

**MINUTES OF A MEETING OF THE
COLNE AND DISTRICT COMMITTEE
HELD AT COLNE TOWN HALL
ON 8th NOVEMBER, 2018**

PRESENT –

Councillor G. Waugh (Chairman – in the Chair)

Councillors

*N. Butterworth
J. Cooney
V. A. Fletcher
M. S. Foxley
P. J. Foxley
A. R. Greaves
S. Petty
G. Roach
P. White*

Co-optees

Officers in attendance

<i>Peter Atkinson</i>	<i>Neighbourhood Services Manager (Area Coordinator)</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 Councillors D. E. Lord, N. McCollum and J. Nixon and B. Hodgson (Trawden Forest Parish Council).)



The following person attended the meeting and spoke on the item indicated:

<i>Andy Phillip</i>	<i>Proposed Diversion of Public Footpath 61 at Penny Pot Cottage, Skipton Old Road, Laneshaw Bridge</i>	<i>Minute No. 98</i>
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88. DECLARATION OF INTERESTS

Members were reminded of the requirements of the member Code of Conduct concerning the declaration of interests.

89. PUBLIC QUESTION TIME

There were no questions from members of the public.

90. MINUTES

RESOLVED

That the Minutes of the meeting held on 3rd October, 2018 be approved as a correct record and signed by the Chairman.

91. PROGRESS REPORT

A progress report on action arising from the last meeting was submitted for information.

92. POLICE ISSUES

Inspector Andy Winter advised that the past few weeks had been very busy for the Police particularly in relation to firework incidents. The majority of these incidents had, however, been in Nelson and Brierfield. Compared to the same period last year there had been a significant reduction in similar incidents within the Colne area.

Planning was ongoing to support the Remembrance Day parades but it was noted that this support, with regard to traffic management issues, would not be provided next year.

The issue of shoplifting was discussed and it was reported that there had recently been a dramatic fall in the number of incidents. It was felt that this was due to the number of Criminal Behaviour Orders that had been served and the Shop Watch Scheme.

Inspector Winter advised the Committee that the Police were continuing to work with Sainsbury's regarding anti-social behaviour issues, particularly around the entrance to the store. Crime prevention advice had been given along with increased patrols.

Operation Rogue Trader would soon be starting. This operation would focus on bogus builders who targeted the most vulnerable in the Borough.

The Neighbourhood Policing Teams would also be receiving training on the use of the Laser Speed Enforcement Device with an operation scheduled for some time before Christmas.

The issue of drug dealing in various locations within the town were referred to. Inspector Winter said he would share this intelligence with the Neighbourhood Policing Teams with a view to targeting the areas mentioned.

Concerns were raised with regard to vehicles parked on both sides of Norfolk Street and Windy Bank and along the zig zag lines on the approach to the zebra crossing also on Norfolk Street. It was agreed that this issue be referred to the County Council's Traffic Liaison Meeting.

It was reported that the gates at the entrance to Colne Cemetery were still not being locked at night. As a result anti-social behaviour and drug related incidents had been witnessed. Cars were also being parked around the entrance to the cemetery and just inside the gates. The Neighbourhood Services Manager said he would look into this matter.

93. PLANNING APPLICATIONS

(a) Applications to be determined

The Planning, Building Control and Licensing Services Manager submitted a report on planning applications to be determined as detailed below.

18/0520/FUL Full: Change of use from agriculture to domestic curtilage (Use Class C3) and erection of boundary fence at land to the North of 16-25 Wycoller View, Colne for Mr Jeremy Davis

RESOLVED

That planning permission be **granted** subject to the following conditions and reasons:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: G613/004.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All the external materials to be used in the boundary treatments of the development hereby permitted shall match those of the existing boundary treatments in colour, form and texture and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. Notwithstanding the provisions of Article 3 and Part 1 and 2 of the Second Schedule of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development, as specified in Classes E of Part 1 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Part 1

E(a) no buildings, enclosures, swimming or other pools shall be erected or constructed within the curtilage of the buildings, as extended by this planning permission.

Reason: To enable the Local Planning Authority to control any future development on the site in order to safeguard the character and amenity of the area and impacts on neighbouring properties.

5. The extended domestic curtilage at No. 25 Wycoller View hereby approved may not be first used unless and until details of a close boarded fence for the western side boundary have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. It shall thereafter be permanently maintained.

Reason: In order to protect the privacy and amenity of the occupants of the adjoining dwelling.

REASON FOR DECISION

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development

therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

(b) Appeals

The Planning, Building Control and Licensing Services Manager submitted a report which advised the Committee of one new and one outstanding appeal.

