

**MINUTES OF A MEETING OF THE  
POLICY AND RESOURCES COMMITTEE  
HELD ON 16<sup>th</sup> DECEMBER, 2021  
AT NELSON TOWN HALL**

*Councillor N. Ahmed (Chairman – in the Chair)*

**Councillors**

*D. Cockburn-Price  
S. Cockburn-Price  
M. Hanif  
K. Howarth*

*M. Iqbal  
Y. Iqbal (Substitute)  
K. McGladdery (Substitute)  
D. Whipp*

*(Apologies for absence were received from Councillors Z. Ali and M. Goulthorp).*

**Officers in attendance:**

<i>Rose Rouse</i>	<i>Chief Executive</i>
<i>Richard Gibson</i>	<i>Chief Finance Officer</i>
<i>Neil Watson</i>	<i>Planning, Economic Development and Regulatory Services Manager</i>
<i>Julie Whittaker</i>	<i>Housing, Health and Engineering Services Manager</i>
<i>Howard Culshaw</i>	<i>Head of Legal Services</i>
<i>Jane Watson</i>	<i>Head of Democratic Services</i>



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

<i>Mr. Ahmed</i>	<i>21/0760/HHO Full: Erection of a two storey rear extension at 24 Reedyford Road, Nelson</i>	<i>Minute No. 102(c)</i>
<i>Mr. Molloy</i>	<i>Alkincoats Local Nature Reserve Extension</i>	<i>Minute No. 109(f)</i>



**109. DECLARATION OF INTERESTS**

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

**110. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**101. MINUTES**

**RESOLVED**

That subject to the inclusion of the Ace Centre in minute number 64, the minutes of the meeting held on 25<sup>th</sup> November, 2021 be agreed as a correct record and signed by the Chairman.

**102. PLANNING APPLICATIONS**

**(a) 21/0399/PIP Permission in Principle: Erection of up to 9 dwellings on land off Cob Lane and Old Stone Trough Lane, Kelbrook**

This application was submitted to the West Craven Committee on 7<sup>th</sup> September, 2021 where the decision was that the application not be determined. Therefore, under the Town and Country Planning Act 1990 this application was now before Committee for determination.

**RESOLVED**

That the Permission in Principle be approved subject to the following informative:

As part of a technical details application the following information should be provided:

- Plans, including location plan, site plan, and access visibility splay plan, elevation and floor plans.
- Planning Statement.
- Heritage Statement.
- Foul and Surface Water Drainage Scheme.
- Ecology Survey.
- Landscaping Scheme
- Dependent on the layout, scale and design planning obligations for affordable housing and education provision, or other public benefits, may be necessary to offset the impact on the significance of the Listed Building Yellow Hall and for off-site open space.

**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. Taking into account all material considerations the proposed development is acceptable in principle. 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) 21/0608/HHO Full: Erection of a two storey side and rear extension at 181 Regent Street, Nelson**

At a meeting of the Nelson, Brierfield and Reedley Committee on 29<sup>th</sup> November, 2021 the decision to approve this application was referred as a recommendation to this Committee as the decision was contrary to policy and would represent a significant departure from policy.

**RESOLVED**

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

1. The proposed extension, by virtue of its scale and massing would result in a disproportionate addition to a corner plot property and an incongruous feature in the street scene. The development would therefore fail to accord with Policy ENV2 of the Pendle

Local Plan Part 1: Core Strategy, the adopted Design Principles Supplementary Planning Document and Paragraph 134 of the National Planning Policy Framework.

2. The proposed extension, by virtue of its depth and two storey height, would result in unacceptable amenity impacts on the occupants of number 179 Regent Street and overlooking impacts to the bungalows at the rear on Swinden Hall Road. The development therefore fails to comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.

**(c) 21/0760/HHO Full: Erection of a two storey rear extension at 24 Reedyford Road, Nelson**

At a meeting of the Nelson, Brierfield and Reedley Committee on 29<sup>th</sup> November, 2021 the decision to approve this application was referred as a recommendation to this Committee as the decision was contrary to policy and would represent a significant departure from policy.

**RESOLVED**

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

1. By virtue of its scale and massing, coupled with the difference in ground levels between the application site and neighbouring property at number 26 Reedyford Road, the proposed extension would result in an unacceptable overbearing effect upon both number 22 and number 26 Reedyford Road, contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy, the National Planning Policy Framework and the Design Principles Supplementary Planning Document.

**103. COUNCIL TAXBASE BUDGET**

The Chief Finance Officer submitted a report seeking approval of the Council Taxbase for 2022/23 (including the Taxbase for each parish).

Reference was made to the resolution at the last Full Council meeting about the Community Governance Review. A number of changes had been agreed which affected some ward boundaries and particular reference was made to the changes affecting Barnoldswick and Salterforth. This decision would change the number of properties within these wards and therefore affect the Taxbase for the parished areas. It was also noted that Full Council had agreed to the abolition of the Bracewell and Brogden parish.

