

**MINUTES OF A MEETING OF THE  
SPECIAL BUDGET EXECUTIVE  
HELD AT THE TOWN HALL, NELSON  
ON 9<sup>th</sup> FEBRUARY, 2016**

*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 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>Jane Watson</i>	<i>Senior Committee Administrator</i>

*(Apologies for absence were received from Councillors A. R. Greaves and I. W. Tweedie).*



**120. DECLARATIONS OF INTEREST**

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

**121. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**122. MINUTES**

**RESOLVED**

That the Minutes of the Executive meeting held on 10<sup>th</sup> December, 2015 be approved as a correct record and signed by the Chairman.

**123. CAPITAL PROGRAMME 2016-2019**

Management Team submitted a report which set out the proposed capital programme for 2016/17. The report also provided details of the Medium-Term Capital Programme for the period 2016-2019 and various prudential indicators in accordance with the Prudential Code for Capital Investment in Local Authorities.

**RESOLVED**

That the report be noted and considered further at the Special Budget Council meeting on 18<sup>th</sup> February, 2016.

**124. GENERAL FUND REVENUE BUDGET 2016/17**

Management Team submitted a report which detailed the Local Government Finance Settlement (LGFS) for 2016/17 and the implications for the Council (subject to details of the final settlement being available). The report also set out the proposed General Fund Revenue budget for 2016/17, the level of Council Tax to be set for the financial year 2016/17 and details of the Council's Medium Term Financial Plan for 2016/19 which highlighted the significant budget deficit and the need to take further action to reduce expenditure to a sustainable level.

**RESOLVED**

That the report be noted and considered further at the Special Budget Council meeting on 18<sup>th</sup> February, 2016.

**125. PERFORMANCE INDICATORS QUARTER 3 2015/16**

The Strategic Director submitted a report on performance monitoring information on the key performance indicators delivered by and on behalf of the Council. The performance information relating to a basket of 25 corporate key performance indicators was attached to the report and marked as Appendix A.

The Executive's attention was drawn to the delegation levels for planning application determinations and appeals. Recent changes had been made in respect of the standards that Councils needed to achieve in dealing with major planning applications. There was a 50% threshold of major applications which should be determined in the statutory 13 week period and the threshold for major applications being overturned at appeal was to be lowered from 20% to 10%.

Performance on determining both applications and appeals was heading towards these thresholds.

**RESOLVED**

- (1) That the report be noted.
- (2) That the position regarding planning application determinations and appeals in relation to delegation limits be noted.
- (3) That a further report relating to planning application determinations and appeals be submitted to the Executive should performance deteriorate further.

**REASON**

***To inform the Executive of performance monitoring information relating to the Council's key performance indicators.***

**126. MATTERS REQUIRING FIANCIAL APPROVAL**

The Financial Services Manager submitted a report which summarised two matters which required consideration under the Council's Financial and contract procedure Rules.

**Contract with Burnley, Pendle and Rossendale Council for Voluntary Service**

The Executive considered a request to support a new service level contract but with a reduced amount, commensurate with reducing budgets, of £10,000 per annum. This contract would cover the period 1<sup>st</sup> December, 2015 to 30<sup>th</sup> November, 2016 and would be subject to review and extension by agreement.

The previous contracts had been to a value of £15,000. The service delivered a programme to improve and expand the capacity and capability of the voluntary and community sector in Pendle.

**Building Bridges Community Cohesion Initiative**

It was reported that the allocation of £15,000 for the Pendle Community Safety Partnership to run a Cohesion project which aimed to tackle a lack of involvement of parents in the school life of their children (the Learning Family Project) had a residual balance of £10,000. Only one of the three schools involved in the project was able to impellent the scheme effectively.

Building Bridges had been working with officers to develop a wider cohesion programme which included Community Cohesion Action Network (a forum represented by community groups across Pendle with responsibility to maintain Cohesion as a priority local agenda) and The Pendle Forum of Faiths (PFF) (a forum represented by Faith Communities in Pendle which aimed to bring together local faith leaders to engage in dialogue to better understand each other, develop friendships, work together on common social issues and interfaith matters).

