

**MINUTES OF A MEETING OF THE  
EXECUTIVE  
HELD AT THE TOWN HALL, NELSON  
ON 28<sup>th</sup> MAY, 2015**

*PRESENT –*

*Councillor M. Iqbal (Chairman – in the Chair)*

**Councillors**

*Councillor Nadeem Ahmed  
Councillor D. Clegg  
Councillor A. R. Greaves  
Councillor M. Hanif  
Councillor J. M. P. Henderson*

*Councillor M. Sakib  
Councillor I. Tweedie  
Councillor D. Whalley  
Councillor D. M. Whipp*

**Also in attendance:**

*Councillor W. Blackburn*

**Officers in attendance:**

*Dean Langton  
Philip Mousdale  
Jane Watson*

*Strategic Director  
Corporate Director  
Senior Committee Administrator*



**1. DECLARATIONS OF INTEREST**

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

**2. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**3. MINUTES**

**RESOLVED**

That the Minutes of the Special Budget Executive meeting held on 19<sup>th</sup> March, 2015 be approved as a correct record and signed by the Chairman.

**4. RIGHT TO BUILD VANGUARD**

The Housing, Health and Economic Development Services Manager submitted, for information, a progress report on the Right to Build Vanguard.

The Right to Build register was launched on 21<sup>st</sup> November, 2014. As at 30<sup>th</sup> April, 2015 25 people had registered their interest. Four sites within Colne, Nelson and Brierfield had been assessed for custom build housing. Further work on the financial feasibility of the sites was currently being undertaken.

A number of issues had been highlighted from the work undertaken so far. These were detailed in the report.

The Council, along with the other Vanguard authorities, had recently fed back to the Government its experiences of operating the Right. This would help to inform the Regulations and any associated guidance which were due to be issued shortly.

## **RESOLVED**

That the report be noted.

### **5. PEARL JOINT VENTURE COMPANIES DEVELOPMENT PROGRAMME 2015/16**

The Housing, Health and Economic Development Services Manager submitted, for information, a progress report on PEARL Companies along with the proposed programme of activity for 2015/18.

The report provided an update on all projects with particular reference to the completion of works in the Whitefield Ward to refurbish and develop new houses (Presbytery site); the funding which had been acquired for the Brierfield Mill project; Clitheroe Road, Brierfield; Bunkers Hill, Colne. A number of new sites had also been identified as possible housing sites but further investigations were required before these projects could be progressed.

## **RESOLVED**

- (1) That the report be noted.
- (2) That the Housing, Health and Economic Development Services Manager be requested to submit a report to the next meeting on the current position regarding the sale of properties within the Presbytery project in Nelson.

## **REASON**

***To keep the Executive up-to-date with progress.***

### **6. TOUR OF BRITAIN CYCLE RACE WORKING GROUP**

Minutes of a meeting of the Tour of Britain Cycle Race Working Group held on 12<sup>th</sup> May, 2015 were submitted for information.

### **7. GEARING UP FOR GROWTH GRANTS PANEL**

Minutes of a meeting of the Gearing Up For Growth Grants Panel held on 16<sup>th</sup> March, 2015 were submitted for information.

## **8. DOGS WORKING GROUP FINDINGS**

The Environmental Services Manager submitted a report on the findings of the Dogs Member/Officer Working Group. The Working Group looked at how the Council dealt with dealing with dog issues and how the new enforcement controls could be implemented by the Council. Four meetings were held and a public consultation exercise was undertaken which received 577 online responses and 200 responses from Borough wide street interviews.

The Group also met with representatives from Pendle Dogs in Need, Pendle Dog Rescue and Sibe and Sledge Dogs to discuss issues which they felt were a priority. Feedback indicated that the Council needed to take more enforcement action against offenders who failed to remove fouling; the need for dogs to be kept on leads and the need for the Council to be clearer on where and who to report fouling and other dog related issues too.

A growth provision of £50,000 had been agreed at the Budget Council meeting primarily for the employment of two additional Enforcement Officers and recruitment was underway.