94. ENFORCEMENT/UNAUTHORISED USES

(a) Outstanding enforcements

The Planning, Building Control and Licensing Services Manager submitted a report, for information, which gave the up-to-date position on outstanding enforcement cases.

(b) Enforcement action

The Head of Legal Services submitted a report, for information, which gave the up-to-date position on prosecutions.

(c) Hubbs House Farm, Colne

The Planning, Building Control and Licensing Services Manager provided an update on action taken with regard to illegal activities being carried out at Hubbs House Farm, Colne and the land associated with it.

(d) Persimmon Homes Site, Knotts Drive, Colne

In the absence of any further information, no update was given.

95. CAPITAL PROGRAMME 2018/19

The Neighbourhood Services Manager submitted a report which advised Members on the Committee's 2018/19 capital budget. The current balance was £19,056.

The following new bids were submitted for consideration –

- Ball Grove Play Area Equipment Replacement – £1,750
- Sutherland Street Water Overflow – £2,334
- Carriers Row Drainage – £3,000

The Committee were also asked to consider allocating £800 for a replacement notice board at Colne Parish Church.

RESOLVED

- (1) That £3,000 be allocated from the Committee's 2018/19 Capital Programme for drainage works at Carriers Row, Laneshaw Bridge subject to consultation with Ward Councillors regarding the suitability of the scheme.

Colne and District Committee (08.11.2018)

- (2) That £1,750 be allocated from the Boulsworth Environmental Improvement Fund 2018/19 for the replacement of play area equipment at Ball Grove.
- (3) That, an allocation of £100 be agreed, in principle, and this be allocated from individual Councillors Horticultural Projects Fund 2018/19 (Councillors M. S. Foxley, P. J. Foxley, P. White, N. Butterworth, S. Petty, J. Cooney, V. Fletcher and T. Greaves) (total of £800) for a new notice board at Colne Parish Church subject to receipt of a bid form and agreement by the Chief Financial Officer.
- (4) That the allocation of £2,334 for the Sutherland Street Water Overflow be split (£778 each) between the Committee's Capital Programme 2018/19, from the Central Reclamation Budget 2018/19 and Colne Town Council.

REASON

To allocate the Committee's Capital Programme effectively.

96. RED LANE, COLNE – TRAFFIC ISSUES

The Neighbourhood Services Manager submitted a report which informed Members about a proposed scheme to resolve traffic problems being experienced outside Sacred Heart RC Primary School on Red Lane, Colne.

A condition on the planning permission granted for 55 dwellings on land adjacent to the school was that Lancashire County Council, as highway authority, requires the developer to provide suitable sightlines for a new junction to the site to enable the safe movement of vehicles using the new access road.

The school had indicated that they were not in favour of a turning head or parking area within the school grounds. As a result the Committee were asked to consider the following improvements to Red Lane:

- Provision of 'H-Bar' markings outside driveway entrances to discourage obstructive parking.
- Re-lining faded junction and waiting restriction markings.
- Cutting back of overhanging vegetation currently obscuring the visibility of highway signage.

It was acknowledged that the proposed scheme would help formalise parking but may not substantially improve driver behaviour. It was felt that a further meeting to discuss options available was required.

RESOLVED

That a meeting to discuss options available for improvements to the traffic problems experienced outside Sacred Heart RC Primary School, Red Lane, Colne be convened with the Cabinet Member for Highways, County Councillor Keith Iddon, members of the Committee, representatives from the school and relevant officers.

REASON

To ensure the right scheme is implemented.

97.

PROBLEM SITES

The Planning, Building Control and Licensing Services Manager submitted a report, for information, on problem sites in the Colne and District area.

RESOLVED

- (1) That the report be noted.
- (2) That Oak Mill, Skipton Road, Colne be removed from the list.

REASON

Oak Mill was no longer considered to be a 'problem site.'

98. PROPOSED DIVERSION OF PUBLIC FOOTPATH 61 AT PENNY POT COTTAGE, SKIPTON OLD ROAD, LANESHAW BRIDGE, COLNE

The Neighbourhood Services Manager submitted a report for Members to consider a request to divert public footpath 61 at Penny Pot Cottage, Skipton Old Road, Laneshaw Bridge, Colne.

An application to divert the footpath had been received following but not until officers had identified that the footpath had been obstructed by a new fence line and then subsequently by a new building. It was noted that no formal objections had been received from the consultation to the proposed diversion.

