

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 18th MARCH, 2021
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. Cockburn-Price</i>	<i>J. Nixon</i>
<i>T. Cooney</i>	<i>Y. Tennant (Substitute)</i>
<i>M. Goulthorp</i>	<i>D. Whipp</i>

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

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>Fiona Greenway</i>	<i>Chief Finance Officer</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>



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

<i>Kelly Holehouse</i>	<i>20/0493/FUL Full: Erection of two three-bed dwellings and associated garages, parking and garden on land to the north of Oakfield, Skipton Old Road, Colne</i>	<i>Minute No. 122(c)</i>
<i>Helen Clegg</i>		
<i>Malcolm Rochford</i>		
<i>Louise Hopkinson</i>		
<i>William Reynolds</i>		
<i>Sharon Dale</i>		
<i>Peter Cunningham</i>		
<i>David Ramsden</i>		

<i>Azhar Ali</i>	<i>Draft Nelson Masterplan</i>	<i>Minute No. 127</i>
<i>William Stephenson</i>		
<i>Janine Snowden</i>		



119. DECLARATION OF INTERESTS

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

120. PUBLIC QUESTION TIME

A resident of Colne referred to the Government's 'Levelling Up Agreement.' As Pendle had been identified as a priority area he asked if the Council had submitted a bid and if so what had been the Government's response to this.

The Chairman said that this had been announced by the Government as part of its budget and the prospectus had recently been issued. The deadline for the first round of bids was 18th June which, it was acknowledged, was a tight deadline. However, guidance had not yet been issued so it was unclear what the requirements were for bid submissions other than that the bids could be for no more than £20m. It was also noted that the Council was continuing to work on schemes where funding had already been successful such as the extension to Lomeshaye Industrial Estate and Further Clough Head. Therefore capacity was an issue, but it was noted that a bid would be developed accepting that the tight deadline may be an issue.

121.

MINUTES

RESOLVED

That the minutes of the meeting held on 11th February, 2021 be agreed as a correct record and signed by the Chairman.

122.

PLANNING APPLICATIONS

(a) 20/0797/HHO Full: Single storey rear extension at 45 Manor Street, Nelson

At a meeting of the Nelson Committee on 1st March, 2021 the decision to approve planning permission was referred as a recommendation to this Committee as this decision would represent a significant departure from policy and substantial risk of costs were the neighbour to make a complaint to the Local Government Ombudsman.

A report from the Planning, Economic Development and Regulatory Services Manager was submitted 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:

- Local Plan Ref: TQRQM20328200301638
- Site Plan Ref: TQRQM20328201227586
- Existing and Proposed Floor Plans Ref: AB073, dated 16th January, 2021
- Proposed Rear and Side Elevations Plan Ref: AB073, received 3rd March, 2021
- Proposed Extension indicating relationship with number 43 Manor Street, Nelson Ref: AB073, dated 2nd March, 2021

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

3. With the exception of the flat roof which is to be finished with roofing felt, all the external materials to be used in the elevations of the development hereby permitted shall match those of the existing building in colour, form and texture 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.

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 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.

- (b) 20/0641/FUL Full: Retain gym to ground floor and change of use of first and second floor to 10 apartments at Powerhouse Gymnasium, Burnley Road, Brierfield**

The Planning, Economic Development and Regulatory Services Manager circulated an update prior to the meeting. This provided clarification on the foul and surface water drainage scheme for the proposed development.

At a meeting of Brierfield and Reedley Committee on 3rd March, 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.

A report from the Planning, Economic Development and Regulatory Services Manager was submitted for consideration.

RESOLVED

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

The proposed development would result in an increased demand for the parking of vehicles for residential and gym purposes. There would be under provision of car parking on site, which would result in overspill parking onto surrounding streets. This would cause parking congestion to the detriment of highway safety, contrary to Policy ENV4 of the Local Plan Part 1, Saved Policy 31 of the Replacement Pendle Local Plan and Paragraph 109 of the National Planning Policy Framework.

