

**MINUTES OF A MEETING OF THE
EXECUTIVE
HELD AT THE TOWN HALL, NELSON
ON 25th MAY, 2017**

PRESENT –

Councillor M. Iqbal (Chairman – in the chair)

Councillors

*M. Ashraf
D. Clegg
K. Hartley
J. Henderson*

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

(Apologies for absence were received from Councillors E. Ansar and A. R. Greaves).

Also in attendance:

Councillor K. Turner

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>Head of Democratic Services</i>

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

<i>Michael Sheriffs</i>	<i>Land at Vivary Way, Colne</i>	<i>Minute No. 13</i>
<i>Chris Ainsworth</i>		

1. MINUTES SILENCE

A minutes silence was observed for the victims of the terrorist attack at Manchester Arena on 22nd May, 2017.

2. DECLARATIONS OF INTEREST

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

3. PUBLIC QUESTION TIME

There were no questions from members of the public.

4. MINUTES

RESOLVED

That the Minutes of the Executive meeting held on 16th March, 2017 be approved as a correct record and signed by the Chairman.

**5. PERFORMANCE INDICATORS 2016/17
1st APRIL, 2016 TO 31st MARCH, 2017**

The Strategic Director submitted a report on performance monitoring information on the key performance indicators delivered by and on behalf of the Council.

The key issues with performance related to planning applications and appeals, recycling and complaints. The report provided an update on each issue and explained what was being done to try and improve performance in these areas.

Reference was made to the deferral of planning applications and the late call ins to Committee which could, if performance deteriorated further, result in Pendle becoming a Standards Authority. It was felt that all Area Committee Chairmen and Vice-Chairman should be reminded of this and be asked to ensure that performance does not deteriorate further.

RESOLVED

That the report be noted.

REASON

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

6. EAST-WEST CONNECTIVITY STUDY

The Neighbourhood Services Manager submitted a report on the history of the East-West connectivity issues at Pendle including previous studies and Pendle and Lancashire County Council's current scheme proposals.

The report also provided details of a study report by Cushman and Wakefield and SYSTRA (formerly JMP) dated March, 2017. The study was commissioned by the Lancashire Enterprise Partnership together with the West Yorkshire Combined Authority and the York, North Yorkshire and East Riding LEP. Its purpose was to explore the potential economic benefits that might arise across the North of England from enhanced connectivity between Lancashire and North and West Yorkshire.

RESOLVED

- (1) That the report be noted.
- (2) That a meeting be sought with Lancashire County Council and Lancashire Enterprise Partnership to discuss both road and rail options and in particular how the Colne Congestion Relief proposals could be developed.

REASON

To keep members updated in light of the publication of the report and the recent resolutions at Pendle and County Hall.

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

The Corporate Director submitted a report which provided an update on the current position on transfers to and financial support from town and parish councils. This included updates regarding the various parks in the Borough, contributions to grounds maintenance, repair and maintenance of bus shelters in Nelson, Colne Municipal Hall and Colne Market.

RESOLVED

- (1) That the updates regarding the various parks be noted.
- (2) That meetings be arranged as necessary with individual parish and town councils as soon as possible.
- (3) That the desirability of a decision being made at the Council meeting on 26th October on future reductions in the ground maintenance budget for parks be acknowledged.
- (4) That the redirection from the Nelson Committee capital allocation of £4,149 for repair, maintenance and cleaning of the Nelson bus shelters in 2017/18 be approved for a period of 12 months.
- (5) That discussions now commence with Colne Town Council about the transfer of the Municipal Hall and Colne Market.

REASON

To take the programme of transfers forward.

8. PUBLIC REALM AGREEMENT

The Environmental Services Manager submitted, for information, a report advising on the reduction in funding from Lancashire County Council for highway related activities and advised on the impact the reduced funding would have on Pendle's schedule of activity.

Since 2013/14 the income received had reduced from £110,570 to £66,720 in 2016/17. As a result the number of cuts to highway verges and number of week's leaf sweeping would need to be reduced.

It was reported that the County Council had now allocated £600,000 additional funding to its highways verge maintenance budget for 2017/18.

RESOLVED

- (1) That the report be noted.
- (2) That the County Council be asked to reinstate the payment to Pendle to its 2013/14 level from the approved additional funding.

REASON

To enable continuation of the service.

