

**MINUTES OF A MEETING OF THE  
EXECUTIVE  
HELD AT THE TOWN HALL, NELSON  
ON 22<sup>nd</sup> JUNE, 2017**

*PRESENT –*

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

**Councillors**

*M. Ashraf  
D. Clegg  
A. R. Greaves  
K. Hartley*

*J. Henderson  
A. Mahmood  
M. Sakib  
D. M. Whipp*

**Also in attendance:**

*Councillor W. Blackburn  
Councillor K. Turner*

**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>Jane Watson</i>	<i>Head of Democratic Services</i>

**24. DECLARATIONS OF INTEREST**

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

**25. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**26. MINUTES**

**RESOLVED**

That the Minutes of the Executive meeting held on 25<sup>th</sup> May, 2017 be approved as a correct record and signed by the Chairman.

**27. PEARL JOINT VENTURE COMPANIES DEVELOPMENT PROGRAMME 2017/18**

The Housing, Health and Economic Development Services Manager submitted a report which provided an update on development activity carried out by the PEARL companies. The report also set out the programme of activity for 2017/18.

An update on house sales at Quaker Heights/Holden Road, Brierfield and progress with Brierfield Mill (Northlight) was given at the meeting.

**RESOLVED**

That the report be noted.

**REASON**

*To keep the Executive informed of progress with the PEARL companies.*

**28. LOMESHAYE INDUSTRIAL ESTATE EXTENSION**

The Housing, Health and Economic Development Services Manager submitted a report on funding which had been secured, or was being sought, towards land acquisition, infrastructure and environmental enhancements to facilitate the extension to Lomeshaye Industrial Estate.

Details of the public funding required were detailed in the report.

The land would need to be brought into the ownership of the Council to carry out the necessary infrastructure works. The land was currently in a number of different ownerships so this would make implementation difficult. The public funding could not be provided directly to private sector owners as this would breach State Aid regulations. Negotiations were currently underway with the respective landowners with a view to acquiring the Phase 1 land by agreement at market value.

**RESOLVED**

- (1) That the allocation of £1.5m from Lancashire County Council, £4m from Lancashire's Local Growth Fund and the bid for £570k ESIF funding to support the extension of Lomeshaye Industrial Estate be noted.
- (2) That Council be recommended to approve a supplementary capital estimate of £1.9m to be funded from capital receipts to act as match funding.
- (3) That the intention to submit a planning application for the Phase 1 area be noted.
- (4) That the necessary land to deliver Phase 1 be acquired at an independently assessed value and the Strategic Director be granted delegated authority to do this.
- (5) That Pendle Council manage the contracts to provide infrastructure and environmental enhancements.
- (6) That a further report be submitted to a future meeting setting out progress and a disposal and development strategy.

**REASON**

*To bring forward the Strategic Employment Site identified in Pendle's Local Plan.*

**29. PENDLE BUSINESS AWARDS**

The Housing, Health and Economic Development Services Manager submitted a report which outlined the background to the Pendle Business Awards. The report also summarised the current

## Executive (22.06.2017)

delivery process and organisation with a suggestion of outsourcing for the delivery of the Business Awards in 2018.

Since 2008 the Awards had taken place bi-annually. Funding has been through a mixture of central funding from the Council and Pendle Vision Board along with sponsorship and ticket sales.

It was reported that the Economic Development Team, with support from the Communications Team had organised and managed the event with certain elements being outsourced due to the specialised skills required. Due to a reduction in staff resources it was proposed the event be outsourced with the Council and the Vision Board continuing to provide overall direction and format of the event.

### **RESOLVED**

- (1) That the delivery of the Pendle Business Awards be outsourced to a suitable delivery partner.
- (2) That the delivery of the Pendle Business Awards for 2018 be funded to a maximum of £30,000 and the Gearing up for Growth Grants Panel be authorised to agree the allocation of this fund.
- (3) That a supplementary revenue estimate for £30,000 in 2017/18 be funded from an earmarked reserve set aside to support the Vision Board.
- (4) That the Pendle Business Awards continue to be held within Pendle.

### **REASONS**

- (1) ***Staff reduction and capacity within the Economic Development Team means it is no longer in a position to deliver the event in-house.***
- (2) ***Outsourcing the delivery will allow the Pendle Business Awards to continue.***

## **30. WASTE COLLECTION, RECYCLING AND STREET CLEANSING**

The Corporate Director submitted a report which addressed issues involved in making of significant savings within this service area.

The Waste Management Service had been identified as one of the Council's four main areas of cost in which significant reductions needed to be found in 2018/19 onwards. It was noted that the projected total cost of the Service in 2017/18 was £4.1m with £2.6m spent on the cleansing activities.

Although some savings had already been approved by Council a savings target of £300,000 had been proposed.

The Executive discussed in detail the repercussions to the end of the Cost Sharing Agreement with the County Council and alternative levels of service. The Cost Sharing Agreement was due to terminate on 31<sup>st</sup> March, 2018. This would result in the loss of an annual income of £760,000 which makes it difficult to identify savings.

