

**MINUTES OF THE COUNCIL MEETING
HELD AT NELSON TOWN HALL
ON 26th SEPTEMBER, 2024**

PRESENT –

His Worship the Mayor (Councillor M. Aslam – in the Chair)

Councillors

*M. Adnan
F Ahmad
N. Ahmed
S. Ahmed
R Anwar
N. Ashraf
N. Butterworth
C. Church
M. Hanif
D. Hartley
M. Iqbal
Y. Iqbal
M. Kaleem*

*S. Land
D. Lord
A. Mahmood
B. Newman
K. Salter
M. Strickland
M. Stone
A Sutcliffe
Y Tennant
D. Whipp
T. Whipp*

(Apologies for absence were received from Councillors D. Cockburn-Price, S. Cockburn-Price and D. Gallear, Zafar Ali, Mohammad Ammar, Kieran McGladdery Tom Ormerod, Richard O'Connor).



28. DECLARATIONS OF INTEREST

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

Councillor D. Whipp declared a personal and prejudicial interest in minute number 30 as he was the subject of this Member Code of Conduct hearing and left the Council Chamber whilst the matter was considered.

Councillor M. Adnan declared a disclosable pecuniary interest in minute number 40 as he held a taxi driver's licence.

29. MINUTES

It was moved and seconded and –

RESOLVED

That the minutes of the Council meeting held on 18th July 2024 be agreed as a correct record and signed by His Worship the Mayor.

30. MEMBER CODE OF CONDUCT - COUNCILLOR D. WHIPP

Following a recommendation from the Standards Hearing Committee at a meeting held on 28th August, 2024, Council was asked to consider the sanctions recommended by the Standards Hearing Committee with regard to the Member Code of Conduct and Councillor David Whipp.

His Worship the Mayor, read out the following statement of Councillor David Whipp to the meeting: "Following the decision of the Standards Committee, I apologise for breaching the Councillors' code of conduct".

Several Members commented on the process and outcome of the Standards Hearing.

RESOLVED

That the outcome of the Standards Hearing be noted and Councillor David Whipp's written apology to the meeting for breaching the Councillors' Code of Conduct be accepted.

31. ANNOUNCEMENTS FROM THE MAYOR AND LEADER OF THE COUNCIL

His Worship the Mayor and other members of the Council welcomed the newly appointed Democratic Services Manager, Paul Preston to his first meeting of Full Council.

His Worship the Mayor also mentioned and congratulated the achievement of Foulridge resident Gregg Stevenson who won a Gold medal at the 2024 Paralympics games in Paris in the mixed double sculls final (rowing) with GB race partner Lauren Roles.

Councillor A Mahmood, Leader of the Council endorsed the Mayor's congratulations and that it was a fantastic sporting achievement to have won a gold medal at the 2024 Paralympics games.

His Worship the Mayor further mentioned and congratulated Raptor Titanium Ltd in Barnoldswick who were presented with the King's Award for International Trade 2024.

32. QUESTIONS ON NOTICE FROM THE PUBLIC TO THE LEADER

There were no questions from members of the public.

33. 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.

34. 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 and the Deputy Leader of the Council answered questions in relation to the Long-Term Plans for Towns funding, a recent meeting with the new Member of Parliament for Pendle and Clitheroe; Strategic Leisure Review; and Higham Village Hall and Colne sports hall roof replacement.

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

Councillor Chris Church, Chair of the Overview and Scrutiny Committee submitted a report on the work of the Committee.

36. MAYORALTY

The Council was advised that the Deputy Mayor for 2025/26 was to be selected from the Conservative Group.

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

RESOLVED

That Councillor N. Ahmed is selected by the Conservative Group to be Deputy Mayor for 2025/26.

37. CAPITAL PROGRAMME 2024/25

At a meeting of the Executive held on 1st August, 2024 it was resolved:

“That the Council be recommended to approve the revised Capital Programme for 2024/25, as set out in Appendix C attached to the report.

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

RESOLVED

That the revised Capital Programme for 2024/25 be approved.

38. ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

At a meeting of the Executive held on 1st August, 2024 it was resolved:

“That Council be recommended to approve the revised Environmental Health Enforcement Policy.

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

RESOLVED

That the revised Environmental Health Enforcement Policy be approved.

39. DISABLED FACILITIES GRANTS POLICY

At a meeting of the Executive held on 1st August, 2024 it was resolved:

“That Council be recommended to approve the revised Disabled Facilities Grants Policy.

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

RESOLVED

That the revised Disabled Facilities Grants Policy be approved.

40. REFUSAL OF DRIVING LICENCE: CONSIDERATION OF THE REMOVAL OF SECTION 5:4 FROM THE TAXI LICENSING POLICY

The report of the Assistant Director Planning, Building Control and Regulatory Services was Submitted which asked Council to consider the removal of Section 5.4 from the Taxi Licensing Policy.