9. LITTER STRATEGY FOR ENGLAND

The Environmental Services Manager submitted a report on the government's Litter Strategy for England.

The consultation document reviewed the case for increasing the fixed penalties for littering and related offences and for giving councils outside London the power to fine the keeper of vehicles from which litter is thrown.

RESOLVED

- (1) That the Strategy be noted and regular update reports be submitted to the Executive on the Government's progress with it.
- (2) That the proposals in the consultation document be broadly welcomed and that a response be submitted in consultation with the portfolio holder for Environmental Services.

REASONS

- (1) ***Implementation of the Strategy will assist the Council to meet its strategic objective of working with and empowering our partners and local people to provide clean, health, safe and cohesive communities.***
- (2) ***The Strategy will assist the Council in maintaining the quality of our environment through effective and efficient services, education, community and voluntary involvement, partnership working and enforcement.***

10. MATTERS REQUIRING FINANCIAL APPROVAL

The Financial Services Manager submitted a report following receipt of a request of £10,000 for continued funding for the Burnley, Pendle and Rossendale Council for Voluntary Service.

In February 2016 the Executive agreed a funding allocation of £10,000 to enable the CVS to provide services under the terms of a Service Level Agreement which expired on 30th November, 2016. The CVS had continued to work in Pendle since the end of the contract period and the Executive were asked to consider a further request for continuation of funding for the 2017/18 financial year.

RESOLVED

That an allocation of £10,000 from earmarked reserves for Burnley, Pendle and Rossendale CVS for 2017/18 be agreed.

REASON

To assist with delivery of their programme which aims to expand the capacity and capability of the voluntary and community sector in Pendle.

**11. FINANCIAL STRATEGY
UPDATE OF THE MEDIUM TERM FINANCIAL PLAN 2018/21**

The Financial Services Manager submitted a report which provided an update on the Council's Financial Strategy and Medium Term Financial Plan for 2018/21 along with a draft Budget Strategy for the period.

RESOLVED

- (1) That the prospects for Government funding in the period 2018/19 to 2020/21 as explained in the report, and in particular the increased uncertainty regarding the timing and implications of the move to 100% local retention of business rates be noted.
- (2) That the proposed Financial Strategy for 2018/21 (and the supporting Medium Term Financial Plan 2018/21 as shown at Appendix A) as set out in the report be noted and in doing so the strategy for the use of balances and reserves over the same period.
- (3) That the cross-party Budget Working Group be retained and it be requested to:-
 - (i) commence the detailed work required on the main areas proposed for review in the current year, as outlined in paragraph 56 of the report.
 - (ii) develop charging and savings proposals to reduce the Council's net expenditure by £1.4m for consideration as part of the budget for 2018/19.
 - (iii) identify further charging and savings options to deal with the balance of the budget deficit to 2020/21.
- (4) That the intention to commission external support to help develop the Council's submission to the Government's Fair Funding review with the costs to be met within existing budgets be endorsed.
- (5) That a separate report on the Medium Term Capital Programme be presented to the next Executive meeting in June.

REASON

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

12. DRAFT ANNUAL GOVERNANCE STATEMENT 2016/17

The Financial Services Manager submitted a report on the Council's draft Annual Governance Statement for 2016/17.

A number of improvements had been identified to strengthen the Council's governance framework. An action plan to address these matters was to be produced and would be submitted for regular monitoring by the Accounts and Audit Committee. A number of issues had also been identified and steps would be taken over the coming year to further enhance these governance arrangements.

Executive (25.05.2017)

RESOLVED

That the report be noted.

REASON

To give the Executive the opportunity to comment on the Statement prior to it being signed off and submitted to the Accounts and Audit Committee in July, along with the Statement of Accounts for 2016/17.

13. LAND AT VIVARY WAY, COLNE

The Housing, Health and Economic Development Services Manager submitted a report on responses received relating to the future use of land at Vivary Way, Colne which was the former Urban Altitude site.

The report had been considered at the previous meeting but deferred pending meetings with organisations that had submitted an expression of interest.

These meetings had been held on 8th and 19th May, 2017 and notes of those meetings were attached to the report.

The proposed uses for the site were car parking for Boundary Mill and Lloyds BMW, a wheel park and a 3G football pitch.

During discussion it was felt the site would not accommodate a 3G football pitch but every effort should be made to accommodate this facility within the Borough and possibly at Holt House, Colne. Car parking and a possible wheel park were considered to be the preferred option for the site but a number of details were yet to be confirmed.

