

## REPORT OF: DEMOCRATIC AND LEGAL MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 29<sup>TH</sup> MARCH, 2016

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## PROGRESS REPORT ON ACTION ARISING FROM BRIERFIELD & REEDLEY COMMITTEE ON 1<sup>ST</sup> MARCH, 2016

| 1. | Public Question Time  |  |
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|    | (1) Ms S. Matthews of Kings Causeway, Brierfield<br>asked if action could be taken with regard to work of an<br>industrial scale being carried out at 308 Kings<br>Causeway, which was having a negative impact on<br>neighbouring residents. She reported that wagonloads<br>of tree trunks had been delivered to the property, which<br>had then been broken down with a chainsaw and<br>industrial log splitter, creating problems with noise and<br>fumes. The volume of wood and the fact that, on<br>occasions, the logs had been removed from the<br>property implied that a business was being operated<br>from the premises. However, there still remained a<br>large number of logs on site, stored in the garden and<br>in makeshift sheds. A number of photographs were<br>circulated which showed the extent of the problem. |  |
|    | Ms Matthews advised that planning permission to alter<br>the garden/change in ground levels had been granted<br>in January, 2013, but that this work had not been<br>carried out.   |  |
|    | Ms Hardman, also of Kings Causeway echoed the concerns of Ms Matthews. They asked if action could be taken to restore the land to a domestic garden (i.e. lawned and/or landscaped as per the planning permission).   |  |
|    | The Principal Development Management Officer<br>advised that there had been an enforcement case at<br>this address. The Council had been aware of the   |  |

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|    | landscaping issues, however, there had been no<br>evidence of a business being run from the premises<br>and the case had been closed.   |  |
|    | The Committee agreed to ask that the Planning,<br>Building Control and Licensing Services Manager re-<br>open the case and the reports of noise nuisance be<br>referred to the Housing, Health and Economic<br>Development Services Manager.  | The matter is being investigated.  |
|    | (2) Mr S. Anderson of Rothesay Road, Brierfield<br>referred to his attendance at the last meeting of the<br>Committee and his concern with anti-social behaviour<br>from youths congregating on Rothesay Road/Roseland<br>Avenue, Brierfield. He reported that the issue was still<br>ongoing, with garages, sheds and greenhouses having<br>been broken into.  |  |
|    | He also expressed concern at the number of derelict shops in Brierfield.  |  |
|    | The Chairman advised Mr Anderson that, following the<br>last meeting, his concerns about anti-social behaviour<br>had been raised with the Council's Anti-Social<br>Behaviour Co-ordinator and the Police Community<br>Support Officers (PCSOs) who had been monitoring<br>the area. As the problem had continued, the<br>Committee agreed to raise the issue again. In addition<br>a request would be made for the Taylor Street play<br>area in Brierfield to be monitored following similar<br>incidents of anti-social behaviour, resulting in damage<br>to the barrier, which was now in need of repair. | Brought to the attention of the<br>Council's Anti-Social Behaviour<br>Co-ordinator and the PCSOs<br>again. The Council is aware of<br>the damage to the barrier at<br>Taylor Street and arrangements<br>have been made for it to be<br>repaired. |
| 2. | Community Safety Issues and Police Matters  |  |
|    | It was noted that the police had been unable to send<br>a representative to the meeting and agreed that<br>Inspector Goodall be asked to meet with the Chairman<br>prior to the next meeting.   | The Chairman has met with<br>Inspector Goodall. An update<br>will be provided at the meeting.  |
| 3. | Planning applications   |  |
|    | <b>13/15/0600P</b> Full: Major: Conversion and change of use of buildings to sports facilities (Use class D2), change cladding to outbuildings with landscaping, car parking, infrastructure and associated works at Brierfield Mills, Glen Way, Brierfield   |  |
|    | That the Planning, Building Control and Licensing<br>Services Manager be <b>delegated authority to grant</b><br><b>consent</b> upon receipt of an acceptable response from<br>the Lead Local Flood Authority and Lancashire County<br>Council (LCC) Highways  | Decision notice issued.  |

