

**MINUTES OF THE COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 21st MARCH 2024**

PRESENT –

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

Councillors

M. Adnan
F. Ahmed
S. Ahmed
D. Albin
M. Ammer
R. Anwar
N. Ashraf
M. Aslam
C. Church
D. Gallear
M. Hanif
M. Iqbal

Y. Iqbal
S. Land
D. Lord
K. McGladdery
A. Mahmood
M. Strickland
M. Stone
A. Sutcliffe
Y. Tennant
D. Whipp
T. Whipp

(Apologies for absence were received from Councillors N. Ahmed, Z. Ali, D. Cockburn-Price, S. Cockburn-Price, M. Kaleem, T. Ormerod, and K. Salter.)



74. DECLARATIONS OF INTEREST

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

Councillor M. Adnan declared a personal but non-prejudicial interest in minute number 85 as he was a member of the taxi trade.

75. MINUTES

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

RESOLVED

That the minutes of the Council meeting held on 14th December 2023 and the Special Budget Council meeting held on 26th February 2024 be agreed as a correct record and signed by His Worship the Mayor.

76. COUNCILLOR M. ASLAM

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

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

RESOLVED

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

77. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

As this was His Worship the Mayor's last Full Council meeting he thanked members and officers for their support during his term of office and wished every one health and happiness for the following municipal year.

78. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

79. QUESTIONS ON NOTICE BY MEMBERS TO THE LEADER, A COMMITTEE CHAIR OR A REPRESENTATIVE ON AN OUTSIDE BODY ON MATTERS NOT OTHERWISE ON THE AGENDA

There were no questions from Members of the Council.

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

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

81. REPORT BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Chair of the Overview and Scrutiny Committee submitted a report on the work of the Committee.

82. MAYORALTY

Council were advised that the Deputy Mayor for 2024/25 was to be selected from the Labour Group.

MOTION

It was moved by Councillor M. Iqbal and seconded by Councillor Y. Iqbal and –

RESOLVED

That Councillor M. Ammer be appointed Deputy Mayor for the 2024/25 municipal year.

83. APPOINTMENT OF DIRECTOR OF RESOURCES AND S151 OFFICER

At the Council meeting on 14th December 2024 members approved the appointment of Damon Lawrenson as the Interim Director of Resources and s151 Officer. Interviews had been held for a permanent appointment and the Interviewing Panel had offered the position to Karen Spencer and she had accepted. It was anticipated she would take up the position on 24th June 2024.

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

RESOLVED

- (1) That Karen Spencer be appointed as Director of Resources and s151 Officer with effect from 24th June 2024.
- (2) That Damon Lawrenson who has been acting as the Interim Director of Resources be thanked for his work during his time with the Council.

84. TREASURY MANAGEMENT STRATEGY STATEMENT 2024/25

The Director of Resources (Interim) submitted for approval the Council's Annual Treasury Management Strategy Statement for 2024/25.

The document set out how the investment and borrowing operations of the Council were to be managed within the framework established by the Treasury Management Policy Statement. It was noted that the Statement should be read in conjunction with the Council's Capital Strategy which was approved by the Council on 26th February, 2024.

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

RESOLVED

That the Annual Treasury Management Strategy Statement, incorporating the Minimum Revenue Provision Policy Statement, the Annual Investment Strategy and Prudential Indicators for 2024/25, as set out at Appendix A attached to the report be approved.

(Councillor M. Adnan declared a personal but non-prejudicial interest in the following item and withdrew from the meeting during discussion).

85. PROPOSED MEASURES TO IMPROVE TAXI SAFETY

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on issues surrounding the high failure rates of taxis during spot checks and proposed measures to see improvements.

The Taxi Licensing Committee at its meeting on 19th February 2024 had concluded that the trade overall had not achieved satisfactory levels of mechanical safety, as shown by several years of continued high failure rates and recommended that an App be introduced alongside other changes set out in the report.

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

RESOLVED

- (1) That no changes be made to the frequency of the testing of vehicles.
- (2) That vehicles which fail the spot check or sections 2, 3 and 4 of the taxi tests continue to be tested every 4 months with the requirement for 4-month licence replaced with either a 4 or 12 month licence.

- (3) That one of the taxi tests must include an MOT test carried out by one of the Council's approved garages.
- (4) That an operator to have their licence reviewed by the Taxi Licensing Committee should 50% of vehicles, operating with them, fail a spot check, over a 1-year period.
- (5) That eight points be issued to a driver of any vehicle that fails a spot check. A driver that exceeds 15 points to be brought before the Taxi Licensing Committee to have their licence reviewed.
- (6) That should a driver fail to immediately attend a spot check, to have their licence reviewed by the Taxi Licensing Committee.
- (7) That an App be introduced to record daily vehicle checks and this to become part of the policy of the Council. Failure to use it would result in review of a licence by the Taxi Licensing Committee.
- (8) That training be given on how to use the App.
- (9) That eight penalty points for any driver failing to have a record on the App to confirm that before the start of their shift they had checked the condition of their vehicle. The vehicle must comply with what was recorded on the App. A driver that exceeds 15 points to be brought before the Taxi Licensing Committee to have their licence reviewed.
- (10) That any driver lying/being untruthful on the vehicle check record to have their licence reviewed by the Taxi Licensing Committee.
- (11) That two ramps be used wherever possible when carrying out spot checks to reduce the waiting time when asked to attend a check.
- (12) That a section on vehicle maintenance be added to the driver knowledge test.
- (13) That the taxi penalty points scheme be reviewed within the next 2 months, and a report submitted to the Taxi Licensing Committee.

