

**MINUTES OF A MEETING OF THE  
EXECUTIVE  
HELD AT THE TOWN HALL, NELSON  
ON 17<sup>th</sup> MARCH, 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 I. W. Tweedie  
Councillor M. Sakib  
Councillor D. Whalley  
Councillor D. M. Whipp*

**Also in attendance:**

*Councillor N. Butterworth  
Councillor J. Cooney  
Councillor J. K. Starkie*

**Officers in attendance:**

<i>Dean Langton</i>	<i>Strategic Director</i>
<i>Richard Townson</i>	<i>Democratic and Legal Manager</i>
<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager</i>
<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Jane Watson</i>	<i>Senior Committee Administrator</i>

*(Apologies for absence were received from Councillor A. R. Greaves).*



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

<i>County Councillor A. Ali</i>	<i>Wellbeing, Prevention and Early Help Consultation</i>	<i>Minute No. 149</i>
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<i>Shahzad Gul Mohammad Ilyas</i>	<i>Age Limit of Licensed Vehicles</i>	<i>Minute No. 156</i>
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**139. DECLARATIONS OF INTEREST**

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

**140. PUBLIC QUESTION TIME**

Mr. Akram, a resident of Nelson, referred to the poor condition of many of the roads in the Borough and the damage this was causing, in some instances, to vehicles. He wanted to know what the Council could do to rectify this problem. The Chairman explained that the County Council was the local Highways Authority and it was their responsibility to maintain these roads. He asked Mr. Akram to report any specific issues to his local County Councillor or complete the relevant form on the County's website [www.lancashire.gov.uk](http://www.lancashire.gov.uk)

141.

## MINUTES

### RESOLVED

That the Minutes of the Special Budget Executive meeting held on 9<sup>th</sup> February, 2016 be approved as a correct record and signed by the Chairman.

### 142. **BOROUGH OF PENDLE (CLITHEROE ROAD/GLEN WAY, BRIERFIELD) COMPULSORY PURCHASE ORDER 2016**

The Housing, Health and Economic Development Services Manager submitted a report requesting a Compulsory Purchase Order to acquire land at Clitheroe Road/Glen Way, Brierfield to enable comprehensive regeneration of the Brierfield Mills (Northlight) to take place. This also included a highway stopping up order.

The land formed part of a larger area of land (the "Brierfield Mill Masterplan Site") which was to undergo a multi-million pound mixed use regeneration and development by PEARL (Brierfield Mill).

The Order related to land bounded by Clitheroe Road, Glen Way, Pendle Road and Dale Street and extended to 0.33 hectares.

Brierfield and Reedley Committee considered the report on 1<sup>st</sup> March, 2016 and recommended the CPO be pursued.

### RESOLVED

- (1) That it be agreed that the Borough of Pendle (Clitheroe Road/ Glen Way, Brierfield) Compulsory Purchase Order 2016 be made under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning 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 the report and on the site shown edged red on the map attached as Appendix 1 to the report, for the purpose of securing the development, redevelopment and improvement of the Brierfield Mills complex through a heritage based mixed use scheme, in the expectation that such action would improve the social, economic and environmental wellbeing of the area.
- (2) That appropriate officers be authorised to take any necessary steps to prepare the documentation required to make The Borough of Pendle (Clitheroe Road/Glen Way, Brierfield) Compulsory Purchase Order 2016 under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning and Compulsory Purchase Act 2004 and the Acquisition of Land Act 1981 (as amended)).
- (3) That officers be authorised 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 to include but not be exclusive of the following:
  - Affixing the Common Seal of the Council to the Compulsory Purchase Order and Map.
  - The issue and service of all statutory notices.
  - The submission of all necessary documentation to the Secretary of State for Communities and Local Government in seeking to obtain confirmation of the Order.

