

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 27th JUNE, 2019
AT NELSON TOWN HALL**

PRESENT –

Councillor M. Iqbal (Chairman – in the chair)

Councillors

*N. Ahmed
M. Aslam (Substitute)
C Carter (Substitute)
D. Clegg
P. Foxley
M. Goulthorp*

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

Also attending:

Councillor S. Cockburn-Price

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>Kathryn Hughes</i>	<i>Principal Planning Officer</i>
<i>Lynne Rowland</i>	<i>Committee Administrator</i>

(Apologies for absence were received from Councillors M. R. Arshad and M. Foxley).

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

<i>Mike Scothern</i>	<i>18/0821/RES Outline: Major: Erection of 14 dwelling</i>	<i>Minute No.23</i>
<i>Mike Hibbert</i>	<i>houses with access road (access and scale only) on land</i>	
	<i>opposite The Barn, Ben Lane, Barnoldswick</i>	
<i>Lisa Durkin</i>	<i>High Street Heritage Action Zones</i>	<i>Minute No.30</i>

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20. DECLARATION OF INTERESTS

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

21. PUBLIC QUESTION TIME

There were no questions from members of the public.

22. MINUTES

RESOLVED

That the Minutes of the meeting held on 28th May, 2019 be approved as a correct record and signed by the Chairman.

23. PLANNING APPLICATION

18/0821/RES Outline: Major: Erection of 14 dwelling houses with access road (access and scale only) on land opposite The Barn, Ben Lane, Barnoldswick for Mr L. Green

The Planning, Economic Development and Regulatory Services Manager submitted a report on the above planning application. At a meeting of the West Craven Committee on 4th June, 2019 the decision to refuse this application was referred as a recommendation to this Committee as the decision to refuse the application would represent a significant risk of costs to the Council in the event of an appeal.

RESOLVED

That planning permission be **refused** for the following reason –

The proposed development would lead to a situation where the increase in traffic on Ben Lane would lead to a severe and detrimental impact on highway safety contrary to Policy ENV4 of the Pendle Local Plan Part 1: Core Strategy 2011-2030 and the guidance contained in paragraph 109 of the National Planning Policy Framework.

**24. STRATEGIC PLAN 2018-20
REFRESH 2019-20**

The Chief Executive submitted a report on the updated Strategic Plan for 2018-2020 – this incorporated the annual refresh for 2019-2020 which was attached to the report at Appendix 1. It retained the Council's Vision and detailed the supporting Values; illustrated the Strategic Objectives and Headline Actions along with Key Priorities which helped to deliver the key projects identified.

RECOMMENDATION

That the Strategic Plan 2018-2020 (incorporating the Annual Refresh 2019-2020) be noted and referred to Council for consideration.

REASON

To ensure the Council retains its focus on its priorities and delivers high quality and accessible services.

25. PROVISIONAL REVENUE OUT-TURN 2018/19

The Chief Financial Officer submitted a report which set out the Council's provisional out-turn position on the General Fund Revenue Budget for 2018/19.

The Committee was also asked to agree to the carrying over of budget provision in the sum of £110.9k into 2019/2020 and the setting up of a New Homes Bonus Resilience Reserve of £0.552m.

RESOLVED

- (1) That the out-turn position on the Council's Revenue Budget for 2018/19 be noted and it be acknowledged that the position was provisional at this time pending completion of the audit of the accounts for the year.
- (2) That the proposals to re-phase the budget from 2018/19 to 2019/20, for the items exceeding £15,000 (as shown in Appendix B attached to the report) be approved.
- (3) That a New Homes Bonus Resilience Reserve of £0.502m be approved.
- (4) That the decision taken at Special Budget Council on 26th February, 2019 to increase cemetery fees be reversed with immediate effect.
- (5) That further to (4) above, Council Officers be asked to review the expenditure on cemeteries, to bring compensating savings for the Council, and submit the findings to the Budget Working Group for consideration.
- (6) That £50,000 from the underspend on the General Fund Revenue Budget for 2018/19 be allocated to the existing funds for the reflagging of Barnoldswick Town Square.

REASON

To inform the Committee of the Council's out-turn position for 2018/19.