| altera<br>repaii<br>Brierf                                  | rs to main shed roof at Brierfield Mills, Glen Way,<br>ïeld  | Decision notice issued.  |
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| use o<br>micro<br>mana<br>A5, B<br>lands<br>and d<br>parkir | of buildings to office, training/education facility,<br>b-brewery with retail, bar, restaurant, café,<br>aged office space (Use classes A1, A2, A3, A4,<br>a1 and B2), car parking and associated<br>caping, infrastructure and associated works<br>lemolition of pub, garage/car sales to form car<br>ng and landscaping at Brierfield Mills, Glen Way, |  |
| Servie<br>cons<br>the Le                                    | ces Manager be <b>delegated authority to grant</b><br><b>ent</b> upon receipt of an acceptable response from<br>ead Local Flood Authority and Lancashire County  | Decision notice issued.  |
| gateh<br>repair<br>neces<br>intern<br>Brierf                | nouse and balustrade, install gates to entrance,<br>r and replace stone surrounds and cills where<br>ssary, replace windows and external doors and<br>nal walls and doors at Brierfield Mills, Glen Way,<br>rield  |  |
| Gran  | ted  | Decision notice issued.  |
| <u>Capit</u>  | al Programme 2015/16   |  |
| RESOLVED  |  |  |
| (1)   | That the budget proposals as presented above (shown in the minutes) be agreed in principle, subject to receipt of appropriate capital programme bid forms.   | Noted.   |
| (2)   | That the Chairman be delegated authority to<br>agree the details and locations of the dog and<br>grit bins; highway works; footpath works; and<br>lighting in consultation with appropriate officers<br>of the Council.  | Noted.   |
| (3)   | That arrangements be made for the Chairman<br>and Councillor R. Allen to meet with officers of<br>Lancashire County Council to discuss the<br>potential locations for two speed indicator<br>devices in the Brierfield and Reedley area.   | Date to be agreed.   |
|   | altera<br>repair<br>Brierf<br><b>Gran</b><br><b>13/15</b><br>use of<br>micro<br>mana<br>A5, B<br>lands<br>and of<br>parkin<br>Brierf<br>That<br>Servit<br><b>cons</b><br>the Lo<br>Coun<br><b>13/15</b><br>gateh<br>repair<br>neces<br>interr<br><b>Brierf</b><br><b>Gran</b><br>(1)<br>(2)  | <ul> <li>alterations to mill building, demolition of bridge link and repairs to main shed roof at Brierfield Mills, Glen Way, Brierfield Granted</li> <li>13/15/0603P Full: Major: Conversion and change of use of buildings to office, training/education facility, micro-brewery with retail, bar, restaurant, café, managed office space (Use classes A1, A2, A3, A4, A5, B1 and B2), car parking and associated works and demolition of pub, garage/car sales to form car parking and landscaping at Brierfield Mills, Glen Way, Brierfield</li> <li>That the Planning, Building Control and Licensing Services Manager be delegated authority to grant consent upon receipt of an acceptable response from the Lead Local Flood Authority and Lancashire County Council (LCC) Highways</li> <li>13/15/0604P Listed Building Consent: Demolish gatehouse and balustrade, install gates to entrance, repair and replace stone surrounds and cills where necessary, replace windows and external doors and internal walls and doors at Brierfield Mills, Glen Way, Brierfield</li> <li>Capital Programme 2015/16</li> <li>RESOLVED</li> <li>(1) That the budget proposals as presented above (shown in the minutes) be agreed in principle, subject to receipt of appropriate capital programme bid forms.</li> <li>(2) That the Chairman be delegated authority to agree the details and locations of the dog and grit bins; highway works; footpath works; and lighting in consultation with appropriate officers of the Council.</li> <li>(3) That arrangements be made for the Chairman and Councillor R. Allen to meet with officers of Lancashire County Council to discuss the potential locations for two speed indicator</li> </ul> |

