

**MINUTES OF A MEETING OF NELSON COMMITTEE
HELD REMOTELY VIA MICROSOFT OFFICE TEAMS
ON 2nd NOVEMBER, 2020**

PRESENT –

Councillor M. Sakib (Chairman – in the Chair)

Councillors

*N. Ahmed
Z. Ali
M. Ammer
M. Aslam
E. Ansar
T. Cooney
J. Henderson
M. Iqbal
N. McGowan
A. Mahmood
K. Shore
Y. Tennant
S. Wicks*

Co-optees

N. Emery (Nelson Town Centre Partnership)

Officers in attendance:

*Julie Whittaker Housing, Health and Engineering Services Manager (Area Co-ordinator)
Alex Cameron Planning Officer
Jane Watson Head of Democratic Services*

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

Zulfi Khan Spring Bank Buildings, Every Street, Nelson Minute No.

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61. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests.

Councillor Sakib declared a disclosable pecuniary interest in minute number 76 Environmental Crime as he was owner of some properties listed in the report and he withdrew from the meeting before discussion of this item.

62. PUBLIC QUESTION TIME

A resident from Nelson asked if the Council would honour the covenant and abide by the conditions of the Parliamentary Bill in relation to land off Carr Road, Nelson when considering the planning application for the site. It was explained that the covenant and the planning permission were two separate matters and wouldn't affect each other. The Committee had already resolved to approve the application.

63. MINUTES

RESOLVED

That subject to the inclusion of Councillor E. Ansar being in attendance, the Minutes of the meeting held on 5th October, 2020 be approved as a correct record and signed by the Chairman.

64. PROGRESS REPORT

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

65. POLICE ISSUES

In the absence of the Police no issues were raised.

66. PLANNING APPLICATIONS

(a) Applications to be determined

The Planning, Economic Development and Regulatory Services Manager submitted a report on planning applications to be determined as follows:-

20/0376/HHO Full: Erection of dormers to front and rear roof slopes at 166 Leeds Road, Nelson for Hafiz Faiz Ahmed

RESOLVED

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

****PLANNING TO ADD****

Councillor Sakib declared a non-pecuniary interest in the following item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interest) Regulations 2012 but was such that he considered that, as the applicant was a relative he would not take part in the debate and decision on the matter and he withdrew from the meeting.

Councillor M. Iqbal (Chairman – in the Chair)

20/0470/FUL Full: Erection of two dwelling houses on the car park, Midland Street, Nelson For Mrs. Faeizah Birjees

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: Block Plan 1:500, Location Plan 1:1250, Elevations Front and Rear RevA (20th October, 2020) Dormer and Roof Plan RevA (20th October, 2020) Election Sides RevA (20th October, 2020) and Ground and First Floor Plan (22nd June, 2020).

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

3. Prior to the commencement of development, samples of the materials to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area.

4. The development hereby approved shall not commence unless and until plans and particulars showing a scheme of foul sewers and surface water drains has been submitted to and approved in writing by the Local Planning Authority. The approved systems shall be installed in their entirety prior to the first occupation of any dwelling and shall thereafter be retained.

Reason: In order that the Local Planning Authority may be satisfied with the details of the proposal and to avoid flooding.

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 housing 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.

67. ENFORCEMENT/UNAUTHORISED USES

Update on Enforcement Matters

The Head of Legal Services submitted an update on enforcement matters.

68. CAPITAL PROGRAMME 2020/21

The Housing, Health and Engineering Services Manager reported that the Committee's current balance for its Capital Programme for 2020/21 was £1,000. A full report would be submitted to the December meeting.

69. CHAPEL HOUSE ROAD, NELSON – TRAFFIC CALMING MEASURES

The County Council advised that due to the Coronavirus pandemic there had been a delay in processing Traffic Regulation Orders. However, they also advised, that subject to agreement by the County's Legal Department, the relevant paperwork was to be prepared to enable the proposed traffic calming measures on Chapel House Road, Nelson to be advertised and for the formal 28 day consultation period to commence. Unfortunately the County Council were unable to provide timescales at this time.

70. LAND ADJ., 194 HALIFAX ROAD, NELSON

The Housing, Health and Engineering Services Manager submitted a report following receipt of a request for the land, shown edged black on the plan attached to the report, which formed part of a larger surplus development site, to be sold for the owner of 194 Halifax Road, Nelson.

