

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 21st JANUARY, 2021
VIA TEAMS**

Councillor M. Iqbal (Chairman – in the Chair)

Councillors

N. Ahmed
Z. Ali (Substitute)
D. Clegg
S. Cockburn-Price
T. Cooney
M. Goulthorp

Y. Iqbal
N. McGowan (Substitute)
A. Mahmood
B. Newman
J. Nixon
D. Whipp

(Apologies for absence were received from Councillors Musawar Arshad and J. Henderson).

Officers in attendance:

Dean Langton	Chief Executive
Philip Mousdale	Corporate Director
Neil Watson	Planning, Economic Development and Regulatory Services Manager
Jane Watson	Head of Democratic Services

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

Shabir Siddique	20/0448/FUL Full: Erection of three storey building to accommodate three flats at 27 Railway Street, Brierfield	Minute No. 95(b)
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92. DECLARATION OF INTERESTS

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

Councillor J. Nixon declared a disclosable pecuniary interest in minute number 99 Joint Venture Procurement as his employer was a possible contender for the procurement.

93. PUBLIC QUESTION TIME

There were no questions from members of the public.

94. MINUTES

RESOLVED

That the minutes of the meeting held on 17th December, 2020 be agreed as a correct record and signed by the Chairman.

95. PLANNING APPLICATIONS

(a) 20/0740/HHO Full: Erection of a single storey rear extension at 35 Percy Street, Nelson

At a meeting of Nelson Committee on 4th January, 2021 the decision to grant planning permission was referred as a recommendation to this Committee as this decision would represent a significant departure from policy.

RESOLVED

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

1. Due to its scale and proximity to the shared boundary, the proposed extension would have an unacceptable overbearing impact upon the neighbouring dwelling in conflict with Local Plan: Part 1 Core Strategy Policy ENV2, the Design Principles SPD and the National Planning Policy Framework.

(b) 20/0448/FUL Full: Erection of three storey building to accommodate three flats at 27 Railway Street, Brierfield

At a meeting of Brierfield and Reedley Committee on 6th January, 2021 the decision to refuse planning permission was referred as a recommendation to this Committee as this decision would represent a significant risk of costs on appeal.

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: U67-P202A, U67-P203A and U67-P201.

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be in accordance with the materials stated on the approved plans and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. Prior to any above ground works, details of a scheme of disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The

scheme shall provide for separate systems for foul and surface waters and be constructed and completed in accordance with the approved plans before the units are first occupied.

Reason: To control foul and surface water flow disposal and prevent 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 development would accord with Local Plan Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

96. GENERAL FUND REVENUE BUDGET 2021/2022

The Chief Executive submitted a report on the Revised Budget for 2020/21 and presented a draft Base Budget for 2021/22 for initial consideration.

The report also provided an update on the key issues relating to the development of the Budget for 2021/22 along with the Medium Term Financial Plan. Committee were also asked to give consideration to the development of a budget for 2021/22 and the Medium Term Financial Plan period to 2023/24.

RESOLVED

- (1) That in view of the seriousness of the Council's forecast financial position over the medium term, the report be shared with all Councillors so that they were fully aware of the position.
- (2) That the Revised Budget for 2020/21, including the payment of up to £1m additional funding to the Pendle Leisure Trust to reflect the financial impact of Covid-19 (as set out in the report) be approved.
- (3) That the issues arising from the provisional Local Government Finance Settlement for 2021/22 be noted and the response to the related consultation, attached at Appendix A to the report, be approved.
- (4) That the draft Base Budget for 2021/22, the forecast Medium Term Financial Plan and the current assumptions underpinning both be noted.
- (5) That the financial planning assumption of a Band D Council Tax increase of 1.99%, in accordance with the Council Tax Referendum Principles included in the Provisional Local Government Finance Settlement for 2021/22 be noted.
- (6) That, as part of the development of the Committee's Budget Strategy for 2021/22:
 - (a) it be noted that the outline savings proposals shown at Appendix H attached to the report, along with the emerging budget strategy for 2021/22 and the Management Team's budget proposal for the year will be presented at the meeting of this

Committee in February, 2021;

- (b) in the context of the Council's forecasted budget deficit over the medium term, undertake a review of the draft Base Budget for 2021/22 to identify any areas where further savings proposals might be brought forward for consideration as part of the budget process.
- (7) That the timetable for the remainder of the budget process, as set out in the report, be noted.