- 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.
- Agreeing in advance the withdrawal of objection to the Compulsory Purchase Order (where appropriate).
- Assisting with relocation and re-settlement of the existing businesses that wished to relocate.
- The presentation of the Council's case at Parliament should Special Parliamentary Procedure be invoked as part of the confirmation process.
- 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.
- Representation of the Council's case on compensation matters connected with this Compulsory Purchase Order to the Upper Tribunal (Lands Chamber).
- Making the appropriate application(s) to the Secretary of State for Orders under Section 247 or otherwise progress Orders under Section 257 of the Town and Country Planning Act 1990 for stopping up of the highways shown cross hatched on the Map in Appendix 5 attached to the report and known as:
  - Adopted highway known as Pendle Road from its junction with Glen Way to its junction with Dale Street.
  - Adopted highway known as Thomas Street from its junction with Pendle Street to its junction with Clitheroe Road.
  - Unadopted highway known as Exton Street from Pendle Street to its junction with Clitheroe Road.

## **REASON**

***The Order would facilitate the comprehensive regeneration of the Brierfield Mills site for the provision of a heritage based mixed use scheme and it would allow officers to take all necessary steps to promote and seek confirmation of the compulsory purchase order and any orders necessary to secure the required highway closures.***

### **143. THE BOROUGH OF PENDLE (GLEN WAY, BRIERFIELD) COMPULSORY PURCHASE ORDER 2016**

The Housing, Health and Economic Development Services Manager submitted a report requesting agreement to a Compulsory Purchase Order to acquire land at Glen Way, Brierfield to enable comprehensive regeneration of the Brierfield Mills (Northlight) to take place.

The Council was seeking to acquire the long leasehold interest to complete the site assembly, in order for a mixed use regeneration and development scheme to be delivered.

The land was bounded by Glen Way on the east of the Brierfield Mill complex and the Leeds and Liverpool Canal on the west and extended to 1.05 hectares.

Brierfield and Reedley Committee considered the report on 1<sup>st</sup> March, 2016 and recommended the CPO be pursued.

## **RESOLVED**

- (1) That it be agreed that the Borough of Pendle (Glen Way, Brierfield) Compulsory Purchase Order 2016 be made under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning 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 the report and on the site shown edged red on the map attached as Appendix 1 to the report, for the purpose of securing the development, redevelopment and improvement of the Brierfield Mills complex through a heritage based mixed use scheme, in the expectation that such action would improve the social, economic and environmental wellbeing of the area.
- (2) That appropriate officers be authorised to take any necessary steps to prepare the documentation required to make The Borough of Pendle (Glen Way, Brierfield) Compulsory Purchase Order 2016 under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by Section 99 of the Planning and Compulsory Purchase Act 2004 and the Acquisition of Land Act 1981 (as amended)).
- (3) That officers be authorised 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 to include but not be exclusive of the following:
  - Affixing the Common Seal of the Council to the Compulsory Purchase Order and Map.
  - The issue and service of all statutory notices.
  - The submission of all necessary documentation to the Secretary of State for Communities and Local Government in seeking to obtain confirmation of the Order.
  - 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.
  - Agreeing in advance the withdrawal of objection to the Compulsory Purchase Order (where appropriate).
  - Assisting with relocation and re-settlement of the existing businesses that wished to relocate.
  - The presentation of the Council's case at Parliament should Special Parliamentary Procedure be invoked as part of the confirmation process.
  - 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.
  - Representation of the Council's case on compensation matters connected with this Compulsory Purchase Order to the Upper Tribunal (Lands Chamber).

## **REASON**

***The Order would facilitate the comprehensive regeneration of the Brierfield Mills site for the provision of a heritage based mixed use scheme and it would allow officers to take all necessary steps to promote and seek confirmation of the compulsory purchase order and any orders necessary to secure the required highway closures.***

## Executive (17.03.2016)

The Executive considered a report from the Housing, Health and Economic Development Services Manager which sought approval of the Regeneration Strategy for Brierfield and Reedley: A 10 Year Vision.

