

**MINUTES OF A MEETING OF THE
EXECUTIVE
HELD AT THE TOWN HALL, NELSON
ON 16th MARCH, 2017**

PRESENT –

Councillor M. Iqbal (Chairman – in the chair)

Councillors

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

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

Also in attendance:

*Councillor Nadeem Ahmed
Councillor Nawaz Ahmed
Councillor W. Blackburn
Councillor S. E. Cockburn-Price
Councillor J. Cooney
Councillor L. M. Crossley
Councillor J. Nixon
Councillor J. Purcell
Councillor K. Turner
Councillor P. White*

Officers in attendance:

<i>Dean Langton</i>	<i>Strategic Director</i>
<i>Howard Culshaw</i>	<i>Head of Legal Services</i>
<i>Neil Watson</i>	<i>Planning, Building Control and Licensing Services Manager</i>
<i>Julie Whittaker</i>	<i>Housing, Health and Economic Development Services Manager</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>



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

<i>John Endesby</i>	<i>Land at Carr Road, Nelson</i>	<i>Minute No. 135</i>
<i>Ben Shaw</i>		
<i>Mahboob Ahmed</i>		
<i>Matloob Ahmed</i>		
<i>Shazad Ahmed</i>		
<i>Afzal Anwar</i>		
<i>Hassan Mahmood</i>		
<i>Mohammed Aslam</i>		
<i>Musrat Mahmood</i>		

<i>Cathy Ellis</i>	<i>Selective Licensing in Colne</i>	<i>Minute No. 137</i>
<i>Joanne Nutter</i>		

*Heather Shaw
Mark Rawstron
Joseph Platt
Chris Valentine
Adnan Yousaf*

Matloob Ahmed Whitefield House Sales

Minute No. 138



127. DECLARATIONS OF INTEREST

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

Councillor M. Sakib declared a prejudicial interest in minute number 137 – Selective Licensing Area in Colne.

128. PUBLIC QUESTION TIME

Mahboob Ahmed asked if the Council had decided by how much Council Tax would rise for 2017/18; what policies/strategies the Council had in place to assist failing schools; and following recent press and tv coverage could the Leader confirm whether or not the Labour/Liberal Democrats had done a 'deal' with the local BNP Councillor?

In response the Leader confirmed that Council had agreed at its last meeting that Council Tax would rise by 2% for 2017/18; schools were not administered by Pendle Council but by the County Council but referred to the recent 'Pendle Challenge' launch event at the ACE Centre at which nursery, primary and secondary schools from across the Borough attended. He also said no agreement had been made with the local BNP Councillor.

129. MINUTES

RESOLVED

That the Minutes of the Special Budget Executive meeting held on 8th February, 2016 be approved as a correct record and signed by the Chairman.

130. COLNE BUSINESS IMPROVEMENT DISTRICT – UPDATE

The Housing, Health and Economic Development Services Manager submitted a report which summarised the findings of the Colne Business Improvement District (BID) feasibility study which had been undertaken by Kolek Consulting Ltd.

Fifty businesses across Colne had been interviewed (which varied in size/type and location) along with key stakeholders in Colne.

It was reported that 80% of businesses supported the general concept of a BID in Colne which identified the high level of interest in taking the BID process forward. Four potential BID areas were considered:

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- A Town Centre
- B Wider Town Centre
- C Commercial District (including Boundary Mill)
- D Wider Commercial District (with Boundary Retail Park)

It was reported that options B and C were particularly strong and with 80% of businesses surveyed willing to pay the levy it was suggested that the BID process could proceed based on either of these two areas.

Following a decision to proceed, the next steps would be the planning and consultation stage. A steering group would need to be established to take the BID forward. It was noted that the more thriving BIDs elsewhere in the country were more successful if led by businesses as opposed to the local authority. Therefore, those involved would need to be committed from the outset to commit time to develop the BID. This would initially involve consulting with rate payers and promoting a 'YES' vote campaign. The initial maximum cost for this work was approximately £30k depending on the amount of work undertake, this amount could be reduced if the steering group was to undertake aspects of the BID development.