### **RESOLVED**

- (1) That it be confirmed that two additional Enforcement Officers be appointed to tackle dog fouling and other dog controls, including enforcing Public Space Protection Orders and Community Protection Notices; and details of their deployment be reported to the July meeting.
- (2) That the Keep Britain Tidy's "We're Watching You" campaign be adopted in selected parks, play areas and cemeteries throughout the Borough.
- (3) That the Neighbourhood Services Manager be asked to produce information for residents and visitors to the Borough advising them of the Council's and other agencies' responsibilities in relation to dog issues.
- (4) That a progress report on the above, together with a plan and timetable for the review of existing dog control orders, and the introduction of new Public Space Protection Orders be submitted to the July meeting, together with a report on progress with the use of other new antisocial behaviour measures .

### **REASONS**

- (1) ***To provide, in response to public concerns, additional resource and measures of enforcement.***
- (2) ***To ensure the Council provides residents and visitors with the appropriate information relating to the dog issues within the Borough.***

## **9. MATTERS REQUIRING FINANCIAL APPROVAL**

The Financial Services Manager submitted a report on issues requiring consideration by the Executive under the Councils Financial and Contract Procedure Rules.

## **Bradly Big Local**

The action plan had been formally endorsed by the Big Local Trust, initially covering the period 2015-2019. Further grant funding of £1m over a ten year period had been secured. The first tranche of grant had been confirmed at £108k inclusive of 5% for partnership and grant administration.

The Localities Team had been reappointed as the Locally Trusted Organisation for at least the first twelve months of the next phase of Bradley Big Local. The Executive were asked to approve the Council acting as the Accountable Body for the grant funding.

## **Unity Hall, Nelson**

Further to a request made at the January meeting of the Executive a meeting had been held with representatives from ITHAAD on 3<sup>rd</sup> March. At that meeting they presented details of the Trust's financial position along with examples of expenditure they had incurred on the building to comply with the lease covenants. The Leader, Councillor Joe Cooney, informed ITHAAD that in light of this information he would ask the Executive to look favourably on writing off the rent arrears. This would help facilitate the transfer of the building to Nelson Town Council.

## **RESOLVED**

- (1) That authority be granted for the Council to act as Accountable Body for the Bradley Big Local scheme under which grant funding of £1m had been allocated over a 10 year period.
- (2) That the outstanding payment of £9,365.76 in relation to Unity Hall on Vernon Street, Nelson be written off.

## **REASON**

- (1) ***To continue with the project.***
- (2) ***To facilitate the transfer of Unity Hall to Nelson Town Council.***

## **10. AREA COMMITTEES 2015/16 – RELEASE OF FUNDING**

The Financial Services Manager submitted a report on the withheld £40,000 of revenue funding allocated to Area Committees in 2015/16.

This funding had been retained to mitigate the potential for a shortfall in savings whilst discussions are held with Town and Parish Councils regarding the transfer of passenger shelters, MUGAs and play areas.

The funding withheld had been apportioned:

	£
Barrowford and Western Parishes	4,829
Brierfield and Reedley	4,697
Colne and District	10,434

Nelson	12,120
West Craven	<u>7,920</u>
	<u>40,000</u>

Discussions with the Town and Parish Councils were still ongoing and it was unlikely work would be concluded before August. It was therefore difficult to predict the actual level of saving that may be achieved.

It was suggested that a decision be deferred until September by which time greater clarity of the likelihood of the assets referred to above being transferred to local councils would be known.

## **RESOLVED**

That the report be noted and a further report be submitted to the September meeting.

## **REASON**

***To await the outcome of the work being undertaken by the Transfer of Services to Town and Parish Councils Working Group on the transfer of assets to local councils.***

### **11. TRANSFER OF SERVICES TO TOWN AND PARISH COUNCILS**

Minutes of a meeting of the Transfer of Services to Town and Parish Councils Working Group held on 15<sup>th</sup> May, 2015 were submitted for information.

### **12. TENDERS**

The Democratic and Legal Manager submitted, for information, a report on tenders which had been received and accepted.

### **13. VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS**

The Planning, Building Control and Licensing Services Manager submitted a report on the list of requirements for the submission of planning applications. The list had been updated following the introduction in planning policy in April 2015 to introduce Sustainable Urban Drainage Systems (SUDs) on major development sites. The validation of a planning application now required appropriate assessments for SUDs to accompany major planning applications.

The full validation procedure, incorporating the proposed changes, was attached to the report.

## **RESOLVED**

- (1) That the validation, as set out at Appendix 1 attached to the report, be approved.
- (2) That the Planning, Building Control and Licensing Services Manager submit a further report advising of the process for checking the SUDs assessments.