The document set out a framework for place sharing and physically regenerating the area over the next decade, based around five priorities. These were:

- Town Centre Enhancement
- Development Sites
- Physical Connectivity and Townscape
- Housing and its Green Assets
- Place Shaping and Image

A draft of the illustrated version of the Strategy and the Summary was circulated at the meeting.

### **RECOMMENDATION**

- (1) That Council be recommended to endorse and approve the draft text for the Brierfield and Reedley: A 10 Year Vision document as shown at Appendix A attached to the report.
- (2) That the Housing, Health and Economic Development Services Manager be authorised to agree the illustrated version of the Strategy and the Summary.

### **REASON**

***To agree a 10 year vision and strategy to drive forward the future physical regeneration and economic growth of Brierfield and Reedley and to support funding bids.***

#### **145. A VISITOR ECONOMY PLAN FOR PENDLE 2016/17**

The Housing, Health and Economic Development Services Manager submitted a report on the new Visitor Economy Plan for Pendle. The Plan showed how Pendle would align its visitor economy activity to meet the objectives of the Lancashire Visitor Economy Strategy. The Visitor Economy Plan for Pendle included actions aimed at increasing visitor economy activity.

### **RESOLVED**

That the 2016/17 Visitor Economy Plan for Pendle be approved.

### **REASON**

***To align activity in Pendle to the Lancashire Visitor Economy Strategy.***

#### **146. MATTERS REQUIRING FINANCIAL APPROVAL**

The Financial Services Manager submitted a report which required consideration under the Council's Financial and Contract Procedure Rules and sought agreement for the Council to provide a funding guarantee to the Homes and Communities Agency should loan funding be secured by PEARL2 under the Builders Finance Fund (BFF) for the Clitheroe Road, Brierfield housing scheme.

### **RESOLVED**

That a funding guarantee of £1,510,050 be approved for the BFF loan on the Clitheroe Road scheme noting that the Council would rank as the “third” guarantor behind PEARL2 and Barnfield Investment Properties.

**REASON**

***To seek approval from the Executive on a specific matter that has financial implications for the Council.***

**147. TREASURY MANAGEMENT STRATEGY STATEMENT 2016/17**

The Financial Services Manager submitted a report on the Council’s Treasury Management Strategy Statement for 2016/17.

The Strategy set out how the investment and borrowing operations of the Council were to be managed within the framework established by the Treasury Management Policy Statement.

**RECOMMENDATION**

That Council be recommended to approve the Treasury Management Strategy Statement, Minimum Revenue Policy Statement and the Annual Investment Strategy for 2016/17 as detailed in Appendix A attached to the report and in particular –

- The Prudential Indicators and limits referred to in Sections 2 and 3 of the Strategy document.
- The statement by the Financial Services Manager, as detailed in paragraph 9 in the report, indicating compliance with the requirement to keep borrowing below the Council’s Capital Financing Requirement over the medium term.
- The policy of the Medium Revenue Provision (MRP) (Section 2.3 of the Strategy) and in particular the circumstances in which MRP may not be required.

**REASON**

***To comply with the CIPFA Treasury Management Code of Practice, the Council’s Treasury management Policy and good practice in treasury management generally.***

**148. TENDERS**

The Democratic and Legal Manager submitted a report on tenders which had been received and accepted, offers received for sale of assets and exemptions from the requirements of the Contract Procedure Rules.

**RESOLVED**

- (1) That the award of contracts for the reinstatement of the Wavelengths Spa facility be noted.
- (2) That the offers received for the miscellaneous small sites, as detailed in the report, be noted and accepted.

