

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 14th OCTOBER, 2021
AT NELSON TOWN HALL**

Councillor N. Ahmed (Chairman – in the Chair)

Councillors

*F. Ahmad (Substitute)
Z. Ali
D. Cockburn-Price
S. Cockburn-Price*

*M. Goulthorp
M. Hanif
K. Howarth
D. Whipp*

(Apologies for absence were received from Councillor M. Iqbal.)

Also in attendance:

*Councillor M. Aslam
Councillor T. Whipp*

Officers in attendance:

<i>Rose Rouse</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>



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

<i>Christine Pollard</i>	<i>Trees at Klondyke</i>	<i>Minute No. 88(a)</i>
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72. DECLARATION OF INTERESTS

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

73. PUBLIC QUESTION TIME

There were no questions from members of the public.

74. MINUTES

RESOLVED

That subject to the inclusion of the Ace Centre in minute number 64, the minutes of the meeting held on 16th September, 2021 be agreed as a correct record and signed by the Chairman.

75. INVESTMENT IN LEISURE FACILITIES

The Corporate Director submitted a report which provided further information on the proposed strategic review of indoor leisure facilities and investment in the Council's facilities following a call in of the decisions made at the last meeting of this Committee on 16th September.

A detailed methodology for the review had been submitted by Max Associates who would be conducting the strategic review. It would be using a Strategic Outcomes Planning Model to develop a clear approach to provide effective and sustainable physical activity and sport opportunities within the Borough. Sport England had advised that such an approach was essential for it to make effective investment into provision of both facilities and services.

A list of proposed repairs, which had not been approved at the last meeting, was submitted as an appendix providing further information on them. It was reported that the Estates and Property Services Manager considered that all were necessary and should be carried out over the next 6 months. Some were the Council's responsibility as landlord.

RESOLVED

- (1) That the need for a strategic review to be undertaken in order to be in a position to seek Sport England funding be acknowledged.
- (2) That Councillors be nominated to the review Project Group based on a membership of 3:1:1.
- (3) That work required to Colne Municipal Hall be agreed on the proviso that if funding becomes available from the Levelling Up Fund or other source that be used instead of the Leisure Trust Reserve.
- (4) That further discussions be held with regards to the remaining works listed in the appendix attached to the report.

REASON

To take forward the strategic review to inform future investment in facilities and to carry out urgent repairs.

76. RECOMMENDED WRITE OFFs

The Revenues Manager, Liberata submitted a report on the recommended write off of debts relating to Housing Benefit Overpayments, Council Tax and National Non Domestic Rates.

RESOLVED

- (1) That the sums of £35,220.06 in respect of Housing Benefit Overpayments, £224,354.09 in respect of Council Tax and £5,709.97 in respect of Business Rates be written off as irrecoverable.
- (2) That further information be sought on the incentives used to recover unpaid debts.

REASON

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

77. DRAFT LOCAL ASSURANCE FRAMEWORK – NELSON TOWN DEAL

The Housing, Health and Engineering Services Manager submitted a report which sought approval of the draft Local Assurance Framework for the Nelson Town Deal. The report also outlined the timetable for developing project business cases.

Based on Government guidance the draft Local Assurance Framework outlined the governance arrangements and value for money processes that would be put in place for managing the delivery of Town Deal funding. This was split into three areas:

1. Town Deal Governance
2. Transparent and Accountable Decision Making
3. Programme Management and Assurance

Full business cases for each project would be developed over differing timeframes and a schedule/timeline was attached to the report at Appendix 2. Hatch had been appointed to assist the project leads in developing their business case.

RESOLVED

- (1) That the draft Local Assurance Framework for the Nelson Town Deal, which had been endorsed by the Nelson Town Deal Board, be approved.
- (2) That the timetable for the development of business cases for the Nelson Town Deal projects be noted.

REASON

To agree the local assurance processes for the Nelson Town Deal and the projects within it.

78. TOWN FUND 5% CAPITAL PRE-PAYMENT AND EARLY PROJECT DEVELOPMENT COSTS

The Housing, Health and Engineering Services Manager submitted a report advising of a 5% capital funding pre-payment that would be made to the Council by the Department of Levelling Up, Housing and Communities (DLUHC) following project confirmation.

It was reported that an estimated cost of £350k would be needed for projects which would incur development costs relating to feasibility/design work etc., needed to feed into the business case development process. As this expenditure would be incurred prior to the business cases being assured and ultimately signed off by Government, there was the risk that this expenditure was an abortive cost should the project not prove viable to proceed. In such cases the DLUHC would not seek to claw back the 5% early draw down, however, the pre-payment was netted off the overall offer and DLUHC could not guarantee that unviable projects would be replaced at an equivalent value.