86. PAY POLICY STATEMENT 2024

In accordance with Section 38 of the Localism Act 2011 the annual Pay Policy Statement for 2024/25 was submitted for approval.

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

RESOLVED

That the Council's Pay Policy Statement for the 2024/25 financial year be approved and that it be published on the Council's website.

87. APPOINTMENT OF INDEPENDENT PERSONS

The Monitoring Officer submitted a report advising that the present incumbent of the independent person's role was indefinitely indisposed to carry out her role. The Council was legally required to have at least one independent person and following a recent advertisement, as required by the Localism Act 2011, three applications were received. Two of the applicants were interviewed and it was recommended that they both be appointed as independent persons.

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

RESOLVED

That Peter Ryder and Melvin Kenyon be appointed as independent persons for a term of 4 years each with effect from 22nd March 2024.

88. NOTICES OF MOTION

(a) New Cemetery

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

Council notes:

- The resolution of Council on 29th September 2022 to purchase land for a new cemetery in Nelson (without the benefit of site investigations or environmental studies).
- The inclusion of £1.4m in the capital programme for the cemetery and assurance by the then Leader of the Council on 8th December 2022 that this was for “purchase and work”, and that the cemetery would increase burial spaces from 1,100 to “over 7,000”, providing “70 years” of burial capacity.
- The purchase of the land from Lancashire County Council on 13th March 2023 for the sum of £840,000.
- That subsequent site investigations had now shown that at least one quarter of the site was unsuitable for burials.
- That the number of proposed burial plots had reduced for c6,000 to 4,700.
- That an additional £2m had been included in the capital programme for the cemetery's development, with a further £1m being required in future, taking total expenditure to £4.4m, equivalent to almost £1,000 per plot.

Council therefore resolves:

That there be an urgent review of the proposed cemetery provision in Nelson with a view to containing costs within reasonable amounts, and that this review be reported to the Council's Executive at the earliest opportunity.

AMENDMENT

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

That there be an urgent review of the proposed cemetery provision in Nelson with a view to containing costs within reasonable amounts, and that this review be reported to the Council's

Executive at the earliest opportunity, and that we review alternatives to the cemetery if it is deemed unviable.

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

His Worship the Mayor then put the motion to the vote.

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

In accordance with Rule 19.4 of the Standing Orders and at the request of two members a recorded vote was taken.

Those Members voting in favour of the motion were:

Councillors D. Albin, C. Church, D. Gallear, S. Land, D. Lord, K. McGladdery, B. Newman, M. Strickland, M. Stone, D. Whipp and T. Whipp.

Those Members voting against the motion were:

Councillors M. Adnan, F. Ahmad, S. Ahmed, M. Ammer, R. Anwar, N. Ashraf, M. Aslam, M. Hanif, M. Iqbal, Y. Iqbal, A. Mahmood and Y. Tennant.

Councillor A. Sutcliffe abstained from voting.

(b) Gaza

It was moved by Councillor T. Whipp and seconded by Councillor Y. Iqbal –

This Council –

- Expresses deep sympathy for all those affected by the continuing conflict in Israel and Palestine. To those in our area who have been affected by this conflict we offer support in this difficult time.
- Condemns the murder of Israeli civilians, the taking of hostages by Hamas and subsequent death and destruction in Gaza. Believes that the urgent priority must be to stop the deaths and suffering of yet more civilians in Gaza, Israel and the rest of Palestine.
- Hopes for an immediate further release of all hostages and release of Palestinian prisoners held without charge and an immediate permanent ceasefire to allow aid, medical assistance and the possibility of a peaceful resolution.
- Believes that the only credible basis for long-term peace is the delivery of a Palestinian state alongside a safe and secure Israel.
- Believes the traffic recent events in Israel, Gaza and Palestine must not be allowed to divide our communities in Pendle.
- Believes Jews, Muslims and people of all faiths and none should feel safe in our borough.
- Condemns the increase in antisemitic and Islamophobic violence and abuse in the UK and believes all forms of racism have no place in our area.
- Notes the display of humanity by Pendle residents who have always helped those in need.
- Condemns the murder of Israeli civilians, the taking of hostages by Hamas and subsequent death of over 30,000 innocent Palestinians and destruction in Palestine caused by the IDF.