**REASON**

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

**149. LANCASHIRE COUNTY COUNCIL CONSULTATION:  
WELLBEING, PREVENTION AND EARLY HELP SERVICE  
TRANSFORMATION PROPOSALS**

The Strategic Director submitted a report on the County Council's proposal to transform Wellbeing, Prevention and Early Help Services for children, young people and families in Lancashire. The agreement was to implement a service offer which ensured an integrated range of support across the 0-19 year plus age range within the context of a whole family response and prioritising vulnerable groups and communities.

The proposals would help deliver financial savings to the County Council of £7.4million.

The Executive considered how these changes would impact on Pendle. It was proposed the service would be delivered through a defined network of neighbourhood centres across the County Council's service planning areas and would continue to respond to key performance indicators, statutory duties and local priorities to improve outcomes for children, young people and their families.

It was reported that a Member Working Group had been convened to consider the County Council's Budget Proposals for 2016/17. The Group had met with the County's Head of Asset Management, Mel Ormesher, on 26<sup>th</sup> February where they had discussed issues around the County's Property Rationalisation Strategy. A letter was to be sent to the County Council detailing the outcome of discussions at this meeting. A further meeting was planned for 1<sup>st</sup> April, 2016.

**RESOLVED**

- (1) That, subject to the inclusion of relevant points raised at the Member Working Group on 26<sup>th</sup> February, 2016, the consultation response as detailed in Appendix 1 (as amended) attached to the report be approved.
- (2) That the Member Working Group set up to consider the County Council's budget proposals further consider opportunities to complement the County Council's approach to neighbourhood planning.

**REASON**

***To better understand the impact of the Wellbeing, Prevention and Early Help transformation proposals on Pendle families and young people.***

**150. PROPOSED SELECTIVE LICENSING FOR THE WATERSIDE AREA**

The Housing, Health and Economic Development Services Manager submitted a report which sought approval to consult on the designation of parts of Waterside, Horsfield and Vivary Bridge Wards ('the Waterside Area') of Colne as a Selective Licensing area. This would require all privately rented houses within the designated areas to be licensed under the Housing Act 2004.

The Executive considered adding North Street and Glen Street in the Vivary Bridge Ward (particularly the terraced sides of the streets) and in the Horsfield Ward Fern Street, Oak Street and Cleveland Street to the Selective Licensing Area. With these additions it was felt that the name of

Area should be changed and it was suggested it be renamed as the “Colne Selective Licensing Area”.

## **RESOLVED**

- (1) That in consultation with the Housing, Health and Economic Development Services Manager delegated authority be granted to the Executive Member for Housing to agree the extent of the Selective Licensing Area and to agree on a name.
- (2) That, subject to (1) above, the formal consultation process with residents, landlords and other parties regarding the designation of the proposed Selective Licensing area be approved.
- (3) That the timelines outlined in the report for the consultation be approved.
- (4) That following satisfactory outcomes of consultations a further report be submitted to the Executive seeking formal approval to the designation of the Selective Licensing status under the Housing Act 2004.

## **REASONS**

- (1) *To ensure the area to be designated can be shown to be an area of low demand housing.*
- (2) *To seek approval to consult on the designated area with the community and partner organisations in line with government guidance.*

## **151. PUBLIC SPACE PROTECTION ORDERS PROGRAMME 2016/18**

The Neighbourhood Services Manager submitted a report which set out proposals and options for Public Spaces Protection Orders (PSPOs) in relation to parks, sports grounds, town centres and alleyways in Pendle.

The report outlined what was required to deliver the programme reported to the Executive in July 2015 (Minute 47/15/16 refers) and other PSPOs that would be required to replace the current Designated Public Place Orders (alcohol control zones) in town centres as well as gating schemes in residential areas. The intention was to complete these works during 2016-2018.

The first stage would be to carry out an informal consultation exercise to establish the preferred terms to include in the PSPOs along with the evidence to support their inclusion and enforcement. This would be followed by a formal consultation exercise with partners and community representatives which would then lead to the procurement of signage and implementation of the orders.