It was suggested that the uncommitted balance of funding for Community Cohesion be used to commission Building Bridges to provide cohesion activity through to March 2017 with the addition of matched funding from the Bowland Trust.

**RESOLVED**

- (1) That it be agreed to commission further work and advisory support services from the **Burnley, Pendle and Rossendale Council for Voluntary Service** at a cost of £10,000 for the period 1<sup>st</sup> December, 2015 to 30<sup>th</sup> November, 2016.
- (2) That it be agreed to commission **Building Bridges** to provide cohesion activity as outlined in the report through to March 2017 at a cost to the Council of £10,000.

**REASON**

***To seek approval on two specific matters which have financial implications to the Council.***

**127. RECOMMENDED WRITE-OFFS**

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

**RESOLVED**

That the sums of £4,159.12 in respect of Sundry Debtors, £54,263.51 in respect of overpayment of Housing Benefit Overpayment, £76,992.21 in respect of Council Tax and £156,789.86 in respect of National Non Domestic Rates 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.*

**128. 16 MOSLEY STREET, BARNOLDSWICK**

The Planning, Building Control and Licensing Services Manager submitted a report on the current condition of the above property. The property had been re-occupied but no change in ownership had been registered in the land registry and so it was assumed that the occupation had not resulted in a known owner being identified. The condition of the property had improved as a result of the occupation and work required to the rear outrigger had been undertaken. Officers felt that there was no reason to pursue the compulsory purchase of the property which had been requested at an earlier meeting of the Executive.

**RESOLVED**

- (1) That a Compulsory Purchase Order no longer be pursued.
- (2) That the occupation and condition of the property be monitored.

**REASON**

*The building was now being occupied and had been repaired.*

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

Minutes of a meeting of the Transfer of Services and Facilities to Town and Parish Councils held on 21<sup>st</sup> January, 2016 were submitted for information.

The Executive were asked to agree the transfer of the whole of Birley playing fields to Earby Town Council.

**RESOLVED**

That it be agreed that the whole of Birley Playing Fields in Earby be transferred to Earby Town Council.

**REASON**

*In response to a request from Earby Town Council.*

**130. TENDERS**

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

The Executive were also asked to consider a revised offer of £53,600 for land at Rakeshouse Road, Nelson.

**RESOLVED**

- (1) That the tenders received and accepted by noted.
- (2) That the revised offer of £53,600 for land at Rakeshouse Road, Nelson be accepted.

**REASON**

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

**131. SAFEGUARDING ADULTS POLICY**

The Strategic Director submitted for consideration the Council's Safeguarding Adults Policy.

**RECOMMENDATION**

That the Safeguarding Adults Policy be recommended to Council for adoption.

**REASON**

*To support staff and Elected members in protecting the welfare of adults in Pendle and to comply with the Council's statutory duties to safeguard adults (Care Act 2014).*

**132. HOUSING RENEWAL POLICY**

The Housing, Health and Economic Development Services Manager submitted for consideration the Council's Housing Renewal Policy.

**RECOMMENDATION**

That the Housing Renewal Policy be recommended to Council for adoption.

**REASON**

*To ensure the Council complies with legislation by adopting a Policy which allows the Council to provide assistance to acquire, adapt, improve, repair and demolish houses.*

**133. BROWNFIELD SITES FUND**

The Housing, Health and Economic Development Services Manager submitted a progress report on bringing forward brownfield sites for development. The Government had announced on 4<sup>th</sup> January that they were creating a £1.2bn Starter Home fund to prepare brownfield sites for new homes.

The report stated that the new Starter Homes fund was likely to be more flexible than the pilot programme announced by Homes and Communities Agency in 2015.

