

**MINUTES OF A MEETING OF THE
EXECUTIVE
HELD AT THE TOWN HALL, NELSON
ON 8th DECEMBER, 2016**

PRESENT –

Councillor M. Iqbal (Chairman – in the chair)

Councillors

*Nadeem Ahmed
E. Ansar
D. Clegg
A. R. Greaves*

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

Also in attendance:

*Councillor Y. Iqbal
Councillor J. Purcell
Councillor J. K. Starkie
Councillor K. Turner
Councillor D. Whalley
Councillor P. White
Councillor N. Younis*

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 Nawaz Ahmed).

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

<i>Les Coop</i>	<i>Transfer of Parks and Recreation Grounds to</i>	<i>Minute No. 98</i>
<i>Robert Oliver</i>	<i>Town and Parish Councils</i>	
<i>Roy Windley</i>		

<i>Susan Nike</i>	<i>Land at Carr Road, Nelson</i>	<i>Minute No. 110(a)</i>
<i>Musarat Mahmood</i>		
<i>Afzal Anwar</i>		
<i>Shazad Ahmed</i>		
<i>Matloob Ahmed</i>		

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94. DECLARATIONS OF INTEREST

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

95. PUBLIC QUESTION TIME

Mr. Aslam said residents of Kendal Street and Norfolk Street, Nelson had contacted him regarding the canal and water from it appearing on their streets. He had contacted the Canal and Rivers Trust but had not had a reply. It was agreed that officers would contact the Trust about this matter.

96. MINUTES

RESOLVED

That the Minutes of the Executive meeting held on 17th November, 2016 be approved as a correct record and signed by the Chairman.

97. LANCASHIRE AND SOUTH CUMBRIA SUSTAINABILITY AND TRANSFORMATION PLAN

The Strategic Director provided an update on the Lancashire and South Cumbria Sustainability and Transformation Plan (LSC STP) and the corresponding Pennine Lancashire Local Delivery Plan.

Lancashire and South Cumbria had been identified as one of the forty four STP footprint areas and this was being driven through the Lancashire and South Cumbria Change Programme previously known as Healthier Lancashire.

Some key objectives were listed in the report. It was noted that the STP set out ambitious plans to develop sustainable, local accountable care systems and place-based new models of care across the footprint. All this was aimed at preventing ill health and reducing the reliance on services provided within acute hospitals.

It was reported that a series of workshops, events and engagement activities had been held to engage partners, key stakeholders and the public in the development of the Pennine Lancashire Local Delivery Plan. A number of priorities had been identified and these were listed in the report.

The Executive acknowledged that change would be happening across Lancashire and Pennine Lancashire in the way health and social care services were planned and delivered. The Council would need to consider opportunities, potential implications and the role of districts as the new health and care system emerged.

It was reported that all Councillors had been invited to an information session on this issue prior to the next Council meeting on 15th December, 2016. It was important that Councillors were aware of what was happening and how the Council could assist within the services it provided such as health and leisure.

RESOLVED

That the Lancashire and South Cumbria Sustainability and Transformation Plan and the Pennine Lancashire Local Delivery Plan be noted.

REASON

To recognise the fundamental shift that was occurring in the local health and care system and the potential implications and opportunities this may present for Pendle.

98. TRANSFER OF PARKS AND RECREATION GROUNDS TO TOWN AND PARISH COUNCILS

The Corporate Director submitted a report on progress with transfers of parks and recreation grounds with requests received from Barrowford Parish Council and Barnoldswick Town Council. There had also been a request from the North West Heritage Trust and Barrowford Parish Council for the transfer of the Pendle Heritage Centre. Reference was made to the position with regard to proposed savings on the parks grounds maintenance budget. This was discussed further under Minute 102.

RESOLVED

- (1) That the requests from Barrowford Parish Council and Barnoldswick Town Council for the transfer of Barrowford Memorial Park, Letcliffe Park, Victory Park and Valley Gardens be agreed in principle.
- (2) That the Corporate Director, in consultation with the Leader, Deputy Leader and Communities, Parks, Recreation and Devolution Portfolio Holder be authorised to negotiate the terms of the transfers and supporting financial arrangements and levels of service.
- (3) That the transfer of the freehold of the Pendle Heritage Centre to Barrowford Parish Council be agreed in principle subject to satisfactory agreement being reached between the Parish Council and the North West Heritage Trust on a renegotiation of the terms of the current lease.
- (4) That, in the light of the decision to be made on the reduction in the grounds maintenance budget, the Leader, Deputy Leader, Communities, Parks, Recreation and Devolution Portfolio Holder and the Corporate Director be asked to hold further meetings with the other town and parish councils with parks in their areas if possible in the first week in January.

