

**MINUTES OF A MEETING OF THE  
EXECUTIVE  
HELD AT THE TOWN HALL, NELSON  
ON 10<sup>th</sup> DECEMBER, 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. W. Tweedie  
Councillor D. Whalley  
Councillor D. M. Whipp*

**Also in attendance:**

*Councillor J. K. Starkie*

**Officers in attendance:**

<i>Dean Langton</i>	<i>Strategic Director</i>
<i>Philip Mousdale</i>	<i>Corporate Director</i>
<i>Vince Green</i>	<i>Financial Services Manager</i>
<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager</i>
<i>Jane Watson</i>	<i>Senior Committee Administrator</i>

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*The following people attended the meeting and spoke on the items indicated:*

<i>Eddie Haviak</i>	<i>Tenders – Land at Branch Street, Nelson</i>	<i>Minute No. 114</i>
<i>Miriam Edwards</i>		

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**103. DECLARATIONS OF INTEREST**

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

**104. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**105. MINUTES**

**RESOLVED**

That the Minutes of the Executive meeting held on 22<sup>nd</sup> October, 2015 be approved as a correct record and signed by the Chairman.

**106. TOUR OF BRITAIN CYCLE RACE**

Following the highly successful holding of Stage 2 of the Tour of Britain Cycle Race on 7<sup>th</sup> September, 2015 the Corporate Director submitted a report which provided details of the media coverage; an assessment of the economic impact for the area as well as the final costs of holding the event.

It was also reported that work was ongoing to produce a new Tour of Britain Legacy Cycling Strategy for the period 2016-21 and was being produced in conjunction with the Pendle Cycle Forum. This would replace the Council's existing 2011-2016 Cycling Strategy.

**RESOLVED**

- (1) That the media coverage and economic impact be noted and welcomed.
- (2) That the final cost of hosting the Stage be noted.
- (3) That Ribble Valley Borough Council, Lancashire County Council, Lancashire Constabulary, all the sponsors, Pennine Events, Pendle Council staff and volunteers as well as the businesses in Colne be formally thanked for their support in making the event such a success.
- (4) That it be noted that work was ongoing to produce a Tour of Britain Legacy Cycling Strategy which would be submitted to a future meeting of the Executive for consideration.

**REASON**

***To celebrate the success of the event and to seek to ensure a lasting legacy for cycling and tourism in Pendle.***

**107. PUBLIC SPACES PROTECTION ORDERS FOR CEMETERIES,  
PLAY AREAS AND MULTI-USE GAMES AREAS**

The Neighbourhood Services Manager submitted a report on proposals and options for Public Spaces Protection Orders (PSPOs) in relation to cemeteries, play areas and multi-use games areas (MUGAs) in Pendle.

The intention was to consult on a single, Borough wide PSPO across the 31 play areas and 15 MUGAs. This process had already started and a final report would be submitted to a future meeting.

**RESOLVED**

- (1) That the report and commencement of the consultation process be noted.
- (2) That regular reports be submitted to the Executive to enable it to monitor progress.

**REASON**

***To enable the Council and its partners to respond to concerns regarding dogs in play areas and MUGAs including enforcement action.***

**108. ANNUAL AUDIT LETTER 2015**

The Strategic Director presented Grant Thornton's Annual Audit Letter for 2014/15 which was issued in October.

**RESOLVED**

That the Annual Audit Letter for 2014/15 be accepted.

**REASON**

*To accept the Letter for 2014/15.*

**109. GENERAL REVENUE BUDGET 2016/17**

The Financial Services Manager submitted a report which provided an update on the Spending Review for 2015 and the Autumn Statement announced by the Chancellor in late November.

The Revised Budget for 2015/16 and the draft Base Budget for 2016/17 were submitted for initial consideration. The Executive also received details of the proposed budget strategy, including initial savings proposals from the Management Team as a means of achieving a balanced budget for 2016/17. An outline of potential savings proposals for the period to 2018/19 was also submitted.

The Executive were asked to consider the development of a budget for 2016/17 and for the Medium-Term Financial Plan period to 2018/19.