It was acknowledged that there may be a requirement for external consultants to undertake certain elements of the process.

RESOLVED

- (1) That the Colne BID feasibility study be noted.
- (2) That the next stage of the BID process be approved.
- (3) That the composition of the BID steering group, and the process for appointing members to the Group be agreed as detailed in the report.
- (4) That a supplementary revenue estimate of up to £28,000 be approved to enable the BID to progress to the next stage.
- (5) That the Contract Procedure Rules be waived so as to retain Kolek Consulting to undertake the planning and consultation stage for the BID.

REASON

To seek agreement to proceed with the next stage of the development of a Colne Business Improvement District.

131. TRANSFER OF SERVICES AND FACILITIES TO TOWN AND PARISH COUNCILS

The Corporate Director submitted a report which provided a general update on parks; sought approval to the formal disposal of pieces of land in Trawden Forest parish and sought approval to the treatment of Primesite bus shelters. The Executive were also asked to consider the future programme for the transfer of services and facilities to Town and Parish Councils and in particular the Municipal Hall, Colne Market and the Borough's cemeteries.

It was suggested that land at the end of Duke Street, Winewall not be transferred to Trawden Forest Parish Council as the land had been maintained for the past 30 years by a local resident.

RESOLVED

- (1) That the position on parks be noted.
- (2) That the following pieces of land in Trawden Forest Parish, namely land at Bannister Close/Holme Crescent; the whole length of the tram tracks from Church Street to Lane House; land at Lane House to the rear of the bus turnaround; two pieces of land adjacent to the Old Post Office, Cottontree; and land at Skipton Road at the side of the Victorian toilet (as shown on the plans attached to the report) be declared surplus to requirements and transferred to Trawden Forest Parish Council for a nominal sum of £1 each, subject to a covenant prohibiting their disposal for a non-community use within 10 years.
- (3) That, subject to further negotiations with Primesite, repairs be carried out to the Primesite shelters as indicated in the report, the cost to be met from the Community Projects Fund, and that the relevant town and parish councils be requested to take on future responsibility for them.
- (4) That the feasibility of transferring cemeteries be investigated and a report be submitted to a future meeting.
- (5) That Colne Town Council be informed that the Council is willing to enter into discussions with it about the transfer of the Municipal Hall and Colne Market early in the next financial year on the assumption that the transfers of the Town Hall and Primet Community Centre will have been completed in the near future.

REASON

To continue the programme of transfers to town and parish councils.

132. TREASURY MANAGEMENT STRATEGY STATEMENT 2017/18

The Financial Services Manager presented the annual Treasury Management Strategy Statement for 2017/18.

RECOMMENDATION

That Council be recommended to approve:-

- The Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and the Annual Investment Strategy for 2017/18 (attached at Appendix A 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 (paragraph 9 in the report) indicating compliance with the requirement to keep borrowing below the Council's Capital Financing requirement over the medium-term;

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- The policy on the Minimum Revenue Provision (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 generally.

133. CAPITAL STRATEGY 2017/20

The Financial Services Manager submitted a report on the Capital Strategy for the period 2017/20. This also included the proposed strategy for the flexible use of capital receipts in 2017/18.

RESOLVED

That the Corporate Capital Strategy (Appendix A attached to the report)(including the flexible use of capital receipts strategy) be endorsed and it be **recommended** to Council for approval.

REASON

To approve the Capital Strategy for 2017/20 together with the flexible use of capital receipts strategy as required under statutory guidance.

134. LAND AT VIVARY WAY, COLNE (FORMER URBAN ALTITUDE SITE)

The Housing, Health and Economic Development Services Manager submitted a report on the consultation responses received relating to the future use of the land at Vivary Way (formerly Urban Altitude).

The consultation exercise had run from 1st February to 1st March, 2017. This had resulted in 211 responses (online and in paper form) and had identified a mixed number of different uses for the site including both leisure and commercial use. This included using the site for a skate park, multi-use all weather pitch and a range of mainly leisure-type uses such as a BMX track, adventure golf and dog walking facilities.

