

**MINUTES OF THE COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 14th DECEMBER 2023**

PRESENT –

His Worship the Mayor (Councillor B. Newman – in the Chair)

Councillors

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

*M. Hanif
Y. Iqbal
M. Kaleem
S. Land
D. Lord
K. McGladdery
A. Mahmood
K. Salter
M. Strickland
M. Stone
Y. Tennant
D. Whipp
T. Whipp*

(Apologies for absence were received from Councillors F. Ahmad, M. Aslam, M. Iqbal, T. Ormerod and A. Sutcliffe).



46. DECLARATIONS OF INTEREST

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

47. MINUTES

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

RESOLVED

That the minutes of the Council meeting held on 28th September 2023 and the Extraordinary Council meeting held on 27th November 2023 be agreed as a correct record and signed by His Worship the Mayor.

48. COUNCILLOR M. ASLAM

Following a recommendation from the Standards Committee at a meeting held on 18th October 2023, a written apology was submitted to Members of the Council.

MOTION

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

That in the absence of Councillor M. Aslam, this item be deferred and considered further at the next meeting.

Upon being put to the vote it was –

RESOLVED

Accordingly.

49. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

His Worship the Mayor thanked Members for their compassion and understanding at the last Council meeting.

The Leader and Group Leaders from the three main political parties thanked Richard Gibson for his hard work and commitment to the Council over the past couple of years in his role as Director of Resources. He was moving to another post in St. Helen's and members wished him well for the future.

50. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

51. 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

In accordance with Rule 12.4(b) of the Council's Rules of Procedure the Mayor allowed the following question to be asked, the reason being the impact the proposals would have on the local community and the need to register the Council's concerns prior to these changes becoming law.

Councillor Z. Ali asked if the Leader agreed that the UK Government's recent announcement on proposals to increase the earnings threshold for spouse visa and many other immigration applications to £38,700 per annum would devastate families financially when making the UK their home following marriage and other life choices which bring them to the UK.

The Leader said he agreed with Councillor Ali and said it was disappointing the threshold had been increased and was now more than double the minimum wage.

In response to supplementary questions from Councillor N. Ahmed, N. Ashraf and Z. Ali the Leader said he disagreed with Councillor Ahmed as this was the Conservative Government's decision to amend this policy, he disagreed with Councillor Ashraf about the Government, Prime Minister and Opposition Leader all singing from the same hymn sheet and acknowledged that a different system was needed to address genuine cases.

51. REPORT BY THE LEADER ON THE WORK OF THE EXECUTIVE

The Leader of the Council submitted a report on the work of the Executive.

The Leader answered questions in relation to the Leisure Trust Review.

**52. OVERVIEW AND SCRUTINY COMMITTEE
DOMESTIC INSULATION**

At a meeting of the Overview and Scrutiny Committee on 14th September 2023 it was resolved “that Council be recommended to note that the members of the Task and Finish Group on Domestic Insulation were confident that Pendle had identified all funding streams presently available to its residents; was actively involved in promoting the uptake of the schemes; was working in successful partnership with Cosy Homes in Lancashire (ChiL); and would continue to play an active role in trying to secure as much external funding for the Borough as possible.”

MOTION

It was moved by Councillor C. Church and seconded by Councillor Y. Tennant –

That it be noted that members of the Task and Finish Group on Domestic Insulation were confident that Pendle had identified all funding streams presently available to its residents; was actively involved in promoting the uptake of the schemes; was working in successful partnership with Cosy Homes in Lancashire (ChiL); and would continue to play an active role in trying to secure as much external funding for the Borough as possible.

Upon being put to the vote it was –

RESOLVED

Accordingly.

53. CORPORATE PLAN 2023/27

The Director of Resources submitted the Council’s Corporate Plan for 2023 to 2027 for approval.

The Plan had been submitted to Council previously and changes had been made and included in the version presented. This included the Council’s vision and priorities along with staff values.

The Plan set out the Council’s goals for the future with milestones for each year which would be monitored through the performance management framework.

MOTION

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

That subject to the removal of the following:

- Facilitate Lomeshaye Industrial Estate Phase 2 plans with the private sector (page 13)
- Lomeshaye Industrial Estate Phase 2 Plans – scope the support that is needed to bring forward development (page 15)

the Corporate Plan 2023 to 2027 be approved.