**RESOLVED**

- (1) The key points arising from the recently announced Spending Review 2015 and the potential implications for the Council were noted.
- (2) That delegated authority be granted to the Financial Services Manager, in consultation with the Leader, the Executive Member for Finance and Devolution, to prepare and submit the Council's response to the consultation on the provisional Local Government Finance Settlement for 2016/17, details of which were expected to be announced prior to the festive period.
- (3) That the Revised Budget for 2015/16 be approved including a contribution of £150,000 to a Business Rates Volatility Reserve.
- (4) That the draft Base Budget for 2016/17, the forecast Medium Term Financial Plan and the assumptions underpinning both be noted.
- (5) As part of the development of the Executive's Budget Strategy for 2016/17:-
  - (i) Management Team's initial proposals to achieve a balanced budget for 2016/17 be Noted.
  - (ii) A review of the draft Base Budget for 2016/17 be undertaken to identify any other areas where further savings proposals should be brought forward for consideration as part of the budget process.

- (6) That the outline savings proposals for 2017/18 and 2018/19 be noted, and as a minimum, these options should form the basis of the further work necessary to achieve a balanced budget in those years.
- (7) To support work outlined in (6) above, the Budget Working Group be maintained and continue as currently constituted (2:2:2).
- (8) The financial planning assumption of a Council Tax increase of 1.99% for 2016/17 (pending confirmation of the arrangements for Council Tax Freeze grant (if any) as part of the Local Government Finance Settlement for 2016/17) be noted.
- (9) That from 2016/17 it be agreed, in principle, that the Council be reimbursed by Town and Parish Councils for the costs incurred in holding local council Elections and a report be submitted to the Budget Working Group on how this is to implemented.
- (10) That the timetable for the remainder of the budget process, as set out in the report, be noted.

## **REASON**

***To continue with the implementation of the Council's Financial Strategy and to inform the development of the Council's budget for 2016/17.***

## **110. DEVELOPING THE MEDIUM TERM CAPITAL PROGRAMME 2016/19**

The Financial Services Manager submitted a report which detailed the proposed Capital Programme for 2016/19 and considered the prospects for future capital investment.

## **RESOLVED**

- (1) That the projected position on the capital programme for 2015/16, as shown in Appendix A attached to the report, be noted.
- (2) That a virement in the sum of £75,000 within the capital programme for the current financial year for the Council's contribution to the Lancashire Growth Deal project for junction improvements (J12 and J13) to the M65 motorway be approved.
- (3) That the expenditure of £93,500 to fund the purchase of wheeled bins upon expiry of the current leasing agreement in December, 2015 be noted.
- (4) That it be noted that the capital expenditure bids for 2016/17 exceeded projected capital resources by £0.7m and were, therefore, unaffordable in the context of the Council's Medium Term Financial Plan.
- (5) That the Capital Programme for 2016/17, shown at Appendix B attached to the report, be considered further at the Budget Executive meeting in February 2016.
- (6) That the report referred to in (5) above should assess the scope to, and implications of, avoiding borrowing costs and moving to a capital programme funded wholly by capital cash resources in order to generate savings for the revenue budget.

**REASON**

***To consider the development of the Council's Capital Programme for 2016/17.***

**111. LOCALISED SCHEME OF SUPPORT FOR COUNCIL TAX 2016/17**

The Financial Services Manager submitted a report which referred to the proposed scheme of Council Tax Support for 2016/17.

**RECOMMENDATION**

- (1) That the proposed scheme of Local Council Tax Support be recommended to Council for approval with an implementation date of 1<sup>st</sup> April, 2016.
- (2) That Council be requested to grant delegated authority to the Financial Services Manager, in consultation with the Executive Member for Finance and Devolution, so as to make any amendments to the Scheme resulting from the annual updating of the detailed regulations which underpin the primary legislation.

**REASON**

***The Council is required to approve a local Council Tax Support Scheme on or before 31<sup>st</sup> January, 2016.***

**112. COUNCIL TAX BASE 2016/17**

The Financial Services Manager submitted a report seeking approval of the Council Tax Base for 2016/17 (inclusive of the tax base for each part of the area to which parish precepts relate).