The officer recommendation was to defer making a decision until enforcement action had been taken to remove the obstructions from the existing footpath and the offender had been prosecuted.

The Committee gave careful consideration to all the circumstances of this case with respect to the relevant provisions of the Council's Public Rights of Way Enforcement Policy and the proposed diversion. It concluded that the matter should be resolved by proceeding with the proposed diversion.

RESOLVED

- (1) That the Legal Manager be authorised to make an Order under Section 119 of the Highways Act 1980 to divert part of footpath 61 as set out in paragraphs 1 and 2 of the report.
- (2) If any objections are made that the Legal Manager be authorised to send the order to the Secretary of State for the Environment to be determined and that if there are no objections he be authorised to confirm the order as an unopposed order.

REASON

The diversion was considered to be acceptable.

99. TRANSFER OF VIVARY WAY MULTI-USE GAMES AREA TO ALKINCOATS PARK

The Neighbourhood Services Manager submitted a report which advised Members of the need to

move the Vivary Bridge Multi-Use Games Area (MUGA) from its current site on land at Vivary Way, Colne. The Committee was asked to consider three options (attached as appendices to the report) for the re-location of the MUGA from Vivary Way into Alkincoats Park.

During discussion it was noted that the Friends Group were against Option 1 as it was felt its isolated location would encourage anti-social behaviour. Option 2 would replace the existing ball court and would address the issue of replacing the external fencing around part of the larger ball court/tennis court area. Again the Friends Group were against this option but had identified Option 3 which was located on land between the end of the tennis courts and the boundary of the park at Halverholt Close as their preferred option.

RESOLVED

- (1) That Option 3 be the preferred option for the relocation of the MUGA to Alkincoats Park, subject to it being turned 90 degrees to run the width of the tennis courts.
- (2) That the Neighbourhood Services Manager be requested to re-assess the costs for Option 3, in the location referred to in (1) above, and a meeting be convened with Ward Councillors, representatives from the Friends Group and the Bowling Club along with relevant officers to discuss further.

REASON

This option was considered to be in the most suitable location.

100. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report which informed Members of the environmental crime action for 1st July to 30th September in the Colne and District area along with annual totals for 2018/19.

101. ITEMS FOR DISCUSSION

(a) Flooding at the bottom of Knotts Lane, Colne

It was reported that there were incidents of flooding from the car park at the bottom of Knotts Lane which resulted in water running along the front of the shops, under the arches and fed into the gullies at the corner of the track leading to the Stable Cross Bed and Breakfast accommodation. The water was a deep orange colour which was also of concern.

The Committee were advised that the County Council were aware of this problem and investigations were ongoing.

RESOLVED

That an update on the County Council's investigations be submitted to the next meeting.

REASON

To keep the Committee up to date.

(b) Burning of pallets at Bridge Street Stoneyard, Colne

The Committee were advised that pallets and plastics had been burnt at the stoneyard. Officers from Environmental Health had spoken with the owners and no further incidents had been reported.

RESOLVED

That, on behalf of this Committee, a letter be sent to the owners of Bridge Street Stoneyard warning them of the consequences should further materials be burnt on site.

REASON

To raise awareness of the seriousness of their actions and in the interests of health and safety of local residents.

(c) Burnley Road back street between Phillips Lane and Ridehalgh Street, Colne

The Committee expressed concern with the unsatisfactory repairs made to the 'adopted' back street between Phillips Lane and Ridehalgh Street, Colne by the County Council.

RESOLVED

That this item be deferred until the next meeting.

REASON

To allow time for more information to be provided to the Committee.

(d) Air Quality Management Area, Colne

Reference was made to the lack of information on the Council's website regarding air quality management in Colne. It was reported that the only source of information was Pendle's Air Quality Management Area Order.

RESOLVED

- (1) That the website be updated.
- (2) That a report on Pendle's Air Quality Management Area Order along with progress on any actions and initiatives to improve air quality be submitted to a future meeting.

REASON

To have an understanding of the current situation.

**102. COLNE AND DISTRICT WORKING GROUP OF THE
COLNE COMMUNITY SAFETY PARTNERSHIP**

Minutes of a meeting of the Colne and District Working Group of the Colne Community Safety Partnership held on 3rd October, 2018 were submitted for information.

103.

OUTSTANDING ITEMS

The following items had either been referred to this Committee or requested by the Committee. Reports would be submitted to future meetings.

- (a) Former Public Conveniences – Colne Bus Station (06.09.18)
- (b) 9-11 Cuerden Street: alleged use as business (06.09.18)

CHAIRMAN _____