

**MINUTES OF A MEETING OF THE
EXECUTIVE
HELD AT THE TOWN HALL, NELSON
ON 24th AUGUST, 2017**

PRESENT –

Councillor M. Iqbal (Chairman – in the Chair)

Councillors

*E. Ansar
M. Ashraf
D. Clegg
A. R. Greaves*

*K. Hartley
A. Mahmood
M. Sakib
D. M. Whipp*

Also in attendance:

*Councillor W. Blackburn
Councillor R. E. Carroll
Councillor J. Cooney
Councillor M. Goulthorp
Councillor M. Holdsworth
Councillor B. Newman
Councillor J. Purcell*

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>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>

(Apologies for absence were received from Councillor J. Henderson)

◆◆◆◆

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

<i>Stuart McDade</i>	<i>Disposal Sites for Housing</i>	<i>Minute No. 55</i>
<i>Sandra Szejnke</i>		
<i>Geoff Askew</i>		
<i>Chris Tennant</i>		
<i>Paul Day</i>		

◆◆◆◆

42. DECLARATIONS OF INTEREST

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

43. PUBLIC QUESTION TIME

There were no questions from members of the public.

44. MINUTES

RESOLVED

That the Minutes of the Executive meeting held on 22nd June, 2017 be approved as a correct record and signed by the Chairman.

45. STRATEGIC MONITORING 2017/18 – QUARTER 1

The Financial Services Manager submitted a report which provided performance monitoring information on progress made with the actions in the current Strategic Plan along with monitoring information on the Council's revenue and capital budgets.

RESOLVED

That progress made on actions identified in the Strategic Plan (as shown in Appendix A attached to the report) be noted.

REASON

To inform the Executive of performance monitoring information relating to the Council's service and financial plans.

46. LOMESHAYE INDUSTRIAL ESTATE PHASE 1 EXTENSION

The Housing, Health and Economic Development Services Manager submitted a report requesting initial steps be taken to prepare a Compulsory Purchase Order to enable delivery of the Phase 1 extension. The site was currently in a number of different private ownerships which would need to be assembled and brought into one ownership to enable the development to be taken forward.

It was suggested that to support negotiations with the various owners' approval be granted by the Executive to pay the compensation that would have been paid if the interests in the land were being acquired under a Compulsory Purchase Order.

RESOLVED

- (1) That the necessary land to deliver the Phase 1 extension to the Lomeshaye Industrial Estate acquired through negotiation, be based on compensation as if a Compulsory Purchase Order was in place.
- (2) That initial steps to prepare a Compulsory Purchase Order for the Phase 1 extension of Lomeshaye Industrial Estate be authorised.

REASON

To bring forward the first phase of the Strategic Employment Site identified in Pendle's Local Plan.

47. GEARING UP FOR GROWTH

(a) Gearing up for Growth Grants Panel

Minutes of a meeting of the Gearing up for Growth Grants Panel, held on 22nd February, 19th April and 4th July, 2017 were submitted for information.

(b) Gearing up for Growth

The Housing, Health and Economic Development Services Manager provided an update on the achievements of the Gearing up for Growth Programme during 2016/17 and provided details of proposed activity and budget allocations for the remaining programme in 2017/19.

RESOLVED

- (1) That the Programme's achievements during the last financial year be noted.
- (2) That the proposed activity and respective budget allocations for the Programme in 2017/18 be approved.
- (3) That the intention to consider the introduction of a loan scheme to replace both Start-Up and Growth Grants and to explore the scope to fund Gearing up for Growth activity from capital resources be noted.
- (4) That a further report providing an update on the Gearing up for Growth Programme be brought back to a subsequent meeting of the Executive.

REASON

To update Members on the achievements of the programme in 2016/17 and to consider the programme for the next two years 2017/19.

48. THEMATIC GROUPS ANNUAL REPORT

The Neighbourhood Services Manager submitted a progress report on the Sustainable Communities Strategy (SCS) Thematic Groups for the period June 2016 to June 2017.

This included updates on:-

- Lancashire and South Cumbria Sustainability and Transformation Plan
- Pendle Dementia Action Alliance
- Building Community Resilience
- Burnley and Pendle Children's Partnership Board
- Child Sexual Exploitation
- Family Learning
- Future of Burnley and Pendle Children's Partnership Board

- Vision Board
- Pendle Community Safety Partnership

Reference was also made to future challenges and barriers to delivery.