26. CAPITAL PROGRAMME – PROVISIONAL OUT-TURN 2018/19

The Chief Financial Officer submitted a report on the provisional out-turn position on the Council's Capital Programme for 2018/19. It was reported that the total budget for expenditure to be slipped from 2018/19 to 2019/20 was £8.230m. The report also summarised the amount of resources that would be carried forward.

RESOLVED

- (1) That the provisional out-turn position on the Council's Capital Programme for 2018/19 be noted.
- (2) That the proposals to carry forward budget slippage on the programme for 2018/19 to 2019/20 be approved.

REASON

To inform Committee of the Council's out-turn position for 2018/19. The information was deemed provisional pending completion of the audit of accounts for the year.

27.

ELLIOTT HOUSE, NELSON

The Chief Executive submitted a report which recommended that Elliott House, which was now vacant following the move of staff to the Town Hall, be declared surplus to requirements.

Committee was advised that there was an option for Barnfield to acquire the property at market value (this option had been agreed when the Council acquired interests in Number One Market Street and the ACE Centre from Barnfield). The Council was under no obligation to trigger this option.

It was in the Council's interest to offer the building to the market and either:

- Secure a tenant to avoid or off-set running costs from rental income; or
- Secure a sale of the building to completely remove any financial liability for running costs and other physical and legal responsibilities.

Committee was also advised that if the building was declared surplus the Council may be required, as an authority which has signed up to the One Public Estate programme, to record the surplus nature and availability on the Government's Electronic Property Information Mapping Service (e-PIMS) where other public sector body members may show interest in acquiring the property before it was offered to the general market.

RESOLVED

That Elliott House, Nelson be declared surplus to requirements and the Chief Executive be granted delegated authority to agree terms for a lease or disposal as appropriate.

REASON

To avoid ongoing financial and maintenance liabilities for the vacant building and either provide rental income if leased or a capital receipt if sold.

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

The Corporate Director submitted a report on matters relating to town centre CCTV. It was reported that Pendle Council, together with Preston, Hyndburn, Burnley and Rossendale currently had a service level agreement with Blackburn with Darwen for a single scheme provision of CCTV, with monitoring and support being undertaken from a central hub in Blackburn.

Currently the four town councils, Barnoldswick, Brierfield, Earby and Nelson were providing all the funding (since the Council withdrew its revenue funding for CCTV some time ago) and increasingly received the service direct from Blackburn with Darwen where the Hub was located. It was therefore proposed that the four town councils take over Pendle Council's place in the Blackburn CCTV monitoring hub arrangement. An informal discussion with the four town councils had indicated broad agreement to this and formal approval from them was awaited.

It was noted that approval would be required from Blackburn with Darwen and other councils who used the Hub and that new service level agreements would be required. It was proposed that the residual capital budget of £79,190 for CCTV be divided up and allocated to the town councils for use on any further CCTV provision or upgrading of equipment.

Colne Town Council had decided to set up its own scheme.

The Committee was also asked to consider transferring the amenity area at Harrison Street to Barnoldswick Town Council. Various pieces of land had been transferred to the Town Council back in March but this piece of land was seen as a potential residential development site.

RESOLVED

- (1) That the proposal for Barnoldswick, Brierfield, Earby and Nelson town councils to take over Pendle's place in the Blackburn CCTV monitoring hub arrangement be approved.
- (2) That the transfer of ownership of the CCTV equipment and the allocation of the residual capital budget, on the basis detailed in the report, to the town councils (including Colne) be approved, subject to new service level agreements being agreed.
- (3) That the transfer of the land at Harrison Street to Barnoldswick Town Council be agreed and the Corporate Director be granted delegated authority to agree the terms.

REASON

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

29. LAND AT BAILEY STREET, EARBY

The Chief Executive submitted a report following receipt of objections made in response to statutory notice of the Council's intention to dispose of this open space land on Bailey Street, Earby.

The Committee was reminded of the history to the site and the Council's requirement under S123 (2A) of the Local Government Act 1972 to give notice of its intention to dispose of land considered to be open space in the local press for two consecutive weeks with the intended use set out.

