

**MINUTES OF THE FULL COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 30th SEPTEMBER, 2021**

PRESENT –

His Worship the Mayor (Councillor N. Butterworth – in the Chair)

Councillors

M. Adnan

F. Ahmad

N. Ahmed

D. Albin

Z. Ali

N. Ashraf

M. Aslam

D. Cockburn-Price

S. Cockburn-Price

L. Crossley

M. Goulthorp

D. Harrison

M. Hanif

K. Howarth

M. Iqbal

Y. Iqbal

D. Lockwood

C. Lioni

D. Lord

K. McGladdery

N. McGowan

A. Mahmood

B. Newman

J. Purcell

M. Sakib

A. Sutcliffe

D. Whipp

T. Whipp

(Apologies for absence were received from Councillors M. Adams, E. Ansar, R. Anwar and R. Carroll).



31. FORMER COUNCILLOR MORRIS HORSFIELD

Council paid tribute and observed a minutes silence as a mark of respect following the recent death of former Pendle Borough Councillor Morris Horsfield.

32. DECLARATIONS OF INTEREST

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

33. MINUTES

It was moved by Councillor N. Ahmed, seconded by Councillor A. Mahmood and –

RESOLVED

That the Minutes of the Council meeting held on 29th July, 2021 and the Extraordinary Council meeting held on 31st August, 2021 be agreed as a correct record and signed by His Worship the Mayor.

34. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

His Worship the Mayor said he had recently enjoyed a visit to Creil in France which was one of the Council's twinned towns. He said there was a possibility that the judo club in Creil would come over to Pendle to meet up with the judo club in Trawden sometime later in the year.

The Leader updated Council on discussions at County level and District Leaders about a County Deal. Previously there had been discussions around Unitary Authorities, Combined Authorities and Elected Mayors. It appeared that these were now no longer on the agenda and the possibility of a County Deal was being discussed. How this would look was being explored and updates would be given at future meetings.

The Leader also congratulated three Pendle residents who had been awarded Pride of Lancashire Awards which had been held a few weeks ago: Susan Schofield, Laura Nuttall and James Foy.

35. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

36. 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 D. Whipp said following the announcement that Virgin Money (Yorkshire Bank) was to close its branch in Nelson, what action had been taken by Pendle Council to avert the closure?

The Leader said he was disappointed that the bank was closing and said he would write to Virgin Money asking them to reconsider their decision. In response to a further question the Leader agreed that the banks and the services provided by them were an important part of the town centres.

Councillor T. Whipp asked the Leader what impact there had been on council services as a result of fuel delivery problems?

In response the Leader said that the Council had managed to maintain the schedule of household and trade waste refuse collections though this had been at the expense of the regular street cleaning frequency as some fuel had been siphoned from these machines and used in the refuse vehicles and the bereavement team vehicles. The Council was in daily contact with the Texaco and Morrison garages in Nelson and drivers visited them as soon as informed of new supplies arriving. There had not been a noticeable impact on members of staff getting to work but many were also able to work from home.

Councillor Lord asked how many refugees from Afghanistan had been settled in Pendle following withdrawal of US and UK forces.

The Leader said the response in Lancashire was being co-ordinated by the County Council Refugee Resettlement Programme Team and the Government's North West Strategic Migration Partnership Office. The Council had made a commitment to the County Council that it would assist in whatever way it could and the agreement made by the Policy and Resources Committee at its August meeting had been passed onto them. Officers were working closely with Calico and Together Housing regarding the number of properties available for use and the Leader agreed that

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he would circulate how many these were to Members. To date the Council had not been requested to house any families.

Councillor Newman asked the Leader what contingency planning had been put in place by Pendle Council in the event of power-cuts during the winter.

In response the Leader said that currently there had been no indication so far of possible power cuts. However, in the eventuality of threatened or actual power cuts the Council, along with all other Lancashire Councils and agencies would respond through the Lancashire Resilience Forum which was there to deal with major emergencies and situations on a co-ordinated basis.

Councillor Iqbal said the Government had announced today that £500 would be available for the poorest households. How was the Leader going to administer this fund? The Leader acknowledged that this was a very recent announcement but cases would be assessed and policies implemented to meet the general need.

Councillor D. Whipp said, given this week's publication of data showing a fall in life-expectancy for Pendle residents and that Pendle was among the worst 25% local authority areas so affected, did the Leader of the Council agree that 'Levelling Up' funding from the Government should be concentrated on improving life-expectancy, health and life-prospects for local residents?

In response the Leader said that the Levelling Up Fund was an opportunity to reset the relationship between central and local government. It was an ambitious programme which provided opportunities all over the country. He acknowledged that one of the objectives was to improve life-expectancy, health and life prospects and this could be contributed by having nice areas, good development and a change in lifestyles.