REASON

To continue with the implementation of the Council's Financial Strategy and to inform the development of the Council's budget for 2021/22.

97. DEVELOPING THE MEDIUM TERM CAPITAL PROGRAMME 2021/2022

The Chief Executive submitted a report which provided an update on the Capital Programme in the current year and outlined initial proposals for the 2021/22 to 2023/24 Capital Programme.

RESOLVED

- (1) That the projected position on the Capital Programme for 2020/21, as shown in Appendix A attached to the report, be noted.
- (2) That a review of the Council's Land and Asset Management Strategy be undertaken with a view to identifying surplus land and property for disposal.
- (3) That it be noted that the capital bids submitted for 2021/22 exceed the projected resources available by £0.936m and were therefore unaffordable.
- (4) That in view of (c) above the draft Capital Programme for 2021/22, as proposed in Appendix C attached to the report, be noted pending a further report to be submitted to this Committee in February, 2021.

REASON

To consider the development of the Council's Capital Programme for 2021/22 to 2023/24.

98. LOMESHAYE INDUSTRIAL ESTATE EXTENSION – PHASE 1

The Housing, Health and Engineering Services Manager submitted a report which provided an update on progress with the extension of this industrial estate.

It was reported that increased costs had resulted following the need to carry out additional works on the construction of the road; and the requirement for a higher level of electricity supply for manufacturing uses on the site resulting in a revised quotation. It had therefore been agreed to waive Standing Orders to allow Aptus to provide the new incoming services as detailed in the report.

The report also provided an update on the land disposal and it was suggested that any land receipts be used to cover the increased costs of the scheme.

RESOLVED

- (1) That progress with delivery of the scheme and increased costs be noted.
- (2) That the waiving of Standing Orders to appoint Aptus to provide the new incoming services at a cost of £1,113,301 be noted.
- (3) That land receipts be ring fenced within the Capital Programme to cover the increased costs of the scheme.

REASON

To keep the Committee informed of progress and to ensure that adequate infrastructure is put in place.

(Councillor J. Nixon declared a disclosable pecuniary interest in the following item and left the meeting during discussion).

99. JOINT VENTURE PROCUREMENT

The Housing, Health and Engineering Services Manager submitted a report which sought approval for the procurement of a developer partner and the establishment of a new joint venture partnership.

The report provided details of the procurement options available:

- (a) Option 1 – Extending an existing arrangement
- (b) Option 2 – Re-procurement

It was proposed that the best way forward would be to engage in a re-procurement exercise to ensure that the Council was not seen as trying to avoid a new procurement.

RESOLVED

- (1) That the re-procurement of a joint venture partnership to deliver regeneration and development projects be agreed.
- (2) That a new procurement exercise be undertaken to select a developer partner using the 'competitive procedure with negotiation' process.
- (3) That a further report on the outcome of the procurement exercise be submitted to this Committee before a developer is selected.

REASON

To continue to deliver regeneration and development projects in the Borough.

100.

LOCAL PLAN

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Local Plan Part 2 (Preferred Options Report) with a request that it be made available for public consultation for a minimum of six weeks starting in February, 2021.

The evidence base documents supporting the Local Plan were also submitted and would form part of the public consultation.

RESOLVED

- (1) That the Local Plan (attached to the report as Appendix 1) be agreed and made available for public consultation.
- (2) That the Pendle Housing Needs Assessment (Appendix 2) the Pendle Development Viability Study (Appendix 3) the Pendle Local Plan Part 2: Sustainability Appraisal and Non-Technical Summary (Appendices 4 and 5) and the Habitat Regulations Assessment (Appendix 6) be agreed and made available for public consultation, alongside previously adopted evidence base and supporting documents.

