

**MINUTES OF THE COUNCIL MEETING
HELD AT NELSON TOWN HALL
4th AUGUST, 2022**

PRESENT –

His Worship the Mayor (Councillor Y. Iqbal – in the Chair)

Councillors

*M. Adnan
F. Ahmad
N. Ahmed
S. Ahmed
D. Albin
Z. Ali
M. Ammer
R. Anwar
N. Ashraf
N. Butterworth
R. Carroll
C. Church
D. Cockburn-Price
S. Cockburn-Price
M. Goulthorp*

*M. Hanif
M. Iqbal
M. Kaleem
D. Lord
K. McGladdery
N. McGowan
A. Mahmood
B. Newman
J. Purcell
K. Salter
M. Stone
A. Sutcliffe
D. Whipp
T. Whipp*

(Apologies for absence were received from Councillors C. Lioni and P. McGladdery).



22. DECLARATIONS OF INTEREST

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

23. MINUTES

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

RESOLVED

That the minutes of the Annual Council meeting held on 19th May, 2022 and the Special Council meeting held on 21st July, 2022 be agreed as a correct record and signed by His Worship the Mayor.

24. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

His Worship the Mayor, the Leader, Group Leaders and other Councillors wished Philip Mousdale, Corporate Director, well in his retirement and thanked him for his hard work, commitment, leadership and dedication to the Council over the past 36 years.

25. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

26. 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

There were no questions from Members.

27. 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.

28. CENTRAL PLANNING COMMITTEE AND AREA COMMITTEES

The Corporate Director submitted a report which set out the terms of reference and working arrangements for the new central Planning Committee and the consequential changes for Area Committees; along with proposals for a change in Area Committee budgets.

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

- (1) That the terms of reference and working arrangements for the new central Planning Committee be approved.
- (2) That the proposed amendments to the scheme of delegation be approved.
- (3) That Councillor D. Cockburn-Price be appointed as Chairman of the Planning Committee.
- (4) That the new working arrangements for Area Committees be approved.
- (5) That the proposed change to Area Committee budgets be approved.

◆◆◆◆

The time having reached 7.25 p.m. His Worship the Mayor declared the meeting adjourned and there was a short break to allow Group Leaders time to discuss a proposed amendment to the above motion. The meeting reconvened at 7.40 p.m.

◆◆◆◆

AMENDMENT

It was moved by Councillor A. Mahmood, seconded by Councillor D. Whipp –

Council (04/08/2022)

That a Working Group (membership 2:2:2) be established to consider the proposed working arrangements of the Planning Committee and amendments to the scheme of delegation with recommendations to the next Council meeting.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

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

Those Members voting in favour of the amendment were:

Councillors M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, C. Church, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Members voting against the amendment were:

Councillors N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn Price, M. Goulthorp, M. Kaleem, K. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

FURTHER AMENDMENT

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

That the following be added to the amendment above –

- (1) That the number of objections from separate addresses to trigger a referral to a committee be kept at three; that a request from a Councillor for an application to go before committee need not be substantiated with any reasons and that Parish and Town Councils are able to request that an application go before committee.
- (2) That, in accordance with established council protocols, meetings of the Planning Committee are not held on Wednesdays.
- (3) That meetings of the Planning Committee be peripatetic and held routinely at venues across the Borough.
- (4) That the frequency of Area Committee meetings be retained on a monthly basis.
- (5) That Area Committee budgets be maintained at £170,000 and continue to be apportioned according to the electorate of each Area Committee.

In accordance with the Council's Rules of Procedure 17.4.1 and at the request of two Councillors a named vote was taken.

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

Those Members voting in favour of the amendment were:

Councillors M. Adnan, F. Ahmad, S. Ahmed, Z. Ali, M. Ammer, R. Anwar, N. Ashraf, C. Church, M. Hanif, M. Iqbal, Y. Iqbal, D. Lord, A. Mahmood, B. Newman, D. Whipp and T. Whipp.

Those Members voting against the amendment were:

Councillors N. Ahmed, D. Albin, M. Aslam, N. Butterworth, R. Carroll, D. Cockburn-Price, S. Cockburn Price, M. Goulthorp, M. Kaleem, K. McGladdery, N. McGowan, J. Purcell, K. Salter, M. Stone and A. Sutcliffe.

Both amendments were **CARRIED** and it was –

RESOLVED

- (1) That a Working Group (membership 2:2:2) be established to consider the proposed working arrangements for the Planning Committee and amendments to the scheme of delegation with recommendations to the next Council meeting.
- (2) That the number of objections from separate addresses to trigger a referral to a committee be kept at three; that a request from a Councillor for an application to go before committee need not be substantiated with any reasons and that Parish and Town Councils are able to request that an application go before committee.
- (3) That, in accordance with established council protocols, meetings of the Planning Committee are not held on Wednesdays.
- (4) That meetings of the Planning Committee be peripatetic and held routinely at venues across the Borough.
- (5) That the frequency of Area Committee meetings be retained on a monthly basis.
- (6) That Area Committee budgets be maintained at £170,000 and continue to be apportioned according to the electorate of each Area Committee.

29. CALL IN PROCEDURE

The Corporate Director submitted a report which provided information on the operation of the call in procedure with suggested improvements.

Since the implementation of the Committee System in May 2018 there had been 14 decisions which had been called in. Of the 14 call in notices four did not proceed due to a change in circumstance or lack of support from Group Leaders. Three led to a change to the original decision and seven led to no change.