Nine objections had been received. The objections related to a deficit of open space, drainage, flooding and the loss of a public footpath. It was noted that these objections would be dealt with in the planning application process.

RESOLVED

That the objections be noted and the decision to sell the land for residential development be reaffirmed.

REASON

The main objections to the open space notice were in relation to deficit of open space in Earby, but the Councils new open space audit, which was due to be published shortly, concluded that there was a surplus of amenity green space in Earby. There were also other objections, but these would be dealt with in the planning application process.

30. HIGH STREET HERITAGE ACTION ZONES

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Historic England funding for High Street Heritage Action Zones (HSHAZ) which outlined the expression of interest and the application process.

It was noted that requests had been received for support in developing and submitting expressions of interest from Barnoldswick and Colne (Colne Business Improvement District (BID)).

The formal request to support an expression of interest had been received from West Craven Committee at its last meeting as follows:

“That the Chief Executive and Planning, Economic Development and Regulatory Services Manager be asked to expedite work on identifying funding that could be put towards the £150,000 shortfall for a HSHAZ bid in respect of Barnoldswick Town Centre and that the bid be pursued as soon as possible.”

It was noted that there was a scheme in West Craven that was at an advanced stage to redevelop the town square with some match funding already in place. Further details on the scheme in Colne were provided at the meeting by the Colne BID Manager, Lisa Durkin.

The deadline for expressions of interest was 12th July, 2019 and Committee was advised that the timescales for preparation of a good quality bid with the best chances of success were extremely tight. Reference was also made to the funding requirements and the Council’s current financial position. It was suggested that £100,000 be deallocated from the Brownfield Sites Fund to contribute to the scheme in West Craven. This was on the proviso that other funding be actively pursued to reduce the amount to a minimum.

RESOLVED

- (1) That the expression of interest application process be noted and the estimate of resources required (staffing and financial) to support the bids be acknowledged.
- (2) That a High Street Heritage Action Zone Application be developed and submitted for Barnoldswick Town Centre.
- (3) That it be agreed that the Council supports a further expression of interest to be submitted by Colne Business Improvement District for Colne.
- (4) That a maximum of up to £100,000 be allocated to the Barnoldswick bid and that this be funded by way of a virement from the Brownfield Sites Fund only if a successful High Streets Heritage Action Zone bid is approved.
- (5) That the Chief Executive be granted delegated authority, in consultation with the Leader and Deputy Leader, to agree all other matters relating to the scheme including the management arrangements for it.

REASONS

- (1) ***Due to the financial and staffing resources required to deliver a successful High Streets Heritage Action Zone it is recommended that only one application is submitted by the Council.***
- (2) ***In order for non-Local Authorities to submit an application it must be demonstrated that the scheme has support of the Local Authority.***
- (3) ***In order to provide a capped amount of match funding to support the Barnoldswick bid.***

- (4) ***The organisation of the bid, its management structure and how it would be run on a day to day basis need to be agreed as part of the bid and no proposals are presently available on these issues.***

31. DISTRICT ENFORCEMENT

The Corporate Director submitted a report following a request at the Annual Council meeting on 16th May, 2019 for a review of “the litter enforcement contract ... with a view to making it more effective in tackling the real issues of littering and dog fouling, or terminating the contract at the earliest opportunity ...”

It was suggested a meeting be arranged with District Enforcement to discuss the performance under the contract and related issues.

RESOLVED

- (1) That 3 cross-party Members (1:1:1) be nominated to meet with District Enforcement.
- (2) That a further report be submitted to a future meeting of this Committee following the meeting with District Enforcement.

REASON

To address Members’ concerns relating to the contract.

32. POLICY THEMES – ANNUAL REPORT

The Chief Executive submitted a report which provided an update on the following policy themes:

Community Safety, Prevent, Cohesion, Children and Young People, Health and Wellbeing, Climate Change/Emissions, Equality and Diversity and the Pendle Vision Board.

