

**MINUTES OF A MEETING OF THE  
POLICY AND RESOURCES COMMITTEE  
HELD ON 17<sup>th</sup> MARCH, 2022  
AT NELSON TOWN HALL**

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

**Councillors**

Z. Ali  
D. Cockburn-Price  
S. Cockburn-Price  
M. Goulthorp

M. Hanif  
K. Howarth  
M. Iqbal  
D. Whipp

**Also in attendance:**

Councillor M. Aslam  
Councillor K. McGladdery  
Councillor N. McGowan  
Councillor D. Lord  
Councillor J. Purcell  
Councillor T. Whipp

**Officers in attendance:**

Rose Rouse	Chief Executive
Philip Mousdale	Corporate Director
Richard Gibson	Chief Finance Officer
Julie Whittaker	Housing, Health and Engineering Services Manager
Lynne Rowland	Committee Administrator



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

Emma Hartley	Core Strategy Review and New Local Plan	Minute No.140
Sam Saxon Ann Roper	Nelson Cemetery Provision	Minute No.141
Elizabeth Hurley Claire Kelly Suzanne Cockshott Pete Compston Yvonne Tennant Emma Hartley	Gib Hill	Minute No.148
Charles Oakes Mr Khan Mr Akram	Hackney Carriage Unmet Demand Survey	Minute No.151
Charles Oakes Mr Akram	Department for Transport Statutory Taxi and Private Hire Vehicle Standards and Policy Review	Minute No. 152

*Pete Compston  
Pete Smith  
Sue Fairweather  
Andrew Holt  
Angela Pennington  
Kelly Stodart  
Elizabeth Hurley*

*Enforcement of Public Space Protection Orders*

*Minute No. 153*

*M. A. Chaudhry*

*Matters Referred from Area Committees –  
Disposal of land on Bradley Road East and  
Junction of Leeds Road, Nelson*

*Minute No. 156(a)*



**135. DECLARATION OF INTERESTS**

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

**136. PUBLIC QUESTION TIME**

A member of Nelson Town Council reported that she felt there was a disconnect between the borough and town councils. She stated that Town Councils were being asked to take on services from the Borough, but paid little attention to information passed on by them. She asked what measures had been put in place to improve communication between Pendle Council and other authorities.

The Chairman advised that there was dialogue in place, but acknowledged that more could be done. The comments were noted and assurance given that communication would continue in the future.

**137. MINUTES**

**RESOLVED**

That the minutes of the Special Budget Policy and Resources Committee meeting held on 10<sup>th</sup> February, 2022 be agreed as a correct record and signed by the Chairman.

**138. STRATEGIC MONITORING REPORT 1<sup>st</sup> APRIL TO 31<sup>st</sup> DECEMBER, 2021**

The Chief Finance Officer submitted a report on performance monitoring information on the Council's service and financial plans for the period 1<sup>st</sup> April to 31<sup>st</sup> December, 2021.

**RESOLVED**

That the report be noted.

**REASON**

***To acknowledge the information provided on the performance monitoring information relating to the Council's services and financial plans.***

**139. TRANSFORMING PENDLE PROGRAMME**

The Chief Executive submitted a report which provided the Committee with the proposed governance arrangements for the delivery of the Transforming Pendle Programme (Transformation Programme). The report also described the work undertaken to date and gave an overview of the developing project work streams and proposed performance management arrangements.

It was proposed that this Committee would have overall responsibility for the Transformation Programme and would delegate the management and delivery of the programme to the Leadership and Transformation Programme Board. This Board would consist of the Chief Executive, Chief Finance Officer, the Corporate Director and the Transformation Programme Director. There would also be a Programme Delivery Group, Project Groups and involvement from Team Pendle and a Member Reference Group.

The report identified a number of areas which had been identified for review, although this was not an exhaustive list. Each review would be timetabled and RAG (Red, Amber and Green) rated to track the output and linked to financial impact which would also need to be RAG rated.