**RESOLVED**

- (1) That, in accordance with the Local Authorities (Calculation of Taxbase England) Regulations 2012 the amount calculated by the Borough of Pendle as its Council Taxbase for the year 2022/23 shall be 23,940.6.
- (2) That consideration of the Taxbase for parished areas be deferred until there was clarity in relation to the changes to the parish boundaries which was agreed by Full Council on 9<sup>th</sup> December, 2021 and delegated authority be granted to the Chief Executive, in consultation with Group Leaders, to agree this Taxbase.

**REASON**

- (1) ***To agree the Council's Taxbase for 2022/23 for Council tax setting purposes.***
- (2) ***To understand the new boundaries and to establish the number of houses within the parished houses.***

**104. HOUSEHOLD SUPPORT FUND**

The Chief Finance Officer submitted a report which set out the Council's scheme for distributing funds allocated under the Government's Household Support Fund Grant Scheme.

This was a new Scheme announced by the Government in October, 2021. Money had been allocated to Lancashire County Council and a further allocation had been made to the Districts.

Details of the methodology for the Scheme in Pendle was set out in the report and the distribution of funds locally in order to best meet the needs of local residents.

Flexibility was sought to allow the local scheme to be amended in order to ensure that all funds were distributed by the deadline of 31<sup>st</sup> March, 2022. Any changes to the local scheme would be done so in accordance with the overarching Funding Guidance.

An update was circulated prior to the meeting advising that a Small Grant Agreement had been drawn up for each Food Bank to sign up to. There was a Food Bank Provision of £75,000.

Burnley, Pendle and Rossendale Council for Voluntary Services had agreed to assist with payments to households (£195,000) and an outline scheme had been drawn up with them which closely mirrored Rossendale's scheme. Details of the awards were listed in the update.

The scheme would go live on 5<sup>th</sup> January, 2022 and households would be asked to register their interest by emailing [housholdsupportgrant@pendle.gov.uk](mailto:housholdsupportgrant@pendle.gov.uk)

Overall the Committee supported the Scheme but felt it would be useful to get an update from the Burnley, Pendle and Rossendale Council for Voluntary Services towards the end of January on progress with issuing the funding.

**RESOLVED**

- (1) That the scope of the Council's Household Support Fund scheme, as set out in the report and the updated circulated prior to the meeting, be agreed.
- (2) That delegated authority be granted to the Chief Finance Officer, in consultation with the Leader of the Council, to allow the local scheme to be flexed so that all funds allocated to Pendle Council could be distributed in accordance with the Funding Guidance by the deadline of 31<sup>st</sup> March, 2022.

**REASONS**

- (1) ***To allow the Council to distribute funds to residents in accordance with the Guidance and by the deadline of 31<sup>st</sup> March, 2022.***
- (2) ***To give sufficient flexibility to allow all funds to be spent in accordance with the Guidance.***

**105. BANKHOUSE ROAD SITE, NELSON**

The Housing, Health and Engineering Services Manager submitted a report informing the Committee of grant funding awarded through the Brownfield Land Release Fund with a proposal of how to take the site forward for development.

An initial bid of £200,000 had been submitted to the One Public Estate Brownfield Land Release Fund in May, 2021 to divert a medium pressure gas main on the site and isolate/remove redundant services to increase housing density and improve viability. Unfortunately this bid was unsuccessful. However, the scheme had been put on a reserve list should future funding become available. In November the Council were informed that they had been successful.

Two options for the site were included in the bid – general needs affordable housing and Extra Care. There were a number of milestones which had to be met and the deadline for the funding was that the site must be released for housing by March, 2024.

In order to meet the funding requirements for the Brownfield Land Release Fund Committee were asked to agree a developer for the site. Officer recommendation was that Extra Care was the most appropriate housing use for the site to help meet housing needs and this was supported by Lancashire County Council. Two Registered Providers had expressed an interest in developing the site (Housing 21 and Together Housing through PEARL Together).

**RESOLVED**

- (1) That the award of £200,000 from the One Public Estate Brownfield Land Release Fund be noted.
- (2) That Housing 21 and PEARL Together be invited to submit proposals for an Extra Care scheme and reports be submitted to a future meeting of this Committee on those proposals.

**REASONS**

- (1) *To keep the Committee informed.*
- (2) *To consider the best option for delivery of Extra Care on the site.*

**106. REGULATION OF SKIN PIERCING ACTIVITIES**

The Housing, Health and Engineering Services Manager submitted a report requesting the adoption of the amendments made under Section 120 of the Local Government Act 2003 to Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 to include the activities of body piercing and semi-permanent skin colouring.

