

**MINUTES OF A MEETING OF THE
EXECUTIVE
HELD AT THE TOWN HALL, NELSON
ON 25th JUNE, 2015**

PRESENT –

Councillor M. Iqbal (Chairman – in the Chair)

Councillors

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

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

(Apologies for absence were received from Councillors A. R. Greaves and D. Whalley)

Also in attendance:

*Councillor L. M. Crossley
Councillor W. Blackburn*

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>Senior Committee Administrator</i>

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The following person attended the meeting and spoke on the item indicated:

<i>Robert Oliver</i>	<i>The Fleece Public Conveniences, Barrowford</i>	<i>Minute No. 29</i>
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19. DECLARATIONS OF INTEREST

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

20. PUBLIC QUESTION TIME

There were no questions from members of the public.

21. MINUTES

RESOLVED

That the Minutes of the Special Budget Executive meeting held on 28th May, 2015 be approved as a correct record and signed by the Chairman.

22. CORPORATE PEER CHALLENGE

The Strategic Director submitted a report requesting approval for the Council to take up the Local Government Association's (LGA's) offer of a Corporate Peer Challenge which is designed to help Councils improve their performance.

The Peer Challenge would be undertaken by senior/experienced officers and Councillors from another Council supported by an LGA Peer Challenge Manager. This would take place over three days and it was suggested it take place around November/December 2015.

RESOLVED

That the LGA's offer of a Corporate Peer Challenge be agreed.

REASON

A Corporate Peer Challenge would form part of the Council's continuous improvement work.

23. TOUR OF BRITAIN CYCLE RACE 2015

Minutes of a meeting of the Tour of Britain Cycle Race Working Group held on 9th June, 2015 were submitted for information.

A brief update on progress was given and it was reported that the official launch of the event had taken place on 23rd June at the Nick O' Pendle with representatives from both Ribble Valley and Pendle present.

24. PROVISIONAL REVENUE OUTTURN 2014/15

The Financial Services Manager submitted a report on the provisional outturn position on the Council's General Fund Revenue Budget for 2014/15.

RESOLVED

- (1) That the Council's Revenue Budgets for 2014/15 be noted.
- (2) That the proposals for budget slippage from 2014/15 to 2015/16, for those items exceeding £10,000 (as shown at Appendix B attached to the report) be approved.
- (3) That the creation of a Community Projects Reserve with an initial allocation of £100,000 in 2014/15 be approved.

Executive (25.06.2015)

- (4) That a supplementary revenue estimate of £50,000 in 2014/15, funded from the Inward Investment Reserve, in relation to the estimated costs of hosting a stage of the Tour of Britain cycle race in September 2015 be approved.

REASON

To inform the Executive of the Council's outturn position on revenue budgets for 2014/15 and ensure officers have authority to incur projected levels of expenditure in relation to the Tour of Britain cycle race.

25. CAPITAL PROGRAMME – PROVISIONAL OUTTURN 2014/15

The Financial Services Manager submitted a report on the provisional outturn position on the Capital Programme for 2014/15.

RESOLVED

- (1) That the provisional outturn position on the Council's Capital Programme for 2014/15 be noted.
- (2) That the proposals for slippage in the programme (as shown in Appendix A attached to the report) from 2014/15 to 2015/16 be approved.

REASON

To inform the Executive of the outturn position for the council's Capital programme in 2014/15.

26. FINANCIAL STRATEGY – UPDATE OF THE MEDIUM TERM FINANCIAL PLAN 2016/2019

The Strategic Director submitted an update on the Council's Financial Strategy and Medium Term Financial Plan for 2016/2019 in order to set out a draft Budget Strategy for the period. He also explained, in detail, the content of the report.

RESOLVED

- (1) That the prospects for Government funding in the period 2016/17 to 2018/19, as shown explained in the report, be noted.
- (2) That the key areas of current lobbying on local government finance, shown at paragraph 23 in the report, be noted and it be agreed that the Leader, in consultation with the Strategic Director, seek the support of Pendle's Member of Parliament on these matters.
- (3) That the Financial Strategy for 2016/2019 (and the supporting Medium Term Financial Plan 2016/2019 as shown at Appendix B attached to the report) as set out in the report be noted and in doing so the strategy for the use of balances and reserves in the same period also be noted.
- (4) That the establishment of a Budget Working Group (composition 2:2:2) be agreed to:-

- (a) develop charging and savings proposals to reduce the Council's net expenditure by £1.5m for consideration in the development of the budget for 2016/2017.
 - (b) identify the development of further charging and savings options to deal with the balance of the budget deficit to 2018/2019.
- (5) That the Medium Term Capital Programme, as shown in Appendix D attached to the report, be noted and that a further report on the Capital Programme be submitted to to a future meeting.
- (6) That a detailed briefing session on the Council's financial position and the Strategy be held for members of the Executive.