The Executive were informed that expressions of interest had also been received from Boundary Mill and Lloyds BMW. Boundary Mill was interested in using the site to provide additional car parking for their staff which would release car parking for customers who visited their store. Lloyds BMW had grown too big for its current site and was in essence land locked and the use of this land by the Dealership would help to address this problem.

It was noted that it was unclear, at this stage, how any of the leisure uses proposed would be delivered, managed and maintained.

The Executive acknowledged that this site was surplus to the Council's requirements but felt that discussions with groups/individuals with an interest in this site should take place before a decision on its future use could be made.

RESOLVED

That this item be deferred until the next meeting and in the meantime meetings be held with Colne Football Club, other interested groups/individuals, Ward Councillors and representatives from Colne Town Council to establish their interest in the future use of this site.

REASON

To ensure the right decision is made for the future use of this site.

135. LAND AT CARR ROAD, NELSON

The Corporate Director submitted a report on the proposed disposal of land at Carr Road, Nelson. The issue had previously been considered by the Executive at its meeting on 8th December, 2016 (minute no. 110(a) (2016) refers) and the recommendations approved. This decision was then “called in” and a call in meeting was held on 20th January, 2017.

There was also a notice of motion at the Council meeting on 15th December, 2016 and the resolution from that meeting was included in the report.

Subsequently discussions had been held with both Barrowford Parish Council and Nelson Town Council where it was made clear that the reason for the intended disposal of the land was namely to promote economic development in the area. A number of enquiries had been received about acquiring the land for commercial use.

It was acknowledged that the land was underused and that the Council was actively seeking an alternative site for the funfair.

RESOLVED

- (1) That the land be declared surplus to requirements in order that it to be sold, leased or rented for an alternative use.
- (2) That the Strategic Director be authorised to apply for planning permission for commercial use of the land and if this is granted the land be marketed for sale, lease or rent.

REASON

- (1) ***To achieve a capital receipt.***
- (2) ***To promote economic development in the Borough.***

136. TENDERS

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

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(Councillor M. Sakib declared a prejudicial interest in the following item during discussion of selective licensing in the Southfield Ward but later returned).

137. PROPOSED COLNE SELECTIVE LICENSING AREA

The Housing, Health and Economic Development Services Manager submitted a report on the proposed Colne Selective Licensing area. It was proposed that parts of Waterside, Vivary bridge and Horsfield wards ('the Colne Selective Licensing Area') be designated as a selective licensing area. This would require all privately rented houses within the designated area to be licensed under the Housing Act 2004.

The results of a consultation exercise which started on 22nd August, 2016 and remained open until 22nd February, 2017 were included in the report. The results demonstrated considerable support from residents for the introduction of a Selective Licensing Scheme and it was noted that the proposal supported the introduction on the basis that there was a need for the scheme in this area due to the low housing demand criteria. The majority of landlords, however, disagreed with the proposed scheme.

A fee of £770 over the 5 year period (which was around £3 per week) with a discount if this was paid within 6 months of designation was proposed.

There was a lengthy discussion around various aspects of the report and there was a suggestion that a selective licensing area also be considered in the Southfield Ward in Nelson.

RESOLVED

That a Selective Licensing Area in Colne not be introduced.

REASON

It was not considered appropriate at this time.

138. WHITEFIELD HOUSE SALES

The Housing, Health and Economic Development Services Manager submitted a report on progress on house sales within the Whitefield ward.

It was reported that sales had been slower than anticipated and as a result approval had been sought from the Homes and Communities Agency (HCA) to extend the timescale of the project. As a result some of the properties had suffered damage from vandalism and become damp through being left empty for an extended period. There had also been frequent occasions where Liberata had accepted offers on properties only for the purchasers to withdraw due to them being unable to obtain a sufficient mortgage.

A number of registered providers had been approached with a view to them purchasing any of the properties for affordable housing. Calico Housing in Burnley had expressed an interest and their Executive had approved the purchase in principle, subject to Board approval on 20th March. The prices on offer from Calico were based on rental levels that could be achieved at Local Housing Allowance levels and therefore were lower than those already accepted from private buyers.