Councillor D. Whipp further asked if the Leader agreed that the Council's Levelling Up bid was mainly about improving the cultural offer in Colne. The Leader said the bid was broader than this and said he would do what he could to help improve the lifestyles of residents.

Councillor D. Whipp asked the Leader to provide information on the collection rate for the current and previous financial years of the Business Improvement District Levy in Colne.

The Leader said that unfortunately he had not been able to ascertain the figures in time for this meeting so he would circulate the information to all Members as soon as possible. In response to a further question he also said he would include information on any Council owned premises where the levy had not been paid.

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

The Leader of the Council submitted a report on the work of the Policy and Resources Committee.

In relation to the transfer of services and facilities to Town and Parish Councils Members were advised that discussions were continuing with interested Town and Parish Councils following a meeting held with them and the Budget Working Group.

38. APPOINTMENT OF CHIEF FINANCE OFFICER AND s151 OFFICER

At the Council meeting on 31st August members approved the appointment of Graham Cadle as Interim Chief Finance Officer and s151 Officer. Interviews had now held for a permanent appointment and the Interviewing Panel had offered the position to Richard Gibson and he had accepted.

It was anticipated that he would take up the position on 1st November, 2021.

It was moved by Councillor N. Ahmed, seconded by Councillor D. Cockburn-Price and –

RESOLVED

That the appointment of Richard Gibson as Chief Finance Officer and s151 Officer be confirmed with effect from 1st November, 2021.

39. NOTICES OF MOTION

(a) Live Streaming of Meetings

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

That this Council continues to live-stream Full Council meetings, that principal committee meetings also be live-streamed to the Council's You-Tube channel; and that a report be presented to the Policy and Resources Committee on the implementation of this extended policy.

AMENDMENT

It was moved by Councillor K. McGladdery and seconded by Councillor A. Sutcliffe –

That this Council recognises the importance of recording Council meetings in the wake of the Liberal Democrats attempt to deceive the public following a recent Colne Town Council meeting. The video record of the meeting meant that the public were able to spot the deception and properly hold to account.

Council also notes the pressure on costs and resources in the budget.

The Council therefore resolves to:

- (1) Investigate the costs of establishing proper facilities in Nelson Town Hall and other venues to deliver live streaming of meetings, with each member being able to be clearly heard on video.
- (2) Better advertise the fact that members of the public can attend and record meetings in person and publish widely when meetings are being held.
- (3) Present a report on implementing the above to the Policy and Resources Committee.

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

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Those Members voting in favour of the Amendment were Councillors:

M. Adnan, N. Ahmed, D. Albin, M. Aslam, N. Butterworth, D. Cockburn-Price, S. Cockburn-Price, L. Crossley, M. Goulthorp, D. Harrison, K. Howarth, D. Lockwood, C. Lioni , K. McGladdery, J. Purcell and A. Sutcliffe.

Those Members voting against the Motion were Councillors:

F. Ahmad, Z. Ali, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, M. Sakib, D. Whipp and T. Whipp.

16 for and 12 against.

FURTHER AMENDMENT

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

That this Council recognises the importance of recording Council meetings and therefore resolves to:

- (1) Better advertise the fact that members of the public can attend and record meetings in person and publish widely when meetings are being held.
- (2) Instruct officers to present a report on implementing the above to the next meeting of the Policy and Resources Committee.

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

Those Members voting in favour of the Further Amendment were Councillors:

M. Adnan, F. Ahmed, Z. Ali, N. Ashraf, S. Cockburn-Price, L. Crossley, D. Harrison, M. Hanif, M. Iqbal, Y. Iqbal, D. Lockwood, D. Lord, N. McGowan, A. Mahmood, B. Newman, J. Purcell, M. Sakib, D. Whipp and T. Whipp.

Those Members voting against the Further Amendment were Councillors:

N. Ahmed, D. Albin, M. Aslam, N. Butterworth, D. Cockburn-Price, M. Goulthorp, K. Howarth, C. Lioni, K. McGladdery, J. Purcell and A. Sutcliffe.

19 for and 11 against.

The above further amendment became the substantive motion. When put to the vote this motion was **LOST**.

(b) Openreach

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

Council welcomes the announcement that Openreach had agreed to roll out gigabit speed fibre to the premises (FTTP) broadband to further areas of Pendle following the Council resolution and

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subsequent meeting between the company and the then Chief Executive and Deputy Leader of the Council earlier this year and that residential and business properties served by the Earby and Nelson exchanges would be enabled for FTTP in the coming months.

Council notes that Openreach has yet to include properties served by the Colne exchange in the FTTP upgrade, leaving Trawden, Laneshaw Bridge, Foulridge and other rural residents around Colne on the wrong side of the digital divide.

