

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 25th JULY, 2019
AT NELSON TOWN HALL**

PRESENT –

Councillor D. M. Whipp (Vice-Chairman – in the chair)

Councillors

*E. Ansar (Substitute)
M. Aslam (Substitute)
C. Carter (substitute)
D. Clegg
M. Foxley
P. Foxley*

*M. Goulthorp
J. Henderson
Y. Iqbal
B. Newman
Y. Tennant (Substitute)
C. Wakeford*

Also attending:

Councillor K. Turner

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>Neil Watson</i> | <i>Planning, Economic Development and Regulatory Services Manager</i> |
| <i>Joanne Eccles</i> | <i>Committee Administrator</i> |

(Apologies for absence were received from Councillors N. Ahmed, M. Arshad, M. Iqbal and A. Mahmood.)



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

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|-------------------------------|---|----------------------|
| <i>Robbi Atilgan</i> | <i>19/0259/FUL Full: Change of use of dog breeding kennels to</i> | <i>Minute No. 44</i> |
| <i>Julie McGee</i> | <i>a mixed use of dog breeding and dog sales (retrospective)</i> | |
| <i>Barbara Roberts-Hornby</i> | <i>at Douglas Hall Kennels, Spenbrook Road, Newchurch-In-Pendle</i> | |
| <i>Sharon Ashley</i> | | |
| <i>Joanne Place</i> | | |
| <i>June Burns</i> | | |
| <i>Louise Cullen</i> | | |



42. DECLARATION OF INTERESTS

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

43. PUBLIC QUESTION TIME

There were no questions from members of the public.

44. PLANNING APPLICATIONS

19/0259/FUL Full: Change of use of dog breeding kennels to a mixed use of dog breeding and dog sales (retrospective) at Douglas Hall Kennels, Spenbrook Road, Newchurch-In-Pendle for Mr W. Lancaster

(Councillor C. Wakeford declared a non-pecuniary interest in this item.)

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

RESOLVED

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

- Highway safety issues.

45. TREASURY MANAGEMENT – OUTTURN REPORT 2018/19

The Chief Financial Officer submitted a report on performance of the Council's treasury management function for the 2018/19 financial year. The report set out details of the Council's borrowing and investment activity for the year. It included actual performance against estimates included in the approved 2018/19 Treasury Management Strategy and Annual Investment Strategy.

RESOLVED

That the outturn position on the Council's treasury management activities for 2018/19 be noted.

REASON

For the Committee to receive details of the Council's treasury management activities for 2018/19 in compliance with the Council's Treasury Management Policy.

46. MATTERS REQUIRING FINANCIAL ASSISTANCE

(Councillor D. Clegg declared a non-pecuniary interest in this item.)

The Chief Executive submitted a report seeking approval for a loan to the Peter Birtwistle Trust to enable them to acquire the development of the former Health Centre in Colne.

The Trust had approached the Council for a loan of £365,000 towards the acquisition of the site (the balance of funding of c£1m would come from Homes England grant funding and the Trust's own reserves). They had indicated a repayment period of between 15 and 20 years.

RESOLVED

- (1) That the request for a loan of £365,000 to the Peter Birtwistle Trust to enable them to acquire the development of the former Colne Health Centre be approved.

- (2) That delegated authority be granted to the Corporate Director to negotiate and agree the terms of the loan including any collateral necessary to underwrite the repayment of the loan.

REASON

To facilitate the redevelopment of the former Health Centre in Colne.

47. PENDLE WOMEN'S REFUGE – OUTCOME OF TENDER PROCESS AND DOMESTIC ABUSE SERVICES CONSULTATION

The Housing, Health and Engineering Services Manager submitted a report on the outcome of the County Council's procurement process in relation to women's refuges (including Pendle Women's Refuge).

