



NELSON TOWN COUNCIL

MINUTES OF A MEETING OF NELSON TOWN COUNCIL held at the Council Chamber, Nelson Town Hall, Market Street, Nelson on Wednesday 13th February 2019

Councillors Present: Zafar Ali [Chair], Nazeem Hayat, Faraz Ahmad, George Adam, Sadia Bashir, Mashuq Hussain, Neil McGowan, Mohammed Khalid, Mohammed Kamran Latif, Sheila Wicks, Hassan Mahmood, Mohammed Malik

Absent Councillors: Cllrs Sajid Ali, Mohammad Aslam, Zeeshan Amjad, Majid Ali Anwar, Najaf Anwar, Adrian Barrett, John Richardson, Saanval Safir, Mohammed Anwar Malik, Eileen Ansar, Michelle Pearson-Asher and Nigel Pearson-Asher

Non-Councillor (without voting rights): Mohammed Iqbal and County Councillor Azhar Ali

Officers: Safia Kauser - Town Clerk/RFO [minute taker]

Members of the Public: One member of the public [to 7.35pm]

2018/125 **ONE MINUTE SILENCE**
(TC) The Chairman invites members to observe a one minute of silence

A one minutes silence was observed.

2018/126 **CHAIRMAN'S OPENING REMARKS**
(TC) To receive the Chairman's opening remarks

There were no opening remarks received from the Chairman.

2018/127 **APOLOGIES FOR ABSENCE**
(TC) To receive and approve apologies for absence and reasons given to the Clerk prior to the meeting.

Proposed by Councillor Latif and Seconded by Councillor Mashuq, and
RESOLVED: That the apologies are received and approved from Councillors Sajid Ali, Zeeshan Amjad, Eileen Ansar, Majid Ali Anwar, Najaf Anwar, Mohammed Aslam, Adrian Barrett, Malik Anwaar Hussain, Neil McGowan, John Richardson, Michelle Perason-Asher and Nigel Pearson-Asher.

2018/128 **DECLARATIONS OF INTERESTS**
(TC) Members are reminded of the legal requirements concerning the declaration of interests. A Member must generally declare a disclosable pecuniary interest which he or she has in any item on the Agenda. A Member with a disclosable pecuniary interest may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting. In addition, the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

There were no declarations of Interest.

2018/129 **ADJOURNMENT FOR PUBLIC PARTICIPATION**
(TC) To adjourn the meeting for 15 minutes to allow members of the public to make representation on the business of the agenda for the meeting. No resolutions can be made under public participation.

There were no members of the public present.

2018/130 **REPORTS FROM BOROUGH/COUNTY COUNCILLORS AND INVITED GUESTS**
(TC) **2018/130.1 - To receive reports from the Borough or County Councillors**
County Councillor Azhar Ali reported on the outcome of the recent letter expressing the views of Nelson Town Council on LCC budget proposals. As a result of the letter, car parking charges for Nelson and Colne had been withdrawn, however the childrens centres were still under threat.

2018/130.2 - To receive reports from other invited guests
There were no reports received.

2018/131 **MINUTES**
(TC) To approve the draft minutes of the Town Council meeting held on 09 January 2019

Proposed by Councillor Hayat and Seconded by Councillor Latif, and
RESOLVED: That the draft minutes of the Town Council meeting held on the 09 January 2019 be approved as a true record and signed by the chair

2018/132 **COMMITTEE MINUTES**
(TC) To confirm the receipt of committee minutes previously circulated:

- Environmental Improvements 05 December 2018
- Events, Promotional & Marketing 05 December 2018
- Finance & General Purposes 19 December 2018
- EO Personnel 20 December 2018
- EO Events, Promotional & Marketing 22 January 2019
- Finance & General Purposes 23 January 2019
- Unity Wellbeing Management 23 January 2019

Proposed by Councillor S Ali and Seconded by Councillor Aslam, and
RESOLVED: That all of the above block minutes of the Town Council committee meetings be received by the Town Council.

2018/133 **TO CONSIDER COMMITTEE RECOMMENDATIONS BROUGHT FORWARD**
(TC) The Council is asked to consider the draft budget and report from the RFO and agree the budget and level of precept to be levied for 2019/20 (reports previously circulated)

Finance and General Purposes committee held on 23 January 2019: Budget 2019/20
Proposed by Councillor Latif and Seconded by Councillor Mashuq, and
RECOMMENDED: That the RFO circulates the draft budget and report to full Council for

consideration prior to the budget meeting

A detailed budget report prepared by the RFO had been circulated to members in advance of the meeting. The draft budget showed a 0% increase, showing a budget of £463,647 including £60,678 contributed from the councils general reserves. A 25% general reserve of £139,897 had been allocated with an additional contingency of £20,000.

Members were asked to consider the parks contribution levels. Pendle Borough Council had requested a 75% contribution equivalent to £97,880 with a view to 100% contribution and asset transfer. The draft budget included a contribution of £58,000 (approx. 44.39%) with a view to carrying out an options appraisal and potential asset transfer in 2020/21.

Three changes were requested to the budget.