Upon being put to the vote it was –

RESOLVED

Accordingly.

54. REVENUE AND CAPITAL BUDGET MONITORING 2023/24 – QUARTER 2

At a meeting of the Executive on 16th November 2023 it was resolved –

“(2) That Council be recommended to approve the requirement for a supplementary revenue estimate of £0.377m in respect of contract inflation, as set out in a separate report.”

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

RESOLVED

That a supplementary revenue estimate of £0.377m in respect of contract inflation, as set out in a separate report be approved.

55. AREA COMMITTEE BUDGET 2023/24

At a meeting of the Executive on 21st September 2023 it was resolved “that a supplementary estimate of £119,070 be approved to reinstate Nelson, Brierfield and Reedley Committee’s budget for 2023/24.”

The Monitoring Officer had advised that this resolution was a **recommendation** to Council in accordance with Articles 4 and 14.03 of the Council’s Constitution.

MOTION

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

That Nelson, Brierfield and Reedley Committee’s budget for 2023/24 be reinstated.

Upon being put the vote the motion was **LOST** and therefore it was

RESOLVED

That the request not be agreed.

56. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

The Head of Legal and Democratic Services submitted a report on the outcome of the recent review of Polling Districts, Polling Places and Polling Stations in the Borough.

Under the Electoral Registration and Administration Act 2013 the Council was required to carry out a formal review of its polling district, polling places and polling stations between 1st October 2023 and 31st January 2025.

A Working Group was established to undertake the review and a consultation exercise was undertaken with comments and representation invited between 2nd and 23rd October.

The Working Group proposed that the existing polling places should be retained with the exception of the following:

Polling District	Existing Polling Station	Proposed Polling Station
EB	Brierfield Community Centre, Colne Road, Brierfield	Friends Meeting House, Walverden Road, Nelson

MOTION

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

- (1) That the request to revert back to using the Friend's Meeting House as a polling station for part of Polling District EB not be agreed.
- (2) That Polling District DF be moved from No. 1 Market Street, Nelson to the Sports Hall at The Zone, Nelson

Upon being put to the vote it was –

RESOLVED

Accordingly.

57. HACKNEY CARRIAGE DEMAND SURVEY

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on recommendations of Licensed Vehicle Surveys and Assessment (LVSA) following the completion of the hackney carriage demand survey.

This survey had been requested by the hackney carriage proprietors which was agreed by the Policy and Resources Committee. The survey was carried out between January and May 2023 and the results were attached to the report as Appendix 1.

The key conclusion was that there was no evidence of any unmet demand.

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

RESOLVED

- (1) That the present limit of 71 hackney carriages be retained subject to it being established whether or not the stand on Church Street, Barnoldswick was still required.
- (2) That nighttime enforcement on the use of hackney carriage ranks and vehicle signage, as highlighted in the report, be carried out.

58. CARBON EMISSIONS AND CARBON REDUCTION TARGETS – REVIEW

At a meeting of the Executive on 16th November 2023 it was resolved “that Option 2 Keep it Carbon Neutral by 2030 funding option be agreed and recommended to Council to approve to enable effective delivery of an aligned carbon neutral target for the Council. This was subject to the outcome of the Leisure Review and funding being secured.”

It was moved by Councillor A. Mahmood, seconded by Councillor Z. Ali and –

RESOLVED

That the Keep it Carbon Neutral by 2030 funding option be approved to enable effective delivery of an aligned carbon neutral target for the Council. This was subject to the outcome of the Leisure Review and funding being secured.

**59. COLNE NEIGHBOURHOOD DEVELOPMENT PLAN
AMENDMENTS TO THE POLICIES MAP**

The Assistant Director Planning, Building Control and Regulatory Services submitted a report advising of two proposed amendments to the Policies Map for the recently ‘made’ (adopted) Colne Neighbourhood Development Plan.

Two mapping errors had been identified:

- Knotts Lane allotments (CNDP11/2)
- Town Centre Boundary

The report confirmed that Colne Town Council had reached an agreement with Maro Developments and Council officers on the necessary amendments to the Policies Map. The Town Council had also written to Pendle Council requesting consent of the proposed modifications.

