently vacant but there would be a representative attending Older People's meetings until a replacement was formally agreed at the next Council meeting in September.

Councillor C. Wakeford asked the Leader how many of the points from the Labour/Lib Dem agreement had been delivered. The Leader said 23 points had been delivered or would be delivered by the end of the month. He compared this to the Conservative's Manifesto the previous year and made reference to a number of points which they had not delivered.

Councillor C. Wakeford said following the meeting of Council Leaders in Westminster on 11th June, 2019 could the Leader advise as to his stance on the creation of a Unitary Authority. In response the Leader said he, along with representatives from Burnley, Hyndburn, Rossendale and Blackburn with Darwen, had travelled down to London to meet for 30 minutes with the Minister but due to the late arrival of the train this was reduced to 15 minutes. He said this had been a total waste of time. He referred to the agreement made by the Liberal and Labour Groups with regards to the withdrawal from any agreement to a Unitary Authority. He also commented that this would come before Council for consideration at the appropriate time.

Councillor A. R. Greaves asked the Leader what liabilities, if any, had been left with Pendle Leisure Trust and/or the Council as a result of the vacation of the Lesser Municipal Hall by Live Lounge Bars Ltd., and whether the rent had been paid up to the date of vacation? The Leader said he understood that no rent had been paid.

Councillor A. R. Greaves asked what lessons should be learned from the occupation of and sudden departure from the Lesser Municipal Hall by the Live Lounge. The Leader said he would be meeting with the Chief Executive and the Chairman of the Pendle Leisure Trust Board to discuss this issue. In response to supplementary questions the Leader said he had not seen the agreement; he would discuss the process for future lease/rental agreements for council properties with the Leisure Trust; and following discussions a report would be submitted to the Policy and Resources Committee.

Councillor A. R. Greaves asked should the agreement between Pendle Borough Council and Pendle Leisure Trust require reconsideration in relation to the contracting out by the Trust of Council owned buildings to commercial or other third parties on more than a short-term basis. The Leader said at this point no but there may be a review of procedures following discussions with the Trust. If need be the issue of sub-letting could be raised by the Policy and Resources Committee.

Councillor A. R. Greaves asked what meetings had taken place between senior Councillors and/or officers with County Councillors (other than in their role as Pendle Councillors) (a) during the last municipal year and (b) during the current year; and what meetings with the six County Councillors representing Pendle Divisions had been called by the Council (a) in the last municipal year and (b) in the current year and in each case which County Councillors attended. Reference was also made to comments on social media made by a former Councillor but still a County Councillor regarding this issue. In response the Leader said he had not been invited to any

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meetings during the last year in his capacity as a County Councillor with senior Councillors or officers. He said officers regularly met with officers at the County Council, he had every confidence in the Chief Executive and didn't ask when these meetings were held.

Councillor A. R. Greaves asked if the Leader would call a meeting between the Council leadership and senior officers with the Member of Parliament for Pendle to discuss major issues affecting the Borough. The Leader said he had written to the MP in May inviting him to an all-party meeting to discuss issues in Pendle but he had yet to receive a reply. He said he would send another letter to the MP and he urged his Conservative colleagues to persuade the MP to agree to this meeting.

20. REPORT BY THE LEADER ON THE WORK OF THE POLICY AND RESOURCES COMMITTEE

The Leader submitted, for information, a report on the work of the Policy and Resources Committee since the last meeting.

21. STRATEGIC PLAN 2018/2020 – REFRESH 2019/2020

The Chief Executive submitted a report on the Council's Strategic Plan for 2018/2020 which had been refreshed for 2019/2020. The report had been considered by the Policy and Resources Committee on 27th June, 2019 where it was resolved that the Plan be noted and referred to Council for consideration.

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

RESOLVED

That the Strategic Plan 2018/2020 (incorporating the annual refresh for 2019/2020) be approved.

22. COUNTRYSIDE ACCESS STRATEGY 2019/2023 AND REVISED PUBLIC RIGHTS OF WAY ENFORCEMENT POLICY

The Environmental Services Manager submitted a report on the Countryside Access Strategy for 2019/2023 and the revised Public Rights of Way Enforcement Policy. The report had been considered by the Policy and Resources Committee on 27th June, 2019 where it was resolved that this report be submitted to Council for consideration.

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

RESOLVED

That the Countryside Access Strategy 2019/2023 and the revised Public Rights of Way Enforcement Policy be approved.

23. COUNCIL HOUSING SCRUTINY TASK GROUP

Notes of a meeting of the Council Housing Scrutiny Task Group held on 12th April, 2019 were submitted for consideration.