**RESOLVED**

- (1) That, in accordance with the Local Authorities (Calculation of Tax Base)(England) Regulations 2012 the amount calculated by the Borough of Pendle as its council tax base for the year 2016/17 of 23,171.3 be agreed and that the tax base for Parish areas shall be as shown as follows:

<b>Parish Area</b>	<b>Tax Base at 96.0% Collection</b>
Barley	128.50
Barnoldswick	2,944.70
Barrowford	2,109.10
Blacko	298.30
Bracewell & Brogden	118.00
Brierfield	1,963.80
Colne	4,429.70
Earby	1,207.00
Foulridge	565.50
Goldshaw Booth	113.80
Higham	352.70

Kelbrook & Sough	340.90
Laneshaw Bridge	300.80
Nelson	5,722.90
Old Laund Booth	616.40
Reedley Hallows	667.90
Roughlee	156.10
Salterforth	253.10
Trawden Forest	882.10

- (2) That the Financial Services Manager assess and report on the feasibility and implications of reintroducing a short term (maximum of 8 weeks) Class C discount for vacant properties and how this may be funded.

**REASON**

***To agree the Council's Tax Base for 2016/17.***

**113. TRANSFER OF SERVICES AND FACILITIES TO TOWN AND PARISH COUNCILS**

**(a) Minutes**

Minutes of a meeting of the Transfer of Services and Facilities to Town and Parish Councils held on 12<sup>th</sup> November, 2015 were submitted for information.

The Executive were also asked to formally authorise the transfer of the play areas and MUGAs to the Town and Parish Councils. A schedule of the relevant areas had been circulated to Members prior to the meeting.

**RESOLVED**

That authority be granted for the transfer to Town and Parish Councils of the play areas and MUGAs as detailed in the schedule submitted.

**REASON**

***To formalise the transfer process.***

**(b) CCTV**

The Corporate Director submitted a progress report regarding the radio Ethernet system and the Blackburn monitoring hub.

The Executive were informed that following discussions there had been a mixed response from the five Town and Parish Councils. Earby and Barnoldswick had said that they were willing to pay their contributions but wanted to explore the possibility of local monitoring; Nelson and Brierfield had said they were, in principle, willing to pay their contributions; and Colne had declined to contribute and were investigating options to build their own Colne-based system which would be monitored locally.

With regard to the Ethernet System three months' notice to BT Fibre Optic Rental, Burnley Borough Council and Technology Solutions was required to withdraw from the contracts. It was intended that various improvement works to the equipment and the upgrade to digital cameras would be

undertaken between December and April 2016. Due to the technical and specialist nature of the work, and the short timescales involved, the Corporate Director and Financial Services Manager had agreed to waive the requirement to seek tenders under Contract Procedure Rules 5.2(a) and (b) and place the contracts with Technology Solutions (for the Nelson and Brierfield equipment) and Thorne Access and Security Limited (for Earby and Barnoldswick).

The progress on the Blackburn monitoring hub was moving forward. As well as the five participating Councils (Blackburn with Darwen, Preston, Hyndburn, Burnley and Pendle) negotiations were underway with other potential uses which could help reduce the costs further. It was envisaged that Blackburn with Darwen's Executive would give approval to move to implement the scheme. The aim was to establish the new system by April 2016.

## **RESOLVED**

- (1) That the responses from the Town Councils be noted.
- (2) That progress with the development of the Blackburn CCTV monitoring hub be noted.
- (3) That authority be granted to give appropriate notice on the existing contracts with BT Fibre Optic Rental, Burnley Borough Council and Technology Solutions.
- (4) That the placing of contracts for the radio Ethernet work with Technology Solutions and Thorne Access and Security Limited be approved.
- (5) That officers undertake further work on the process for transferring equipment to the town councils and submit a progress report to a future meeting.
- (6) That a meeting with representatives of the town councils be held in early January 2016.

## **REASON**

***To pursue the Council's objective of providing a cohesive, effective and cost efficient CCTV system funded by the town councils.***

**114.**

## **TENDERS**

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

In relation to land at Branch Street, Nelson three best and final sealed bids with 10% deposits had been received. The two highest (£10,100 and £15,100) were to retain the land as amenity land. The lowest (£5,000) was for car parking to enable the expansion of a nearby business.

An exemption from the Contract Procedure Rules 5 was also reported in relation to the appointment of a project management consultancy for the reinstatement of the Spa at Wavelengths. Thomasons, an independent civil and structural engineering consultancy had been appointed to inspect and provide an opinion on the most appropriate method of procuring and managing a cost and time effective reinstatement scheme following the fire at Wavelengths.