The Town Deal Board had recommended that part of the Towns Fund pre-payment was allocated to fund these early project development costs. Further details on the outputs from this expenditure and how it supported project development and delivery would be sought.

RESOLVED

- (1) That the proposed early capital payment of 5% of Nelson's Heads of Terms offer to the Council as the accountable body be noted.
- (2) That the recommendation from the Nelson Town Deal Board that part of this pre-payment be used to fund early project development costs needed to support business case development be agreed.

REASON

To support the timely development of Town Deal project business cases.

79. KELBROOK AND SOUGH NEIGHBOURHOOD PLAN

The Planning, Economic Development and Regulatory Services Manager submitted a report on the Regulation 14 draft Kelbrook and Sough Neighbourhood Plan which was currently being consulted on by the Parish Council.

Detailed comments on the Regulation 14 draft version of the Plan was appended to the report at Appendix 1. The Committee were asked to agree these comments.

RESOLVED

- (1) That the Regulation 14 public consultation for the Kelbrook and Sough Neighbourhood Plan be noted.
- (2) That the formal written representations in response to the Regulation 14 public consultation, as set out in Appendix 1, attached to the report be agreed.

REASONS

- (1) ***To comply with the Neighbourhood Planning General Regulations 2012, as amended.***
- (2) ***To make Kelbrook and Sough Parish Council aware of the Council's concerns about elements of the Kelbrook and Sough Neighbourhood Development Plan not being in general conformity with the Pendle Local Plan and the National Planning Policy Framework and to comply with the requirements of Schedule 4B of the Town and Country Planning Act 1990.***

80. LOCAL DEVELOPMENT SCHEME

The Planning, Economic Development and Regulatory Services Manager submitted a report on the revised Local Development Scheme (LDS).

The Scheme was required to be updated every three years. Section 15 of the Planning and Compulsory Purchase Act 2004 requires the Council include within its LDS:

- Details of its existing planning policy documents; and
- Any new or replacement documents that it intended to produce.

The update took account of recent changes to the planning system (but not proposed planning reforms which were yet to be published) including the publication of the revised National Planning Policy Framework in July 2021 and delays to plan preparation caused by the COVID-19 pandemic. This covered the period from October 2021 to October 2024.

RESOLVED

That the Local Development Scheme be updated in accordance with the timescales, as set out in the schedule attached to the report.

REASON

To comply with Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) and to ensure the Council was able to adopt a Local Plan to guide future development and growth in the Borough.

81. BUSINESS IMPROVEMENT DISTRICTS FOR BARNOLDSWICK AND NELSON

The Planning, Economic Development and Regulatory Services Manager submitted a report which provided an update on progress with the Barnoldswick Business Improvement District (BID). The Committee were also asked to consider whether to progress looking at the feasibility of setting up a Nelson BID.

The report provided information on a feasibility study which had been carried out in Barnoldswick. It was noted that the central area of business interest was spread across the whole town. Four options were set out and it was suggested that the larger businesses be contacted to see if there was an appetite from the wider business community to be part of a BID for Barnoldswick.

With regards to a BID for Nelson the officer recommendation was that formal consideration be deferred until progress had been made on the delivery of the Town Deal and in particular the redevelopment of elements of the town centre. However, it was felt that initial discussions should be held with local businesses to establish a level of interest.

RESOLVED

- (1) That larger businesses outside of Barnoldswick town centre be contacted to seek their views on participating in a wider BID and a further report be brought back on the findings.
- (2) That formal consideration of a BID for Nelson be developed and discussions be held with local businesses to establish a level of interest.

REASONS

- (1) ***To progress the consideration of a BID on the basis of the only workable footprint.***
- (2) ***To establish a level of interest from local businesses.***

82. ADDITIONAL RESTRICTIONS GRANT

The Planning, Economic Development and Regulatory Services Manager submitted a report which provided an update on the Additional Restrictions Grant Scheme (ARG).

The Council had received a top up grant of £500,000 having made ARG payments totalling £2,721,188 and had a remaining balance of £441,113. It was reported that any unspent funds that had not been distributed by 31st March, 2022 would be subject to recovery and would not be allowed to be spent under any circumstances.

It was noted that there were limitations on how the funding could be used. Committee were asked to consider the following as a proposal for spending the remaining balance:

Scheme	Recipients
Event Support Programme	Any organisation in Pendle that will run an event that promotes wider economic benefits for the business community.
Charitable Organisations	Charities that will run programmes that assist in the recovery of impacts of COVID
Business Hardship Grants	Businesses employing 10 or more staff who have been impacted by COVID.

