

**MINUTES OF THE COUNCIL MEETING
HELD REMOTELY VIA MICROSOFT OFFICE TEAMS
ON 10th DECEMBER, 2020**

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. Ashraf
M. Aslam
R. Carroll
C. Carter
D. Clegg
S. Cockburn-Price
T. Cooney
L. Crossley
V. Fletcher
M. Foxley
P. Foxley
M. Goulthorp
T. Greaves
M. Hanif

J. Henderson
M. Iqbal
Y. Iqbal
D. Lord
N. McEvoy
N. McGowan
A. Mahmood
A. Mann
J. Mills
B. Newman
J. Nixon
J. Purcell
M. Sakib
K. Shore
Y. Tennant
K. Turner
G. Waugh
D. Whipp
T. Whipp
S. Wicks

(Apologies for absence were received from Councillors Musawar Arshad, N. Butterworth, C. Lioni and N. McCollum).

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15. MINUTES SILENCE

Council observed a minutes silence following the recent passing away of former Councillor Ian Gilhespy. The loss of lives as a result of the Covid 19 pandemic was also observed.

16. DECLARATIONS OF INTEREST

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

17. RECORDED VOTES

Members were reminded that in accordance with Rule 17 of the Procedure at Full Council all votes on budget issues would be recorded. This included all motions and amendments.

18. MINUTES

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

RESOLVED

That the Minutes of the Council meeting held on 24th September, 2020 be agreed as a correct record and signed by His Worship the Mayor.

19. ANNOUNCEMENTS BY THE MAYOR AND LEADER OF THE COUNCIL

On behalf of the Council His Worship the Mayor congratulated Councillor M. Iqbal on his appointment of an MBE and Amanda Melton (Principal at Nelson and College) on her CBE.

He reported that the High Sherif of Lancashire's Covid 19 Rewards had been awarded to Colne Musketeers and Pendle Community Support Hub.

The Leader announced that he, along with the Leader of Burnley Council, had written to their MP's asking them to support the suggestion that the whole of Lancashire revert to Tier 2 following the Government's review on 16th December.

20. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

21. QUESTIONS ON NOTICE BY MEMBERS TO THE LEADERS, A COMMITTEE CHAIRMAN OR A REPRESENTATIVE OF AN OUTSIDE BODY ON MATTERS NOT OTHERWISE ON THE AGENDA

There were no questions from Members.

22. REPORT OF THE LEADER ON THE WORK OF THE POLICY AND RESOURCES COMMITTEE

A report by the Leader on the Work of the Policy and Resources Committee since the last Council meeting was submitted, for information.

The Leader responded to questions on tree planting and National Planning reforms.

23. TREASURY MANAGEMENT STRATEGY STATEMENT

The Chief Executive submitted the Treasury Management Strategy Statement. At a meeting of the Policy and Resources Committee on 26th November, 2020 it was resolved "that the change in borrowing strategy for the 2020/21 year be noted and Council be recommended to approve the revised Treasury Management Strategy Statement."

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

RESOLVED

That the revised Treasury Management Strategy Statement be approved.

24. BUDGET PROPOSALS

(a) Income Review – New Fees

At a meeting of the Policy and Resources Committee held on 28th October, 2020 it was resolved “that Council be recommended to approve the new licence fees for new tenancy agreements in relation to garage/caravan plots on Clayton Street Industrial Estate, Nelson.”

It was proposed that a charge of £45 plus VAT per new tenancy be introduced.

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

RESOLVED

That a charge of £45 plus VAT per new tenancy agreement in relation to garage/caravan plots on Clayton Street Industrial Estate, Nelson be introduced.

(b) Savings on Staffing 2021/22

At a meeting of the Budget Working Group on 18th November, 2020 it was agreed “that Council be recommended to approve the savings arising from the deletion of four posts from the Council’s staffing establishment with effect from April, 2021. This amounted to savings of £118,050.

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

RESOLVED

That the savings arising from the deletion of four posts from the Council’s staffing establishment be approved, with effect from April, 2021.

In accordance with minute 17 above a recorded vote was taken on this issue.