- (c) 20/0493/FUL Full: Erection of two three-bed dwellings and associated garages, parking and garden on land to the north of Oakfield, Skipton Old Road, Colne**

At a meeting of Colne and District Committee on 4th March, 2021 the decision to refuse planning permission was refused as a recommendation to this Committee as this decision would represent a significant risk of costs on appeal.

A report from the Planning, Economic Development and Regulatory Services Manager was submitted for consideration.

RESOLVED

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

The proposed development would result in an unacceptable cumulative impact on highway safety due to the unmade, unlit, single vehicle width access track from Bents to serve the proposed development with limited inter-visibility and sub-standard alignment off Bents/Bents Lane to the detriment of highway safety contrary to Policy ENV4 of the Pendle Local Plan Part 1: Core Strategy 2011-2030 and Paragraph 109 of the National Planning Policy Framework.

**123. FUTURE OF THE NEW HOMES BONUS
RESPONSE TO CONSULTATION**

The Chief Executive submitted a report seeking approval for a response to the Government's consultation on the future of the New Homes Bonus Scheme. The draft response was appended to the report at Appendix B.

The Government had opened the consultation in February 2021 with a deadline of 7th April, 2021 for responses. The consultation set out a variety of options for reforming the Scheme which would take effect in 2022/23. The Committee were asked for their views, whether they were beneficial to the Council in financial terms, on a number of broad options which were set out in the report.

RESOLVED

That the draft response to the consultation on the New Homes Bonus Scheme, as set out at Appendix B attached to the report, be approved.

REASON

To agree the Council's response to proposals for the reform of New Homes Bonus.

124. RECOMMENDED WRITE-OFFS

The Revenues Manager, Liberata submitted a report proposing that debts relating to Housing Benefit Overpayments, Council Tax, National Non Domestic Rate and Sundry Income be written off.

RESOLVED

That the sums of £59,556.22 in respect of Housing Benefit Overpayments, £439,753.51 in respect of Council Tax £75,176.84 in respect of Business Rates and £1,287.78 in respect of Sundry Income be written off.

REASON

The prudential and considered writing off of bad debts was an essential requirement for the efficient management of the debt recovery functions.

**125. NATIONAL PLANNING REFORMS
CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK
AND DESIGN CODES**

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Government's proposal on a number of proposed reforms to the planning system. The reforms sought comments on amendments to the National Planning Policy Framework ("the Framework") and on the proposals to require Design Codes to be ubiquitously used throughout England.

The Committee discussed at length the impacts of these proposed changes. It was also acknowledged that producing a design code required design skills. As well as being expensive it was felt there would be a national skills shortage to produce these codes.

RESOLVED

That the comments on the consultation, as set out in the report, be approved.

REASON

In order to ensure Pendle contribute to the discussions on national reforms to the planning system.

126. ECONOMIC STRATEGY AND COVID RECOVERY PLAN

The Planning, Economic Development and Regulatory Services Manager submitted a report which set out a recommended approach which sought to aid economic recovery as effectively as possible.

The report referred to the Council's Jobs and Growth Strategy, the Lancashire Enterprise Partnership Strategic Economic Plan and the LEP Business Plan which needed updating/refreshing. It was noted that the impact of COVID-19 had changed things considerably. Impacts on the economy were wide ranging and some impacts would increase in severity when the furlough schemes would come to an end.

Therefore it was felt that an economic strategy was needed and external help in delivering this would ensure that the strategy was robust and viable to help the economy recover. It was recommended that the Strategy be produced with the Vision Board and that the services of Hatch Urban Solutions be retained to support delivery of this Strategy.

Hatch Urban Solutions had previously worked on the Nelson Town Investment Plan.

RESOLVED

- (1) That the commissioning and production of an Economic Recovery and Development Strategy be approved.
- (2) That the waiving of Contract Procedure Rule 18.7 to retain the services of Hatch Urban Solutions to support the delivery of the Economic Recovery and Development Strategy be endorsed.

REASON

There was a need to put in place the most effective Strategy for economic recovery and the need was to do this as swiftly as feasible.