RESOLVED

That the report be noted.

REASON

To recognise the role of partnership working in delivering the Council's Strategic Objectives.

49. THE PENDLE CHALLENGE

The Strategic Director submitted an update on the Pendle Challenge and how, as a district council, Pendle could support its development. The idea was based on that of the London Challenge, a project which began in 2003 to improve the performance of London schools.

It was noted that last year Pendle's attainment was the lowest out of the 12 Lancashire districts and second from lowest (after Burnley) in the previous two years.

Following a meeting in December 2016 with head teachers from all the Pendle secondary schools and some head teachers from the primary schools the Pendle Challenge was set up. The Council had supported the Pendle Challenge through the Steering Group, launch event and in bringing some structure to the project. The Executive were advised that the key areas in which the Council could support the priorities were:

- A common approach to engaging parents in learning at all stages.
- A collective approach to raising student aspirations.

These priorities were also supported by the Children's University which had been established nationally. There were 90 local Children's Universities around the UK, with 1,000 participating schools, one of which was Walverden Primary School.

It was suggested that the Council offer to pay 25% of the costs for primary schools in the Borough to participate in this scheme. Appendix 3 provided details of the costs should all the schools participate or just half.

RESOLVED

- (1) That the report be noted.
- (2) That a financial contribution towards the Children's University model be agreed.

REASON

- (1) ***To raise awareness.***
- (2) ***To carry out the Council's community leadership role in supporting educational attainment and increasing aspirations for young people in Pendle.***

50. TREASURY MANAGEMENT OUTTURN 2016/17

The Financial Services Manager submitted, for information, a report on performance of the Council's Treasury Management function for the 2016/17 financial year.

Appendix A, the Treasury Management Annual Report for 2016/17, set out details of the Council's borrowing and investment activity for the year. Some of the key issues were borrowing, borrowing limits and investments.

RESOLVED

That the outturn position on the Council's treasury management activities for 2016/17 be noted.

REASON

To comply with the Council's Treasury Management Policy.

51. REVIEW OF REVENUE RESERVES AT 31st MARCH, 2017

The Financial Services Manager submitted a report on the outcome of a review of the Council's revenue reserves following completion of the accounts for 2016/17. The report also sought endorsement of a proposal, subject to Council approval, to transfer amounts from specific reserves to the Budget Strategy Reserve to support the ongoing development of the Council's medium-term financial plan position.

The Executive were also asked for their views on the Gearing up for Growth Reserve. Subject to sourcing alternative funding within the Council's capital programme this would free up part of the revenue reserve which could then be transferred to the Budget Strategy Reserve. Another option would be to convert grants to loans to be repaid by businesses.

RESOLVED

- (1) That the outcome of the review of revenue reserves as at 31st March, 2017 be noted.
- (2) That the proposal to transfer £235k in 2017/18 from specific reserves to the Budget Strategy Reserve, as set out in paragraph 11 in the report, be endorsed and recommended to Council for approval.
- (3) That the alternatives outlined in the report for funding expenditure currently met from the Gearing Up for Growth Reserve be noted.

REASON

To provide additional resources in support of the Council's revenue budget over the medium-term financial plan period 2018/19 to 2020/21.

**52. SUPPORTING PENDLE BUSINESSES
BUSINESS RATES RELIEF (LOCAL DISCRETIONARY SCHEME)**

The Financial Services Manager submitted a report on the draft scheme of discretionary rate relief for local businesses in 2017/18 using funding provided by Government, as announced in

the Spring Budget. A report was submitted to the June Executive meeting which set out the background and context to this scheme and other forms of support for business rates.

RESOLVED

- (1) That the principles of the draft local scheme of discretionary rate relief as proposed at Appendix 1 attached to the report be endorsed.
- (2) That delegated authority be granted to the Financial Services Manager in consultation with the Executive Member for Finance to conclude and implement the scheme in the current financial year.

REASON

To keep the Executive informed of developments relating to the implementation of schemes of relief for businesses within Pendle and seek approval to a local scheme of discretionary relief for businesses impacted by the 2017 Revaluation.

53. UPDATED RISK MANAGEMENT POLICY AND STRATEGY

The Financial Services Manager submitted a report on the revised Risk Management Policy and Strategy and requested that the policy and strategy be submitted to Council for approval and formal adoption.