Council therefore resolves to:

- (1) Reaffirm the resolution of 27th November 2023.
- (2) Explore how the Council can better support and facilitate events for people of all faiths and none, where they can come together and express solidarity and sadness in response to these events.
- (3) Stand ready to provide support and open our arms to innocent people displaced and affected by these events.
- (4) Write to HM Government asking for discussions to be held with all Councils to offer "Homes for Palestinians scheme to be set up similar to the "Homes for Ukrainians."
- (5) A joint letter signed by all three Group Leaders be sent to the Secretary of State for Foreign, Commonwealth and Development Affairs to call on the UK Government to press all parties to agree:
 - An urgent permanent, bilateral ceasefire in Gaza, Israel and the rest of Palestine and to make every effort to resume the peace process.
 - To guarantee that international humanitarian law is upheld and that civilians are protected in accordance with those laws.
 - To allow the Red Cross immediate access to hostages and innocent civilians in Gaza, in order to provide urgent medical aid to the elderly, the sick and the wounded and to ensure all civilians have access to humanitarian support, including unfettered access to medical supplies, food, electricity, fuel and water.
 - To call on the UK Government to do all in its powers to support those that are committed to a permanent peace and a two-state solution.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(c) Interfaith Funding

It was moved by Councillor C. Church and seconded by Councillor S. Land –

Council notes:

- The considerable and positive work done by Building Bridges, an interfaith association.
- That Building Bridges brings people of all faiths and none closer together with mutual respect, understanding and cooperation.
- Reports of a concerning rise in hate crimes in the UK, including increased cases of antisemitism and Islamophobia.
- The decision of the UK Government to end all funding for the Interfaith Network for the UK, which would result in the closure of the charity.

Council believes:

- The work of Interfaith Associations has never been more important.
- At this time, every effort should be made to bring faith communities together to tackle the challenges our society faces.
- That it is deeply regrettable that the Government has decided to end all funding for the Interfaith Network for the UK.

Council resolves:

- (1) That the Chief Executive write the Rt. Hon. Michael Gove MP, the Secretary of State for Levelling Up, Housing and Communities, outlining this Council's opposition to this decision and urging that it be reconsidered.
- (2) Requests that all Group Leaders write to the Secretary of State for Levelling Up, Housing and Communities supporting the Council's position.
- (3) That Pendle MP Andrew Stephenson be asked to support the Council's representations.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(d) Maintenance of Roads and Pavements

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

Council notes:

- The significant problems affecting roads and pavements in recent months.
- That, despite a generally mild winter, the inadequate response to ice and snow caused significant problems for residents in many parts of Pendle with untreated pavements and roads and unfilled grit bins.
- And that road and pavement surfaces are now in a much worse condition than we have seen for many years.

Council further notes:

- That despite claims that extra £millions were being spent on repairs by Lancashire County Council, only four Pendle locations were listed for resurfacing schemes in their recently approved capital programme.
- And that most potholes were being bodged up with bags of cold bitmac, rather than being cut out, filled with hot material and properly sealed.
- That this poor-quality patchwork approach has meant continuing dangers for pedestrians, cyclists and motorists.

Council therefore resolves to seek an urgent member-level meeting with the County Councillor responsible for highways, County Councillor Rupert Swarbrick, in order to discuss this Council's

very great concern at the condition of our roads and pavements and the inadequacy of the County Council's winter maintenance programme.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(e) Telecommunication Poles

It was moved by Councillor Y. Iqbal and seconded by Councillor N. Ashraf –

The Council supports the Government's aspiration to provide gigabit broadband access across the nation. Nevertheless, the Council expresses concern over the relaxation of planning regulations by the Government to facilitate the installation of new telegraph poles as "permitted development" to aid the expansion of various networks.

This relaxation has resulted in the construction of many unsightly wooden and steel poles. The Council observes a concerning increase in the number of companies installing telegraph poles throughout Pendle with minimal prior notification.

These poles and masts were seen as unwelcome additions to the already cluttered streetscape, causing significant inconvenience to nearby residents and pedestrians, especially those with visual impairments.

The companies responsible seem to have limited or no communication with the local authority regarding the placement or installation of these poles and masts. Concerns from the public were growing regarding the increasing number of poles being put up.

Council resolves to:

- (1) Instruct the Chief Executive to prepare a report to all Members of the Council to include information on:
 - (a) What powers the Council has to control the activities of the companies responsible.
 - (b) What actions would be taken to minimise the street clutter and inconvenience to the public.
- (2) Ask the Chief Executive to arrange a meeting with the relevant stakeholders for Members of the Council to discuss the concern of residents.
- (3) Carry out a review of several installations to ensure that the work carried out was of satisfactory quality and did indeed fall within the definition of "permitted development" and take relevant enforcement actions against any works which fall short of the required standard.

Upon being put to the vote it was –

RESOLVED

Accordingly.

His Worship the Mayor _____