It was moved by Councillor D. M. Whipp, seconded by Councillor B. Newman and

RESOLVED

- (1) That the notes of a meeting of the Council Housing Scrutiny Task Group held on 12th April, 2019 be noted.
- (2) That Government be advised that, should it require Councils, and in particular Pendle Borough Council, to play a more active part in creating new housing stock, then the opportunity for further subsidies must be made available.
- (3) That in recognising the loss of council democratic involvement in housing management, opportunities for the wider local management of existing social housing be investigated and a report be submitted to an early meeting of the Policy and Resources Committee.

24. NOTICES OF MOTION

(a) Antisemitism and Islamophobia

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

That this Council adopts the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism and the definition of Islamophobia defined by the All Party Parliamentary Group (APPG) on Islamophobia.

AMENDMENT

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

- (1) That Council agrees to work closely with Lancashire Police and request the Constabulary to co-ordinate further actions in line with this definition of Islamophobia for all Muslims.
- (2) That Council condemns all bigotry and any discrimination on the basis of ethnicity, religion, denomination or any characteristic protected by the Equality Act 2010.

Upon being put to the vote it was –

RESOLVED

- (1) That this Council adopts the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism and the definition of Islamophobia defined by the All Party Parliamentary Group (APPG) on Islamophobia.
- (2) That Council agrees to work closely with Lancashire Police and request the Constabulary to co-ordinate further actions in line with this definition of Islamophobia for all Muslims.
- (3) That Council condemns all bigotry and any discrimination on the basis of ethnicity, religion, denomination or any characteristic protected by the Equality Act 2010.

(b) Housing Scheme

It was moved by Councillor N. Butterworth and seconded by Councillor G. Waugh –

This Council votes to thank the Armed Forces' Veterans both within Pendle and across the nation, for their unparalleled bravery and exemplary service to this Country.

Pendle Council also recognises the struggle some Veterans have readjusting to civilian life when they leave the Armed Forces, some of which leads to homelessness.

This Council resolves to end homelessness amongst veterans in Pendle and create a safe haven for veterans across Lancashire, by working with Together Housing and Private Landlords across Pendle to create a Veterans' Housing Scheme – ensuring our brave veterans always have a roof over their heads.

AMENDMENT

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

This Council votes to thank all members of the Armed Forces past and present for their unparalleled bravery and exemplary service to this country.

Council recognises the need to end homelessness across all groups in Pendle and calls upon all housing providers across Pendle to work together to achieve this.

Council also instructs the Chief Executive to write to HM Government and Andrew Stephenson MP to seek increased funding allocation to Pendle Council to help reduce homelessness to zero.

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

(d) Land at Bailey Street, Earby

It was moved by Councillor M. Goulthorp and seconded by Councillor C. Carter –

Council notes the unrest felt by residents upon the recent decision to reaffirm the decision to sell the land at Bailey Street, Earby for development.

Council therefore resolves to:

- (1) Withdraw from the sale of the land.
- (2) Remove the site from the list of land deemed surplus to requirement.

AMENDMENT

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

Council notes the unrest felt by residents upon the recent decision to reaffirm the decision to sell the land at Bailey Street, Earby for development.

Council further notes that:

- (1) This land wasn't removed from being 'surplus to requirements' under the previous political administration.

- (2) Its original designation for housing purposes was agreed when land at Cemetery Road had housing designation removed and that the junior football pitch at Springfield; play area, allotments and croquet lawn at Cemetery Road; and improvements at Earby Rec had all been achieved as a result.

Council resolves that this position be noted.

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

(e) Nike Blasphemy

It was moved by Councillor N. Ahmed and seconded by Councillor M. Aslam –

Council notes the recent news of a pair of NIKE trainers being purchased locally with the Islamic name of God “Allah” being subtly ingrained in the sole. Council further notes the hurt and upset that this has caused in the local Muslim community.

Council therefore resolves to:

- (1) Condemn NIKE’s action in disrespecting the Islamic name of God “Allah” ingrained in their products sole.
- (2) Write to the UK Chief Executive for NIKE, Bert Hoyt, expressing the hurt that this product has caused the Muslim community and requesting that Nike cease production and sale of these trainers with immediate effect.

AMENDMENT

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

Council notes the previous news on NIKE trainers causing upset amongst some residents of Pendle. Council also notes the public apology issued by NIKE saying any reference to use of the word “Allah” being unintentional.

Council resolves to write to the Chief Executive of NIKE UK asking the company to ensure all faiths are respected in future when design of merchandise is being considered.

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

Councillor C. Wakeford presented a petition on behalf of the Burnley and Pendle Friends League containing over 600 signatures objecting to NIKE using the Islamic name of God “Allah” on the sole of a brand of their trainers.