RESOLVED

- (1) That the annual progress of the thematic areas and challenges to delivery be noted.
- (2) That the option for Pendle Community Safety Partnership to join the Pennine Community Safety Partnership not be explored further.
- (3) That the proposal of a community asset transfer of Colne Youth Centre, Byron Road, Colne to Positive Action in the Community be noted.
- (4) That a cross-party scrutiny group (3:3:2) be established to consider child poverty in Pendle.
- (5) That the Annual Emissions Report for 2017/18, attached to the report at Appendix 3, be approved.

REASON

To recognise and take forward partnership working in order to deliver the objectives in the Council's Strategic Plan.

**33. NATIONAL REVIEW OF DISABLED FACILITIES GRANTS
AND OTHER ADAPTATIONS**

The Housing, Health and Engineering Services Manager submitted a report which advised the Committee of the national review of the disabled facilities grants and the report that had been published in December, 2018. Committee was also informed of changes that were being introduced to the delivery mechanism of disabled adaptations.

RESOLVED

- (1) That the External Review Summary attached to the report be noted.
- (2) That the Council continues to lobby for an allocation formula that more accurately reflects the level of need in Pendle.
- (3) That the changes in the delivery mechanism for Disabled Facilities Grants be noted.
- (4) That the Housing, Health and Engineering Services Manager be asked to provide an update to this Committee in six months' time.

REASON

- (1) ***To try and ensure that the funding meets the needs in Pendle.***
- (2) ***To improve the delivery of disabled adaptations.***

**34. COUNTRYSIDE ACCESS STRATEGY 2019-2023
AND REVISED PUBLIC RIGHTS OF WAY ENFORCEMENT POLICY**

The Environmental Services Manager submitted a report on the Countryside Access Strategy for 2019-2023 and the Revised Public Rights of Way Enforcement Policy for consideration.

The Strategy and Policy had been updated following significant changes in the delivery of the Countryside Access Service.

RECOMMENDATION

That the Countryside Access Strategy 2019-2023 and the Revised Public Rights of Way Enforcement Policy be recommended to Council for adoption.

REASON

To formally adopt both the Strategy and the Enforcement Policy documents.

35. REDUCING SINGLE USE PLASTICS IN LANCASHIRE

The Environmental Services Manager submitted a report which provided an overview of the

contents of Lancashire County Council's recent report into reducing Single Use Plastics in Lancashire and to consider what actions the Council might take in Pendle to support this initiative.

RESOLVED

- (1) That the move towards reducing single use plastics across Lancashire be supported and it be agreed that the Council works towards this end via the Lancashire Waste Partnership.
- (2) That Management Team be requested to examine what actions the Council as an organisation might realistically take to reduce single use plastics and a report be submitted to a future meeting.

REASON

To take forward the recommendations of the County Council's Overview and Scrutiny report.

36. ENFORCEMENT OF CEMETERIES REGULATIONS

This item was deferred at the last meeting for a site visit. The report from the Corporate Director, which asked the Committee to consider how to deal with the growing problem of unauthorised structures and items in cemeteries, was resubmitted for further consideration.

RESOLVED

That the report be noted.

REASON

For information.

**37. PROPOSED WITHDRAWAL OF BUS SERVICE 280
PRESTON-WHALLEY-CLITHEROE-GISBURN-SKIPTON**

The Housing, Health and Engineering Services Manager submitted a report on the proposed withdrawal by Rotala Preston Bus of the local bus service 280 Preston to Skipton which included part of the Pendle area.

The service had been withdrawn on 16th June as it was not a commercially viable service. A full replacement service was estimated as costing in the region of £160,000. Stagecoach were proposing to operate the section of route between Preston and Clitheroe on a commercial basis and was seeking to operate the section between Clitheroe and Skipton, which included Barnoldswick, on a commercial basis with initial partnership funding support from the County Council.

The County Council was looking to seek funding to initially provide the subsidy of £80,681 per annum for a replacement reflecting the proposed route with Earby incorporated into the service. It was requesting both Ribble Valley and Pendle Council to contribute a quarter of this cost (£10k each). It was reported that Ribble Valley Borough Council had agreed to this, subject to Cabinet approval.

RESOLVED

That Lancashire County Council be asked to seek funding from North Yorkshire County Council towards the 280 bus service.

REASON

The 280 bus route services areas of North Yorkshire.