Accordingly, Council resolves that the Chief Executive requests Openreach to include residents and businesses served by the Colne exchange in their Fibre to the Premises Programme at the earliest opportunity.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(c) Drivers

It was moved by Councillor B. Newman and seconded by Councillor T. Whipp –

Council notes the impact of a shortage of lorry drivers on Council services, especially street cleaning and refuse collection. Council resolves that a report on the issues be presented to the next Policy and Resources Committee.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(d) Flooding in Barnoldswick

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

Council notes the significant flooding in Barnoldswick during the intense rainfall on the evening of 9th September, 2021 which affected many properties throughout the town.

Council thanks the manager and staff of the Environmental Services Team for quickly responding and delivering sandbags for affected residents and businesses.

Given the magnitude of the flooding event, with water pouring into scores of homes and businesses across the town. Council believes grants for property level protection should be available for those affected.

Council resolves:

- (1) That the Chief Executive writes to the Secretary of State and Andrew Stephenson MP to enquire what grants might be available to help those affected by the recent flooding and make them available.

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- (2) That, following consideration by the West Craven Committee, the Policy and Resources Committee consider a report on the flooding with a view to identifying any action that can be taken to reduce the risk of further flooding in future.

Upon being put to the vote it was

RESOLVED

Accordingly.

(e) Greenhouse Gas Emissions and Renewable Energy

It was moved by Councillor T. Whipp and seconded by Councillor M. Adams –

That Pendle Council:

- (i) acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy;
- (ii) further recognises that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so, that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for local companies, community groups and councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, if they wished, and that revenues received by such local companies, community groups or councils that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;
- (iii) notes that the Parliamentary Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;
- (iv) accordingly resolves to support the Local Electricity Bill currently supported by a cross-party group of 264 MPs and which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company, and
- (v) further resolves to inform the local media of this decision, write to local MPs, asking them to support the Bill and write to the organisers of the campaign for the Bill expressing its support.

AMENDMENT

It was moved by Councillor S. Cockburn-Price and seconded by Councillor D. Cockburn-Price –

That Pendle Council:

- (1) Acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy.
- (2) Notes the idea of local, small scale energy supply to local people presents intriguing and exciting possibilities, However, although there are some successful case studies where

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this is being trialled elsewhere in the country, there are many challenges concerned with licensing, sleeving, cross charging and balancing within the Grid. This Council therefore proposes that the new Climate Emergency Officer brings a paper on this topic to the Climate Emergency working Group in December to explore how this concept of local energy supply can best be deployed within Pendle.

FURTHER AMENDMENT

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

That Pendle Council:

- (1) Acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy.
- (2) Notes the idea of local, small scale energy supply to local people presents intriguing and exciting possibilities, However, although there are some successful case studies where this is being trialled elsewhere in the country, there are many challenges concerned with licensing, sleeving, cross charging and balancing within the Grid. This Council therefore proposes that the new Climate Emergency Officer brings a paper on this topic to the Climate Emergency working Group in December to explore how this concept of local energy supply can best be deployed within Pendle.
- (3) That this Council supports the Local Electricity Bill which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply company.

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

Those Members voting in favour of the Motion were Councillors:

F. Ahmad, Z. Ali, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, M. Sakib, D. Whipp and T. Whipp.

Those Members voting against the Motion were Councillors:

M. Adnan, N. Ahmed, D. Albin, M. Aslam, N. Butterworth, D. Cockburn-Price, S. Cockburn-Price M. Goulthorp, D. Harrison, K. Howarth, D. Lockwood, C. Lioni, K. McGladdery, N. McGowan, J. Purcell and A. Sutcliffe.

12 for and 16 against.

Upon being put to the vote it was –

RESOLVED

That Pendle Council:

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- (1) Acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy.
- (2) Notes the idea of local, small scale energy supply to local people presents intriguing and exciting possibilities, However, although there are some successful case studies where this is being trialled elsewhere in the country, there are many challenges concerned with licensing, sleeving, cross charging and balancing within the Grid. This Council therefore proposes that the new Climate Emergency Officer brings a paper on this topic to the Climate Emergency working Group in December to explore how this concept of local energy supply can best be deployed within Pendle.

(f) Curry on the Street

It was moved by Councillor D. Lord and seconded by Councillor M. Adams –

Council congratulates James Foy and Curry on the Street on receiving the award in the Volunteer Category in the Radio Lancashire Make a Difference Awards.

Upon being put to the vote it was –

RESOLVED

Accordingly.

40. LOCAL GOVERNMENT ACT 1972

In accordance with the provisions of Section 100(B)(4) of the Local Government Act 1972, as amended, His Worship the Mayor agreed that the following item should be considered as a matter of urgency, the ground being the timescales and organisation involved to deliver the event.

41. BLUES FESTIVAL

It was moved by Councillor K. McGladdery and seconded by Councillor D. Cockburn-Price –

The iconic Great British Rhythm and Blues Festival has been a staple event in Pendle for over 30 years. Almost every year since its creation we have seen tens of thousands of people flock to Colne Town Centre, enjoying the music and helping to boost the local economy.