It was reported that the County Council's tender process in relation to domestic abuse refuges had been concluded. The County Council proposed to accept the offer from Lancashire Refuge Service (LRS). LRS included Safe Net as the lead provider who intended to subcontract certain elements of the services. SafeNet was a registered charity and provided services across Lancashire for victims of domestic violence and abuse.

Offers would work with LRS to ensure a smooth handover of the Pendle Women's Refuge from September 2019. It was hoped that there would be no negative aspects to the transfer of service, but rather a positive impact on Pendle, as the new provider, with charitable status might be in a better position to attract additional funding to the service.

The report also included the Council's draft response to the Domestic Abuse Services consultation on proposals for a new approach to support victims of domestic abuse and their children in accommodation-based services in England. The deadline for responses was 2nd August.

RESOLVED

- (1) That the decision to choose Lancashire Refuge Service as the chosen provider for women's refuges in Lancashire, following the Lancashire County Council tender process, be noted.
- (2) That an update report be submitted to a future meeting following discussions with Lancashire Refuge Service regarding how the refuge service would be taken forward.
- (3) That the draft responses to the Domestic Abuse Services consultation be agreed.

REASON

- (1) ***To inform the Committee of developments in relation to the tender process and how the refuge service would be taken forward following transfer of the service.***
- (2) ***To ensure the Council's views are considered on proposals for a new approach to support victims of domestic abuse and their children in accommodation-based services in England.***

48. EMPTY HOMES STRATEGY AND ACTION PLAN

The Housing, Health and Engineering Services Manager submitted a report on the Empty Homes Strategy and Action Plan. The updated Strategy and Plan at Appendix 1 of the report set out the actions the Council intended to use to reduce the number of empty homes in Pendle.

It was recognised that the vacancy rate was below the national average and the North West average, but there were still clusters of empty properties in the borough.

RESOLVED

- (1) That the Empty Homes Strategy and Action Plan for 2019/2022 attached to the report be approved.
- (2) That the officers involved, in particular the Empty Homes Officer, be thanked for their hard work and commitment to bringing the number of empty homes back into use.
- (3) That area committees be asked to play their part in dealing with long term vacant properties in their areas.

REASONS

- (1) *To enable the Empty Homes Plan Targets to be met.*
- (2) *To continue the reduction in empty properties across the Borough.*
- (3) *To acknowledge the work involved in the significant reduction of empty properties in Pendle.*

49. CHARGING FOR SUPPORT AND ADVICE TO FOOD BUSINESSES

The Housing, Health and Engineering Services Manager submitted a report seeking approval to introduce cost recovery charges to introduce a food support and advisory service for new and existing local food businesses to improve food hygiene practices across the borough.

The Environmental Health Commercial Team had considered how it could provide an improved advisory service to local food businesses. It aimed to improve the relationship with businesses and regulator; save businesses money by helping them to get things right first time before opening, reduce the number of revisits to food businesses; increase the confidence of the food business operator and promote business success and economic growth in Pendle.

RECOMMENDATION

That Council be recommended to -

- (1) Agree to the Housing, Health and Engineering Service charging for bespoke Food Safety advice for new and existing food businesses.
- (2) Agree a fee of £60 per hour plus VAT from the 1st October 2019.

REASONS

- (1) To help food businesses to comply with the law from the outset and improve their food hygiene practices.**
- (2) To enable the Service to recover the cost for the work over and above the statutory function.**

50. PEARL JOINT VENTURE COMPANIES DEVELOPMENT ACTIVITY

(Councillors P. Foxley and D. M. Whipp declared a non-pecuniary interest in this item.)

The Housing, Health and Engineering Services Manager submitted an update on development activity carried out by the four PEARL joint venture companies (PEARL/PEARL2/PEARL Brierfield Mill) and PEARL Together) over the past year and what was proposed over the next 12 months.

Reference was made to the gasholder site adjoining Brierfield Mill. Discussions had been held with the National Grid for some time to establish how best to deal with the retention of the frame and whether PEARL could acquire the site. The site was within a Conservation Area and advice from Planning was that the frame could not be demolished.