RECOMMENDATION

That the revised Risk Management Policy and Strategy be endorsed and Council be recommended to approve and adopt the document.

REASON

To seek support for the revised Risk Management Policy and Strategy.

54. TENDERS

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

55. DISPOSAL OF SITES FOR HOUSING

The Housing, Health and Economic Development Services Manager submitted a report on progress with the housing sites that the Executive had previously agreed to dispose of. Progress was set out in Appendix 1.

In order to support local small developers, and to have more certainty over development, it was suggested that a Developer Panel be set up. It was explained that developers who were interested in being on the Panel would be asked to provide information about their company, their track record of housing development and their ability to finance developments. Once the criteria had been met they would be accepted onto the Developer Panel. Pendle owned sites that were declared surplus and were suitable for up to 10 houses would be offered to the Panel

first before being put on the open market unless the site was part of a larger scheme with other landowners involved.

To support a pipeline of housing delivery the Executive were advised that further sites needed to be brought forward for development. The sites suggested were:

- Apsen Grove, Earby
- Bailey Street, Earby
- Red Lion Street, Earby
- Leach Street, Colne
- Byron Road, Colne
- Harrison Drive Recreation Ground, Colne

RESOLVED

- (1) That progress on sites that have been agreed for disposal be noted.
- (2) That the establishment of a Developer Panel for the disposal and development of smaller housing sites, subject to a further report setting out the proposed process and criteria for selection, be agreed.
- (3) That the Byron Road site in Colne be deleted from the list and Colne and District Committee be consulted on the possible disposal of land on Leach Street, Colne and the Harrison Drive Recreation Ground in Colne.
- (4) That a meeting be arranged with West Craven Committee and Earby Town Council to consider the possible disposal of Aspen Grove, Bailey Street and Red Lion Street, Earby and to discuss future housing/commercial sites in Earby.
- (4) That a further report be submitted to a future Executive meeting following consultation with the Area Committees.

REASON

- (1) ***To keep members informed of progress.***
- (2) ***To support smaller local developers.***
- (3) ***To dispose of sites that could support the Council's growth objectives.***

56. BROWNFIELD SITES FUND

The Housing, Health and Economic Development Services Manager submitted, for information, a report which provided an update on the Pendle Brownfield Sites Fund and the launch of the Governments Housing Infrastructure Fund (HIF).

The HIF would provide grant funding for new infrastructure that would unlock new homes in the areas of greatest housing demand.

RESOLVED

That progress regarding the Pendle Brownfield Sites Fund and the launch of the Government's Housing Infrastructure Fund be noted.

REASON

To keep Members up to date regarding the Brownfield Sites Fund and new funding opportunities which could help to deliver more houses within Pendle.

57. THE HOUSING AND PLANNING ACT 2016 CIVIL PENALTIES

The Housing, Health and Economic Development Services Manager submitted a report on the implementation of the new enforcement powers contained in the Housing and Planning Act 2016 (Part 2 Rogue Landlords and Property Agents in England) including the use of civil penalty notices.

RECOMMENDATION

- (1) That Council be recommended to approve the Policy and Matrix for the use of Civil Penalties and its inclusion into the Environmental Health Enforcement Policy.
- (2) That the Housing, Health and Economic Development Services Manager be granted delegated authority to issue, use and enforce civil penalties as detailed in the Housing and Planning Act 2016 and any regulations made there under.
- (3) That the Housing, Health and Economic Development Services Manager be granted delegated powers to issue, use and enforce rent repayment orders as detailed in the Housing and Planning Act 2016 and any regulations made there under.
- (4) That the money received from civil penalties returns to the housing revenue budget to fund further enforcement activity.

REASON

The use of these powers will support and complement the work that the Council continues to deliver to tackle rogue landlords. The civil penalties and extension of the use or rent repayment orders could be a powerful deterrent to rogue landlord behaviour through the enforcement of significant financial penalties.

58. PREVENT DUTY UPDATE

The Neighbourhood Services Manager submitted an update on the Prevent Duty and the Executive were asked to consider the Prevent Duty Compliance Plan.

RESOLVED

That the Prevent Compliance Action Plan be approved and work be progressed on the outstanding items.

REASON

It would demonstrate the Council's compliance to the Prevent Duty continued in the Counter-Terrorism Security Act 2015 and help the Council build an inclusive approach to the issues faced.

59.