Following the unexpected cancellation of the Blues Festival by the Liberal Democrat controlled Colne Town Council, without consulting the public, the outcry from both the public and local businesses has been massive. A petition was set up almost immediately by a member of the public and within days it has been signed by over 5,000 people.

Given the public outcry, the Council resolves to:

- (1) Immediately contact Colne Town Council seeking urgent clarification on their intentions for the 2022 Blues Festival.
- (2) Urgently investigate options for Pendle Borough Council to assist the delivery of the Blues Festival in 2022.

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- (3) Work with the public and local businesses, to establish a charitable trust which can take on the Festival in the coming years, protecting the Festivals long-term future.
- (4) Request Colne Town Council transfer the copyright of the name of the Festival to Pendle Borough Council until such a time that the charitable Trust can be established and the naming rights be transferred to them.
- (5) Ask officers to investigate if the Blues Festival qualifies for funding from the Government's Additional Restrictions Grant, NEST Cultural Impact Development Fund, Arts Council England National Lottery Projects Grants, Culture Recovery Fund, Emergency Resource Support, Music for All – Community Project Funding and PRS Foundation – Open Fund for Organisations and prepare applications if the “New Blues” meets the criteria of these funds and others.
- (6) Ask officers to investigate if any of the millions of pounds of funding given to the Council from the Government to tackle Covid and aid recovery, would be available to help deliver the Blues Festival should Pendle Council be required to deliver the Festival in 2022.

AMENDMENT

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

Council notes that:

- (1) The iconic Great British Rhythm and Blues Festival has been a staple event in Pendle for over 30 years. Almost every year since its creation, we have seen tens of thousands of people flock to Colne Town Centre, enjoying the music and helping to boost the local economy.
- (2) Colne Town Council has resolved that the Festival should be run on different lines in 2022; that Colne Town Council has budgeted £20,000 towards the cost of the Festival; set up a public meeting to discuss the future of the event and that, together with Pendle Leisure Trust, the Town Council has had discussions with a commercial operator willing to take on the promotion of the ticketed events at Leisure Trust venues, at no cost to the Town Council.

Accordingly, Council resolves:

- (1) That Pendle Borough Council waive the £9,000 fee for street cleaning, primarily undertaken at the Festival fringe.
- (2) That Pendle Borough Council provide additional funding to Pendle Leisure Trust for the operation of venues for the Festival and underwrites Pendle Leisure Trust if any losses are incurred as a consequence of the ticketed events. That the future of Colne's Blues Festival and Pendle Council's contribution towards it, is further considered at the October meeting of the Policy and Resources Committee.

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

Those Members voting in favour of the Amendment were Councillors:

F. Ahmad, Z. Ali, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, M. Sakib, D. Whipp and T. Whipp.

Those Members voting against the Amendment were Councillors:

M. Adnan, N. Ahmed, D. Albin, M. Aslam, N. Butterworth, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, D. Harrison, K. Howarth, D. Lockwood, C. Lioni, K. McGladdery, N. McGowan, J. Purcell and A. Sutcliffe.

12 for and 16 against.

In accordance with Rule 17.4.1 of the Procedure at Full Council and at the request of two Members a recorded vote was taken.

Those Members voting in favour of the Motion were Councillors:

M. Adnan, N. Ahmed, D. Albin, M. Aslam, N. Butterworth, D. Cockburn-Price, S. Cockburn-Price, M. Goulthorp, D. Harrison, K. Howarth, D. Lockwood, C. Lioni, K. McGladdery, N. McGowan, J. Purcell and A. Sutcliffe.

The following Councillors abstained from voting:

F. Ahmad, Z. Ali, N. Ashraf, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, M. Sakib, D. Whipp and T. Whipp.

16 for and 12 abstained.

RESOLVED

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Following the unexpected cancellation of the Blues Festival by the Liberal Democrat controlled Colne Town Council, without consulting the public, the outcry from both the public and local businesses has been massive. A petition was set up almost immediately by a member of the public and within days it has been signed by over 5,000 people.

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- (2) Urgently investigate options for Pendle Borough Council to assist the delivery of the Blues Festival in 2022.
- (3) Work with the public and local businesses, to establish a charitable trust which can take on the Festival in the coming years, protecting the Festivals long-term future.

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- (4) Request Colne Town Council transfer the copyright of the name of the Festival to Pendle Borough Council until such a time that the charitable Trust can be established and the naming rights be transferred to them.
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- (6) Ask officers to investigate if any of the millions of pounds of funding given to the Council from the Government to tackle Covid and aid recovery, would be available to help deliver the Blues Festival should Pendle Council be required to deliver the Festival in 2022.

His Worship the Mayor _____