It was reported that the Council were currently working with PEARL to bring forward several brownfield sites for development, both within Pendle's ownership and in private ownership. There was however some uncertainty about the how the Government funding towards bringing forward brownfield sites would operate. Concerns were expressed that there was still no detail about how this scheme would operate but it was acknowledged that Starter Homes were a key priority for the Government.

## **RESOLVED**

- (1) That the current position be noted.
- (2) That a letter be sent to the Housing Minister, Brandon Lewis MP and the MP for Pendle, Andrew Stephenson, asking them to provide details of how the £1.2bn Starter Home fund was to operate.

## **REASON**

*To keep Members informed and to establish how this funding could be accessed.*

### **134. WHITEFIELD HOUSE SALES**

The Housing, Health and Economic Development Services Manager submitted, for information, a progress report on the sale of properties in Whitefield.

### **135. THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015**

The Housing, Health and Economic Development Services Manager submitted a report on the above Regulations which came into force on 1<sup>st</sup> October, 2015.

The report explained that the regulations required private landlords to ensure that there was a working smoke alarm installed on each storey of a privately rented home, whether the floor was occupied or not, that a working carbon monoxide alarm was in place in each room which contained a solid fuel burning combustion appliance and to check that appropriate alarms were in working order at the start of each tenancy.

The fire and rescue authorities were expected to support private landlords and they had supplies of each alarm to distribute and fit for landlords.

It was the Local Housing Authority whose duty it was to serve a remedial notice if a landlord was in breach of the Regulations. Details of the process were included in the report. The landlord would also be required to pay a penalty charge not exceeding £5,000 and the Authority would be required to prepare and publish a statement of principles which it proposed to follow in determining the amount of a penalty charge. A suggested statement of principles was attached to the report at Appendix A.

## **RECOMMENDATION**

That Council be recommended to agree:

- (1) That the Housing, Health and Economic Development Services Manager be authorised to exercise the Council's full enforcement powers under the "Smoke and Carbon Monoxide Alarm (England) Regulations 2015" made under Section 150(1)-(6) and (10) of the energy Act 2013 and paragraph 3(a) of Schedule 4 to the Housing Act 2004 that came into force on 1<sup>st</sup> October, 2015.
- (2) That the statement of principles which the Local Authority will follow in determining the amount of a penalty charge related to a breach of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 be approved.
- (3) That the Council's Private Sector Housing Enforcement Policy be amended to include the new regulations.

## **REASONS**

- (1) ***To ensure that the Housing, Health and Economic Development Services Manager is authorised to exercise all necessary operational enforcement powers under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 in respect of smoke and carbon monoxide alarms.***
- (2) ***To ensure that the Local Housing Authority is able to undertake its statutory duty to serve remedial notices, to arrange remedial action and serve penalty charge notices.***

## **136. MATTERS REFERRED FROM AREA COMMITTEES**

### **(a) Land at Algar Street, Nelson**

At a meeting of the Nelson Committee on 30<sup>th</sup> November, 2015 it was resolved "that the Executive be requested to declare the land surplus to requirements in order for it to be marketed for sale for an alternative use subject to planning consent."

A copy of the report considered by the Committee was also submitted.

## **RESOLVED**

That land at Algar Street, Nelson (edged black on the plan attached to the report) be declared surplus to requirements in order for it to be marketed for sale for an alternative use, subject to planning consent.

## **REASON**

***To achieve a capital receipt and to end maintenance liabilities.***

**137. OVERVIEW AND SCRUTINY WORK PROGRAMME 2016/17**

The Scrutiny Management Team was seeking suggestions for topics for scrutiny for the next municipal year. The Executive were invited to submit suggestions for the new programme which would be considered in March 2016.

Members were asked to contact Lynne Rowland in Committee Services with any suggestions.

**138. FORWARD PLAN**

The Executive's Work Programme and Forward Plan of key decisions for the four month period commencing 1<sup>st</sup> February, 2016 were submitted for information.

Chairman \_\_\_\_\_