Executive (22.06.2017)

Recycling credits would be re-introduced and the County Council had promised an indication of what recycling credits they would pay to offset the loss of cost sharing. This information had not yet been received.

The report provided information on possible alternative levels of service with regards to collection arrangements and costs. Meetings with the County Council were continuing.

Further information from the County Council on recycling credits, the possibility of co-mingling and transportation and disposal arrangement was essential to get a clear picture. It was stressed that early, strategic consideration to the substantial changes to be made was essential.

## **RESOLVED**

- (1) That a further report be submitted as soon as possible on the review of the service intended to achieve £300,000 savings per annum.
- (2) That the County Council be urged to provide the Council as soon as possible, full information on recycling credits, the possibility of co-mingling and transportation and disposal arrangements to enable the review to be completed.
- (3) That Lancashire districts be informed of resolution (2) above and their support be sought.

## **REASON**

***To reduce the net cost of the service and help achieve a balanced budget.***

### **31. RECOMMENDED WRITE OFFS**

The Revenues Manager, Liberata submitted a report on the write off of debts relating to Sundry Debtors, Overpayments of Housing Benefit, Council Tax and National Non Domestic Rate.

## **RESOLVED**

That the sums of £5,326.65 in respect of Sundry Debtors, £46,551.67 in respect of overpayment of Housing Benefit Overpayment, £105,639.48 in respect of Council Tax and £54,228.20 in respect of National Non Domestic Rate, be written off as irrecoverable.

## **REASON**

***The prudential and considered writing off of bad debts is an essential requirement for the efficient management of the debt recovery functions.***

### **32. PROVISIONAL REVENUE OUTTURN 2016/17**

The Financial Services Manager submitted a report on the provisional outturn position on the Council's General Fund Revenue Budget for 2016/17.

**RESOLVED**

- (1) That the outturn on the Council's Revenue Budget for 2016/17, acknowledging the position is provisional at this time pending completion of the audit of the accounts for the year be noted.
- (2) That the proposals for budget slippage from 2016/17 to 2017/18, for those items exceeding £10,000 (as shown at Appendix B attached to the report) be approved.

**REASON**

***To inform the Executive of the Council's outturn position on revenue budgets for 2016/17.***

**33. CAPITAL PROGRAMME – PROVISIONAL OUTTURN 2016/17**

The Financial Services Manager submitted a report on the provisional outturn position on the Council's Capital Programme for 2016/17.

**RESOLVED**

- (1) That the provisional outturn position on the Council's Capital Programme for 2016/17 be noted.
- (2) That the proposals to carry forward budget slippage on the programme from 2016/17 to 2017/18 be approved.

**REASON**

***To inform the Executive of the provisional outturn position for the Council's Capital Programme in 2016/17.***

**34. CAPITAL STRATEGY  
UPDATE ON THE MEDIUM TERM CAPITAL PROGRAMME 2018/21**

The Financial Services Manager submitted a report which provided an update on the development of the Council's Medium Term Capital programme for the period to 2020/21. The report also highlighted the expected availability and usage of capital receipts over this period.

**RESOLVED**

- (1) That the indicative Medium Term Capital Programme, as shown at Appendix A attached to the report, be noted.
- (2) That the proposals outlined in the report for the use of capital receipts over the medium term period be endorsed.
- (3) That a report be submitted to a future meeting on these matters as the medium term capital programme is developed in line with the timescales for the Council's process for the 218/19 budget. That the report includes details of the scope for further asset disposals to help generate capital receipts.

**REASON**

***To continue with the implementation of the Council's Financial Strategy and development of the medium term capital programme.***

**35. SUPPORTING SMALL BUSINESSES AND OTHER RATE RELIEF SCHEMES – UPDATE**

The Financial Services Manager submitted a report which provided an update on current developments affecting National Non-Domestic Rating (NNDR) and in particular, schemes of support, both national and local, aimed at supporting eligible businesses adversely affected by the 2017 Revaluation.

Reference was made to the 3 business rate reliefs which had been announced at the Spring 2017 Budget to help businesses most affected by the revaluation:

- Supporting Small Businesses Relief Scheme
- Local Discretionary Fund
- Relief for Pubs

Guidance had been issued by the Government to assist local authorities with the implementation of the scheme of support.

It was reported that a letter had been received from Marcus Jones MP enquiring why the schemes had not yet been implemented. The Executive were advised that the software provider was working on the changes needed to implement the scheme. A response to the MP was to be sent explaining the Council's position.

**RESOLVED**

That the current position be noted and a report on the details of a local scheme of relief be submitted to the next meeting.

**REASON**

***To keep the Executive informed of developments relating to the implementation of schemes of relief for eligible businesses within Pendle.***

**36. LAND AT LEEDS ROAD, NELSON AND BRIERFIELD MILL REGENERATION**

The Housing, Health and Economic Development Services Manager and Liberata Property Services Manager submitted a report detailing offers made for the disposal of the former Regent Cinema site at Leeds Road, Nelson. The report also referred to interest shown from Clitheroe Road Car Sales Ltd., whose business was affected by the Clitheroe Road CPO and Brierfield Mill regeneration proposals.

