

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 26th NOVEMBER, 2020
VIA TEAMS**

Councillor M. Iqbal (Chairman – in the Chair)

Councillors

<i>N. Ahmed</i>	<i>Y Iqbal</i>
<i>M. Aslam (Substitute)</i>	<i>A. Mahmood</i>
<i>D. Clegg</i>	<i>B. Newman</i>
<i>S. E. Cockburn-Price</i>	<i>J. Nixon</i>
<i>T. Cooney</i>	<i>M. Sakib</i>
<i>P. Foxley (Substitute)</i>	<i>D. Whipp</i>

(Apologies for absence were received from Councillor Musawar Arshad, M. Goulthorp and J. Henderson).

Also in attendance:

*Councillor A. R. Greaves
Councillor J. Purcell*

Officers in attendance:

<i>Dean Langton</i>	<i>Chief Executive</i>
<i>Philip Mousdale</i>	<i>Corporate Director</i>
<i>Neil Watson</i>	<i>Planning, Economic Development and Regulatory Services Manager</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>
<i>John Halton</i>	<i>Principal (Development Plans and Policy)</i>
<i>Craig Barnes</i>	<i>Senior Planning Policy Officer</i>
<i>Mickey Duck</i>	<i>Environmental Health Officer (Commercial Team Leader)</i>



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

<i>Lyndsay Bower</i>	<i>19/0867/FUL Full: Change of use of land to mixed</i>	<i>Minute No. 63(a)</i>
<i>Sarah Watmough</i>	<i>agricultural, educational and camping use, plus</i>	
<i>Amelia Bowker</i>	<i>erection of timber cabin for educational use at Harwes</i>	
<i>Peter Wardyn</i>	<i>Farm, Foulridge</i>	
<i>Kirsty Pugh</i>		
<i>Gillian Taylor</i>		

<i>Lyndsay Bower</i>	<i>19/0868/FUL Full: Formation of an access track (part</i>	<i>Minute No. 63(b)</i>
<i>Sarah Whatmough</i>	<i>retrospective) at Harwes Farm, Foulridge</i>	
<i>Amelia Bowker</i>		
<i>Peter Wardyn</i>		
<i>Kirsty Pugh</i>		
<i>Gillian Taylor</i>		

<i>Mohammed Asham</i>	<i>20/0450/HHO Full: Erection of two storey side</i>	<i>Minute No. 63(c)</i>
	<i>extension and part two storey, part single storey rear</i>	

*extension and formation of parking area to the front at
3 Clegg Street, Brierfield*

60. DECLARATION OF INTERESTS

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

61. PUBLIC QUESTION TIME

There were no questions from members of the public.

62. MINUTES

RESOLVED

That the minutes of the meeting held on 28th October, 2020 be agreed as a correct record and signed by the Chairman.

63. PLANNING APPLICATIONS

- (a) 19/0867/FUL Full: Change of use of land to mixed agricultural, educational and camping use, plus erection of timber cabin for educational use at Harwes Farm, Foulridge for Harwes Farm Community Interest Company**

This application was considered by West Craven Committee on 3rd November and Colne and District Committee on 5th November, 2020. Comments from each Committee were included in the report.

The Planning, Economic Development and Regulatory Services Manager submitted a report for consideration. An update was also circulated prior to the meeting.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted delegated authority to approve the application subject to the inclusion of appropriate conditions restricting the permission for education use.

- (b) 19/0868/FUL Full: Formation of an access track (part retrospective) at Harwes Farm, Foulridge for Harwes Farm Community Interest Company**

This application was considered by West Craven Committee on 3rd November and Colne and District Committee on 5th November, 2020. Comments from each Committee were included in the report.

The Planning, Economic Development and Regulatory Services Manager submitted a report for consideration.

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: 01 - received 14th February, 2020 and 01 Sheet 1 – received 23rd January, 2020.

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

3. No further work shall commence on the track unless and until details of the construction and drainage/permeability of the track have been submitted to and approved in writing by the Local Planning Authority. The track shall thereafter be constructed and maintained only in strict accordance with the approved details.