| 5. | Proposed introduction of a Speed Indicator Device   |  |
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| J. | RESOLVED  |  |
|    | That, as referred to at minute 129, a meeting be<br>arranged with officers of Lancashire County Council to<br>discuss the potential locations for two speed indicator<br>devices/vehicle activated signs in the Brierfield and<br>Reedley area.   | Date to be agreed.   |
| 6. | Clitheroe Road/Glen Way, Brierfield Compulsory<br>Purchase Order (CPO) 2016   |  |
|    | RESOLVED  |  |
|    | That the Executive be recommended to –  |  |
|    | (1) Make THE BOROUGH OF PENDLE (CLITHEROE<br>ROAD/GLEN WAY, BRIERFIELD)<br>COMPULSORY PURCHASE ORDER 2016 under<br>Section 226(1)(a) of the Town and Country<br>Planning Act 1990 (as amended by section 99 of<br>the Planning and Compulsory Purchase Act 2004<br>and the Acquisition of Land Act 1981 (as<br>amended)) for the acquisition of all interests in<br>land and premises described in this report and on<br>the site shown edged red on the Map in Appendix<br>1 to this report, for the purpose of securing the<br>development, redevelopment and improvement of<br>the Brierfield Mills complex through a heritage<br>based mixed use scheme, in the expectation that<br>such action will improve the social, economic and<br>environmental wellbeing of the area. | To be considered by the Executive on 17 <sup>th</sup> March, 2016. |
|    | (2) Authorise appropriate officers of the Council to<br>take any necessary steps to prepare the<br>documentation required to make The Borough of<br>Pendle (Clitheroe Road/Glen Way, Brierfield)<br>Compulsory Purchase Order 2016 under Section<br>226(1) (a) of the Town and Country Planning Act<br>1990 (as amended by section 99 of the Planning<br>and Compulsory Purchase Act 2004 and the<br>Acquisition of Land Act 1981 (as amended).   |  |
|    | (3) Authorise officers of the Council to take any such<br>steps as may be required to promote, with a view<br>to securing the confirmation and subsequent<br>implementation of the above aforementioned<br>Order. Such steps are to include but not be<br>exclusive to the following:-  |  |
|    | <ul> <li>Affixing the Common Seal of the Council to the<br/>Compulsory Purchase Order and Map</li> </ul>  |  |

| <ul> <li>representation of the Council's case at<br/>Parliament should Special Parliamentary<br/>Procedure be invoked as part of the<br/>confirmation process</li> <li>to make and affix the Common Seal of the<br/>Council to a General Vesting Declaration in<br/>respect of any part of the Order Land and to<br/>issue and serve any statutory notices relating<br/>thereto</li> <li>representation of the Council's case on<br/>compensation matters connected with this<br/>Compulsory Purchase Order to the Upper<br/>Tribunal (Lands Chamber)</li> <li>making the appropriate application(s) to the<br/>Secretary of State for orders under section 247<br/>or otherwise progress orders under section 257<br/>of the Town and Country Planning Act 1990 for<br/>stopping up of the highways shown cross<br/>hatched on the Map in Appendix 3 of this Repo<br/>and known as:</li> <li>Adopted Highway known as Pendle Road<br/>from its junction with Glen Way to its<br/>junction with Dale Street</li> <li>Adopted Highway known as Thomas Street<br/>from its junction with Pendle Street to its<br/>junction with Clitheroe Road</li> <li>Unadopted Highway known as Exton Street<br/>from Pendle Street to its junction with<br/>Clitheroe Road</li> </ul> | ť |
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| <ul> <li>the issue and service of all statutory notices</li> <li>the submission of all necessary documentation to the Secretary of State for Communities and Local Government in seeking to obtain confirmation of the Orders</li> <li>continuing negotiations and approving agreements with land owners setting out the terms for the acquisition of their interests, as if confirmed Compulsory Purchase Order had been in place</li> <li>agreeing in advance the withdrawal of objections to the Compulsory Purchase Order (where appropriate)</li> <li>assisting with relocation and re-settlement of the existing businesses that wish to relocate</li> <li>the presentation of the Council's case at any public inquiry or through written representations if this is appropriate</li> </ul>  | e |