REASON

To take forward the programme of transfers and to contribute to the savings the Council needs to achieve.

99. REMOVAL OF RECYCLING SITES

The Environmental Services Manager submitted a report which sought approval for the removal of all public recycling sites from the Borough.

It was reported that with the introduction of Palm Recycling's payment mechanism and based on the collected tonnages for April 2015 to April 2016 the Council had received £1,496.00 but had incurred costs of £6,000 resulting in a deficit of £4,504.00. It was noted that these costs would rise should any contaminants be found within the recycling banks.

ASDA and B&Q had requested that recycling containers be removed from their sites due to an increase in the level of misuse by commercial users.

It was also reported that over an eight week period from the end of July 2016 to mid-September 2016 Environmental Services had spent a total of almost 114 hours clearing up these sites.

RESOLVED

That the removal of all public bring-sites in the Borough be approved.

REASON

- (1) *The removal of the sites would reduce the level of fly tipping within prominent locations of the Borough and would assist Environmental Services in achieving the £25,580.00 saving agreed at the Executive meeting held on 22nd September, 2016.*
- (2) *The removal of the sites would also reduce the burden brought by the additional charge of £4,054.00 per annum being introduced by Palm Recycling.*

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

100. RECOMMENDED WRITE-OFFS

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

RESOLVED

That the sums of £4,764.26 in respect of Sundry Debtors, £56,563.65 in respect of overpayment of Housing Benefit Overpayment, £68,796.29 in respect of Council Tax and £48,321.98 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.

101. DEVELOPING THE MEDIUM TERM CAPITAL PROGRAMME 2017/2020

The Financial Services Manager submitted an update on the capital programme in the current year and the initial capital programme for 2017/20 and outlined the prospects for future capital investment.

RESOLVED

- (1) That the projected position on the capital programme for 2016/17, as shown in Appendix A attached to the report, be noted.
- (2) That the virement in the sum of £35,000 within the capital programme for the current financial year, for the purposes outlined in paragraph 9 of the report, be approved.

- (3) That, subject to (4) below, a loan in 2016/17 to Pendle Leisure Trust, estimated at £1.1m be approved and delegated authority be granted to the Financial Services Manager to finalise the loan and related terms as outlined in paragraph 11 in the report.
- (4) That Council be recommended to approve a supplementary capital estimate of £1.1m in 2016/17 to cover the above loan advance to Pendle Leisure Trust by borrowing.
- (5) That it be noted that the capital expenditure bids for 2017/18 exceeded projected capital resources by £0.7m and were, therefore, unaffordable in the context of the Council's Medium Term Financial Plan.
- (6) That the capital programme for 2017/18 as shown at Appendix B attached to the report, be noted pending further consideration at the Executive meeting in February, 2017.
- (7) That the intention to submit a strategy for the flexible use of capital receipts in the February cycle of meetings to enable the Council to benefit from this flexibility in 2017/18 be noted.

REASON

To consider the development of the Council's capital programme for 2017/2020.

102. GENERAL FUND REVENUE BUDGET 2017/18

The Financial Services Manager submitted a report which provided an update on the Autumn Statement announced by the Chancellor on 23rd November, 2016.

The Executive were also asked to consider the Revised Budget for 2016/17 and the draft Base Budget for 2017/18; the budget strategy (including savings proposals) as part of an approach to achieve a balanced budget in 2017/18 (along with outline proposals for 2018/20) and consideration to the development of a budget for 2017/18 and for the Medium Term Financial Plan period (to 2019/20).

The Executive also discussed the proposed reduction in the grounds maintenance budget for parks in 2017/18 and the implications this would have on service delivery and the possible transfer of some or all of the parks to the relevant Town and Parish Councils.

RESOLVED

- (1) In view of the seriousness of the Council's forecast financial position, this report be shared with all Councillors so that they are fully aware of the position.
- (2) That the key points arising from the recently announced Autumn Statement 2016 and the potential implications for local government be noted.
- (3) That the Revised Budget for 2016/17 be noted.
- (4) That delegated authority be granted to the Financial Services Manager, in consultation with the Executive Member for Finance, to prepare and submit the Council's response to the consultation on the provisional Local Government Finance Settlement for 2017/18, details of which were expected prior to the festive period.