It was reported that plans were being prepared for the car parking and wheel park proposals but this involved three different architects. It was envisaged this information would be available within the next few weeks.

A petition signed by 240 people in support of a 3G football pitch on land at Vivary Way Colne was presented at the meeting.

RESOLVED

That delegated authority be granted to the Strategic Director in consultation with the Leader of the Council, Councillor Mohammed Iqbal to enter into and conclude further negotiations with Boundary Mill, Lloyds BMW and the proposers of the Wheel Park and the 3G football pitch schemes with a view to all the proposals being accommodated either on the land at Vivary Way, Colne or elsewhere in the Borough.

REASON

To assist with supporting/safeguarding business and employment growth in the Borough and providing a much sought after leisure facility.

14. LAND AT LEEDS ROAD, NELSON AND BRIERFIELD MILL REGENERATION

The Housing, Health and Economic Development Services Manager and Liberata Property Services submitted a report on offers made for the disposal of the former Regent Cinema site at Leeds Road, Nelson and interest shown from a local business, Clitheroe Road Car Sales, affected by the Clitheroe Road CPO and Brierfield Mill regeneration proposals.

RESOLVED

That this item be deferred until the next meeting.

REASON

Subject to further information.

15. TENDERS

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

The Executive were also asked to accept the highest offers received for the sale of land at Algar Street, Nelson and land at Hartley's Terrace, Colne. Two exemptions from Contract Procedure Rules relating to the Council's telephony arrangements and the domestic abuse services were also considered.

RESOLVED

- (1) That the tenders received and accepted be noted.
- (2) That the highest offer of £10,500 for land at Algar Street, Nelson be accepted.
- (3) That the highest offer of £155,00 for land at Hartley's Terrace, Colne be accepted, subject to the purchaser obtaining full planning permission within 6 months of completing the purchase and building the properties to a habitable standard within 18 months of being granted planning permission.
- (4) That the exemptions granted from Contract Procedure Rules for the Council's telephony arrangements and domestic abuse services be noted.

REASON

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

16. LAND AT BAMFORD STREET, NELSON

The Strategic Director submitted a report on offers received for housing plots on land at Bamford Street, Nelson. Several people had submitted bids for more than one plot and in order of preference. These were detailed in the report.

It was reported that the bidders had been required to submit supporting information regarding their ability to finance their purchase and the build, but some information was yet to be submitted.

RESOLVED

That the highest offers received for plots 1, 2 and 5 be accepted, subject to the bidders providing the further evidence requested within 4 weeks of the date of this meeting; and that plots 3 and 4 be re-marketed.

REASON

To achieve a capital receipt, fulfil the aims of the Right to Build Scheme and reduce liabilities for the Council.

17. TACKLING ROGUE LANDLORDS

The Housing, Health and Economic Development Services Manager submitted a report advising on new civil penalties that had been introduced under the Housing and Planning Act 2016 that would tackle rogue landlords. These measures were set out in the report.

It was noted that additional resources were required in order to properly implement the new legislation which was expected to be enacted later in the year. As local authorities would be able to retain any civil penalties it was envisaged that this would offset some, or all, of the additional costs.

RESOLVED

- (1) That the new civil penalties introduced under the Housing and Planning Act 2016 be noted.
- (2) That the appointment of an additional Environmental Health Officer for a 2 year period be agreed and that a supplementary estimate for £39,000 be agreed for 2017/18 funded by additional income from civil penalties.
- (3) That a report setting out a proposed policy be submitted to a future meeting.

REASON

To ensure that the new powers are used to tackle the problem of rogue landlords.

18. REVIEW OF COUNCIL-OWNED CAR PARKS WITHIN THE BOROUGH

The Neighbourhood Services Manager submitted a report on the current usage, cost, condition and management arrangements for all 47 Council-owned car parks in the borough. The report also recommended future arrangements for management including retention, retention with a proposal for an alternative use or disposal.

RESOLVED

- (1) That the current provision and costs for car parks in Pendle be noted.
- (2) That the recommendations made in Appendix 1 attached to the report, regarding the future provision of each car park, be noted.