**RESOLVED**

- (1) The tender received and accepted be noted.
- (2) That the offer of £5,000 received for land at Branch Street, Nelson be accepted as the use of the land for business expansion is considered preferable to its retention as amenity land.
- (3) That the exemption granted from Contract Procedure Rules for project management consultancy in relation to the reinstatement of the Spa at Pendle Wavelengths be noted.

**REASON**

***To agree acceptance of tenders in accordance with the Contract Procedure Rules.***

**115. WHITE GROVE GARAGE SITE, HARRISON DRIVE, COLNE  
DISPOSAL FOR AFFORDABLE HOUSING**

The Housing, Health and Economic Development Services Manager submitted a report which sought approval for the disposal of the above site under a negotiated procedure for the development of housing.

Housing Pendle had a provisional grant funding allocation from the Homes and Communities Agency Affordable Homes Programme for 6 new affordable homes in Pendle. This site could accommodate 12 properties and Housing Pendle had indicated that they would look to develop 6 homes for affordable rent with an additional 6 for market rent, subject to Board approval.

As Housing Pendle wanted Cawder Construction to develop the site under their procurement regulations Cawder would need to buy the site from Pendle with a back-to-back arrangement with Housing Pendle.

**RESOLVED**

- (1) That land at White Grove Garage Site, Harrison Drive, Colne shown edged black on the plan attached to the report, be disposed of and sold to Cawder Construction subject to a back-to-back agreement being in place with Housing Pendle.
- (2) That the Strategic Director be authorised to approve the negotiated terms for the disposal.

**REASON**

***To ensure the early development of the site and so that the affordable housing grant was not lost to Pendle.***

**116. AUTHORITY'S MONITORING REPORT (AMR) 2014/2015**

The Planning, Building Control and Licensing Services Manager submitted a report on the findings of the Local Planning Authority's Monitoring Report for 2014/15. The report covered the period 1<sup>st</sup> April, 2014 to 31<sup>st</sup> March, 2015. It also included findings from the previous monitoring report as one had not been prepared for the 2013/14 period due to the need to progress the Core Strategy to its Examination.

A summary of the key findings was presented in the report. Although there had been some positive results, the amount of housing and employment development was still low which indicated that growth in the borough was fragile following the recession.

## **RESOLVED**

That the Authority's Monitoring Report for 2014/15 be approved.

## **REASON**

***Part 6, Section 113 of the Localism Act 2011 and Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012, require all local planning authority's to prepare a report which monitors the progress of their Local Development Scheme and the policies contained in their Development Plan.***

### **117. LAND AT TYSELEY GROVE, EARBY**

At a meeting of the West Craven Committee on 5<sup>th</sup> October, 2015 it was resolved "that the Executive be recommended not to declare the area of land shown on the plan attached to the report surplus to the Council's requirements."

A copy of the report considered by the Committee was submitted for information. It was reported that the officer recommendation was for the site to be declared surplus to requirements.

## **RESOLVED**

- (1) That land at Tyseley Grove, Earby as shown edged black on the plan attached to the report be declared surplus to the Council's requirements and marketed for sale.
- (2) That authority be granted for officers to submit a planning application.

## **REASON**

***To achieve a capital receipt and to terminate liabilities and risks for the Council.***

### **118. POSSIBLE FLOODING ALLEVIATION MEASURES IN EARBY**

At a meeting of the West Craven Committee on 3<sup>rd</sup> November, 2015 it was resolved:-

- "(1) That the Neighbourhood Services Manager be asked to inform the Executive about the potential flood alleviation works in Earby to be carried out by the Environment Agency to decrease flood risk to homes and local businesses, and that there was likely to be a request for match funding for additional works in the future.
- (2) That a report on progress be submitted to a future meeting."

A copy of the report considered by the Committee was submitted for information.

**RESOLVED**

That it be noted that potential flood alleviation works in Earby were to be carried out by the Environment Agency and that there would likely be a requirement for match funding for additional works in the future.

**REASON**

***To advise the Executive of the latest position regarding recent and future flood alleviation works.***

**119.**

**FORWARD PLAN**

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

Chairman \_\_\_\_\_