- (5) That the draft Base Budget for 2017/18, the forecast Medium Term Financial Plan and the assumptions underpinning both, be noted.
- (6) That as part of the development of the Executive's Budget Strategy for 2017/18:-
 - (a) Management Team's initial proposals (shown at Appendix F attached to the report) to achieve a balanced budget for 2017/18 be noted.
 - (b) a review of the draft Base Budget for 2017/18 be undertaken to identify any other areas where further savings proposals should be brought forward for consideration as part of the budget process.
- (7) That the outline savings proposals for 2018/19 and 2019/20 be noted.
- (8) That the Budget Working Group be maintained as currently constituted (2:2:2).
- (9) That the financial planning assumption of a Band D council tax increase of £5 (+2.04%) for 2017/18 be noted pending confirmation of the council tax referendum principles as part of the Local Government Finance Settlement for 2017/18.
- (10) That the timetable for the remainder of the budget process, as set out in the report, be noted.
- (11) That Council be recommended to agree that the programmed grounds maintenance budget for the parks DSO be reduced by £90,000, equivalent to a 25% reduction.
- (12) That details of the level of spend that the reduction referred to in (11) above would have in relation to the grounds maintenance of each of the parks be sent to the relevant Town and Parish Councils.

REASON

To continue with the implementation of the Council's Financial Strategy and to inform the development of the Council's budget for 2017/18.

103. COUNCIL TAX BASE 2017/18

The Financial Services Manager submitted a report on the proposed Council Tax Base for 2017/18. This included the tax base for each part of the area to which parish precepts related to.

RESOLVED

That in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by the Borough of Pendle as its council tax base for the year 2017/18 of 23,348.3 be agreed and that the tax base for Parish areas shall be as shown as follows:

Parish Area	at 96.0% Collection
Barley	128.80
Barnoldswick	2,975.10
Barrowford	2,113.90
Blacko	297.30

Bracewell & Brogden	118.40
Brierfield	1,975.90
Colne	4,456.40
Earby	1,218.50
Foulridge	564.00
Goldshaw Booth	111.40
Higham	352.30
Kelbrook & Sough	340.00
Laneshawbridge	306.50
Nelson	5,815.20
Old Laund Booth	613.80
Reedley Hallows	680.40
Roughlee	154.50
Salterforth	251.70
Trawden Forest	874.20
Total	23,348.3

REASON

To agree the Council Tax Base for 2017/18.

104. BUDGET WORKING GROUP

Minutes of a meeting of the Budget Working Group held on 1st December, 2016 were submitted for information.

105. TENDERS

The Corporate Director submitted a report on tenders which had been received and accepted.

Details of offers received for land off Cooper Street, Nelson were also submitted and the Executive were asked to approve acceptance of the highest offer. Three offers had been received at £26,500, £40,520 and £50,000.

RESOLVED

That the highest offer of £50,000 be accepted for the sale of land at Cooper Street, Nelson subject to satisfactory assurances from the purchaser on the start date for development of the site.

REASON

In accordance with Contract Procedure Rules and to a capital receipt.

**106. SYRIAN RESETTLEMENT PROGRAMME AND ASYLUM SEEKER
DISPERSAL IN PENDLE**

The Housing, Health and Economic Development Services Manager submitted a report on the implementation of the Syrian Resettlement Programme (SRP) and Asylum Seeker Dispersal in Pendle.

To date ten Syrian families had moved into the Borough and were housed in Nelson and Brierfield. It was reported that whilst there had been many successes in resettling these families there had also been some unforeseen issues which needed to be addressed. It was; however, felt that on balance the SRP had been delivered effectively.

The Executive were asked to consider how many families could be resettled in the Borough for the period 2017-2020. Following discussion and from the information provided in the report it was suggested that the Council commit to accepting ten Syrian refugee families in 2017/18.

With regards to the asylum seeker dispersal Pendle was currently piloting this with an initial five properties and the process was being managed through Serco. It was noted that three properties were being used to rehouse five asylum seeker families in Pendle. Two other properties selected were still being inspected. It was noted that the Council would not be advised of the properties being used and/or the names of the occupants. Concerns were expressed that because of this the Council would not be able to ensure adequate assistance was given to these people although Serco had been asked to contact local VCFS organisations to ensure people rehoused in Pendle could access additional support.

RESOLVED

- (1) That developments in relation to the implementation of the Syrian Resettlement Programme and Asylum Seeker Dispersal in Pendle be noted.
- (2) That the Council take a further 10 families under the Syrian Resettlement Programme in 2017/18 subject to being able to secure the necessary properties.
- (3) That letters be sent to the Home Office, Serco and the Local Government Association regarding the need for local councils to know the properties being used and the names of the occupants to ensure they were given the opportunity to access additional support.
- (4) That Wayne Forrest, Housing Needs Manager, be congratulated on the work he had done to ensure the first 10 families under the Syrian Resettlement Programme had been successfully resettled in Pendle and his ongoing work with asylum seekers within the Borough.

REASON

To assist with the resettlement of refugees and asylum seekers.

107. BANKHOUSE ROAD, NELSON

The Housing, Health and Economic Development Services Manager submitted a report requesting approval to carry out a soft market test of the Bankhouse Road redevelopment site in Nelson. This would help shape the Council's approach on how to deal with the site and procure a potential developer.