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The Executive were reminded that as part of the HCA Grant Funding Agreement a percentage of the house sales would go back to HCA based on the overall input of funding into the refurbishment programme.

RESOLVED

- (1) That the progress on sales to private buyers be noted.
- (2) That, subject to agreement of the Calico Board on 20th March, 2017 any remaining unsold properties be sold to Calico.
- (3) That delegated authority be granted to the Strategic Director, in consultation with the Leader and Deputy Leader of the Council, to agree the final sales prices to Calico.
- (4) That the requirement to pay 41.7% of the overall net proceeds of the Whitefield refurbishment scheme to the Homes and Communities Agency be noted.

REASON

- (1) ***To ensure that the properties are sold and occupied in a timely way.***
- (2) ***To comply with the conditions of the Homes and Communities Agency Grant Funding Agreement.***

139. HOMELESSNESS PREVENTION TRAILBLAZERS

The Housing, Health and Economic Development Services Manager submitted, for information, a report on the successful joint bid for funding under this Government initiative.

A £40 million homelessness prevention programme had been launched by the DCLG in October, 2016 which included a £20m fund to establish a network of ambitious Homelessness Prevention Trailblazer areas to develop innovative new approaches to prevent homelessness.

The Council had submitted a bid along with Blackburn with Darwen (lead authority) Lancashire County Council (East Lancashire only) Burnley, Hyndburn, Ribble Valley and Rossendale and had been awarded £735,000.

The Council would work with partners to help deliver the East Lancashire Programme across East Lancashire.

140. BANKHOUSE ROAD SITE, NELSON

The Housing, Health and Economic Development Services Manager submitted a report on the proposed disposal of part of the Bankhouse Road site to the emerging Bradley Community Land Trust (CLT). This was subject to a viable proposal being submitted to the Council for consideration.

It was reported that Bradley CLT were interested in developing new houses on part of this site and they had funding available to undertake the feasibility work and to finance all or part of the development.

RESOLVED

- (1) That the disposal of part of the Bankhouse Road site (edged black on the plan attached to the report) to the emerging Bradley Community Land Trust be agreed in principle, subject to a viable proposal being submitted to the Council for consideration.
- (2) That a report regarding the proposal from Bradley Community Land Trust be submitted to a future meeting.

REASON

- (1) ***To give the emerging Bradley Community Land Trust an indication of the Council's commitment to potentially disposing of land to them prior to the Trust committing expenditure on feasibility/viability work.***
- (2) ***To enable the Council to make a final, informed decision.***

**141. THE GOOD NEIGHBOURS PROJECT – ADVANCING THE WORK
COHESION IN PENDLE**

The Neighbourhood Services Manager submitted a report on progress of community cohesion work in Pendle. Updates from the Community Cohesion Action Network and The Pendle Forum of Faiths were included in the report.

The Good Neighbours Project would expand the scope of the current work programme in schools and the work of the groups above, Building Bridges had submitted a bid to the Big Lottery Fund and had successfully progressed to stage 2.

The Project would run from July 2017 to June 2021 and had a total value of £530,000. This was made up of £400,000 from the Big Lottery Fund and £100,000 match funding from the Bowland Trust. Building Bridges had requested a further £30,000 from the Council to match fund towards the project to the sum of £7,500 per year.

RESOLVED

- (1) That match funding of £30,000 spread over 4 years be approved, subject to the Big Lottery bid being successful.
- (2) That in support of (1) above an initial supplementary revenue estimate of £7,500 be agreed in the current financial year, funded from the External Funding Receipts Reserve.
- (3) That it be noted that contributions in later years will be built in to subsequent revenue budgets funded by contributions from the above reserve.

REASON

To continue to build on community cohesion in the Borough.

142. RESPONSE TO THE WHITE PAPER: FIXING OUR BROKEN HOUSING MARKET

The Planning, Building Control and Licensing Services Manager submitted a report which set out responses to the national policy and procedures for planning and housing related issues in the Government's recently published White Paper.