## **RESOLVED**

- (1) That the commencement of the consultation process be agreed.
- (2) That regular reports be submitted to the Executive to enable it to monitor progress.



## **REASON**

***To enable the Council and its partners to respond to concerns regarding behaviour that was detrimental to the quality of life in public spaces in Pendle including enforcement action.***

### **152. LANCASHIRE COUNTY COUNCIL EAST LANCASHIRE HIGHWAYS AND TRANSPORT MASTERPLAN: UPDATE AND EAST-WEST TRANSPORT CONNECTIVITY DEVELOPMENTS**

The Neighbourhood Services Manager submitted a report on the latest position regarding the various elements of the Masterplan. The Executive were provided with updates on:

- Colne Traffic Study and Colne to Foulridge Bypass
- Hyndburn/Burnley/Pendle M65 Growth Corridor
- Public Realm Works in Brierfield
- East Lancashire Accessibility Study
- Subsidised Bus Services in Pendle
- Cycling
- Colne to Skipton Railway (Reopening) Study
- East Lancashire Rail Connectivity Study and Other Rail Developments
- Transport for the North
- Highways England
- Road Links Between Pendle and North (and West) Yorkshire

## **RESOLVED**

- (1) That the report be noted.
- (2) That a member-level meeting be sought between Pendle Borough Council, Craven District Council, Lancashire County Council and North Yorkshire County Council, principally to consider Trans-Pennine connectivity issues.

## **REASONS**

- (1) ***To ensure that Pendle's aspirations are met as far as possible regarding the East Lancashire Highways and Transport Masterplan.***
- (2) ***To consider the "bigger picture" Trans-Pennine transport issues.***

### **153. PENDLE'S CYCLING LEGACY STRATEGY 2016-2021**

The Neighbourhood Services Manager submitted Pendle's Cycling Legacy Strategy 2016-2021 for consideration. The Strategy celebrated the success of the Tour of Britain Stage Two event from Clitheroe to Colne which was held on 7<sup>th</sup> September, 2015. This would replace the existing Pendle Cycle Strategy 2011-2016.

It was noted that the Government Department for Transport was due to bring out a draft National Walking and Cycling Investment Strategy which was a long term vision for walking and cycling up to 2040. Lancashire County, Blackburn with Darwen and Blackpool councils were also working with the 14 districts in Lancashire to produce a 10 year Lancashire Cycling and Walking Investment Strategy which would be aligned to the proposed National Cycling and Walking Strategy for England.

Pendle's Strategy focused on the same aims outlined in national and regional policy and included in the Action Plan as three separate aims:

- Infrastructure
- Promotion and Health
- Doubling the Number of People Who Cycle by 2025

It was suggested that the Strategy should be amended to include reference to local cycling manufacturers in the Borough and in particular recognise the contribution they make to Pendle's economy as well as recognising their contributions from a sporting aspect.

## **RESOLVED**

That, subject to the inclusion of reference to the cycling manufactures in the Borough, Pendle's Cycling Legacy Strategy for 2016-2021 be approved.

## **REASON**

***To approve a 5 year strategy in line with the new cycling focus in both national and regional policy aimed at doubling the number of people who cycle by 2025 and with a vision to continue the legacy of the Tour of Britain in Pendle.***

## **154. STATEMENT OF COMMUNITY INVOLVEMENT**

The Planning, Building Control and Licensing Services Manager submitted a report which sought adoption of a new Statement of Community Involvement in Planning (SCI) which would replace the current version which was adopted in March, 2007.

The SCI had been updated following subsequent amendments to planning legislation; national planning policy and guidance.

A six week consultation exercise had been undertaken between 6<sup>th</sup> November and 18<sup>th</sup> December, 2015. This had raised 25 separate issues and these were listed in Appendix 2 attached to the report. Details of the key changes were listed in the report.

## **RESOLVED**

That the amended Statement of Community Involvement shown at Appendix 3 attached to the report be approved.