- (3) That, subject to the above, Liberata Property Services be instructed to investigate the car parks which have been recommended for disposal, transfer or lease.
- (4) That the introduction of business/resident permits on the relevant car parks (as set out in the report) together with the suggested charge for this, be agreed and a further report be presented to Nelson, Colne and West Craven Area Committees on this issue.
- (5) That the introduction of short-stay disc parking on Wellhouse Road Car Park in Barnoldswick be agreed and a report be submitted to West Craven Committee on this via Management Team.
- (6) That it be agreed that the Palace Car Park in Nelson be changed from short-stay to long-stay and that a report be submitted to Nelson Committee on this.
- (7) That the residents'-only permit charge on Cuba Street Car Park, Nelson be increased from £30 per annum to £50 as of February 2018 and a report be submitted to Nelson Committee via Management Team.

REASONS

- (1) ***To provide a framework on which to decrease costs and increase income on public car parks.***
- (2) ***The disposal of any car park would achieve a capital receipt for the Council and reduce its liabilities and risks.***
- (3) ***To explore the re-introduction of short-stay disc parking to Wellhouse Road Car Park in Barnoldswick.***
- (4) ***To increase the usage of the under-utilised Palace Car Park in Nelson town centre.***

19. VALIDATION REQUIREMENTS FOR PLANNING APPLICATIONS

The Planning, Building Control and Licensing Services Manager submitted a report requesting the adoption of the list of requirements for the submission of planning applications. The list is required to be reviewed every 2 years as set out in Regulation 11 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

RESOLVED

That the validation as set out in the document attached at Appendix 1 to the report be adopted.

REASON

In order to ensure Pendle has a formally adopted scheme.

20. VISITOR ECONOMY PLAN FOR PENDLE 2017/18

The Housing, Health and Economic Development Services Manager submitted a report on the Visitor Economy Plan for Pendle 2017/18. The Plan included specific actions aimed at increasing visitor economy activity. The Plan provided progress on these actions but also looked ahead to any new actions for the coming year.

RESOLVED

- (1) That progress and achievements of the Visitor Economy Plan for Pendle 2016/17 be noted.
- (2) That the Visitor Economy Plan for Pendle 2017/18 be approved.

REASONS

- (1) *To allow for the progress of the 2016/17 Plan to be monitored.*
- (2) *To build on the progress of land year's plan in order to continue the successful development of actions which would support and improve visitor economy in Pendle.*

21. ITEMS REFERRED FROM AREA COMMITTEES

(a) Car Park at Railway Street, Nelson

At a meeting of Nelson Committee on 27th march, 2017 it was resolved "that the Executive be requested to agree to the request by the proposed lessee for a clause to be included in the lease allowing him the first option to purchase if it was declared surplus by the Council in future to be agreed."

The report considered at that meeting was submitted for information.

RESOVLED

That the request by the proposed lessee for a clause to be included in the lease allowing him the first option to purchase if it was declared surplus by the Council in future be agreed.

REASON

In response to a request by the proposed lessee.

(b) 39/41 Market Street, Colne

At a meeting of Colne and District Committee on 30th April, 2017 it was resolved "that the Executive be recommended to approve the extension of the lease of 39-41 Market Street, Colne by an additional 70 years."

The report considered at that meeting was submitted for information.

RESOVLED

That the request to extend the lease of 39-41 Market Street, Colne be extended by an additional 70 years be approved.

REASON

To secure long term income for the Council.

22. APPOINTMENT OF COMMITTEES

The Executive considered nominations onto various Committees/Working Groups.

RESOLVED

- (a) Budget Working Group (2:2:2)
Councillors A. R. Greaves, J. Henderson, M. Iqbal and D. Whipp (Conservative membership to be confirmed)
- (b) Gearing Up For Growth Grants Panel (3 Executive Members)
Councillors M. Arshad, M. Iqbal and D. Whipp
- (c) Local Plans (Part 2) Working Group (2:2:2)
Councillors W. Blackburn, S. Cockburn-Price, K. Hartley, J. Henderson, K. Turner and D. Whipp (Substitutes Councillors A. R. Greaves, J. Starkie and one vacancy)
- (d) Scrap Metal Licensing Sub-Committee (3 Executive Members)
Councillors E. Ansar, M. Sakib and D. Whipp
- (e) Transfer of Services and Facilities to Town and Parish Councils Committee (2:2:2)
Councillors A. R. Greaves, M. Iqbal, A. Mahmood, J. Starkie, K. Turner and D. Whipp

23. FORWARD PLAN

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

Chairman _____