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

RESOLVED

That the two amendments, referred to above, on the Policies Map for the Colne Neighbourhood Development Plan be approved.

60. APPOINTMENT OF INTERIM DIRECTOR OF RESOURCES AND S151 OFFICER

Richard Gibson, Director Resources was leaving this month and as one of the Council’s statutory officer posts Council were recommended to approve the appointment of Damon Lawrenson as Interim Director of Resources and Section 151 Officer.

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

RESOLVED

That Damon Lawrenson be appointed as Interim Director of Resources and Section 151 Officer with effect from 14th December 2023.

**61. 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 Overview and Scrutiny Committee, Development Management Committee, Licensing Committee, Taxi Licensing

Council (14.12.2023)

Committee, Accounts and Audit Committee and the Employment Appeals Committee and the Standards Hearing Committee. They did not apply to the Area Committees or the Executive.

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

RESOLVED

That the report be noted.

62. REPRESENTATIVES ON OUTSIDE BODIES

Due to the resignation of two Councillors from the Labour Group nominations were requested for the following:

Pendle Countryside Access Forum
Pendle Leisure Trust Board

Council was advised that names would be forwarded to Democratic Services after the meeting.

63. NOTICES OF MOTION

(a) HS2 and Colne/Skipton Rail-Route Reopening

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

Council notes that the cancellation of HS2 hasn't led to funding for the reopening of the Colne to Skipton rail-route.

Council resolves to:

- (1) Reaffirm its support for reopening the Colne to Skipton line.
- (2) Requests the Secretary of State for Transport to include the Colne/Skipton scheme within the Governments rail investment programme.
- (3) Ask Pendle MP Andrew Stephenson to support the Council's request to reopen the route.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(b) Levelling Up Funding

It was moved by Councillor D. Whipp and seconded by Councillor C. Church –

Council notes:

Council (14.12.2023)

- The very uneven distribution of so called “Levelling Up” money, which had disadvantaged residents across the borough, especially taking into account the overall loss of Government funding over the past decade.
- The very low award for Pendle’s round one approval of just £6.532m, compared to the average of over £16m in that round and £19m/£20m in succeeding rounds.
- The inequality of awarding funds to a single town in the borough when other communities and neighbourhoods had equivalent levels of deprivation.

Council believes that local communities across Pendle and the country should receive fair funding according to their needs.

Accordingly, Council resolves:

- (1) That the Secretary of State for Levelling Up, Housing and Communities and the Chancellor of the Exchequer be requested to ensure that Government funding is distributed by a fair funding formula providing sufficient resources for the provision of adequate local services.
- (2) That Andrew Stephenson MP be asked to support the Council’s request.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(c) County Deal

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

Council notes that:-

- The ‘County Deal’ announced last month would not lead to any significant devolution of powers or funding to Lancashire and would have no benefit for people living in Pendle.
- Pendle, and other district councils, would lose millions of pounds of funding.
- Local people would not have any say in decision-making by the new County Combined Authority, which would be run by a handful of people at County Hall, Blackburn with Darwen and Blackpool.

Council resolves not to support the County Deal.

Upon being put to the vote it was –

RESOLVED

Accordingly.

64. EXCLUSION OF PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following item of business in pursuance of the power contained in Section 100(A) (4) of the Local Government Act,

1972 as amended, in relation to exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

65. LIBERATA CONTRACT UPDATE

The Director of Resources submitted a report updating the Executive on the Liberata Contract Review.

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

RESOLVED

That the agreement reached with Liberata UK (LUK) as set out in the report be noted, and the following changes to the contract, as set out be approved, specifically in respect of:

- (a) Transfer of the Property Service function and associated staff.
- (b) Contract inflation for 2023/24 and beyond and to further agree a Supplementary Revenue Estimate of £377,767 for the current financial year to fund this cost.
- (c) Agree to surrender the lease for No. 1 Market Street and to grant LUK a licence to occupy for the remainder of the contract.
- (d) Grant delegated approval to the Chief Executive to agree a Contract Change Note with LUK to reflect the changes, as set out in the report.

His Worship the Mayor _____