It was moved by Councillor T. Whipp, seconded by Councillor N. Butterworth and –

RECOMMENDATION TO EXECUTIVE:

That the Executive add any comments on the recommendation from the Taxi Licensing Committee before being referred to Full Council:

“That Council be recommended to amend Section 5:4 from the Taxi Licensing Policy to include revocations and to read “Further applications will not normally be granted until 12 months has elapsed from the original refusal/revocation”.

41. HACKNEY CARRIAGE LICENCE FOR HORSE DRAWN CARRIAGES

The report of the Assistant Director Planning, Building Control and Regulatory Services was submitted which asked Council to consider a Hackney Carriage licence for horse drawn carriages.

It was moved by Councillor T. Whipp, seconded by Councillor N. Butterworth and –

RESOLVED

(1) That the Taxi Licensing Policy be amended to increase the limit of seventy one hackney carriage licenses to seventy five with the four additional hackney carriage licences for horse drawn carriages only;

(2) That Council agrees and adopts the horse drawn licence conditions as set out in Appendix 1 of the submitted report as recommended by the Taxi Licensing Committee from its meeting held on 12 August, 2024.

42. PENDLE LOCAL PLAN FOURTH EDITION

The report of the Assistant Director Planning, Building Control and Regulatory Services on the Pendle Local Plan Fourth Edition was submitted. The report had been submitted to Executive for consideration at its meeting held on 19th September, 2024 and referred to Council for determination. The Council was asked to approve the Officer responses to the representations received in response to the Regulation 18 public consultation, which ran from Friday 23rd June to Friday 18th August 2023.; to approve the recommended changes to the Pendle Local Plan Fourth Edition and agree to the publication of the final draft for a six-week public consultation in October/November 2024; and agree that the Pendle Local Plan Fourth Edition and all supporting documents, together with all valid representations received in response to the Regulation 19 public consultation, could be submitted to the Secretary of State for independent examination.

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

RESOLVED: That Council:

- (1) Accept the officer responses and recommendations as set-out in the Consultation Statement subject to the minor amendment of wording to number 11 of policy 37 as agreed at the Executive meeting held on 19th September, 2024;
- (2) Agree to make the Pendle Local Plan Fourth Edition (Appendix 1) and all supporting documents available for a six-week public consultation; and
- (3) Agree to submit the Pendle Local Plan Fourth Edition and all supporting documents to the Secretary of State, who will request the Planning Inspectorate to conduct an independent examination of the Plan.
- (4) Authorise the Assistant Director for Planning, Building Control & Regulatory Services to agree to amendments to the Local Plan that result from the Examination in public excluding any agreement to increase the housing numbers which shall be a Council decision”.

43. LANCASHIRE DEVOLUTION DEAL

The Chief Executive submitted a report that set out progress on devolution in Lancashire in recent months.

The Chief Executive provided a written update that was tabled at the meeting which informed Council that since the dispatch of the Council agenda a Lancashire Devolution Agreement had been made with Central Government and circulated to Councillors a copy of a letter from Jim McMahon, OBE, Minister of State for Local Government and English Devolution relating thereto.

Members commented on the contents of the information contained in the Lancashire Devolution Agreement letter and there was a general consensus amongst Members that the Agreement was disappointing in that there was no additional funding put forward; the agreement was not ambitious enough and it continued to concentrate power with upper tier local authorities in Lancashire

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

RESOLVED: That Council:

- (1) Notes the letter from the Minister of State;
- (2) Regrets the continued concentration of power with Upper Tier Authorities as set out in the Government's decision; and
- (3) Resolves to put on record its opposition to the imposition of an elected mayor and its concern about the implied local government reorganisation.

44. NOTICES OF MOTION

(a) Winter Fuel Payments for Pensioners

Note: With the agreement of Council and the movers of Notices of Motion (b) and (c), all on the same subject on the Council agenda - Winter Fuel Payments for Pensioners, motions (b) and (c) were withdrawn, subject to the inclusion from motion (b) of the inclusion of the following wording to this Motion: "Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves".

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

Council notes:

1. The recent decision by the Labour Government to discontinue universal winter fuel payments, limiting eligibility to only those receiving Pension Credits and similar benefits.
2. That the Government's own statistics show a significant drop in the number of pensioners eligible for winter fuel payments across England and Wales, decreasing from 11.4 million to just 1.5 million.
3. The announcement will negatively affect pensioners in Pendle, who will no longer receive benefits they have previously relied upon.

Council expresses its concern:

1. That thousands of pensioners in Pendle, particularly those on low and middle incomes, will face real hardship due to the loss of the £200 or £300 annual winter fuel payment.
2. The announcement appears to have been a rushed policy decision without a wide-ranging consultation which is being implemented this winter rather than delaying the process. The government's own figures suggest that more than 750,000 eligible pensioners (many of whom are vulnerable) will not apply.
3. That the Energy Price Cap is set to rise by 10% in October, and combined with the removal of winter fuel payments, this will push many local pensioners into fuel poverty.