**PENDLE 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 Pendle Local Plan (Part 2). Representations and site nominations received in response to the recent public consultation were presented and the Executive were asked to approve the officer responses to these representations and to approve the recommended changes to the Pendle Local Plan (Part 2) and its supporting documents.

RESOLVED

- (1) That progress made on the preparation of the Pendle Local Plan (Part 2) be noted.
- (2) That the representations and site nominations, including those received after the official close of the public consultation, be noted.
- (3) That the officer responses and recommendations as set-out in the schedule of comments (Appendices 1-3) be accepted.

REASONS

- (1) ***To comply with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended; the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011.***
- (2) ***To facilitate the preparation and adoption of the Local Plan, by allowing it to proceed to the Preferred Options stage.***
- (3) ***To ensure that the Local Plan is based on up-to-date, robust and credible evidence.***

60.

KELBROOK AND SOUGH NEIGHBOURHOOD AREA

The Planning, Building Control and Licensing Services Manager submitted a report following receipt of an application from Kelbrook and Sough Parish Council of their intention to prepare a neighbourhood plan.

The report set out the process for formally designating the neighbourhood area and outlined the Council's duty to support parish and town councils engaged in the preparation of a neighbourhood plan for their area.

RESOLVED

- (1) That receipt of the application be noted.
- (2) That the parish of Kelbrook and Sough as a Neighbourhood Area be designated.

REASON

- (1) ***To comply with the Neighbourhood Planning (General) Regulations 2012 and Planning Practice Guidance.***
- (2) ***To comply with the Neighbourhood Planning (General) Regulations 2012, as amended and Section 61G(5) of the Town and Country Planning Act 1990 as***

applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004.

61. MATTERS REFERRED FROM AREA COMMITTEES

(a) Land at Knotts Pond, Colne

At a meeting of the Colne and District Committee on 15th June, 2017 it was resolved “that the Executive be recommended to offer residents of 12 Knotts Drive, 2 St. Andrews Close, 1 Knotts Mount, 3 Knotts Mount along with residents at 10 Knotts Drive, Colne land, as shown on the plan attached to the report, at minimal costs and that the Strategic Director, in consultation with the Executive Member for Finance, be authorised to agree terms and conditions for the sales.”

RESOLVED

That this item be deferred pending further information regarding the value of the land and options for the sale of the land at minimal cost to the residents.

REASON

To understand the value of the land before a decision is made.

(b) Capital Programme 2017/18 – Alley Gating

At a meeting of the Colne and District Committee on 15th June, 2017 it was resolved “that the Executive be recommended to agree a bid of £2,085 for alley gating maintenance (repairs and paintwork) from central funds.”

RESOLVED

That the bid not be agreed and the area committee be asked to fund the works from its own resources.

REASON

Other area committees had allocated funding from within their own resources for this type of work.

(c) Resurfacing Cemetery Road Car Park, Earby

At a meeting of the West Craven Committee on 4th July, 2017 it was resolved “that £3,000 be allocated towards the £6,000 costs of resurfacing Cemetery Road car park; that Earby Town Council be asked to contribute £1,000 towards the improvements; and the Executive be asked to fund the remaining £2,000.”

RESOLVED

That the bid not be agreed and the area committee be asked to fund the works from its own resources.

REASON

Other area committees had allocated funding from within their own resources for this type of work.

(d) Malt Kiln Car Park, Barrowford – request by the Heritage Trust for the North West to Charge for Parking

At a meeting of the Barrowford and Western Parishes Committee on 10th August, 2017, Members were invited to comment on a request by the Heritage Trust for the North West to charge for parking on Malt Kiln Car Park, Barrowford.

Various views were expressed with some concerns raised about the Trust's financial position, where displaced parkers would park, enforcement and the lack of control over future parking charge increases.

The Corporate Director submitted a report which provided some background. The car park was currently used by a wide range of groups including local residents, visitors to the Roman Catholic Church, the Bridge Inn along with 6 garage tenants, walkers, tenants at Higherford Mill and their visitors and tenants at Pendle Personnel. Two trade vehicles were also parked overnight and at weekends. A variation of the Trust's 999 year lease was required to allow them to charge for parking.

RESOLVED

That the request be approved and the lease be varied accordingly.

REASON

To allow the Trust to raise income and provide a better parking facility.

62. FORWARD PLAN

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

Chairman _____