Reason: In order to protect the ecological value of the Biological Heritage Site.

4. The development shall be carried out in accordance with the recommendations of the ecology report ref: BOMB-RSC-19-04.

Reason: In order to protect the ecological value of the Biological Heritage Site.

Note

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Public Footpath 17 (Colne) may be affected by the development. The applicant should be advised to contact Pendle Borough Council's Countryside Access Officer or Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk quoting the planning application number, to discuss their proposals before any further works take place.

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 proposal is acceptable in terms of impact on visual amenity, residential amenity, highway safety and ecology and 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.

(c) 20/0450/HHO Full: Erection of two storey side extension and part two storey, part single storey rear extension and formation of parking area to the front at 3 Clegg Street, Brierfield for Mr. Asham

At a meeting of the Brierfield and Reedley Committee on 4th November, 2020 the decision to grant planning permission was referred as a recommendation to this Committee as this decision would represent a significant departure from policy.

The Planning, Economic Development and Regulatory Services Manager submitted a report for consideration.

RESOLVED

That planning permission be **granted**.

64. TREASURY MANAGEMENT MID-YEAR REPORT 2020/21

The Chief Executive submitted a report on treasury management activities of the Council for the period ending 30th September, 2020 in accordance with the Council's Treasury Management Policy.

RESOLVED

- (1) That the work on the Council's treasury activities for the period ending 30th September, 2020 and the mid-year report (attached to the report as Appendix A) be noted.
- (2) That the change in borrowing strategy for the 2020/21 year be noted and Council be **recommended** to approve the revised Treasury Management Strategy Statement (attached to the report as Appendix B).

REASON

- (1) ***To comply with the Council's Treasury Management Policy and good practice in treasury management generally.***
- (2) ***To utilise surplus funds more strategically and to avoid net costs from external borrowing.***

**65. PENDLE LOCAL PLAN PART 2
SITE ALLOCATIONS AND DEVELOPMENT POLICIES**

The Planning, Economic Development and Regulatory Services Manager submitted the Council's Local Plan Part 2 (Preferred Options Report) which it was proposed would be made available for an eight week public consultation exercising starting in December, 2020.

Also attached was the Pendle Housing Needs Assessment and Development Viability Study which formed part of the evidence base for the Local Plan. It was proposed that these also be included in the public consultation exercise.

During discussion it was felt that further information was required before the consultation exercise was undertaken.

RESOLVED

That this item be deferred for further information and the report be submitted to the January meeting of this Committee.

REASONS

To ensure the most up to date information was included.

66. AIR QUALITY MANAGEMENT

The Housing, Health and Engineering Services Manager submitted a report which provided an update on Air Quality Management.

The main actions in the current Action Plan to improve air quality were based upon:

- Improving traffic flow, easing congestion and reducing traffic idling.
- Encouraging modal shift away from car use, promoting alternative methods of transport
- Working with the planning department to ensure, where possible, air quality/climate change actions were considered during the development stage.
- Working with EON to install car charging points in Council car parks.
- Contribute to and influence forthcoming development policies for Lancashire County Council.
- Work in partnership with Lancashire County Council to increase uptake and implement action of travel plans.

RESOLVED

That the content of the 2020 Air Quality Status Report be noted along with the progress made against the Air Quality Action Plan.

REASONS

- (1) *To provide Members with an update on the Air Quality monitoring undertaken in the Borough including the action which has been taken to improve air quality.*
- (2) *In 2019 the Council officially recognised the climate change as an emergency.*

67. LAND REAR OF 4 PENDLESIDE, LOMESHAYE INDUSTRIAL ESTATE, NELSON

The Chief Executive submitted a report advising that the occupier of 4 Pendleside was proposing to create a further parking area to the rear of the Unit on land owned by the Council (as shown on the plan attached to the report).

The report stated that the land was of negligible value, being sloped and naturalised in nature and in view of the investment required to develop the car park it was proposed that a lease at nil rental be granted to facilitate the development.