Council resolves to:

1. Promote an active advertising campaign to encourage pensioners to apply for pension credit if they are eligible.
2. Request that the Chief Executive write to the Chancellor of the Exchequer, urging a reversal of the policy on winter fuel payments.
3. Additionally, request that the Chief Executive write to the two MPs representing the Pendle Council area, asking them to formally support efforts to stop changes to winter fuel payment eligibility.
4. Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(b) Changes to the Winter Fuel Allowance and Protecting Pensioners from Fuel Poverty

This motion was withdrawn – see Minute 44(a) and resolutions of that Motion above.

(c) Winter Fuel Payments

This motion was withdrawn – see Minute 44(a) and resolutions of that Motion above.

(d) Misuse of Fireworks

It was moved by Councillor Y. Iqbal and seconded by Councillor M. Aslam -

This Council notes that:

1. Over the summer months, there have been many complaints regarding the misuse of fireworks at anti-social times in Pendle.
2. The Council has attempted to address this in the past but now government action is needed.
3. The police have launched an active campaign to highlight the issue, but more preventative measures need to be considered.

4. Applying the same Challenge 25 legislation to fireworks as there is with Alcohol will ensure that less young people will be injured by fireworks.

This Council resolves to:

- Actively promote a public awareness campaign asking residents to submit any video evidence to the police of fireworks being used outside the legally permitted times with a view to enforcement action including fines being issued.
- Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
- Ask the chief executive to write to the Police and Crime Commissioner for Lancashire and ask him to highlight the issues with local inspectors with a view to taking enforcement action against the perpetrators.
- Arrange a meeting between leaders of groups and the police to encourage a multi-agency response.
- Applying Challenge 25 legislation to the sale of fireworks in Pendle.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(e) Accessible meetings

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

Council notes its responsibility to make reasonable adjustments for people with disabilities, further notes that some speakers at council meetings aren't audible to all those present, and that current arrangements for livestreaming of meetings is due to be reviewed.

Council resolves that the use of microphones and amplification is considered as part of this review, and that such facilities are used in venues equipped with microphones.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(f) Electoral Inequalities

It was moved by Councillor T. Whipp and seconded by Councillor M. Stone -

Council notes that first Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men.

In Europe, only the UK and authoritarian Belarus still use archaic single-round FPTP for general elections. Internationally, Proportional Representation (PR) is used to elect the parliaments of more than 80 countries. These countries tend to be more equal, freer and greener.

PR ensures all votes count, have equal value, and that seats won match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of both local communities and of the nation.

MPs better reflecting the communities they represent in turn leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.

PR would also end minority rule. The 2024 General Election saw a government with 63% of the seats in Parliament elected by 34% of the vote. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. Fair, proportional votes also prevent 'wrong winner' elections such as occurred in 1951 and February 1974.

PR is the national policy of the Labour Party, Liberal Democrats, Green Party, SNP, Plaid Cymru, Reform UK and Women's Equality Party along with a host of Trade Unions and pro-democracy organisations.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. Its use should now be extended to include Westminster.

This Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws and to enable Proportional Representation to be used for UK general elections.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(g) Healthcare Facilities

It was moved by Councillor Chris Church and seconded by Councillor Susan Land.

Council notes the emphasis on Neighbourhood Health Centres in the latest Government commissioned report into fixing the NHS. Council also notes the withdrawal of yet another healthcare service in West Craven with the withdrawal of the anti-coagulation clinic from the Park Road Surgery in Barnoldswick, and the continued virtually vacant Newtown "Clinic" in Barnoldswick.

Council reaffirms its previous resolutions on the need for a decent modern Health Centre to serve residents in the West Craven area and resolves that this issue is escalated with the Health Service, and that Pendle and Clitheroe MP Jonathan Hinder is asked to assist secure a new purpose-built facility for the area.

Upon being put to the vote it was –

RESOLVED

Accordingly.

(h) Advanced Engineering Economy

It was moved by Councillor Mick Strickland and seconded by Councillor David Hartley.

Council notes the strength of advanced engineering skills in Pendle and the strong contribution to the local economy.

Council also notes that the bedrock of aero-engineering in the area, Rolls-Royce's Bankfield site in Barnoldswick (where the revolutionary Whittle jet engine was developed), is the subject of significant downsizing through demolition and consolidation.

Council believes that the skills of our area should be harnessed for a fresh revolution in new renewable energy technologies to complement the existing engineering base.

Council resolves to convene a meeting of interested parties to pursue this aim and requests Pendle and Clitheroe MP Jonathan Hinder to support this initiative.

Upon being put to the vote it was –

RESOLVED

Accordingly.

His Worship the Mayor _____