However, it was reported that the Council was close to reaching an agreement with the National Grid whereby they would remove the gasholder but not fill in the void or remediate the site. The site would be transferred to the Council for £1, after removal of the gasholder, along with a one off payment for remediation (amount was still being negotiated). There would also be the requirement for the Council to pay a deposit of £75k on exchange of contracts which would be refunded once the transfer had taken place.

The Council could then transfer the site to PEARL along with the one off payment. They would then be responsible for filling the void space and carrying out repairs and repainting the frame (subject to any planning requirements). It was intended that the site would be used for car parking along with the potential for events to be held there.

RESOLVED

- (1) That the ongoing and planned development activity of the PEARL companies be noted.
- (2) That the acquisition of the gasholder site adjoining Brierfield Mill be approved, subject to a back-to-back agreement being in place with PEARL (Brierfield Mill) Ltd. to transfer the site and any development obligations.
- (3) That delegated authority be granted to the Corporate Director to agree the terms of the acquisition and subsequent transfer.

REASON

- (1) To keep the Committee informed of progress with the PEARL companies.**
- (2) To support the development of Brierfield Mill.**

51. PENDLE COMMUNITY SAFETY STRATEGY 2019/2022

The Chief Executive submitted a report on the Pendle Community Safety Strategy for 2019/2022. The Crime and Disorder Act 1998 placed a duty on the police, local authorities, key partners and organisations to work together to develop and implement local crime reduction plans. Before developing a plan, they had to identify key local crime and disorder priorities through consultation, and by analysing crime and disorder levels and pattern sin the area.

The priorities identified in the action plan within the Strategy were:

- Keeping young people and adults with vulnerabilities safe.
- Tackling the causes of crime through education and early intervention.
- Community engagement in community safety priorities.

RESOLVED

- (1) That the report and Pendle Community Safety Strategy for 2019/2022 be noted.
- (2) That the Council's contribution to the delivery of the Strategy, particularly in regard to the three priorities and related actions, be supported.

REASON

To carry out the Council's duty under the Crime and Disorder Act 1998 to contribute to the development and delivery of the actions set out in the Strategy.

**52. BUSINESS IMPROVEMENT DISTRICTS (BIDs)
FOR BARNOLDSWICK AND NELSON**

The Planning, Economic Development and Regulatory Services Manager submitted a report which summarised the process in establishing potential BIDs for Barnoldswick and Nelson, including timescales and costs.

The next stage would be to commence a tender process to appoint a consultant to undertake the feasibility studies in Barnoldswick and Nelson. The reports would then be submitted to this Committee outlining the findings and recommendations which would be in line with the suggested timescales outlined in the report.

RESOLVED

- (1) That initial investigations and feasibility work be undertaken in Barnoldswick and Nelson to establish whether a BID should be developed.
- (2) That the overall approximate development cost be noted and total funding of £9,000 be allocated for the feasibility stage in Barnoldswick and Nelson.
- (3) That the Barnoldswick feasibility exercise be undertaken first, with the Nelson study undertaken after the current master planning process had been completed (spring 2020).

REASON

To allow BID feasibility studies to be undertaken in Barnoldswick and Nelson and establish whether or not BIDs should be developed in either/both of the towns, within the suggested timescales.

53. PENDLE BUSINESS AWARDS 2020

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Pendle Business Awards, which had been held biannually since 2008.

The delivery of the 2018 Business Awards was outsourced to an event management company and had been very successful. It was suggested that the overall organisation of the 2020 awards was again delivered externally and that the tendering process be capped at £20,000. The Council and the Vision Board would still provide overall direction and format of the event.

RESOLVED

- (1) That a maximum of £20,000 be agreed to fund the delivery of the Pendle Business Awards for 2020.
- (2) That the delivery of the Pendle Business Awards be outsourced to a suitable delivery partner for the 2020 event.