A small area of land was in the occupation of 4 Pendleside but was outside of the lease area. It was proposed that this situation be regularised to ensure the lease correctly reflected the occupation of the site.

RESOLVED

- (1) That the additional land, as shown on the plan attached to the report, be declared surplus to requirements in order that it could be leased to the adjacent occupier for a term of 125 years (tenant to pay all costs).
- (2) That the loss of open space be advertised to facilitate the grant of the lease.

REASON

- (1) *To enable the provision of additional land to the rear to allow the occupier of 4 Pendleside to create an additional parking area.*
- (2) *To regularise the registered title by including a small area of land adjacent to the entrance of 4 Pendleside in the lease.*
- (3) *To comply with the public open space requirements of Section 123 of the Local Government Act 1972 (as amended).*

68. BURNLEY, PENDLE AND ROSSENDALE EMERGENCY ASSISTANCE GRANT SCHEME

The Chief Executive submitted, for information, the recently launched Burnley, Pendle and Rossendale Emergency Assistance Grant Scheme.

The grant was for local authorities in England to use to support people who were struggling to afford food and other essential due to COVID-19. The funding was made available to unitary authorities and Lancashire County Council had been awarded £1,453,005.64. This funding had been devolved to districts and the Council had entered into a grant agreement with the County Council and had received £134,237.89.

The scheme was being delivered by Burnley, Pendle and Rossendale Council for Voluntary Services across all three Boroughs. The food element of the scheme in Pendle was being delivered by Pendle Food Alliance.

69. CLIMATE EMERGENCY ACTION PLAN – UPDATE

The Chief Executive submitted a report on progress with the Climate Emergency Action Plan. The report included a summary which focused on the Strategic Objectives which had commenced delivery since April, 2020.

There were however, still a number of outstanding Strategic Objectives to focus on going forward:

- 1.2 Reduce emissions from the Council's transport fleet.
- 2.1 Heat Council buildings with low carbon and/or renewable heating and change behaviours towards energy consumption.
- 4.2 Identify the Council's assets to support community action.
- 5.2 Work with local schools, Nelson and Colne College and other education bodies to increase understanding and involvement in climate change solutions.
- 7.1 Improve land and building management practices to better retain carbon.

The impact on delivery due to COVID-19 also had to be taken into account.

RESOVLED

- (1) That progress on the Climate Emergency Action Plan be noted.
- (2) That the focus for the next six months be on the Strategic Objectives and actions referred to above and paragraphs 8 and 9 in the report.

REASON

To demonstrate commitment to the Council's Climate Emergency Declaration.

70. RIVERBANK COLLAPSE ON COLNE WATER, COTTONTREE LANE, COLNE

The Housing, Health and Engineering Services Manager submitted a report which sought approval for a £50,000 supplementary estimate to undertake works which would prevent further erosion, in the short term, and to undertake flood modelling and design work to enable a bid to the Environment Agency for a permanent solution.

RESOLVED

- (1) That a supplementary capital funding bid of £30,000 for short term riverbank repair works at Colne Water, Cottontree Lane, Colne be approved.
- (2) That a supplementary revenue estimate of £20,000 for river modelling and design work at Colne Water, Cottontree Lane, Colne be approved.

REASONS

- (1) ***To prevent further erosion of the riverbank and to prevent potential property flooding which could be caused by displaced masonry collapsing and partially blocking the rivers path under the access bridge to ELE.***
- (2) ***To enable a funding bid to be made to the Environment Agency to provide a long term solution to the major riverbank erosion problems.***

**71. WAIVING STANDING ORDERS FOR EXTRA PUBLIC REALM WORKS
AROUND BARNOLDSWICK TOWN SQUARE**

The Housing, Health and Engineering Services Manager submitted a report on the waiving of Standing Orders in accordance with the Council's Contract Procedure Rules CPR5-5.2(c) to allow an extension of the existing contract to deliver further public realm works of a similar nature up to a value of £200,000 around Barnoldswick Town Square.