Those Members voting in favour of the motions were Councillors:

G. Adam, M. Adams, N. Ahmed, Z. Ali, E. Ansar, Mohammed Arshad, N. Ashraf, M. Aslam, R. Carroll, C. Carter, D. Clegg, S. Cockburn-Price, T. Cooney, L. Crossley, V. Fletcher, M. Foxley, P. Foxley, M. Goulthorp, T. Greaves, M. Hanif, K. Hartley, M. Iqbal, Y. Iqbal, D. Lord, N. McEvoy, N. McGowan, A. Mann, J. Mills, J. Nixon, J. Purcell, Y. Tennant, K. Turner, G. Waugh, D. Whipp, T. Whipp and S. Wicks.

No Members voted against the motions.

25. PROPOSED AMENDMENTS TO THE CONSTITUTION

The Corporate Director submitted a report on proposed amendments to the Council’s Constitution. The Governance Working Group had considered a number of amendments which were brought before Council for decision.

Area Committee Structure

Due to the reduction in wards from 20 to 11, which had arisen from the electoral review, it was no longer practicable to have five area committees. The response from area committees had been mixed with differing views with the choice between three and four.

The final decision would be made at Annual Council when committees were appointed. However, an indication of the Council's views would be useful as reports were prepared well in advance of May.

Amendment to the Call In Procedure

It was suggested that the following amendment be made:

"This procedure shall not apply to a decision on a development management matter (planning application or enforcement case).

Apart from the quasi-judicial considerations this amendment had been suggested as there were real dangers of the planning system being brought into disrepute or of decisions being significantly delayed if call in were permitted.

Updated Councillor Code of Conduct

This had been slightly updated. The main change was the addition of guidance on registering disclosable pecuniary interest.

Advance Notice of New Budget Proposals at the Budget Council Meeting

The following amendment to the Rule of Procedure at Council meetings was suggested:

- "(1) At a Special Budget Council meeting no budget proposal which is not apparent from the agenda and reports for the meeting may be moved by way of motion or amendment unless written notice of it, signed by the Member(s) giving it, has been delivered to the Corporate Director not later than 5pm three clear working days before the date of the meeting.
- (2) The Corporate Director shall list such motions or amendments in the order in which they were received and shall circulate them to all Members as soon as practicable.
- (3) Where the Mayor considers there are exceptional circumstances he may put to the meeting that this Rule of Procedure be suspended and the matter shall be decided by a simple majority of those Members voting and present in the room at the time the question is put."

MOTION

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

- (1) That Annual Council be recommended to appoint 4 Area Committees, as set out in paragraphs 5 to 8 in the report.

- (2) That the amendment to the Call In Procedure be approved.
- (3) That the updated Councillor Code of Conduct be approved.
- (4) That the Rule of Procedure relating to the Budget Council meeting be approved.

AMENDMENT

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

- (1) That Annual Council be recommended to appoint 4 Area Committees, as set out in paragraphs 5 to 8 in the report.
- (2) That the updated Councillor Code of Conduct be approved.
- (3) That the Rule of Procedure relating to the Budget Council meeting be approved.

Upon being put to the vote the amendment became the substantive motion.

FURTHER AMENDMENT

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

That Annual Council be recommended to appoint 3 Area Committees.

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

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The time having reached 8.10 p.m. the Mayor declared the meeting be adjourned for a few minutes. The meeting reconvened at 8.15 p.m.

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FURTHER AMENDMENT

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

That no changes be made to the Rule of Procedure relating to the Budget Council meeting.

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

RESOLVED

- (1) That Annual Council be recommended to appoint 4 Area Committees, as set out in paragraphs 5 to 8 in the report.
- (2) That the updated Councillor Code of Conduct be approved.
- (3) That the Rule of Procedure relating to the Budget Council meeting be approved.

26. LICENSING POLICY - STATEMENT OF PRINCIPLES

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Statement of Principles (Policy) for the Council's licensing functions.

The Licensing Committee at its meeting on 23rd November, 2020 had endorsed the recommendations in the report.