127. DRAFT NELSON MASTERPLAN

The Housing, Health and Engineering Services Manager submitted a report on the draft Nelson Masterplan.

Over the past year the Nelson Masterplan had been developed in parallel with the Nelson Town Investment Plan which was considered by this Committee last month. The draft Masterplan was attached to the report at Appendix A.

Although consultation and engagement had already been carried out with stakeholders and residents in the early stages of the development of the Plan it was proposed that a further consultation now takes place on the final draft before being brought back to this Committee for consideration and then Full Council.

Concerns were raised that land at Gib Hill was included in the draft Masterplan. The Committee were reminded that the land had already been identified as a housing site and was included in the Local Plan Part 2 which was currently out for consultation. However, Members felt it should be removed from the Plan and a community asset transfer be considered to retain the site as a green open space in perpetuity. It was suggested that Colne Town Council, Nelson Town Council and other interested community groups be asked to consider taking on this site as a community asset transfer.

RESOLVED

- (1) That, subject to the removal of land at Gib Hill, Nelson the draft Nelson Masterplan be agreed and subject to a wider stakeholder/community consultation and a report be brought back to a future meeting of this Committee.
- (2) That discussions be held with Colne Town Council, Nelson Town Council and any other interested community group to transfer the land at Gib Hill, Nelson as a community asset transfer and looked after in perpetuity.

REASON

- (1) ***To enable feedback to be considered by this Committee before the Masterplan was considered by Full Council.***
- (2) ***To maintain a green open space for the enjoyment of residents.***

128. DRAFT LOCAL FLOOD RISK MANAGEMENT STRATEGY FOR LANCASHIRE 2021/2027

The Environmental Services Manager submitted a report on the Council's responses to the consultation on the Lancashire Local Flood Risk Management Strategy 2021-2027. The aim of the Strategy was to better protect and improve flood resilience for the people of Lancashire.

The Strategy had been produced by Blackburn-with-Darwen Council, Blackpool Council and Lancashire County Council as Lead Local Flood Authorities. The Strategy was out for consultation with responses required no later than 19th March.

It was intended that the Strategy and consultation address local sources of flooding. Managing flood risk from main rivers, coastal or sewerage sources were covered by the Environment Agency's Plans and Assessments Framework.

A report on the results of the consultation would be made available on the Council's website in Summer 2021.

RESOLVED

(1) That subject to the addition of the following:

Local Risks and Challenges – add “address the backlog and regular maintenance of culverts and highway drainage systems.”

Actions – add “highlight the necessity to retain upstream wetland areas to holdback excessive rainfall.”

the report and responses be agreed.

(2) That further reports be presented to this Committee as required following the Strategy being agreed and publicly available.

REASON

To ensure that Pendle, having presented appropriate comments to the consultation, receive a share of the flood and coastal risk management fund to protect properties as risk of flooding.

129.

21 MANCHESTER ROAD, NELSON

The Chief Executive submitted a report following receipt of a request from the tenant of 21 Manchester Road, Nelson for a new lease and purchase of the freehold.

The property formed part of a larger freehold site owned by the Council which also included numbers 15, 17 and 19 Manchester Road. It was subject to a 93 year lease to Euro Property Investments Ltd., from 1st August, 1972 at a one off premium of £4,000. The lessee had submitted a request to purchase the Council's freehold, or if this was refused for the lease to be surrendered and a new 125 year lease to be granted.

The title was divided into four interests with leases ranging from 86 to 88 years for the sites of numbers 15, 17 and 19 Manchester Road from the 1970s to expire at the same time.

It was reported that disposal of part of the freehold site would reduce the Council's interest in the town centre and could affect any future redevelopment of this area.

RESOLVED

That the requests be refused.

REASONS

- (1) A decision to dispose of the freehold would take away control from the Council and may affect any future town centre redevelopment.***
- (2) The grant of a new long term lease could cause issues in the future if the Council wanted to redevelop this area as there would be a number of years remaining on the lease and if redevelopment involved acquiring the property by Compulsory Purchase the Council may have to pay a greater amount of compensation to the tenant.***

130.

TENDERS

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

Chairman _____