The Paper set out a range of proposes aimed at addressing what were seen to be structural deficiencies in the national housing market. The Executive were asked to consider the draft responses to the 38 questions which the Government required a response to by 2nd May, 2017.

The main points of the White Paper were set out in the report.

RESOLVED

That the response to the consultation on the Housing White Paper, as set out in Appendix A attached to the report be agreed.

REASON

To ensure Pendle inputs into national planning and housing policy.

143. PLANNING APPLICATION FEES – THE GOVERNMENT'S OFFER

The Financial Services Manager submitted a report on an offer from Government to increase nationally set planning fees by 20% from July, 2017. A response to the offer was required by 13th March, 2017 and therefore a decision had to be taken in advance of this meeting. A letter accepting the offer was submitted to the DCLG by the deadline and was attached to the report for information.

This increase was to help boost Councils' capacity and capability to deliver their Development Management service and how this additional income would be spent was detailed in the report.

RESOLVED

- (1) That the decision to accept the offer as conditionally notified to the Department of Communities and Local Government by the deadline of 31st March, 2017 be endorsed.
- (2) That subject to both (1) above and the implementation of the higher fees from July, 2017 it be agreed that the additional income be invested in the Council's Planning Policy Team, as outlined in paragraph 9 in the report.
- (3) That the required budget adjustments in 2017/18 assuming implementation of the higher fees be approved and the intention to monitor the impact as part of the Council's strategic monitoring framework be noted.

REASON

To seek approval to accept the Government's offer of increased planning fees and to fulfil the obligations when doing so to invest the additional proceeds in the planning service.

144. FORWARD PLAN

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

145. MATTERS REFERRED FROM AREA COMMITTEES

(a) Former Taxi Rank, Sagar Street, Nelson

At a meeting of the Nelson Committee on 6th March, 2017 it was resolved "that the Executive be requested to declare the land surplus to requirements in order for it to be sold for an alternative use subject to planning permission."

A copy of the report considered by that Committee was submitted for information.

RESOLVED

That the former taxi rank on Sagar Street, Nelson, 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, subject to planning permission.

REASON

To achieve a capital receipt and end all liabilities.

(b) Greenfield Road, Colne

At a meeting of the Colne and District Committee on 9th March, 2017 it was resolved "that the Executive be recommended to agree funding of £2,100 to reinstate the road humps past numbers 90-100 Greenfield Road (leading up to Whitewalls Drive) and approximately £750 for the installation of plastic road humps on Greenfield Road, Colne subject to consultation with residents regarding their exact location."

A copy of the report considered by that Committee was submitted for information.

RESOLVED

That, subject to Colne and District Committee agreeing to allocate £1,425 from its Capital Programme 2017/18, an allocation of £1,425 be agreed to assist with the reinstatement of road humps past numbers 90-100 Greenfield Road (leading up to Whitewalls Drive) and for the installation of plastic road humps on Greenfield Road, Colne (subject to consultation with residents regarding their location).

REASON

To prevent speeding on Greenfield Road and deter it being used as a rat-run.

(c) Land adjacent to Pendleside, Lomeshaye

At a meeting of the Barrowford and Western Parishes Committee on 9th March, 2017 it was resolved

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- “(1) That the Executive be recommended to declare the land surplus in order that it can be leased to the adjoining occupier for a term of 125 years (tenant to pay all costs).
- (2) That the loss of open space be advertised to facilitate the grant of the lease.”

A copy of the report considered by that Committee was submitted for information.

RESOLVED

- (1) That the land, edged black on the plan attached to the report, be declared surplus in order that it can be leased to the adjoining occupier for a term of 125 years (tenant to pay all costs).
- (2) That the loss of open space be advertised to facilitate the grant of the lease.

REASONS

- (1) ***To enable the provision of additional land in order to allow the adjoining occupier to expand on the site.***
- (2) ***To comply with the public open space requirements of Section 123 of the Local Government Act 1972 (as amended).***

Chairman _____