The land had been declared surplus in December 2016 and had been marketed for sale by way of informal tender. As part of the tender procedure particulars were provided to the agent acting for Clitheroe Road Car Sales Ltd., to aid efforts to secure their relocation. The Council had agreed to assist them, where possible, to find new premises as part of their compensation claim.

## Executive (22.06.2017)

It was reported that nine tenders, including one late tender and a formal offer of interests from Clitheroe Road Car Sales Ltd., had been received.

To enable the Brierfield Mill Scheme to move forwards the Executive were recommended to abandon the marketing of the Leeds Road site and advise all tenderers accordingly. Advice given was that the Council was under no obligation to accept any of the offers made nor proceed with the sale of the land.

It was noted that any transfer of the Leeds Road site would be at market value, subject to negotiation between the parties, with provision for referral to an independent third party valuer if agreement was not reached.

### **RESOLVED**

- (1) That delegated authority be granted to the Strategic Director to agree terms for the disposal of the Council's leasehold interest in land at Leeds Road, Nelson to Clitheroe Road Car Sales at market value.
- (2) That the disposal offer be conditional on the buyer completing the transaction within six weeks from the date of this meeting, submitting a planning application for development of the site within three months from the date of the disposal and making satisfactory progress on the development of the site.

### **REASONS**

- (1) ***To proceed with the regeneration of Brierfield Mill and retain a local business within the Borough on land available for redevelopment.***
- (2) ***To ensure that the Council achieves best value for the land and to ensure the land is brought back into use as soon as possible.***

### **37. LAND AT ALGAR STREET, NELSON**

The Strategic Director submitted a report following receipt of a request to use the land on Algar Street, Nelson as a community garden.

The land was a garage site adjacent to Walton Lane Community Centre which was occupied by AGE UK under a Management Agreement with the Council. There was one garage that was occupied, the other two plots did not have garages on them and the remainder of the land was unused and overgrown.

Subject to funding being secured, support from volunteers and businesses and the relevant planning permission for change of use the proposals was for the site to be used as a community garden. This had been requested at no cost to them as they would bring an area of land into use to benefit the local area.

### **RESOLVED**

That the use of the land on Algar Street, Nelson be offered to AGE UK for use as a community garden and that they be given 2 months to secure funding for the project; and should funding not be secured then the land be declared surplus to requirements and advertised for sale.

**REASON**

***To benefit the area and to bring back into use an overgrown and unused site.***

**38. TENDERS**

The Corporate Director submitted, for information, tenders which had been received and accepted.

**39. EARBY FLOOD RESILIENCE SCHEME – ESIF BID UPDATE**

The Neighbourhood Services Manager submitted, for information, a report advising that funding was being sought towards flow control and flood water storage, upland moorland management and the creation of mini flood water storage basins in pocket parks in Earby to alleviate flooding in the area.

During discussion reference was made to the lack of progress on behalf of the Environment Agency to address flooding issues in Earby and the £215k resilience fund from the DCLG which had yet to be allocated. It was reported that work was ongoing regarding the allocation of the resilience fund.

**RESOLVED**

- (1) That the report be noted.
- (2) That concerns be expressed at the processes being required by the DCLG regarding the allocation of the resilience fund.
- (3) That an urgent meeting be sought with representatives from the Environment Agency to discuss their failure to start work on Victoria Clough and to stress upon them the need to start this work as soon as possible.

**REASON**

***Funding was in place to address flooding issues in Earby but only minor works had been undertaken in the last 18 months.***

**40. LOCAL PLAN (PART 2) – SITE ALLOCATIONS AND DEVELOPMENT POLICIES**

The Planning, Building Control and Licensing Services Manager submitted a report on progress on the preparation of the Local Plan (Part 2).

A six week consultation had been held between 24<sup>th</sup> February and 7<sup>th</sup> April, 2017. This included a final call for sites and provided an opportunity for interested parties to consider and comment on the following draft documents:

- Local Plan Par 2: Scoping Report and Methodology
- Sustainability Appraisal: Scoping Report (addressed the European requirement for Strategic Environmental Assessment)
- Green Belt Assessment



Executive (22.06.2017)

A summary of the key issues raised was included in the report with the full account of comments received attached at Appendices 1-3.

Reference was made to the Green Belt allocations and some of the site allocations. During discussion it was felt that the Local Plan (Part 2) Working Group should consider the responses made prior to consideration by the Executive.

**RESOLVED**

- (1) That the report be noted
- (2) That the report be referred to the Local Plan (Part 2) Working Group for consideration and that they report back to the Executive at the next meeting on 24<sup>th</sup> August, 2017.

**REASON**

*To allow more time to consider the responses received along with the officer comments.*

**41. FORWARD PLAN**

The Executive's Work Programme and Forward Plan of key decisions for the four month period commencing 1<sup>st</sup> July, 2017 were submitted for information.

Chairman \_\_\_\_\_