REASON

To continue with the implementation of the Council's Financial Strategy and to deal with the Council's forecast medium term budget deficit.

27. DRAFT ANNUAL GOVERNANCE STATEMENT 2014/15

The Financial Services Manager submitted a report on the Council's Annual Governance Statement for 2014/15.

RESOLVED

That the report be noted.

REASON

To provide an opportunity for the Executive to comment prior to consideration by the Strategic Director and Leader and ultimately the Accounts and Audit Committee.

28. TENDERS

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

Details of bids to purchase 108 Scotland Road, Nelson, 23-25 Market Square, Nelson and 19-21 Carr Road, Nelson were also reported.

In relation to the Carr Road bid the highest offer received by the 15th May deadline was £85,000. Subsequently two late bids were received for £81,000 and £85,100.

RESOLVED

- (1) That the tenders which have been received and accepted be noted.
- (2) That the highest offers to purchase 108 Scotland Road, Nelson and 23-25 Market Square, Nelson, as detailed in the report, be accepted and the offerors be

requested to sign a contract and pay a 10% deposit within 7days.

- (3) That in the case of 19-21 Carr Road, Nelson the three tenderers referred to above be invited to submit full and final offers subject to a requirement that the successful tenderer be required to sign a contract and pay a 10% deposit within 7 days.
- (4) That in appropriate future tendering exercises a requirement for a signed contract and payment of a 10% deposit within 7 days be introduced.

REASON

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

29. THE FLEECE PUBLIC CONVENIENCES, BARROWFORD

The Corporate Director submitted a report advising of offers received for the above conveniences, along with a request from Barrowford Parish Council. At the Executive meeting on 22nd January, 2015 the highest offer of £40,150 was reported and that a significantly higher late offer had also been received. It was resolved that the premises be re-advertised.

This exercise ended on 2nd June and the highest offer received was £78,750. The Parish Council has, however, wrote in on 18th June formally requesting that the Council transfer the premises to them to operate as public conveniences.

It was reported that the conveniences had been closed for 18 months and that the Parish Council had indicated earlier that they were not in a financial position to take over the premises.

RESOLVED

That the request from Barrowford Parish Council to transfer the premises to it on the same basis as the other transfers of conveniences, namely, for a nominal sum of £1 and subject to a covenant not to dispose of the premises for a non-community use for a period of 10 years be approved.

REASON

In response to a request from the Parish Council.

30. FAMILY SUPPORT AND SAFEGUARDING CHILDREN POLICY

The Strategic Director submitted a report on the updated Family Support and Safeguarding Children Policy. In light of the Rotherham report into Child Sexual Exploitation and the recent Council restructure the policy had been refreshed.

A number of additions had also been included in the Policy which were listed in the report. It was also noted that additional training was required for both staff and Councillors. A corporate training programme for Family Support and Safeguarding was to be introduced and it was suggested that an awareness training session for Councillors also be introduced.

RESOLVED

- (1) That the updated Family Support and Safeguarding of children Policy be endorsed.
- (2) That all Councillors be invited to a training session on this issue prior to the next Council meeting on 16th July.

REASONS

- (1) ***To support Councillors and staff in protecting the welfare of young and vulnerable people in Pendle.***
- (2) ***To comply with the council's statutory duty to safeguard children and young people (Children's Act 2004).***

31. WHITEFIELD HOUSE SALES

The Housing, Health and Economic Development Services Manager submitted, for information, a report on progress with the sale of properties in Whitefield. Of the 100 properties acquired by the Council the refurbishment work to these empty properties, along with new housing developments, has resulted in 46 properties for sale, 48 for affordable rent and 4 for shared ownership. These properties varied in size from 1 bedroom to 6 bedroom properties.

It was reported that there were 23 properties still to sell and that not all the completed properties were put up for sale at the same time so as not to 'flood the market'. There were currently 10 on the market with 4 of those under offer. There had been 5 sales in the current financial year, 4 to Great Places and 1 to a private owner. Additional properties would be advertised over the summer.

RESOLVED

- (1) That the report be noted.
- (2) That a further update be submitted to the Executive in 6 months' time.

REASON

To keep the Executive informed of progress with disposals.

32. SUSTAINABLE URBAN DRAINAGE ASSESSMENTS

The Planning, Building Control and Licensing Services Manager submitted, for information, a report on arrangements for considering the sustainable drainage arrangements (SuDs) for planning applications.