RESOLVED

That a soft market testing exercise be carried out on the Bankhouse Road redevelopment site in Nelson.

REASON

To help to shape the Council's approach and procure a potential developer.

108. HOUSING ZONE – BID FOR CAPACITY FUNDING

The Housing, Health and Economic Development Services Manager submitted a report on progress with the bid submitted to the Homes and Communities Agency (HCA) for a Pennine Lancashire Housing Zone. It was reported that the bid had been approved.

This designation would enable Pennine Lancashire authorities to prioritise and accelerate housing particularly on brownfield sites. There would also be closer working with HCA with access to £18m capacity funding and other HCA programmes such as the Home Building Fund.

It was reported that the emphasis of the bid for capacity funding needed to focus on prioritising sites. The original bid identified Further Clough Head, Nelson as a prime site for development. Capacity funding was being sought to secure funding to develop this site as well as Halifax Road and Bankhouse Road, Nelson.

RESOLVED

That the successful bid for Housing Zone status be noted and the submission of a bid for capacity funding be approved.

REASON

To maximise the benefits of obtaining Housing Zone status.

109. AUTHORITY'S MONITORING REPORT 2015/16

The Planning, Building Control and Licensing Services Manager submitted a report on the Local Planning Authority's Monitoring Report for the period 1st April, 2015 to 31st March, 2016.

RESOLVED

That the Authority's Monitoring Report for 2015/16 be approved.

REASON

Part 6, Section 116 of the Localism Act 2011 and Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 require that all local planning authorities prepare a report which monitors the progress of their Local Development Scheme and the policies contained in their Development Plan.

110. MATTERS REFERRED FROM AREA COMMITTEES

(a) Land off Carr Road, Nelson

The Strategic Director submitted a report requesting that land shown edged black on the plan attached to the report be declared surplus to requirements in order for it to be sold for an alternative use.

Income for use of the land by a funfair and circus was circa £7,000 per year. An additional £1,000 income had resulted from the County Council storing machinery on the site whilst maintaining the roads.

It was reported that there had been interest from a number of parties to purchase the land for commercial use. It was proposed that planning consent be obtained for the change of use of the site from amenity greenspace to commercial use.

The recommendation from Nelson Committee on 7th November, 2016 was “that the Executive be requested to declare the site surplus to requirements in order for it to be disposed of for an alternative use.”

A petition with 142 signatures opposing to the sale of this land was presented at the meeting.

RESOLVED

- (1) That the land at Carr Road, Nelson, shown on the plan attached to the report, be declared surplus to requirements in order for the land to be sold/leased for an alternative use.
- (2) That, in view of the interest in purchasing the land, the Strategic Director be authorised to apply for planning permission for commercial use of the land and that it be marketed for sale/leased when planning consent has been granted.
- (3) That the fun fair and the circus be allowed to be held in 2017 and every effort is made to Find an alternative site for 2018 onwards.

REASON

To achieve a capital receipt and reduce all liabilities.

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

(b) Former Regent's Cinema Site off Leeds Road, Nelson

The Housing, Health and Economic Development Services Manager submitted a report requesting that the site of the former Regent's Cinema off Leeds Road, Nelson be declared surplus to requirements and marketed for sale.

Nelson Committee, at its meeting on 7th November, 2016 endorsed this recommendation.

RESOLVED

That the site of the former Regent's Cinema off Leeds Road, Nelson be declared surplus to requirements and marketed for sale.

REASON

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

(c) Goitside Car Park, New Scotland Road, Nelson (and adjoining land)

The Strategic Director submitted a report requesting the site of Goitside car park on New Scotland Road, Nelson be declared surplus to requirements for the purposes of the redevelopment of the whole site.

Nelson Committee, at its meeting on 5th December, 2016 had endorsed the recommendation that this land be declared surplus to requirement as shown edged red on the plan at Appendix A attached to the report.

The Executive were also asked to consider amendments to the Car Park Agreement and to enter into a lease with Tesco to enable the redevelopment of the whole site.

RESOLVED

- (1) That the Goitside car park on New Scotland Road, Nelson as shown red on the plan attached to the report, be declared surplus to requirements.
- (2) That the determination of the Car Park Agreement for £50,000 be agreed.
- (3) That the Council enters into a 250 year lease with an interested supermarket for use of the site for a car park (subject to planning consent) at the £100,000 premium offered and that the Strategic Director be granted delegated powers to agree all other terms of the transaction.

REASON

The site has been under used for a number of years; the car park has limited use whilst the adjoining Tesco store has been closed since 2010. A supermarket chain has undertaken a search of sites in the area and has identified the whole site as suitable for one of their stores.

Chairman _____