- 1) Code 4381 – MUGAS – Improvements/renewals – add wording to include play areas
- 2) Code 4381 – MUGAS- Improvements/renewals - increase the budget line from £30,000 to £60,000
- 3) Code 4510 – Highways Projects increase from £60,000 to £90,000

The additional increases are to be met from the general reserve fund.

Clarification was requested on election costs. The RFO confirmed that the £20,000 set aside in the budget was to cover for any by-elections and that there was an additional £30,000 set aside in an earmarked reserve for the election costs in May 2019.

A discussion took place surrounding projects for back-streets and members felt that consideration should only be given to unadopted back street as improvements to the back streets was under the responsibility of Lancashire County Council.

Proposed by Councillor Z Ali and Seconded by Councillor Latif and,

RESOLVED: That the Council adopts the budget recommended by the RFO for 2019/20 with 0% increase to the precept and with the amendment of budget code 4381, to be increased to £60,000 and code 4510 to be increased to £60,000.

2018/134
(TC)

LANCASHIRE COUNTY COUNCIL BUDGET UPDATE

To receive a copy of the letter sent to Lancashire County Council expressing the views of the Town Council. The letter has been acknowledged and LCC will take on board the points made prior to finalizing their budget proposals.

This was noted by members.

2018/135
(TC)

BARROWFORD NEIGHBOURHOOD PLAN

To consider a Town Council response to the Barrowford Neighbourhood Plan (previously circulated).

Note: The consultation runs for six weeks from 9:00am on 8th February 2019 to 5:00pm on Friday 22nd March 2019. Barrowford Parish Council submitted its neighbourhood plan to Pendle Council, in accordance with Regulation 15 of The Neighbourhood Planning (General) Regulations 2012, as amended [“The Regulations”]. Pendle Borough Council are now required to publicise this to people who live, work or carry out business in the neighbourhood area, and other interested parties, to provide them with a final opportunity to comment on the proposals set out in the Plan. The documents that are part of the consultation can be viewed on the Pendle Council and Barrowford Parish Council

websites.

The Clerk confirmed that there were no changes within the neighbourhood plan that directly affected the Nelson Town Council area. It was agreed that a formal response to the consultation was not required.

2018/136
(TC)

FREE SWIMMING INITIATIVE 2019/20

To consider funding for the free-swimming initiative by Pendle Leisure Trust at a cost of £12,901.50 for the 2019/20 financial year. This would allow the children free swimming at any of the 3 swimming pools in Pendle during specified times during the following holiday periods Easter 2019, May Half Term 2019, Summer 2019, October 2019, February Half Term 2020. This equates to only £3.78 per child for the full year. Pendle Leisure Trust currently charge £3.30 per visit for a junior swim.

Note: The following schools in the area would be funded. Bradley, St John Southworth, St John's C of E, Lomeshaye, Marsden Community, Castercliffe, Holy Saviours, St Paul's St Phillip's, Walverden, Whitefield, Hendon Brook.

Proposed by Councillor Z Ali and Seconded by Councillor Latif and,

RESOLVED: That the Council supports 50% of the free-swimming initiative costs and that the remaining 50% is to be match funded by the area committee.

2018/137
(TC)

TRANSFERRED SERVICES

To receive reports and confirm any actions required in relation to transferred services (see report from the Town Clerk attached)

- MUGAs
- CCTV monitoring
- Parks Services
- Roadside seats

The clerk circulated a report on transferred services.

MUGAS

The response from Philip Mousdale regarding the termination of the MUGAS service was shared with the Council. The Clerk had sought legal advice in regard to the termination clause which was considered by the council.

Proposed by Councillor Zafar Ali and Seconded by Councillor Latif, and

RESOLVED: In view of the latest correspondence from Philip Mousedale and the legal advice received, the Town Council agrees to serve the termination notice to Pendle Borough Council for the MUGAS to take effect from April 2020 but reserving the right to terminate it earlier in the event of a fundamental breach.

CCTV monitoring

The latest monthly reports for January had been circulated to all members electronically.

The work had now commenced for the CCTV cameras on the side of the M65. The Hub will invoice Nelson Town Council for the £1300 by adding it to the existing monthly invoices. This is likely to begin in April 2019 and will be split over the 12-month period.

Parks

The parks contribution had been discussed under the budget item. It was agreed that going forward the new council should set-up a working group to open negotiation talks with Philip Mousdale on the parks transfer.

Roadside seats

It was initially agreed to invite quotations for the maintenance of the benches to be combined with the MUGAS contract. However due to developments on the termination of the SLA, the Clerk recommended that contractors are invited to submit quotations for the maintenance, inspection and painting of the benches and that a condition survey report is undertaken to assess if the benches require repair or renewal.

2018/138
(TC)

SPECIAL PROJECTS

2018/138.1 - Exclusion of the Press and Public in accordance with the Public Bodies (Admissions to Meetings) Act 1960. It is recommended that the Press and Public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information.

Proposed by Councillor Zafar Ali and Seconded by Councillor Latif, and
RESOLVED: In accordance with the Public Bodies (Admissions to Meetings) Act 1960; That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw for reasons and matters appertaining to commercial confidentiality

One member of the public left the meeting.

