

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 22nd JANUARY, 2019
AT NELSON TOWN HALL**

PRESENT –

Councillor P. White (Chairman – in the chair)

Councillors

*Nadeem Ahmed
Musawar Arshad
W. Blackburn
N. Butterworth (Substitute)
M. S. Foxley
M. Goulthorp*

*M. Iqbal
Y. Iqbal
A. Mahmood
B. Newman
C. Wakeford
D. M. Whipp*

Also attending:

Councillor T. Whipp

Officers in attendance:

<i>Dean Langton</i>	<i>Chief Executive</i>
<i>Philip Mousdale</i>	<i>Corporate Director</i>
<i>Susan Guinness</i>	<i>Chief Financial Officer</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>

(Apologies for absence were received from Councillor P Foxley).

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

<i>Sally Lambert</i>	<i>Land at Greenberfield Lane, Barnoldswick</i>	<i>Minute No.</i>
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134. DECLARATIONS OF INTEREST

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

135. PUBLIC QUESTION TIME

There were no questions from members of the public.

136. MINUTES

RESOLVED

That the Minutes of the meeting held on 18th December, 2018 be approved as a correct record and signed by the Chairman.

137. PLANNING APPLICATION

- (a) 18/0283/FUL Major: Full: Change of use from agricultural to a caravan park and siting of 36 holiday lodge caravans and 20 touring caravan pitches at the Caravan Site, Lower Greenhill Farm, Kelbrook Road, Salterforth for Mr. & Mrs. N. Hudson**

At a meeting of the West Craven Committee on 8th January, 2019 the decision to refuse this application was referred as a recommendation to this Committee as the decision to refuse the application would be a significant risk of costs to the Council in the event of an appeal.

This application was **withdrawn** prior to the meeting.

138. WEST CRAVEN FLOOD DEFENCE AND RESILIENCE – UPDATE

The Neighbourhood Services Manager submitted a report which provided progress made with the ESIF funding bid, EA flood modelling and Natural Flood Management in Earby and Victoria Clough culvert repairs which were being undertaken by the Environment Agency. An update on progress with the works being undertaken at the Ghyll Meadows culvert was also provided.

Progress made on the flood resilience schemes with funding from the Ministry of Housing, Communities and Local Government was also included in the report.

The Committee also discussed the possibility of progressing the new flood defence wall on New Cut adjacent to Albert Street, Earby and the floodwater storage area at Birley Playing Fields as separate projects. There was also a discussion around the funding of these projects and the involvement of the Environment Agency and the Ministry of Housing, Communities and Local Government.

RESOLVED

- (1) That progress be noted.
- (2) That an alternative course of action to deliver the new flood defence wall on New Cut adjacent to Albert Street, Earby as a stand-alone project be considered.
- (3) That discussions be held with the County Council regarding (2) above to ensure the flood defence wall was reconstructed to the parapet level required by the Environment Agency.
- (4) That this report be referred to the West Craven Committee for further consideration.
- (5) That officers be thanked for all the work they have done so far with regards flood defence works in West Craven.

REASON

To enable flooding issues in West Craven to be effectively managed and reduced.

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

The Corporate Director submitted a report which provided an update on the transfer of parks and responses to the request for a 75% contribution to grounds maintenance.

It was noted that transfers of Letcliffe Park, Victory Park and Valley Gardens to Barnoldswick Town Council had been completed in April, 2018. The Town Council had also agreed to fund the 75% reduction in grounds maintenance.

It was reported that the transfer of Barrowford Memorial Park, along with Pendle Heritage Centre, to Barrowford Parish Council was on course to be completed in March, 2019. Trawden Forest Parish Council had agreed to fund the 75% grounds maintenance contribution for Ball Grove Park but was not in a position to say when it may take a transfer. Brierfield Town Council had decided not to pay the 75% contribution for Heyhead Park but would continue to make the 50% contribution. The Town Council did not feel that they were in a position to consider a transfer of the park.

Formal responses were still awaited from Nelson Town Council in respect of the 75% contribution for Marsden Park, Walverden Park and Victoria Park. This was also the case for Earby Town Council and Kelbrook and Sough Parish Council in respect of Sough Park. It was reported, however, that the Corporate Director would be attending the next Sough Parish Council meeting to discuss the transfer.

Colne Town Council had not yet come to a decision about the transfer of Alkincoats Park. A Working Group had been set up and they were to report back to the Town Council at its next meeting.

On another issue regarding Alkincoats Park the Committee were asked to consider allocating £55,320 from the capital budget for works at Red Lane to enable the Vivary Way MUGA to be relocated in the Park adjacent to Park Way.

The Committee were also asked to give some thought to what might be included in the next phase of the programme. This included:

- Town centre sweeping
- Local car parks
- Cemeteries
- Colne Market
- Colne Municipal Hall
- Sports pitches and playing fields provision
- Picnic sites

A further suggestion of an agency agreement with a town or parish council for some services, rather than an outright transfer was also considered. It was felt that this should be considered once a decision had been made on the reduction in the number of Councillors and the subsequent ward changes.

RESOLVED

- (1) That the position on the responses to the request for 75% parks grounds maintenance contributions be noted.
- (2) That the virement of £55,320 from the capital allocation for works at Red Lane to enable the transfer of the Vivary Way MUGA to the preferred location in Alkincoats Park, be approved.

- (3) That meetings be held with town and parish councils during the summer to discuss the outstanding transfers of parks and related matters and the future programme.
- (4) That a report be submitted to the Committee following the meetings referred to in (3) above.

REASON

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

140. HOLT HOUSE, COLNE – COMMUNITY ASSET TRANSFER REQUEST

The Corporate Director submitted a report on the community asset transfer request from Colne FC.