## **REASON**

***In order to ensure Pendle has a formally adopted scheme.***

**14. MATTERS REFERRED FROM AREA COMMITTEES**

**(a) Protocol on Support for Concessionary Paths**

At a meeting of the Colne and District Committee on 12<sup>th</sup> March, 2015 it was resolved:

- “(1) That the Protocol on Support for Concessionary Paths be referred to the Executive for further consideration.
- (2) That, pending the outcome of discussions with the Executive the signs already erected in the Colne and District area be retained.”

The report considered by the Colne and District Committee was submitted for information.

**RESOLVED**

That the protocol attached as Appendix 1 to the report be endorsed.

**REASON**

***To comply with Section 130 of the Highways Act 1980.***

**15. 16 MOSLEY STREET, BARNOLDSWICK**

The Planning, Building Control and Licensing Services Manager submitted a report on options available for the repair of the above building. The property was in a state of disrepair and the property was not registered and there was no known lawful owner.

Liberata Property Services had prepared a schedule of works for the property. The property was valued at £25,500 and an estimated repair and renovation cost was £59,500.

The Executive considered whether to serve a Section 79 of the Building Act 1984 Notice – Ruinous and Dilapidated Building or to compulsory purchase the property.

**RESOVLED**

- (1) That authority be granted for the compulsory purchase of the property but that this not be pursued further should an owner be identified.
- (2) That a supplementary capital amount of £5,000 be identified for the works required in a Section 79 Notice.
- (3) That a reserve of £25,000 be made to cover the costs of an owner coming forward after compulsory purchase has been made.

**REASONS**

- (1) ***In order to bring the building into an acceptable state of repair.***
- (2) ***In order to provide the necessary finance to cover the costs of the Section 79 works.***
- (3) ***In order to cover the costs of an owner coming forward.***

**16. 2 ALBION STREET, EARBLY**

The Planning, Building Control and Licensing Services Manager submitted a report on options for the repair of the above property.

A Section 79 Notice under the Building Act 1984 had been served but the work had not been undertaken. Court proceedings had been adjourned to enable officers to meet and discuss the matter with the owner. The owner had indicated that he was unable to undertake the work due to a shortage of funds. The cost of carrying out the works was £6,800.

The court had not yet decided what to do about the breach of the Section 79 Notice. It was reported that a further hearing was scheduled for 29<sup>th</sup> May, 2015.

**RESOLVED**

That this item be deferred pending the outcome of the court proceedings.

**REASON**

*To establish the Courts position before making a decision.*

**17. CLITHEROE ROAD SITE, BRIERFIELD**

The Housing, Health and Economic Development Services Manager submitted a report on progress with the preparatory work in pursuant of a residential development on the Clitheroe Road site in Brierfield. Planning permission for the site was approved in April 2015. It was now proposed that the land be disposed to PEARL2 in two phases. This phased purchase would assist PEARL with cash flowing the scheme and help with reducing its borrowing costs.

**RESOLVED**

- (1) That progress be noted.
- (2) That approval be granted for the disposal of the freehold interest in the Clitheroe Road site for the total price of £424,000 to PEARL2 in two phases (as shown in Appendix 1 attached to the report) and on the terms set out in paragraph 5 in the report.

**REASON**

*To dispose of the site in the most beneficial way.*

**18. APPOINTMENT OF COMMITTEES**

The Executive were asked to consider appointments to Committees of the Executive.

**RESOLVED**

- (1) That the following appointments be approved:
  - (a) Scrap Metal Licensing Executive Sub-Committee (3 Executive Members)

Councillors M. Sakib, I. Tweedie and D. M. Whipp

- (b) Transfer of Services to Town and Parish Councils Sub-Committee (2:2:2)  
Councillors A. R. Greaves (Chr.), M. Hanif, M. Iqbal and D. M. Whipp
- (c) Tour of Britain Cycle Race 2015 Working Group (2:2:2)  
Councillors A. R. Greaves, M. Hanif, I. Tweedie and D. M. Whipp (Chr.)
- (d) Gearing Up For Growth Grants Panel (3 Executive Members)  
Councillors M. Iqbal, D. Whalley and D. M. Whipp
- (2) That the Leader and Chairman of Scrutiny Management Team meet to discuss the future of the Performance Monitoring Panel.

**18. FORWARD PLAN**

The Executive's Work Programme and Forward Plan of key decisions for the four month period commencing 1<sup>st</sup> June, 2015 were submitted for information.

Chairman \_\_\_\_\_