REASONS

- (1) ***To comply with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.***
- (2) ***So that the Council can proceed to the next stage in preparing and adopting a new Local Plan for the Borough.***

In accordance with Rule 17.5 of the Constitution Councillor D. Whipp voted against the above motion.

101.

NELSON CEMETERY LODGE, WALTON LANE, NELSON

It was reported that this item had been withdrawn prior to the meeting.

102.

ITEMS REFERRED FROM AREA COMMITTEES

(a) Public Toilet Provision in Nelson

At a meeting of the Nelson Committee on 4th January, 2021 it was resolved “that Policy and Resources Committee be recommended to repurchase and refurbish the toilets on Market Street, Nelson using the Nelson Town Deal funding and that the management and maintenance of the facility be transferred to Nelson Town Council.”

A report from the Housing, Health and Engineering Services Manager was submitted for consideration.

It was reported that the Council were in negotiations with the owner to acquire the premises.

RESOLVED

That a report be submitted to Nelson Committee on the outcome of the negotiations referred to above and the issue of public toilet provision be considered at that time.

REASON

To keep the Committee up to date with progress.

(b) Rollout of fibre to the property broadband in West Craven

At a meeting of the West Craven Committee on 5th January, 2021 Members discussed Openreach's decision to upgrade fibre broadband to premises in Salterforth and Barnoldswick rather than to the cabinet, which would mean bringing faster speeds of broadband into people's homes. Surveys were being carried out and Openreach were aiming to offer this facility in April with a roll out over the following months.

At that meeting it was resolved "that the Policy and Resources Committee be asked to push for an upgrade of broadband to Earby and the more rural parts of Pendle."

RESOLVED

That a virtual meeting be arranged with the representatives from Openreach, the Leader, Group Leaders, relevant Councillors and officers to discuss the upgrade of fibre broadband to rural areas of the Borough.

REASON

To provide an improved broadband service for local residents and businesses.

(c) Capital Programme 2020/21 – Replacement Basket Swing

At a meeting of Colne and District Committee on 7th January, 2021 it was resolved "that the Policy and Resources Committee be recommended to allocate funding of £1,246 for a replacement basket swing for the Millennium Green play area from a central budget."

RESOLVED

- (1) That the request for funding of £1,246 for a replacement basket swing be noted.
- (2) That a virtual meeting be arranged, chaired by Councillor D. Whipp, with officers, Ward Councillors, representatives from the Millennium Green Trust and representatives from Colne Town Council to discuss issues associated with the ownership and maintenance of the Millennium Green play area.

REASON

To find a way forward to ensure provision of a safe and well maintained play area.

(d) Speeding Vehicles

At a meeting of West Craven Committee on 5th January, 2021 it was resolved “that the Policy and Resources Committee be asked to request Lancashire County Council to take road safety seriously and that action requested to deal with speeding cars be taken seriously.”

RESOLVED

That the Leader raise this issue with County Councillor K. Iddon for discussion at a meeting pending on highways issues.

REASON

In response to a request from West Craven Committee.

103. LOCAL GOVERNMENT ACT, 1972

In accordance with the provisions of Section 100 (B)(4) of the Local Government Act, 1972, as amended, the Chairman agreed that the following item should be considered as a matter of urgency, the ground being that a decision was required as soon as possible to ensure continued provision of the service.

104. INTERNAL AUDIT SERVICE

The Chief Executive submitted a report on the outcome of the tender process for the provision of Internal Audit Service.

In March, 2020 Committee had agreed to outsource the Internal Audit function and tenders were invited.

Of the three tenders received it was recommended that the Mersey Internal Audit Agency be awarded the contract for three years 2021/22 to 2023/24.

RESOLVED

That the appointment of Mersey Internal Audit Agency be agreed as the Council’s preferred Bidder for the provision of the Internal Audit Service.

REASON

To ensure the Council could maintain an effective internal audit function and remains compliant with statutory and regulatory requirements.

Chairman _____