**RECOMMENDATION**

That Council –

- (1) Adopt Sections 14 to 17 of Part VIII of the Local Government (Miscellaneous Provisions) Act 1982. Further amended by the Local Government Act 2003 within the administrative area of Pendle Borough Council. To regulate persons carrying out skin-piercing activities

of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

- (2) Approve the proposed draft bylaws as set out in Appendix A to the report relating to businesses and persons providing acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

## **REASONS**

- (1) ***To bring into full force the regulatory framework of Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Local Government 2003 within Pendle Borough Council administrative area.***
- (2) ***Including the provision of making byelaws for the regulation of businesses involved in the 5 skin piercing activities, namely acupuncture, cosmetic piercing (including ear and body piercing) tattooing, electrolysis and semi-permanent skin colouring.***
- (3) ***Adoption of local bylaws are to ensure that skin piercing activities are undertaken in a clean environment using sterile equipment to prevent infections and illness.***

## **107. LAND AT RAVENSCROFT WAY, BARNOLDSWICK**

The Housing, Health and Engineering Services Manager submitted a report following receipt of an offer for land adjacent to Unit 1 Ravenscroft Way, Barnoldswick.

There had been four offers for this land back in March, 2018 and the Executive accepted the highest offer of £100,000 subject to there being no objections to the loss of open space and the offeror obtaining planning permission for the proposed use of a commercial unit with a storage yard within 6 months.

No objections were raised but there were a number of issues relating to the land which either affected the proposed use or needed further investigation. As a result the planning application was not submitted within 6 months. The purchaser felt the site was not viable for the proposed use and had reduced his offer to £5,000 and for the land to remain as it was for the time being.

As this was a substantial reduction from the original offer the future interest had been invited from the original offerors, two of which had submitted offers of £16,000 (subsequently reduced to £8,000) and £34,000. The highest offer was to purchase the land as additional customer and staff parking for a business adjoining Unit 1 Ravenscroft Way.

## **RESOLVED**

That the offer of £34,000 be accepted to purchase the land edged black on the plan attached to the report, subject to the purchaser obtaining planning permission for the change of use of the land to additional customer and staff parking for a business adjoining Unit 1 Ravenscroft Way, Barnoldswick, within a maximum period of 6 months from the date of this meeting.

## **REASON**

***To achieve a capital receipt and end all liabilities.***

**108.**

**TENDERS**

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

**109.**

**MATTERS REFERRED FROM AREA COMMITTEES**

**(a) Alkincoats Local Nature Reserve Extension**

At a meeting of the Colne and District Committee on 7<sup>th</sup> October, 2021 it was resolved “that the report, together with further information on the financial implications of the proposal, be referred to the Policy and Resources Committee for decision.”

The Environmental Services Manager submitted an updated report. The Friends of Alkincoats Local Nature Reserve had submitted a request that the Council agree to extend the reserve into the two fields to the south of the existing reserve (as shown on the plan attached to the report).

If Committee agreed to this request consideration should be given to the increase in maintenance costs; the reduction in officer resource over recent years; the need for a closer working relationship with the friend’s group in order to pursue grant funding and cover long term maintenance needs.

The Committee considered all of the above but felt that the request was justified. To lower maintenance costs there was a suggestion in the report that the site be rewilded, without public access.

**RESOLVED**

That the request from the Friends of Alkincoats Local Nature Reserve to extend the LNR into the two fields shown edged green on the plan attached to the report be agreed.

**REASON**

***To extend the Alkincoats Local Nature Reserve.***

**(b) TPO Trees**

At a meeting of the West Craven Committee on 2<sup>nd</sup> November, 2021 it was resolved “that the Planning, Economic Development and Regulatory Services Manager be asked to submit a report to the Policy and Resources Committee on the process for individuals or organisations removing Tree Preservation Order trees without permission.”

In response to this recommendation a report was submitted from the Planning, Economic Development and Regulatory Services Manager on the process when a Tree Preservation Order was reported.

It was felt that there needed to be more transparency and the public made aware of the repercussions when a breach of a Tree Preservation Order was reported.

**RESOLVED**

- (1) That the report be noted.
- (2) That reports be submitted to the Area Committees, for information, advising of breaches to Tree Preservation Orders.

**REASON**

*In order that Committee is informed of the process relating to Tree Preservation Orders.*

**(c) Car Park, Railway Street, Nelson**

At a meeting of the Nelson, Brierfield and Reedley committee on 29<sup>th</sup> November, 2021 it was resolved “that the Policy and Resources Committee be recommended to declare the car park on Railway Street, Nelson, cross hatched on the plan attached to the report, surplus to requirements.”

**RESOLVED**

That the offer of £18,000 for a 125 year lease on the car park, Railway Street, Nelson be agreed and that the Chief Executive be authorised to negotiate the other terms.