Following a request made by the Committee in July 2018 a public meeting was held on 10th December, 2018. It was felt that this had been a positive meeting with a general feeling of goodwill towards the Club and was well attended by local residents and Councillors. A number of issues were raised and these were listed in the report.

There was a proposal to establish a Community Interest Company (CIC) which would address concerns expressed by members and residents about loss of the land and future unwelcome development. The report provided details of how a CIC would be established but it was acknowledged further specialised advice was needed.

A number of questions were raised and it was noted that these would be considered during negotiations for the transfer.

RESOLVED

- (1) That the Corporate Director be authorised to continue the negotiations with the Club for the transfer of the freehold to a Community Interest Company as outlined in the report.
- (2) That the Club be invited to contact the Planning, Building Control and Licensing Services Manager for pre-application planning advice.
- (3) That a progress report be submitted to this Committee in due course.

REASON

To support the proposals and ambitions of the Club.

141. TENDERS

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

142. MATTERS REFERRED FROM AREA COMMITTEES

(a) Fireworks

At a meeting of the Brierfield and Reedley Committee held on 4th December, 2018 it was resolved “that the Policy and Resources Committee be recommended to ask Council to pass a resolution to lobby Government to ban the sale of fireworks to the public other than for organised displays.”

It was acknowledged that this was a Borough wide problem but it was felt further information would be useful before a decision could be made.

RESOLVED

That this item be deferred pending submission of a report to a future meeting.

REASON

To provide Members with the information needed to make an informed decision.

(b) 1 Brook Street, Nelson

At a meeting of Nelson Committee on 7th January, 2019 it was resolved “that the Policy and Resources Committee be recommended to declare 1 Brook Street, Nelson surplus to requirements in order for the property to be sold.”

RESOLVED

That number 1 Brook Street, Nelson be declared surplus to requirements in order for the property to be sold.

REASON

To achieve a capital receipt.

(c) Land off Greenberfield Lane, Barnoldswick

At a meeting of the West Craven Committee on 8th January, 2019 it was resolved “that the Policy and Resources Committee be advised that the Committee did not want to dispose of the land for potential development, but that it be transferred to Barnoldswick Town Council under the Community Asset Scheme for the following reasons:

- The current tenants of the land marked A on the plan attached to the report had and were continuing to invest in the site, building fences and planting trees, most recently planting a hedgerow for the benefit of wildlife. They had also invested a lot of time and effort making the land suitable for grazing.
- The TPO trees on the boundary of the site are of high amenity value and provide roosts for protected bats.
- Initially this land was included in the plan for the transfer of Victory Park to Barnoldswick Town Council but was later taken out. Barnoldswick Town Council could provide allotments on this site to meet demand in Barnoldswick.

- Highway safety is a great concern; the plans approved on appeal for the adjoining plot of land do not provide a safe junction onto Gisburn Road for the vastly increased numbers of vehicles from a much larger housing development. The approved development fails to provide a continuous pavement from the site into Barnoldswick; this would be of great concern as Gisburn Road is a very busy and fast road.
- The bus turnaround would be affected by the proposal. The turnaround allows the Barnoldswick Town Service to operate down Gisburn Road; any impact on this service would be detrimental to public transport provision.
- There is a public right of way on the Definitive Map 24' wide going across the larger grazing site marked B on the plan attached to the report. There is another public right of way along the access track to West Close Farm and Barn. Impact on these PROWs would be unacceptable.
- Greenberfield Lane is very narrow and there isn't enough space for vehicles and pedestrians to pass each other on the greater part of its length. The consequential increase in traffic from development is unacceptable.
- The lane is not appropriate for HGV traffic accessing the adjacent sewage work or vehicles going to the parking area at the northern end of Victory Park. Disposal of the land could result in the removal of the access track on part of the land – leading to the loss of the only safe access to these areas.
- Greenberfield Lane is an important leisure route used by walkers, cyclists and horses. Part of the land is a designated wheelchair route. The whole of the lane is "Access Only" to help keep it a 'quiet lane' for such purposes. Development of a large field on the lane would destroy the character of the lane as well as increasing the risk of injury to leisure users.
- Greenberfield Lane is the route of a Roman Road – an important part of Barnoldswick's heritage. This heritage should not be destroyed by development.

RESOLVED

That land at Greenberfield Lane, Barnoldswick (shown edged black on the plan attached to the report) not be disposed of but it be transferred to Barnoldswick Town Council under the Community Asset Scheme.

REASON

For the reasons referred to above.

(d) Land at Bold Street, Colne

The Executive resolved on 23rd October, 2014 to declare this site surplus and market it for sale, following a recommendation from Colne and District Committee. In December, 2017 the Executive further resolved that the land be disposed of to Together Housing for the development of affordable housing and that the Chief Executive be authorised to negotiate terms.

A planning application was submitted by Cawder Construction and this was refused by Colne and District Committee on 3rd October, 2018. At that meeting it was also resolved that options for the future use of the land be referred to this Committee for consideration. A revised planning application for 9 houses and 6 apartments was resubmitted and approved by the Colne and District Committee on 11th January, 2019.

It was reported that Together Housing had been successful in securing significant levels of grant funding from Homes England to deliver the affordable housing, but this may be lost if the scheme

was not to proceed. A developer had been lined up to start the scheme as soon as land disposal was complete.

With regards to the boundary wall to Colne Lane, Together Housing had confirmed that this wall would be included in the transfer and they would take on responsibility for its maintenance.

IN ACCORDANCE WITH THE COUNCIL'S CALL-IN PROCEDURE THE ABOVE ITEM STANDS REFERRED BACK TO THE THREE GROUP LEADERS FOR DISCUSSION AND RECONSIDERATION AT THE NEXT MEETING OF THE POLICY AND RESOURCES COMMITTEE.

Chairman _____