2018/138.2 - To consider a project plan/business case for an identified special project – Chairman to report on this item

The Clerk had circulated a confidential briefing note that had identified a special project and a business case for consideration. Members were in agreement of the special project however it was felt that negotiations had to be held to confirm the costs involved.

Proposed by Non-Councillor Azhar Ali and Seconded by Councillor Latif and
RESOLVED: That a working group is appointed comprising of the Clerk, Chair and Vice Chair of the Council and Chair and Vice-Chair of the Finance and General Purposes committee to open negotiation talks (within the parameters of the agents report) and report back to full Council on the potential purchase of the identified land

2018/139
(TC)

REPORTS FROM TOWN COUNCILLORS

To receive reports from town councillors who have attended recent meetings or events on behalf of the Town Council including representation on external bodies:

- Nelson Area Committee
- Lancashire Association of Local Councils, Lancashire Branch meetings
- Pendle Fair Trade
- Town Centre Partnership / Town Team
- Nelson Youth Forum
- Whitfield Community Forum
- Bradley Big Local Community
- Conferences and courses

Nelson Area Committee
No reports were received.

LALC
A meeting was scheduled to take place in March.

Pendle Fair Trade
A fair trade was scheduled to take place in March.

Town Centre Partnership / Town Team
No meeting had been scheduled to date.

Nelson Youth Forum

No meetings had been held since December.

Whitefield Community Forum

No updates reported.

Bradley Big Local

A meeting is scheduled to take place tomorrow.

No reports were received for conferences and courses.

2018/140
(TC)

TOWN CLERK CORRESPONDENCE

To consider any correspondence or communication brought forward by the Clerk not otherwise specifically relating to items being discussed by the Town Council committees.

Insurance Claim

Due to the fire at the building next door to the Unity Wellbeing Centre on Tues/Wednesday 6th February, there had been some internal water and fire damage within the Unity Centre. An approach had been made by Paddy McDonald from Centurion Claims to act as a loss assessor which covers full management of the claim process with the insurers. Their fee was 10% of the claim settlement. After a quick walk around the building, water and smoke damage was evident. They had requested to remove carpets and install drying equipment immediately, so as to mitigate any further damage.

In consultation with the insurance company, a decision was made not to appoint an independent loss adjuster from Centurion Claims as the Council would be liable for paying the 10% of the settlement of the Claim which would not be covered by the insurance. The insurance company sent out their own loss adjuster who came out to inspect the premises on Thursday 7th February. The insurance claim has been successful and will include the replacement of windows and carpets on the ground floor and stairs. The loss adjuster from the insurance company will deal with the claim and assess the quotations and award the contracts.

Back Street Projects Update

£10,000 committed - Every Street – Number 60 to 94

The tender results were:

Works carried out from No 60-70 - £5,230.05

Works carried out from No 60-80 - £11,290.54

Works carried out from No 60–94 - £17,852.34

It was reported that there are funds to complete the first block, the second block would require a £1,290.54 top up and to include the third block this would require an additional £7,852.34. The Council were requested to make a decision on the funding for this project.

Proposed by Non-Councillor Ali and Seconded by Non-Councillor Iqbal, and

RESOLVED: That all three blocks from numbers 60-97 Every Street are completed at a cost of £17,852.34. (Comments, Whitefield £10,000, £1,825.34 Marsden pot and £10,000 back Regent Street).

The £6,000 that was committed for the Seedhill Terrace was on hold as there was an issue with private land encroaching onto the highway in line of the proposed works. It was agreed to uncommit this money as the project was not longer viable.

A purchase order was sent off last month to Lancashire County Council for the £2,000 committed for the residents only parking scheme on Albert Street, Every Street and Mosley Street, Nelson (in conjunction with the area committee)

Elections Briefing

All parish and town councils will have all out elections on 2nd May. These elections will be combined with Borough Council elections in most of the wards. Notice of the elections will be given on 26th March.

Pendle Borough Council is taking part in an Electoral Integrity Pilot arranged by the Cabinet Office at these elections. This will require voters to produce photo ID such as a passport or driving licence at the polling station. They will also be implementing some anti fraud and undue influence measures in respect of postal voting.

The Clerk is invited to a briefing at Nelson Town Hall at 7pm on 25th February where Pendle Borough Council will explain the process in more detail and what would be expected of us as clerks. It should last about an hour.

Office Accommodation

The current town council office was due to be vacated by the end of February 2019 to allow internal works to commence and an office relocation. However, the Clerk had been informed earlier today that the Council will no longer need to move offices.

2018/141
(TC)

ANY ITEMS FOR DISCUSSION FOR A FUTURE AGENDA

To notify the Clerk of any matters for inclusion on the agenda of the next meeting

None declared.

2018/142
(TC)

DATE OF THE NEXT TOWN COUNCIL MEETING

The next Nelson Town Council meeting is due to be held on Wednesday 13th March 2019 at 7:00pm in the Council Chambers, Town Hall, Market Street, Nelson.

The meeting was closed by the Chair at 8.00pm.