RESOLVED

That an extension to the existing contract with O'Callaghan Ltd., for Barnoldswick Town Square Public Realm Works for further public realm works up to a value of £200,000 in accordance with exemption CPR5-5.2(c) be noted.

REASON

To enable further works to be undertaken in a timely manner whilst the contractor was already established on site which would ensure less inconvenience for the businesses and users of the town centre and would avoid additional costs associated with a further tendering exercise and establishment of a new site compound.

72. WAIVING OF STANDING ORDERS FOR SPECIALIST GROUND TREATMENT ON LOMESHAYE PHASE 1 ACCESS ROAD

The Housing, Health and Engineering Services Manager submitted a report on the waiving of Standing Orders for an exemption in accordance with the Council's Contract Procedure Rules CPR5-5.2(b) and (c) to enter into a new contract for the provision of specialist ground treatment and to allow an extension of the existing haul road contract on Lomeshaye Phase 1.

RESOLVED

- (1) That the exemption to enter into a new contract with Vibro Menard Ltd., for specialist ground treatment along the line of the proposed new access road in accordance with exemption CPR5-5.2(b) and (c) be noted.
- (2) That the exemption to extend the existing contract with Marchbridge Builders Ltd., for the construction of Lomeshaye Phase 1 Haul Road in accordance with exemption CPR5-5.2(b) and (c) be noted.

REASONS

- (1) ***To enable the appointment of Vibro Menard Ltd., to undertake the specialist ground improvement under the new access road as soon as possible.***
- (2) ***To enable works to be undertaken to facilitate the specialist ground improvement under the new access road as soon as possible.***

73. IT AND DIGITAL STRATEGIES 2020/2023

The Corporate Director submitted, for information, the Council's IT and Digital Strategies.

74. TENDERS

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

75. ITEMS REFERRED FROM AREA COMMITTEES

(a) Land adj., 194 Halifax Road, Nelson

At a meeting of Nelson Committee on 2nd November, 2020 it was resolved "that the 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."

RESOLVED

That the land be sold for another use and 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

To achieve a capital receipt and end all maintenance and other liabilities relating to ownership of land.

(b) Request for Allotments – Salterforth Parish Council

At a meeting of West Craven Committee on 3rd November, 2020 Members considered a request from Salterforth Parish Council for the transfer of a triangular piece of land in Salterforth on Kelbrook Road for use as allotments or raised beds for local residents. The site was currently let on an annual licence for use for agility dog training but was no longer being used for this purpose.

It was resolved “that the Policy and Resources Committee be asked to transfer this piece of land to Salterforth Parish Council for use as allotments or raised beds for Salterforth residents.

RESOLVED

That the triangular piece of land, formerly used for agility dog training, on Kelbrook Road, Salterforth be transferred to Salterforth Parish Council for use as allotments or raised beds for Salterforth residents.

REASON

To promote health and mental wellbeing in the community.

(c) Capital Programme 2020/21

At a meeting of the Brierfield and Reedley Committee on 4th November, 2020 it was resolved “that the Policy and Resources Committee be asked to consider approving funding for the future refills of the 23 red grit bins located in Brierfield and Reedley.

RESOLVED

That the request be noted.

76. BUDGET WORKING GROUP

Minutes of a meeting of the Budget Working Group held on 18th November, 2020 were submitted for information.

77. 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.

78. ENFORCEMENT ITEM

The Planning, Economic Development and Regulatory Services Manager submitted a report on an enforcement item.

It was reported that Nelson Town Council had expressed an interest in entering into a back-to-back deal with the Council for the site.

RESOLVED

- (1) That the site be cleared under the provisions of Section 219 of the Town and Country Planning Act 1990.
- (2) That a budget of £1,900 be allocated to carry out the work.
- (3) That a charge be made against the property to seek to recover the costs.
- (4) That the Corporate Director negotiate with Nelson Town Council the possibility of a back-to-back deal for the site.

REASON

- (1) ***The removal of the items would ameliorate the condition of the land.***
- (2) ***In order to finance the work.***
- (3) ***In order that the Council was not financially penalised for carrying out the work.***

Chairman _____