**RESOLVED**

- (1) That the proposed governance structure, the role definitions and formal reporting arrangements for the Policy and Resources Committee be approved.
- (2) That progress to date be noted and the proposed approach to performance management be endorsed.

**REASON**

***To establish an agreed governance and performance management model for the delivery of the Transforming Pendle Programme.***

**140. CORE STRATEGY REVIEW AND NEW LOCAL PLAN**

The Planning, Economic Development and Regulatory Services Manager submitted a report on the initial findings of the review of the Core Strategy and Local Plan Part 2 as requested in the motion carried at Full Council on 9<sup>th</sup> December, 2021.

The Committee were advised that the review of the Core Strategy could be carried out in two ways:

- Amend the Core Strategy and, at the same time, update the Part 2 Plan
- Prepare a new single Local Plan

Committee were also reminded of the key issues to note in the preparation of a new Local Plan, or when conducting a future policy review.

**RESOLVED**

- (1) That the report be noted.

- (2) That a new Local Plan be produced, protecting Pendle's valuable landscapes, with associated evidence in accordance with a new Local Development Scheme, as set out in Appendix 1 attached to the report.

**REASON**

- (1) ***To fulfil the Council's statutory duty to prepare and have in place an up-to-date Local Plan.***
- (2) ***To prepare a Local Plan which was responsive to local issues, needs and aspirations that would assist in securing a sustainable recovery for the Borough from the effects of the pandemic.***

**141. NELSON CEMETERY PROVISION**

The Corporate Director and Environmental Services Manager submitted a report which provided an update on progress with the search for new cemetery provision within the Nelson area.

An assessment of an initial list of sites had been carried out by officers and five had been presented to this Committee on 24<sup>th</sup> June, 2021 as potentially suitable. From the list two had since been removed and three sites remained for consideration:

- Nelson Cemetery Allotments
- Land adjacent to Halifax Road Allotments
- Land off Edge End Avenue/Halifax Road

Although accessibility studies had been carried out by the Council's Engineering Services section on the three sites a further investigation to fully understand the suitability of the sites for burials had been arranged. Betts Associates (Geotechnical) had carried out this work in the first week of March. Full results were awaited.

It was noted that in recent months Councillors had indicated that the land at Edge End Avenue/Halifax Road was the preferred option.

**RESOLVED**

- (1) That Nelson Cemetery Allotments be removed from the list of potentially suitable sites.
- (2) That Land off Edge End Avenue/Halifax Road be the preferred site for new cemetery provision.
- (3) That a further detailed report be submitted to the next meeting of this Committee including phases, timescales and estimated costs of preparation.

**REASON**

***To ensure sufficient burial space is available for future needs.***

**142. JOINT VENTURE WITH BROOKHOUSE GROUP**

The Housing, Health and Engineering Services Manager submitted a report on progress on establishing the Joint Venture Company with Brookhouse Group Limited.

In order to establish the new Joint Venture (JV) there was a need to finalise the Shareholders Agreement. A draft had been prepared which allowed for each of the partners to appoint up to five Directors to sit on the Board. It was proposed that the Council Directors be appointed at the Annual Council meeting. However, to allow the limited company to be established as soon as possible to enable early progress with Town Deal Projects, the Council's three Group Leaders had been appointed as Interim Directors.

Details on the initial set up costs were provided in the report. The Committee was asked to agree a budget of £50,000 for this.

## **RESOLVED**

- (1) That it be noted that the three Group Leaders be appointed as interim Board Members of the new Joint Venture Partnership with Brookhouse Group Limited until the Annual Council meeting in May.
- (2) That £50,000 be ring fenced within the Growth Sites Development Reserve for initial set up and running costs of the company.

## **REASON**

***To progress the establishment of the new Joint Venture.***

### **143. GROUND AND FIRST FLOORS, ACE CENTRE, NELSON**

The Corporate Director submitted a report on a proposal for the ground and first floors of the ACE Centre, Nelson to be leased to Nelson and Colne College as a bespoke base for the Town Deal Digital Skills Hub project.

The College had expressed an interest in taking over the premises to use as the "spoke" base and initial discussions had taken place.