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

RESOLVED

That the consent of the Draft Licensing Statement of Principles (Policy) be approved and adopted by the Council.

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The time having reached 9.10 p.m. the Mayor declared the meeting be adjourned for 10 minutes due to technical difficulties. The meeting reconvened at 9.20 p.m.

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26. NOTICES OF MOTION

(a) Covid 19

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

Pendle Council thanks all residents for all they have done to comply with the Covid 19 local rules, both in Tier 3 and during our second lockdown. Our infection rate has been slowly reducing. Even with the Festive Season approaching, advice from our scientists and doctors is clear, reducing close contact with people from outside your household and this will reduce the transmission rates.

The Council resolves to request that:

All residents to continue to abide by the Government's guidance on social distancing, mixing with other households and safety guidance at work. The public's continued co-operation in following this advice reduces the risk for the benefit of us all and will avoid future, economically damaging lockdowns.

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

(b) Lancashire County Council – Road/Pavement Repairs

It was moved by Councillor J. Nixon and seconded by Councillor M. Goulthorp –

This Council extends the remit of a resolution of the Policy and Resources Committee, where it was agreed:

“That the Leader of the Council draft a letter to be agreed by and sent on behalf of all parties, to the Porfolio Holder for Highways at Lancashire County Council seeking a meeting to discuss the possibility of this Council being given responsibility for road and pavement repairs with an appropriate funding allocation.”

This Council resolves to include gullies and culverts in this negotiation with Lancashire County Council as well as roads and pavements.

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

(c) Covid 19

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

Council notes with considerable concern that recent weeks have seen an alarming number of deaths among residents of Pendle from Covid 19 despite people in the Borough now being subject to the fifth month of restrictions. And, that the level of restrictions is increasing at a time when the level of infections in Pendle is reducing.

Council also notes that the Government has failed to implement the improvements in Test and Trace, effective support for people required to self-isolate and other measures as requested by the resolution of Council on 24th September, but that national government continues to rely on belated, broad brush measures of population control which are increasingly damaging to the overall health and livelihoods of local residents. And that the support for individuals and businesses affected by these sweeping restrictions is woefully inadequate.

Council welcomes the prospect of vaccines possibly leading to an exit from the epidemic, but notes that the immunisation programme will take many months to complete.

Accordingly, Council resolves the following:

- (1) To reaffirm the resolutions relating to Covid 19 agreed on 24th September, 2020.
- (2) To reiterate to Government the need for effective Test, Trace, Isolate and Support in order to contain the virus and remove the need for sweeping restrictions on individual liberties and restrictions of business.
- (3) To request Government to provide adequate support to individuals and businesses affected by the current regimes.
- (4) And, instructs the Chief Executive to write to the Prime Minister, Secretary of State for Health and Social Care, the Chancellor of the Exchequer and Pendle’s Member of Parliament requesting implementation of these proposals without further delay.

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

(d) The Climate Ecology Bill and Fireworks

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

That the motions on the Climate Ecology Bill and Fireworks be referred to the Policy and Resources Committee on 17th December, 2020 for consideration.

RESOLVED

Accordingly.

(e) Emergency Motion – Rolls Royce

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

Council notes with extreme concern the announcement by Rolls Royce of further offshoring of civil aerospace production from its sites in Barnoldswick which would lead to the direct loss of 500 local jobs in total, with a devastating impact on the supply chain across Pendle and the region.

Council also notes the failure of HM Government to intervene with the company over the previously announced exporting of wide-chord fan blade production to Singapore, despite the strategic importance of such 'crown-jewel' technology to the nation.

In addition, Council notes the company's strategic partnership for aerospace engineering with Infosys which will increase Rolls Royce R&D activity in India. Council believes such moves will lead to a 'dumbing down' of national and local capabilities with the loss of essential skills and experience.