**REASON**

*To maintain some control over the land rather than agree to selling as a Freehold.*

**(d) Measures to restrict access to Broadway and other car parks in Nelson Town Centre**

At a meeting of the of the Nelson, Brierfield and Reedley Committee on 29<sup>th</sup> November, 2021 it was resolved “that the Policy and Resources Committee be recommended to agree to a supplementary estimate of £8,560.00 for the erection of height barriers, including additional works (e.g. signage) on the following car parks in Nelson: Booth Street, Broadway, New Brown Street, Palace and Stanley Street.”

The officer recommendation was that the matter be referred back to the Nelson, Brierfield and Reedley Committee.

**RESOLVED**

That the supplementary estimate of £8,560.00 for the erection of height barriers, including additional works (e.g. signage) on the following car parks in Nelson be approved:

Booth Street  
Broadway  
New Brown Street  
Palace  
Stanley Street



**REASON**

***To provide increased protection for Nelson Town Centre car parks.***

**(e) Capital Programme 2021/22**

At a meeting of the West Craven Committee on 30<sup>th</sup> November, 2021 it was resolved “that the Policy and Resources Committee be recommended to contribute £12k towards the full resurfacing of West Close Lorry Park from the central pot; that Lancashire County Council be asked to match fund this amount; leaving a £2k contribution from this Committee and for the outcome to be reported back in due course.”

Costings had been provided from the Housing, Health and Engineering Services Manager for these resurfacing works as follows:-

- A full resurfacing job with hot-rolled asphalt, including resolving the potholes £26k
- A partial job to cover the main damaged area £9.5k and high quality pothole repair of £3k making a total of £12.5k.
- Pothole repair only £3k.

As this was the only lorry park in Pendle, West Craven Committee thought that it should be fully resurfaced and that the cost of the work be shared between Pendle Council and Lancashire County Council as access to the Household Waste Recycling Centre was through the Lorry Park.

**RESOLVED**

That the request be refused.

**REASON**

***It was not felt that this should be funded centrally.***

***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.***

**(f) Cemetery Lodge, Keighley Road, Colne**

At a meeting of the Colne and District Committee on 2<sup>nd</sup> December, 2021 it was resolved –

- “(1) That the Policy and Resources Committee be recommended to declare the Cemetery Lodge, Keighley Road, Colne (shown edged black on the plan attached to the report) and an additional area of the Council’s land (shown cross hatched on the plan attached to the report) surplus to requirements in order for it to be sold on the open market, subject to:
- Potential access from Sagar Fold being explored;
  - Suitable electric gates being installed, or the existing cemetery gates being altered to electric opening, to allow for controlled vehicular access and 24 hour pedestrian entry/exit to the cemetery.

- A condition being imposed to ensure that no further development was carried out on the land.

(2) That, if the property is declared surplus, the Housing, Health and Engineering Services Manager be authorised to apply for planning permission for the additional area of land to be used as a garden and parking for the property.”

It was reported that this property was on the Non Designated Heritage Assets list. Concern was expressed that the large wall should not be breached and that the original gates be used if possible.

## **RESOLVED**

(1) That the Cemetery Lodge, Keighley Road, Colne (shown edged black on the plan attached to the report) and an additional area of the Council’s land (shown cross hatched on the plan attached to the report) be declared surplus to requirements in order for it to be sold on the open market, subject to:

- Potential access from Sagar Fold being explored but if this access was considered to be viable the wall should not be breached;
- Suitable electric gates being installed, or the existing cemetery gates being altered to electric opening, to allow for controlled vehicular access and 24 hour pedestrian entry/exit to the cemetery.
- A condition being imposed to ensure that no further development was carried out on the land.

(2) That the Housing, Health and Engineering Services Manager be authorised to apply for planning permission for the additional area of land to be used as a garden and parking for the property.

## **REASON**

***To achieve a capital receipt and end all liabilities. There was a small garden but no private parking. If planning consent was obtained it was considered this would increase the demand and amount of consideration which would be achievable.***

## **PART II EXEMPT ITEMS**

### **110. EXCLUSION OF PUBLIC AND PRESS**

#### **RESOLVED**

That in pursuance of the power contained in Section 100(A)(4) of the Local Government Act, 1972 as amended, the public and press be excluded from the meeting during the next items of business when it is likely, in view of the nature of the proceedings or the business to be transacted, that there will be disclosure of exempt information which is likely to reveal the identity of an individual.

### **111. PROBLEM SITES**

At a meeting of the West Craven Committee on 5<sup>th</sup> November, 2021 it was resolved “that the Policy and Resources Committee be asked to consider how it might be able to assist with the redevelopment of the last case on the list.”

**RESOLVED**

That a report be submitted to a future meeting of this Committee on options available for the redevelopment of the site referred to above, including its possible Compulsory Purchase.

**REASON**

*To bring back into use a problem site.*

Chairman \_\_\_\_\_