The County Council were the local lead flood authority and they were being consulted on the proposed SuDs that were included in planning applications. The County had put staff and resources in place to deal with SuDs. They had also indicated that they were looking at putting resources in place to be able to offer wider pre-application advice as at the moment they could only offer this advice for major schemes.

RESOLVED

- (1) That the report be noted.
- (2) That the Neighbourhood Services Manager be requested to submit to a future meeting a further report on the implications/impact of SuDs assessments on the Council.

REASON

To ensure the Council has sufficient resources for dealing with them.

33. MATTERS REFERRED FROM AREA COMMITTEES

(a) Capital Programme 2015/2016

At a meeting of the Colne and District Committee on 4th June, 2015 it was resolved “that the bid for £2,380 for Walton Street Open Space be referred to the Executive to be allocated from the sale of Bank House.”

A copy of the bid had been circulated to Members.

RESOLVED

That the bid of £2,380 for Walton Street Open Space project be allocated from the Community Project Reserves.

REASON

In response to the request.

(b) Brownfield Sites

At a meeting of the Colne and District Committee on 4th June, 2015 a number of sites were discussed under public question time. At that meeting it was resolved “that the Executive be recommended to include the South Valley site and Hycrome site within its priority sites for development and a policy be developed for Oak Street, Colne.”

Members were advised that at the January meeting of the Executive it was agreed that the Executive Member for Planning and Development and another Executive member consider further the viability of the brownfield sites, listed in the Appendix attached to the report, and to hold discussions with the owners of these sites to see if they could be brought forward for development.

RESOLVED

That the South Valley site, Hycrome site and the Oak Street site in Colne be added to the list of brownfield sites and considered further by the Executive.

REASON

To keep the Executive informed of issues of viability affecting sites in Pendle.

34. 16 MOSLEY STREET, BARNOLDSWICK

The Planning, Building control and Licensing Service Manager submitted a report recommending an amendment to the resolution (Minute no 15 (2015/16)) made by the Executive at its meeting on 28th May, 2015. Legal advice had indicated that it was necessary to amend the resolution so that it was in line with Government guidance on CPO procedures.

RESOLVED

- (1) To make the Borough of Pendle (16 Mosley Street, Barnoldswick) Compulsory Purchase Order 2015 under Section 17 of the Housing Act 1985 and Compulsory Purchase Act 2004 and the Acquisition of Land Act 1981 (as amended) for the acquisition of all interests in land and premises described in this report and on the site shown edged by a thick black line on the Map in Appendix 1 attached to this report, for the purpose of bringing an empty dwelling house back into use.
- (2) Authorise appropriate officers of the council to take any necessary steps to prepare the documentation required to make The Borough of Pendle (16 Mosley Street, Barnoldswick) Compulsory Purchase Order 2015 under Section 17 of the Housing Act 1985 and the Acquisition of Land Act 1981 (as amended).
- (3) 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 be exclusive to the following:-
 - (a) Affix the Common Seal of the Council to the Compulsory Purchase Order and Map.
 - (b) Issue and serve all statutory notices.
 - (c) Submit all necessary documentation to the Secretary of State for Communities and Local Government in seeking to obtain confirmation of the Orders.
 - (d) Negotiate and approving agreements with land owners setting out the terms for the acquisition of their interests, as if a confirmed CPO had been in place.
 - (e) Agree in advance the withdrawal of objections to the CPO (where appropriate).
 - (f) Present the council's case at any public inquiry or through written representations as appropriate.
 - (g) Represent the Council's case at Parliament should Special Parliamentary Procedure be invoked as part of the confirmation process.
 - (h) 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.
 - (i) Represent the council on compensation matters connected with this CPO to the Upper Tribunal (Lands Chamber).
- (4) That a reserve of £25,000 be made in case an owner comes forward after the CPO is confirmed.

REASON

To ensure that the recommendation gives all the necessary powers under the Compulsory Purchase legislation.

35. RE-TEST FEE FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Planning, Building Control and Licensing Services Manager submitted a report following receipt of an objection from the Hackney Drivers Association Ltd., regarding the introduction of a £10 re-test fee for hackney carriages and private hire vehicles which failed a taxi test.

The objection did not deal with the purpose of why the fee was introduced which was to have fit and roadworthy vehicles. The onus was on the vehicle owner to check their vehicles so as to prevent paying the fee.

RESOLVED

That the re-test fee of £10 be introduced from 1st August, 2015.

REASON

To encourage the trade to pre-check their vehicles before a taxi test.

The above resolution was not implemented – see Minutes of the meeting held on 23rd July, 2015 – minute reference no. 39.

36. FORWARD PLAN

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

Chairman _____