At the last Annual Council meeting it had been resolved that the Council move back to executive arrangements in May, 2023. As a result, and with the need under the Localism Act 2011 for the

inclusion of at least one Overview and Scrutiny committee the power to review or scrutinise decisions made or action taken by the Executive was required.

It was therefore recommended that the remainder of the municipal year the call in procedure stays substantively the same.

MOTION

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

That the Group Leaders and Corporate Director scrutinise the reasons given in call in notices to ensure that a call in is appropriate and the procedure is consistent and transparent.

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

30. RULES OF PROCEDURE

The Corporate Director submitted a report on proposed amendments to the Rules of Procedure in relation to members speaking and points of order and personal explanation at Council and Committee meetings.

MOTION

It was moved by Councillor N. Ahmed and seconded by Councillor D. Albin –

(a) The addition of the following Rule to apply at all meetings:

Councillors' General Conduct at meetings

All Councillors shall:

- Respect the Chair at all times;
- Adhere to the Councillor Code of Conduct;
- Recognise and acknowledge that they are personally responsible for their own conduct and have a responsibility to secure and promote good conduct on the part of all councillors and of their political group;
- Have regard to the need to demonstrate a standard of conduct and behaviour which supports healthy and constructive debate and which meets the expectations that local people will hold of their elected representatives;
- Regain from personal attacks on any other councillor, notwithstanding the acceptance of robust political debate.

(b) That permission of the Chairman be required to raise a point of personal explanation and that the ruling was not open to further discussion. Rule 14.11 would be amended to read:

With the permission of the Mayor a Member make a point a point of personal explanation. A personal explanation may only relate to some material part of an earlier speech which may appear

to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation shall be final and not open to further discussion.

- (c) When raising a point of order a Member must, at the outset, state what Rule of Procedure or law they consider had been broken, in what way and that the ruling not be open to further discussion. Rule 14.12 would be amended to read:

A Member may raise a point of order in relation to an alleged breach of a Rule of Procedure or law and shall be entitled to be heard immediately. The Member must, at the outset, specify the Rule of Procedure or law and the way in which they consider it has been broken. The ruling of the Mayor on a point of order shall be final and not open to further discussion.

AMENDMENT

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

- (a) The addition of the following Rule to apply at all meetings:

Councillors' General Conduct at meetings

All Councillors shall:

- Respect the Chair at all times;
- Adhere to the Councillor Code of Conduct;
- Regain from personal attacks on any other councillor, notwithstanding the acceptance of robust political debate.

- (b) When raising a point of order a Member must, at the outset, state what Rule of Procedure or law they consider had been broken, in what way and that the ruling not be open to further discussion. Rule 14.12 would be amended to read:

A Member may raise a point of order in relation to an alleged breach of a Rule of Procedure or law and shall be entitled to be heard immediately. The Member must, at the outset, specify the Rule of Procedure or law and the way in which they consider it has been broken. The ruling of the Mayor on a point of order shall be final and not open to further discussion.

Upon being put to the vote the Amendment was **CARRIED** and it was –

RESOLVED

- (a) The addition of the following Rule to apply at all meetings:

Councillors' General Conduct at meetings

All Councillors shall:

- Respect the Chair at all times;

- Adhere to the Councillor Code of Conduct;
 - Regain from personal attacks on any other councillor, notwithstanding the acceptance of robust political debate.
- (b) When raising a point of order a Member must, at the outset, state what Rule of Procedure or law they consider had been broken, in what way and that the ruling not be open to further discussion. Rule 14.12 would be amended to read:

A Member may raise a point of order in relation to an alleged breach of a Rule of Procedure or law and shall be entitled to be heard immediately. The Member must, at the outset, specify the Rule of Procedure or law and the way in which they consider it has been broken. The ruling of the Mayor on a point of order shall be final and not open to further discussion.

31. REPRESENTATIVES ON OUTSIDE BODIES

Lancashire Police and Crime Panel

The proportionality for representatives across Lancashire has been worked out and a request has been received for a representative to be nominated from the Liberal Democrat Group to balance the Panel.

MOTION

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

That Councillor D. Whipp be appointed as the additional representative on the Lancashire Police and Crime Panel.

Upon being put to the vote the Motion was **CARRIED** and it was –

RESOLVED

Accordingly.

32. NOTICES OF MOTION

(a) Street Sweeping

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

Council notes that street sweeping has been adversely affected by the reduction in mechanical sweepers being used in Pendle since April, with a 'fire-fighting' approach being used in areas not now receiving regular sweeping.

Council also notes that the proposed saving of £24,000 from the cut in sweeping had not been achieved due to a £20,000 penalty in the contract for the mechanical sweeper.

Council (04/08/2022)

Council resolves that the budget for mechanical sweeping was reinstated and that previous sweeping routes and frequencies were restored.

Upon being put to the vote the Motion was **CARRIED** and it was –

RESOLVED

Accordingly.

(b) Sustainable Development

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

Council reaffirms its commitment to combat the climate crisis, notes that a major contributor to carbon emissions is domestic space heating and that energy cost increases are becoming increasingly unaffordable for households.

Council believes that the borough council should set an example in promoting sustainable development through positive action.

Accordingly, Council resolves that £371,000 of the Brownfield Sites fund be allocated for the provision of air-source heat pumps at the brownfield development at Spring Mill, Earby by the Council's joint venture PEARL Together.

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

His Worship the Mayor _____