REASON

- (1) ***Staff reduction and capacity of the Economic Development Team meant that it was no longer in a position to deliver the event in-house.***
- (2) ***Outsourcing the delivery would allow the Pendle Business Awards to continue.***

54. AUTHORITY MONITORING REPORT (AMR) 2017/18

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Authority Monitoring Report for the 12 month period from 1st April, 2017 to 31st March, 2018.

The Council had a legal requirement to monitor the extent to which policy objectives in the current Local Plan were being achieved. The monitoring data and analysis indicated some positive signs of improvement but also some areas of concern. In particular the housing requirement set out in the Core Strategy (Policy LIV1) was not currently being met.

Monitoring would continue and this would identify if any management actions or interventions were required. An early review of some Local Plan policies might be required if monitoring showed that progress was not being made to address any issues that were of concern.

RESOLVED

That the Authority Monitoring Report for 2017/18 be approved.

REASON

To comply with Part 6, Section 16 of the Localism Act 2011 and Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012. These required all local planning authorities to prepare a report, which monitored progress of their Local Development Scheme and the policies contained in their Development Plan.

55. BUILDING A SAFER FUTURE: PROPOSALS FOR REFORM OF THE BUILDING SAFETY REGULATORY SYSTEM

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Government's consultation "Building a Safer Future". The Grenfell Tower tragedy in 2017 had resulted in an ongoing review of the functioning of the Building Regulation process in England.

The report highlighted the main changes and a draft response to the consultation was attached at Appendix 1. The Committee agreed that some of the detail in the draft response should be amended.

RESOLVED

- (1) That the proposed changes set out in the report be noted.
- (2) That the final response to the consultation be delegated to the Planning, Economic Development and Regulatory Services Manager, in consultation with Members of the Committee.

REASON

- (1) ***To inform the Council of the proposed changes.***
- (2) ***To ensure the Council had an input into the consultation process.***

56. TENDERS AND OTHER CONTRACT RELATED MATTERS

The Corporate Director submitted, for information, a report on tenders received and accepted and any exemptions from Contract Procedure Rules.

It was noted that an exemption from the requirements to comply with the Contract Procedure Rules had been used with regards to purchasing Activo Fitness memberships for the Syrian Resettlement Programme.

RESOLVED

- (1) That the tenders received and accepted be noted.
- (2) That the exemption granted from Contract Procedure Rules for the Syrian Resettlement Programme be noted.

REASON

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

57. ITEMS REFERRED FROM AREA COMMITTEES

(a) Corn Mill, Higherford

At a meeting of the Barrowford and Western Parishes Committee on 4th July, 2019 it was resolved “that the Policy and Resources Committee be asked to consider the compulsory purchase of the Corn Mill, Higherford and in the meantime, that the site be put back on the problem site list and the Planning, Economic Development and Regulatory Services Manager be asked for an update on any discussions he had had with the owner regarding possible applications.”

RESOLVED

That officers be asked to submit a report to a future meeting on the possible Compulsory Purchase of the Corn Mill, Higherford, and in the meantime, that a meeting be arranged with the owner of the property to discuss potential improvements for the site.

REASON

To try to find a way of improving this prominent building in Higherford.

(b) Land adjacent Great House Farm, Red Lane, Colne

At a meeting of the Colne and District Committee on 4th July, 2019 it was resolved “that the Policy and Resources Committee be recommended to declare the land adjacent to Great House Farm, Red Lane, Colne surplus to requirements and subject to satisfactory negotiations with the adjoining owner delegated approval be granted to the Chief Executive for the disposal.”

The report submitted by the Chief Executive and considered at that meeting was submitted for information.

RESOLVED

That the Council owned land shown edged black on the plan attached to the report be declared surplus to requirements and, subject to satisfactory negotiations with the adjoining owner, delegated approval be granted to the Chief Executive for the disposal.

REASON

The land is surplus to the Council’s requirements and to provide a capital receipt.

Chairman _____