



# MEETING OF THE WEST CRAVEN COMMITTEE

(Members: Councillors David Whipp (Chairman), Marjorie Adams, Rosemary Carroll, Colin Carter, Mike Goulthorp, Kenneth Hartley, Jayne Mills, Jennifer Purcell, and Tom Whipp)

TO BE HELD ON  
**TUESDAY 5<sup>TH</sup> NOVEMBER, 2019**  
AT 6.45 P.M.

**AT THE RAINHALL CENTRE, BARNOLDSWICK**

The meeting will commence with **PUBLIC QUESTION TIME**. Members of the public are invited to attend and ask questions of the Committee.

Members of the public may also speak on any agenda item in which they have a direct interest. Petitions may also be presented.

If the item is a planning application then you must make your request **in writing or by telephone by 12 noon on the day of the meeting**.

For other items you should try to make your request in **writing or by telephone by 12 noon on the day of the meeting**. If you are unable to do this the Chairman may still allow you to speak if you turn up at the meeting.

For further information and to make a request to speak please contact  
**Joanne Eccles on tel: 661654**

If you would like this information in a way which is better for you, please telephone us.



اگر آپ یہ معلومات کسی ایسی شکل میں چاہتے ہیں، جو کہ  
آپ کے لئے زیادہ مفید ہو تو براہ مہربانی ہمیں بتائیے۔

Under the Openness of Local Government Bodies Regulations 2014, people attending open meetings can film, audio record, take photographs or use social media. Oral commentary is not allowed during meetings as it would be disruptive. If you are attending a meeting, you need to be aware that you may be filmed by others attending. This is not within our control.

## A G E N D A

### 1. Declaration of Interests

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

A Member must declare a disclosable pecuniary interest which he/she has in any item on the agenda. A Member with a disclosable pecuniary interest in any item may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting.

In addition the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

### 2. Public Question Time

To receive, for a maximum of 15 minutes, questions from members of the public on issues which do not appear on the agenda.

### 3. Minutes

**Enc.** To approve or otherwise, the Minutes of the meeting held on 8<sup>th</sup> October, 2019.

### 4. Police and Community Safety Issues

The Police have been invited to the meeting to discuss the crime statistics for October 2019 which will be circulated prior to the meeting. There will also be an opportunity for members of the public to raise police and community safety issues. **TO FOLLOW**

## PLANNING MATTERS

### 5. Planning applications

#### **(a) Planning Applications for Determination**

**Enc.** The Planning, Economic Development and Regulatory Services Manager submits the attached report on the following planning application for determination –

<b>Application No.</b>	<b>Proposal and Location</b>	<b>Recommendation</b>	<b>Page No.</b>
19/0664/OUT	Outline: Major: Residential development of up to 34 dwellinghouses (Use Class C3), associated access roads (Access only with all other matters reserved) at Land to the east of Beckside, Beckside, Salterforth	Refuse	2

#### **(b) Planning Appeals**

**Enc.** The Planning, Economic Development and Regulatory Services Manager submits the attached report on outstanding planning appeals.

6. Enforcement/Unauthorised Uses – Complaints received

**(a) Outstanding**

**Enc.** The Planning, Economic Development and Regulatory Services Manager submits the attached report on outstanding enforcement cases for information.

**(b) Enforcement Action**

**Enc.** The Head of Legal Services submits the attached report giving the up-to-date position on prosecutions for information.

**(c) Former Hope Mill B, Earby Road**

**Enc.** As requested at the last meeting, the Planning, Economic Development and Regulatory Services Manager submits the attached report on the compliance with conditions imposed on the development known as Brindley Mews, formerly known as Hope Mill B.

**FINANCIAL MATTERS**

7. Capital Programme 2019/20

The Housing, Health and Engineering Services Manager reports that the balance for the Committee's Capital Programme for 2019/20 is £7,259: Barnoldswick £440 and Earby £6,819.

A full report will be submitted to the next meeting.