RESOLVED

- (1) That the themes of the spend of the remaining grant, as set out above, be agreed.
- (2) That the final details of the scheme and administration of the grant be delegated to the Chief Executive to agree in consultation with Members based on a 3:1:1 split.

REASON

In order to ensure that the remaining ARG funding was distributed to the community to offset the impacts of COVID.

83. DEPARTMENT OF TRANSPORT STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS AND POLICY REVIEW

The Planning, Economic Development and Regulatory Services Manager submitted a report on the updated Policy which incorporated the Department of Transport's statutory guidance.

RESOLVED

- (1) That the licensed trade and other interested parties be consulted on the draft Department of Transport Statutory Taxi and Private Hire Vehicle Standards and Policy as set out.
- (2) That the results of the consultation be reported back to this Committee.

REASONS

- (1) ***Licensing authorities are under a legal duty, under Section 177 of the Police and Crime Act 2017 to have regard to the Statutory Standards and are expected to publish their consideration of the measures contained in the Standards and change to policies and procedures that stem from these.***
- (2) ***The Hackney Carriage and Private Hire Policy was due for review every five years.***

84. PUBLIC SPACES PROTECTION ORDERS: ALLEY GATES

The Corporate Director submitted a report to extend the current Public Spaces Protection Orders (PSPOs) for Restricted Areas and Restricted Access for a further three years.

The two schemes were for two alley gates creating a restricted area and a scheme with a single gate restricting access. A variation for an alley gate scheme at Bradley View in Nelson had also been agreed and implemented in 2021.

It was proposed that future resources permitting, the intention was to assess the condition, maintenance requirements, use and public support for each scheme and report back to Area Committees by summer 2024 ahead of any consideration of a further extension.

RESOLVED

- (1) That the Council extends the current Public Spaces Protection Orders allowing for alley gate schemes with a restricted area and single gate schemes with restricted access for a further three years from 23rd October, 2021.
- (2) That during the life of the two Public Spaces Protection Orders, a full review of the use, condition and public support for the schemes be carried out, in anticipation of the next extension in 2024.

REASON

To address the concerns of local residents that, without the alley gates in place, their back streets would attract crime and anti-social behaviour.

85. POLICY THEMES – ANNUAL REPORT

The Corporate Director submitted, for information, a report which provided an update on the following policy themes: Community Safety, Community Cohesion, Children and Young People, Health and Wellbeing, Equality and Diversity and Climate Change.

86. CLIMATE EMERGENCY WORKING GROUP

Minutes of a meeting of the Climate Emergency Working Group, held on 14th September, 2021 were submitted for information.

At that meeting the Working Group considered a report on the use of hydrated vegetable oil and gas to liquid fuels for the Council's fleet of vehicles. They agreed:-

"That the Policy and Resources Committee be recommended:-

- (1) To approve the introduction of alternative fuels for the Council's fleet of vehicles and subsequent increases in costs for both fuel and infrastructure.
- (2) To approve further investigation into the benefits of hydro vegetable oil and gas to liquid through accepting the offer of support from Go Plant Fleet Services.
- (3) To approve the use of alternate fuels as required."

Members were advised that should they wish to progress this option, further growth of up to £28,000 would be required in the annual revenue budget. This would then require further revenue savings to be found from other Council services through the budget setting process.

RESOLVED

That the introduction of alternative fuels for the Council's fleet of vehicles be approved along with the subsequent increases in costs for both fuel and infrastructure for a trial period of six months.

REASON

In response to the Council's commitment to the Climate Change agenda.

87. DRIVER SHORTAGE

The Environmental Services Manager submitted, for information, a report which provided an overview of the impact that the national shortage of large goods vehicle drivers was having on the delivery of frontline services within Pendle.

88. ITEMS REFERRED FROM AREA COMMITTEES

(a) Trees at Klondyke

At a meeting of the West Craven Committee on 5th October, 2021 it was resolved "that this item be referred to the Policy and Resources Committee for consideration, in view of the wider implications across Pendle."

The discussion was around three Ash trees within the ownership of the Council located adjacent to Earby Road, Salterforth. The trees were protected by a Tree Preservation Order but were suffering from Ash Dieback Disease. Surveys had been carried out on the trees and the risk of harm to the public had been identified.

RESOLVED

That the three Ash trees located adjacent to Earby Road, Salterforth be removed subject to confirmation they were on land owned by the Council.

REASON

To reduce the risk of harm, damage or incident within an area of high occupancy.

IN ACCORDANCE WITH THE COUNCIL'S CALL-IN PROCEDURE THE ABOVE ITEM STANDS REFERRED BACK TO THE THREE GROUP LEADERS FOR DISCUSSION AND RECONSIDERATION AT THE NEXT MEETING OF THE POLICY AND RESOURCES COMMITTEE.

Chairman _____