| RESC   | DLVED  | To be considered by the                    |
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| That t | he Executive be recommended to –   | Executive on 17 <sup>th</sup> March, 2016. |
| (1)    | Make THE BOROUGH OF PENDLE (GLEN<br>WAY, BRIERFIELD) COMPULSORY<br>PURCHASE ORDER 2016 under Section<br>226(1)(a) of the Town and Country Planning Act<br>1990 (as amended by section 99 of the Planning<br>and Compulsory Purchase Act 2004 and the<br>Acquisition of Land Act 1981 (as amended)) for<br>the acquisition of all interests in land and<br>premises described in this report and on the site<br>shown edged red on the Map in Appendix 1 to<br>this report, for the purpose of securing the<br>development, redevelopment and improvement<br>of the Brierfield Mills complex through a<br>heritage based mixed use scheme, in the<br>expectation that such action will improve the<br>social, economic and environmental wellbeing of<br>the area.  |  |
| (2)    | Authorise appropriate officers of the Council to<br>take any necessary steps to prepare the<br>documentation required to make The Borough<br>of Pendle (Glen Way, Brierfield) Compulsory<br>Purchase Order 2016 under Section 226(1) (a)<br>of the Town and Country Planning Act 1990 (as<br>amended by section 99 of the Planning and<br>Compulsory Purchase Act 2004 and the<br>Acquisition of Land Act 1981 (as amended).   |  |
| (3)    | <ul> <li>Authorise officers of the Council to take any such steps as may be required to promote with a view to securing the confirmation and subsequent implementation of the above aforementioned Order. Such steps are to include but not be exclusive to the following:-</li> <li>Affixing the Common Seal of the Council to the Compulsory Purchase Order and Map</li> <li>the issue and service of all statutory notices</li> <li>the submission of all necessary documentation to the Secretary of State for Communities and Local Government in seeking to obtain confirmation of the Orders</li> <li>continuing negotiations and approving agreements with land owners setting out the terms for the acquisition of their interests, as if a confirmed Compulsory Purchase Order had been in place</li> <li>agreeing in advance the withdrawal of objections to the Compulsory Purchase</li> </ul> |  |

|     | <ul> <li>the existing businesses that wish to relocate</li> <li>the presentation of the Council's case at any public inquiry or through written representations if this is appropriate</li> <li>representation of the Council's case at Parliament should Special Parliamentary Procedure be invoked as part of the confirmation process</li> <li>to make and affix the Common Seal of the Council to a General Vesting Declaration in respect of any part of the Order Land and to issue and serve any statutory notices relating thereto</li> <li>representation of the Council's case on compensation matters connected with this Compulsory Purchase Order to the Upper Tribunal (Lands Chamber)</li> </ul> |                               |
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| 8.  | Land at Richard Street, Brierfield – Land in private<br>Ownership   |                               |
|     | RESOLVED  |                               |
|     | (1) That Liberata Property Services be asked to<br>provide their opinion of the open market value of<br>the land marked "B" on the plan attached to the<br>report as soon as possible;  | Item elsewhere on the agenda. |
|     | (2) That the solicitors acting for the Duchy be asked<br>whether they would consider granting a lease of<br>the land and, if so, upon what terms;   |                               |
|     | (3) That a further report containing the valuation referred to above be submitted to the next meeting of this Committee.  |                               |
| 9.  | Brierfield Health Centre  |                               |
|     | Prior to the meeting of this Committee, a meeting had<br>been held with a representative of East Lancashire<br>Clinical Commissioning Group to discuss concerns<br>regarding the East Lancashire Medical Services<br>(ELMS) Federated Practice based at Brierfield Health<br>Centre.<br>An update would be provided to a future meeting.  | Item elsewhere on the agenda. |
| 10. | Miscellaneous pieces of land  |                               |
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|  | That consideration of this item be deferred to the next meeting of this Committee. | Item elsewhere on the agenda. |  |
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