## **REASON**

***To comply with Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended).***

## **155. TECHNICAL CONSULTATION ON IMPLEMENTATION OF PLANNING CHANGES**

The Planning, Building Control and Licensing Services Manager submitted a response to the Government's consultation on changes proposed in the Planning Bill. A raft of changes to the planning system was proposed which ranged from speeding up the Neighbourhood Planning

process, changes to fees and more radical changes such as opening up development management to the private sector.

## **RESOLVED**

That the responses, as set out in Appendix A attached to the report, be agreed and submitted as the Council's response.

## **REASON**

***In order that Pendle has an input into the development of national planning policy and how Councils and the public will access planning services.***

### **156. AGE LIMIT OF LICENSED VEHICLES**

The Planning, Building Control and Licensing Services Manager submitted a report following a recommendation from the Taxi Licensing and Other Licensing Committee to amend the age limit policy for hackney carriages and private hire vehicles.

The proposals recommended were:

- (1) Vehicles are not to be more than seven years old when first licensed and no more than nine years old on renewal or if manufactured or adapted to allow for wheelchair accessibility no more than seven years old when first licensed and no more than twelve years on renewal.
- (2)
  - i. the vehicle licence will be extended over the 9 and 12 year age limit if during the licensing history the vehicle had not reverted to a four month test (vehicles go on four month tests if it fails on any item under steering/suspension, tyres and braking).
  - ii. any vehicles over 9/12 year of age will not have their licence extended if the vehicle fails on any faults that would result in a VOSA MOT failure.
  - iii. any vehicle over 9/12 years of age failing on the Council's vehicle standards will not automatically be taken off the road. The proprietor will be given the opportunity to repair the vehicle to the standard required in accordance with the vehicle standards.
- (3) Any vehicles failing a spot check, resulting in the vehicles licence being suspended will not have the age limit extended over the 9/12 year limit.
- (4) Continue to not allow pre-checks on licensed vehicles within 14 days of the licence expiring at any of the Council's authorised testing stations.
- (5) Subject to the above:-
  - i. any vehicles on appeal will be allowed to be licensed
  - ii. any vehicle currently issued with a licence to their 9/12 year age limit with remaining months on their certificate of compliance will be continued until the expiry date of the certificate of compliance.
- (6) The policy will be reviewed by the Taxi and Other Licensing Committee after 12 months.

**RESOLVED**

- (1) That it be agreed that vehicles are not to be more than seven years old when first licensed and no more than 11 years old on renewal or if manufactured or adapted to allow for wheelchair accessibility no more than seven years old when first licensed and no more than twelve years on renewal.
- (2) That the Planning, Building Control and Licensing Services Manager be requested to submit a report to the Taxi Licensing and Other Licensing Committee on a scheme that would publicise good taxi operators but also highlight the poor taxi operators regarding maintenance and safety of their vehicles.

**REASON**

*To encourage drivers to take more care of their vehicles.*

**IN ACCORDANCE WITH THE COUNCIL'S CALL-IN PROCEDURE THE ABOVE DECISION STANDS REFERRED BACK TO THE NEXT MEETING OF THE EXECUTIVE FOR RECONSIDERATION.**

**157. MATTERS REFERRED FROM AREA COMMITTEES**

**(a) Allotments**

At a meeting of the Colne and District Committee on 7<sup>th</sup> January, 2016 it was resolved "that the Executive be recommended to transfer all of the allotments in Colne to Colne Town Council."

Following this request the Corporate Director submitted a report on the transfer of the non-statutory allotments in Colne to the Town Council. It was noted that the sites listed in the report were already currently managed by the Town Council.

**RESOLVED**

That the non-statutory allotments listed in paragraph 8 in the report be transferred to Colne Town Council.

**REASON**

*To support the Town Council in providing this local service.*

**159. FORWARD PLAN**

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

Executive (17.03.2016)

Chairman \_\_\_\_\_