38. TOGETHER AN ACTIVE FUTURE PROGRAMME

The Chief Executive submitted a report which provided an update on the Pennine Lancashire Together an Active Future (TAAF) programme and sought approval for the Strategic Investment Framework, attached as appendix 1 to the report, for Pendle's Sport England investment.

The Pennine Lancashire TAAF programme had been set up to tackle physical inactivity and poor mental health wellbeing after being selected as a Sport England Local Delivery Pilot in 2017.

To support the development of local interventions that stayed true to Sport England's outcomes for all the Local Delivery Pilots and delivered the aims of the TAAF, nine underpinning Principles had been agreed.

The report provided information on funding streams, with specific information provided on Pathfinder funding and an allocation of £360,831 made to Pendle. Officers were looking into how this award could be aligned with other health improvement funding, such as the East Lancashire Clinical Commissioning Group Social Prescribing.

Proposals for developing Pendle's programme and details on timescales were provided in the report.

RESOLVED

- (1) That progress on Together an Active Future be noted along with the role of the Council in this next stage of implementation.
- (2) That the Pendle Strategic Investment Framework, attached to the report at Appendix 1, be approved.
- (3) That the proposed approach for developing Pendle's programme as outlined in the report, be agreed.

REASON

To ensure a robust and transparent commissioning process for Pendle's Sport England investment.

39. TENDERS AND OTHER CONTRACT RELATED MATTERS

The Corporate Director submitted a report on tenders which had been received and accepted. This included the exemptions from the requirements of the Contract Procedure Rules in relation to land at End Street, Colne.

RESOLVED

That the tenders which have been received and accepted, and the acceptance of the offer for the sale of land at End Street, Colne be noted.

REASON

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

40. ITEMS REFERRED FROM AREA COMMITTEES

(a) Former Hycrome Works/Green Works, Knotts Lane, Colne

At a meeting of the Colne and District Committee on 9th May, 2019 it was resolved “that the outstanding issues with regard to the former Hycrome Works/Green Works, Knotts Lane, Colne be referred to the Policy and Resources Committee with a view to progressing a Compulsory Purchase Order and a possible PEARL scheme.”

RESOLVED

That officers be asked to investigate the Compulsory Purchase of the former Hycrome Works/Green Works, Knotts Lane, Colne along with a possible PEARL scheme and a report be submitted to a future meeting.

REASON

To allow for further consideration.

(b) Former Blockbuster Video Store, Market Street, Colne

At a meeting of the Colne and District Committee on 9th May, 2019 it was resolved “that the Head of Legal Services be requested to proceed with urgent legal action as appropriate with regard to the Blockbuster Video Store, Market Street, Colne. In addition, the matter be referred to the Policy and Resources Committee with a view to progressing a Compulsory Purchase Order.”

RESOLVED

That officers be asked to investigate the Compulsory Purchase of the former Blockbuster Video Store, Market Street, Colne and a report be submitted to a future meeting.

REASON

To allow for further consideration.

(c) 35 Walton Street, Colne

At a meeting of the Colne and District Committee on 9th May, 2019 it was resolved “that the Policy and Resources Committee be asked to consider arranging discussions with Together Housing and the owner of 35 Walton Street, Colne.”

The Housing, Health and Engineering Services Manager submitted a report which provided the Committee with details of the current position regarding the long term empty property.

The Council had carried out external improvements to the property as part of the refurbishment of the block. It had been left to the owner to carry out any internal improvements to bring the property back into use. There had been some activity at the property and there was evidence that internal renovations had taken place. Unfortunately the water supply to the property had been disconnected and its reconnection remained an unresolved matter. It was therefore unlikely that renovation work would re-commence.

RESOLVED

That the Housing, Health and Engineering Services Manager be asked to arrange discussions with Together Housing and the owner/owner's representatives of 35 Walton Street, Colne.

REASON

To enable the property to be brought back into use as quickly as possible.

41. HEALTH AND SOCIAL CARE PANEL

The Committee was asked to put forward items for consideration by the Health and Social Care Panel.

RESOLVED

That suggestions for items for consideration by the Health and Social Care Panel be submitted directly to Committee Services.

Chairman _____