Council therefore resolves:

1. To instruct the Chief Executive to write to the Prime Minister inviting him and relevant ministers to come to Rolls Royce Barnoldswick and make a positive intervention to protect job security and provide for continued and future development and production of advanced technology at Barnoldswick.
2. To ask Pendle's Member of Parliament to raise the issue in a formal parliamentary debate in the House of Commons as a matter of urgency with a focus on retaining the threatened manufacturing at Barnoldswick.
3. To express sympathy to the generations of skilled workers at the Barnoldswick sites since the jet engine was developed there and the current workforce, their families and the wider community suffering so badly as a result of the company's actions and Government's inaction.
4. To request that all members of the House of Lords for the Northwest Region raise this issue for consideration of their Lordships.

AMENDMENT

It was moved by Councillor M. Goulthorp and seconded by Councillor R. Carroll –

Council notes with extreme concern the announcement by Rolls Royce of further offshoring of civil aerospace production from its sites in Barnoldswick which would lead to the direct loss of 500 local jobs in total, with a devastating impact on the supply chain across Pendle and the region.

Council also notes that the creation of a mirror facility to the Barnoldswick site in Singapore was taken in 2009 under the last Labour government. That legislation only allows the government to intervene in commercial decisions to offshore strategically important ‘crown-jewel’ technology or capabilities when it is proposed, not ten years after it has happened. The Council therefore regrets the last Labour government’s failure to intervene.

Council welcomes the fact that this week Pendle’s Member of Parliament met with Warren East, the Chief Executive of Rolls Royce, for a third time and secured a commitment from him to work with the Trade Unions on alternative proposals.

In addition, Council welcomes the unprecedented financial support on offer to Rolls Royce from the Government. Notes that firms can continue to draw on the UK Government’s Financial Support Packages, including billions of pounds of loans and guarantees tax deferrals and the Coronavirus Job Retention Scheme. That the UK Government is supporting the aerospace and aviation sectors with over £9 billion in grants, loans and export guarantees. Notes with regret that Pendle Council has yet to make any offer of financial support for maintaining Rolls Royce in Barnoldswick.

Council therefore resolves:

- (1) To instruct the Chief Executive to write to the Chief Executive of Rolls Royce welcoming his decision to engage with the Trade Unions and Council hopes that such talks will take place in good faith and a spirit of co-operation.
- (2) To bolster the alternative proposals put forward by the Trade Unions the Council should prepare a generous package of financial support for the Barnoldswick site, including business rate relief, which would substantially reduce the costs of the Barnoldswick site and make it more attractive for Rolls Royce to invest in.
- (3) To express sympathy to the generations of skilled workers at the Barnoldswick site since the jet engine was developed there and the current workforce, their families and the wider community suffering so badly as a result of the company’s proposals.
- (4) That the abolition of the House of Lords would be an excellent way of releasing much needed funds to support Rolls Royce and other British manufacturers.

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

RESOLVED

Council notes with extreme concern the announcement by Rolls Royce of further offshoring of civil aerospace production from its sites in Barnoldswick which would lead to the direct loss of 500 local jobs in total, with a devastating impact on the supply chain across Pendle and the region.

Council also notes the failure of HM Government to intervene with the company over the previously announced exporting of wide-chord fan blade production to Singapore, despite the strategic importance of such 'crown-jewel' technology to the nation.

In addition, Council notes the company's strategic partnership for aerospace engineering with Infosys which will increase Rolls Royce R&D activity in India. Council believes such moves will lead to a 'dumbing down' of national and local capabilities with the loss of essential skills and experience.

Council therefore resolves:

1. To instruct the Chief Executive to write to the Prime Minister inviting him and relevant ministers to come to Rolls Royce Barnoldswick and make a positive intervention to protect job security and provide for continued and future development and production of advanced technology at Barnoldswick.
2. To ask Pendle's Member of Parliament to raise the issue in a formal parliamentary debate in the House of Commons as a matter of urgency with a focus on retaining the threatened manufacturing at Barnoldswick.
3. To express sympathy to the generations of skilled workers at the Barnoldswick sites since the jet engine was developed there and the current workforce, their families and the wider community suffering so badly as a result of the company's actions and Government's inaction.
4. To request that all members of the House of Lords for the Northwest Region raise this issue for consideration of their Lordships.

His Worship the Mayor _____