The proposal was that a driveway be created to the side of the property. Officers advised that the access to the remainder of the site could be realigned so that this proposal would not impact on future development potential.

It was recommended that the land be sold on a long leasehold rather than a freehold so that covenants would be easier to enforce in the event of them being breached.

RECOMMENDATION

That Policy and Resources Committee be recommended to allow the land to be sold for another use and that the Housing, Health and Engineering Services Manager be authorised to negotiate terms of a long leasehold sale to the owner of 194 Halifax Road, Nelson.

REASON

The sale of the land would achieve a capital receipt and end all maintenance and other liabilities relating to ownership of the land.

71. ITEMS FOR DISCUSSION

(a) Backstreet at the rear of 231-243 Every Street, Nelson

It was reported that residents had signed a petition requesting that improvements be made to the backstreet at the rear of 231-243 Every Street, Nelson. It was acknowledged that there were other backstreets in the area which needed improving but there was a lack of funding to address this at the moment.

RESOLVED

- (1) That the request be noted.
- (2) That the rear of 231-243 Every Street, Nelson be added to the list of backstreets which need improving and consideration be given to doing this work when funding was available.

REASON

In response to a request from residents and to improve the area.

(b) Public Toilet Facilities in Nelson Town Centre

Concerns were expressed that the public toilet facilities in the town centre were inadequate. It was acknowledged that a decision had been made some years ago to close the public toilets on Market Street and for the public to be able use facilities in the ACE Centre, Morrisons and Pendle Rise.

It was felt that Morrisons was too far away from the town centre; the facilities in the ACE Centre had been misused some time ago and so only users of the Centre were allowed to use them; and the facilities in Pendle Rise were not felt to be adequately clean.

RESOLVED

That a report be submitted to a future meeting setting out the options available for additional public toilet facilities in the town centre including costings.

REASON

To provide more accessible public toilet facilities in Nelson town centre.

72.

OUTSTANDING ITEMS

The following items had been requested by the Committee. Reports would be submitted to a future meeting:

60-92 Lonsdale Street, Nelson – Resident's Only Parking Scheme (05.10.2020)

46-74 Holly Street, Nelson – Resident's Only Parking Scheme (05.10.2020)

73.

SPRING BANK BUILDINGS, EVERY STREET, NELSON

The Housing, Health and Engineering Services Manager submitted a report on the current position on the enforcement action being taken against the business owner of the above property. It was noted that since the report had been written further progress had been made.

RESOLVED

- (1) That the position be noted.
- (2) That Environmental Health continues to monitor the odour nuisance from the premises and obtain statements and evidence from residents as a matter of urgency.
- (3) That the prosecution file be completed and passed to Legal Services as a matter of urgency.
- (4) That the Housing, Health and Engineering Services Manager be asked to write to the owner of the business to stop the burning of materials with immediate effect.

REASONS

- (1) *To keep the Committee informed of the current position.*
- (2) *To gain further evidence to show non-compliance with the abatement notice.*
- (3) *To ensure the nuisance is abated.*

74. UNIT 1A SPRING BANK BUILDINGS, EVERY STREET, NELSON

The Planning, Economic Development and Regulatory Services Manager submitted a report on the unlawful development which had taken place at the above property and the action required to remedy any breach.

RESOLVED

- (1) That the owner be written to to inform him to cease retailing.
- (2) That, in the absence of any voluntary cessation, an Enforcement Notice be served requiring the activity to cease.

REASON

In order to bring the unauthorised use under control and to prevent harm to the town centre.

75. EXCLUSION OF PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following item of business in pursuance of the power contained in Section 100(A) (4) of the Local Government Act, 1972 as amended when it was likely, in view of the nature of the proceedings or the business to be transacted, that there would be disclosure of exempt information which was likely to reveal the identity of an individual.

Councillor M. Sakib declared a disclosable pecuniary interest in the following item and withdrew from the meeting.

Councillor A. Mahmood (Chairman – in the chair)

76. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on environmental crime action for Quarter 2 (1st July to 30th September, 2020) in the Nelson area (including spend on litter/dog waste bins) along with annual totals for 2020/21.

RESOLVED

That the report be noted.

REASON

To keep Committee informed of any environmental crime action taken.

Chairman _____

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