(f) Brownfield Sites Fund

It was moved by Councillor P. Foxley and seconded by Councillor C. Wakeford –

Council reaffirms its support for Brownfield development.

Council resolves to maintain the brownfield sites fund and prevent any reallocation of funding.

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

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 motion were Councillors –

N. Ahmed, M. Aslam, N. Butterworth, R. E. Carroll, C. Carter, V. A. Fletcher, M. S. Foxley, P. J. Foxley, M. Goulthorp, C. Lioni, N. T. McCollum, J. A. Nixon, K. Turner, C. Wakeford and G. Waugh.

Those Members voting against the motion 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, D. E. Lord, A. Mahmood, A. R. Mann, J. M. Mills, B. Newman, M. Sakib, K. E. Shore, Y. M. Tennant, D. M. Whipp, T. Whipp and S. Wicks.

(g) Taxi Licensing

The mover and seconder of a motion relating to Taxi Licensing had been advised that the motion would amount to rescinding a decision made by the Council within the last six months, namely the decision at the Annual Council meeting in May 2019 to appoint a politically balanced Taxi Licensing Sub-Committee of nine Members (a Sub-Committee of the Policy and Resources Committee).

It was moved by Councillor C. Wakeford and seconded by Councillor N. Ahmed that under Rule of Procedure 23.1 Rule of Procedure 16.1 be suspended.

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

(h) The Climate Emergency

It was moved by Councillor A. R. Greaves and seconded by Councillor Z. Ali –

Pendle Borough Council recognises that the world is in the midst of a climate and environmental emergency and that action is required at all levels of Government – local, national and international – in order to protect our planet for future generations of life in all its forms and for human society as we know it.

This Council notes –

- (1) on 8th October, 2018, the UN Intergovernmental Panel on Climate Change (IPCC) published a report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emissions;
- (2) the report warned that the risk of catastrophic climate change including extreme heat, drought, flooding and climate-related poverty would significantly increase unless global warming could be kept to a maximum of 1.5°C.

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- (3) the report authors found that global warming was likely to reach 1.5°C between 2030 and 2052 if it continues to increase at the current rate and say that urgent and unprecedented action was required to meet the target.

Council further notes that many Councils throughout the United Kingdom were declaring a climate emergency and resolving to take action to help to tackle this existential crisis.

It therefore resolves:

- (1) To declare a climate emergency in the Borough of Pendle.
- (2) To set up an all-party member and officer working group to research what actions other Councils were taking; to take evidence from local and wider sources on what action it could usefully take and what actions could be promoted in other ways in Pendle; to seek to work with other Lancashire Councils including Town and Parish Councils in Pendle and Lancashire County Council; to make recommendations to the Policy and Resources Committee on what short-term action could be taken; and to present an Action Plan to the Council within six months with the aim of taking the lead and making Pendle Council and its arms-length bodies carbon-neutral by 2030 and for working for Pendle as a whole to be carbon neutral by 2030 or as soon as possible thereafter.
- (3) To audit and review the local development plan as part of this process and to include a climate emergency audit and statement as part of all significant new Council policies and plans.
- (4) To seek to work with local schools, Nelson and Colne College and other education bodies, together with community groups of all kinds and local media to increase understanding of the climate emergency and to develop ways of tackling it in ways which promote freedom, fairness and equality and community strengths.
- (5) To promote such short-term action as may be possible during the course of the current Council year.
- (6) To present a full report and action plan to the Policy and Resources Committee and thereby to the Council meeting in March 2020.

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

(i) Northern Forest

It was moved by Councillor A. R. Greaves and seconded by Councillor B. Newman –

Pendle Council notes:

- (1) Minute 68(a) on the Northern Forest which was agreed at the Council meeting on 22nd February, 2018, as set out as an appendix to the motion.
- (2) That the actions set out in that resolution have not been carried out and in particular that no meeting of interested parties was convened.

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Council therefore resolves –

- (1) That a report be submitted to the next meeting of the Policy and Resources Committee setting out the latest position in relation to the Northern Forest.
- (2) That subject to consideration of that report those actions set out in the resolution of 22nd February, 2018 be carried out.

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

(j) LCC Public Health Cuts

It was moved by Councillor T. Whipp and seconded by Councillor D. E. Lord –

Council notes the cuts being implemented to Public Health budgets by Lancashire County Council to the Lancashire Wellbeing Service, the Health Improvement Service and Integrated Home Improvement Services.

Council is alarmed at the impact of these cuts on residents of Pendle and greatly regrets that the County Council was pressing ahead with these reductions despite the overwhelming evidence that supports their continuation.

Therefore, Council resolves to request the Pendle Health and Wellbeing Board to urgently consider how these cuts could be mitigated in order to safeguard the wellbeing of local residents.

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

His Worship the Mayor _____