**HIGHWAYS ISSUES**

8. Kensington Forest Path, Barnoldswick

The Environmental Services Manager reports that, following the request at the last meeting, the developer has been asked if he would upgrade the surface of the proposed access ramp to a higher specification in order that wheelchair users and disabled people could easily gain access between the new Kensington Forest estate road and the existing housing area on Riding Close. However, the developer has not moved from the position agreed on a recent site visit with officers i.e. to construct a high quality flight of steps with a hand rail on the alignment of the public right of way, and an access ramp starting from a different point on the new estate road surfaced with woodchip.

Under planning legislation the Council cannot impose a requirement to form a high quality access ramp on the site now that planning permission has already been granted. This need was not recognised by any conditions imposed when planning permission was granted.

Turning to highways legislation, any disturbance which makes a footpath inconvenient to the public would constitute an offence. But the footpath is temporarily closed and therefore the disturbance has not inconvenienced anyone. By the time the footpath re-opens there is likely to be a new flight of steps. A court would be unlikely to consider the steps inconvenient to the public compared to what the right of way was like before development. In addition, any thought of court action would need to have regard to the fact that the right of way is not currently recorded on the definitive map. Therefore there could be some difficulty in proving that a right of way exists.

If the highway authority or a court considered that the offence of disturbance had occurred then it could "make good the surface". This would not provide for the provision of an access ramp on an alternative alignment. It is difficult to see how this could result in anything other than the flight of steps which the developer proposes to construct.

We have learnt lessons from this case to look very closely when commenting on new planning applications to check the proposed levels, and any risk from changes in levels on public rights of way adjacent to and within planning application sites. However, in the case of this footpath, any improvements to disabled access provision would have to be funded as a separate project at a later date.

## **MISCELLANEOUS ITEMS**

### 9. Problem Sites

**Enc.** The Planning, Economic Development and Regulatory Services Manager submits the attached report on problem sites in West Craven.

### 10. Uniroyal Global

**Enc.** Ian Longstaff from the Uniroyal Global Residents Group has spoken to Wayne Hampshire at Uniroyal Global on the outstanding improvement works. He has asked for the attached record of their conversation to be reported to this Committee for information. The Council's Environmental Health Commercial Team have accepted the company's proposed timescales for the work to be completed.

### 11. Vacant Commercial properties

The Economic Development Team is in the process of arranging meetings with some of the owners of vacant properties in the Town Centre. An update will be provided to a future meeting.

### 12. No Cold Calling Areas

At the last meeting, it was requested that County Council be asked if they would consider a request for further No Cold Calling areas (NCCAs) in West Craven.

Trading Standards, at County Council have confirmed that they are happy to consider further requests. They advise that normally NCCAs are kept to a few streets, an area where people get targeted or have been targeted, rather than an area where residents just find it a nuisance.

Initially a letter is delivered to each home asking if they are in favour of becoming a NCCA. Trading Standards tend to look for at least a 50% response rate. The letter comes with a sticker, a safe trader leaflet and a SAE for the replies. They would look towards a local champion to deliver the letters. A local face is useful, as the champion can help to encourage the residents to respond to the consultation letter.

If 50% or more are in favour then residents receive a launch letter and relevant signs go up. As there is a waiting list at the moment, the process is likely to take a few months.

### 13. Pennine Lancashire Healthy Weight Programmes: Healthy Weight Declaration

**Enc.** The attached report from the Chief Executive was considered and agreed at the last Policy and Resources Committee on 24<sup>th</sup> October. Committee are asked to consider nominations as

set out in section 4 of the report “The Role of Elected Members”. The following appendices are available via this link to the Council’s website:

[https://www.pendle.gov.uk/meetings/meeting/2648/west\\_craven\\_committee](https://www.pendle.gov.uk/meetings/meeting/2648/west_craven_committee)

Appendix 1 – Pendle’s Healthy Weight Declaration

Appendix 2 – Healthy Place, Healthy Future District Plan

14 Open Space, Cornmill Place

**Enc.** The Environmental Services Manager submits the attached report on the maintenance being carried out on the open spaces within Cornmill Place, Barnoldswick and the remaining Section 106 agreement funds.