## **RESOLVED**

That approval be given to the negotiations continuing and to authorise the Chief Executive, in consultation with the Leader, to agree terms.

## **REASON**

***To bring the premises back into use and to assist with the development of the Town Deal Digital Skills Hub project.***

### **144. REVIEW OF THE COUNCIL'S CONTAMINATED LAND STRATEGY 2022-2027**

The Housing, Health and Engineering Services Manager submitted a report seeking approval and adoption of the reviewed Pendle Borough Council Contaminated Land Strategy 2022-2027.

## **RECOMMENDATION**

That Council be recommended to approve and adopt the Contaminated Land Strategy 2022-2027 as set out in Appendix 1 attached to the report.

**REASON**

***The Government recommends that Contaminated Land Strategies are reviewed every 5 years.***

**145. CLIMATE EMERGENCY DECLARATION UPDATE**

The Chief Executive submitted a report which provided progress to date on the Climate Emergency Declaration and associated action plan.

It was noted that, for the Council to achieve its 2030 carbon neutral ambitions, it had to consider the scope for widening the action plan. The revised plan would be more public-facing with further stretched annual carbon reduction targets. However, this would be subject to greater funding and resource requirements.

It was proposed that the revised plan be driven by wider partner engagement and the process be delivered through a Climate Emergency Engagement Plan which would be considered by the Climate Emergency Working Group at its next meeting.

During discussion, specific reference was made to the provision of electric vehicle charging points in the Council's car parks and individual offers that had been made for the delivery of such. Members were advised that any such offers should be forwarded to the Corporate Director.

**RESOLVED**

- (1) That progress on the Climate Emergency Action Plan be noted.
- (2) That the potential of wider expansion to maximise opportunities for future progress, particularly in terms of the Council's carbon neutral target, mainstreaming climate change and the Council's work in partnership be noted.

**REASON**

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

**146. BATTERY RECYCLING SCHEME AND FOIL RECYCLING CAMPAIGN**

The Environmental Services Manager submitted a report on proposals for a household battery collection scheme and foil recycling promotion.

The County Council was offering funding of up to £20,000 for each borough council to introduce separate battery recycling collection schemes. It was noted that funding would help to cover the cost of separate collection containers and promotional material for the scheme.

It was proposed that the batteries would be presented in a plastic bag on top of either the blue or brown recycling bins for collection fortnightly. The County Council had agreed to fund the set up and promotional costs as detailed in the report. Ongoing collection would need to be met from within the Council's existing collection costs.

AluPro (Aluminium Packaging Recycling Organisation) were currently offering Councils a fully funded communications campaign to help engage with residents to promote foil recycling in a

variety of ways such as vehicle livery, leaflets, social media etc.

It was proposed that the battery recycling collection would be introduced as soon as possible and the foil campaign later in the year.

## **RESOLVED**

- (1) That the introduction of a household battery recycling collection scheme with start-up funding granted from Lancashire County Council be agreed.
- (2) That a promotional campaign be undertaken for foil recycling in association with Alupro (Aluminium Packaging Recycling Organisation).

## **REASON**

- (1) ***To encourage household battery recycling which will also help improve the problem of battery fires in household bins, refuse collection vehicles and waste transfer stations.***
- (2) ***To increase the amount of foil that is recycled by increasing citizen awareness of how to recycle foil in Pendle's existing collection scheme.***

### **147. BANKHOUSE ROAD SITE, NELSON**

The Housing, Health and Engineering Services Manager submitted a report requesting agreement of a developer for an Extra Care scheme on the above site. This was following a decision made at the December, 2021 meeting.

It was reported that two companies, Housing 21 and PEARL Together, had submitted proposals by the deadline of 16<sup>th</sup> February and summaries of these responses were set out in the report.

It was noted that there were similarities between both proposals but PEARL Together had provided more detail and appeared to be more advanced in their thinking.

Parts of the site had previously been declared surplus. The Committee was now asked to declare the whole site (as shown in Appendix 2 attached to the report) surplus and available for development.

## **RESOLVED**

- (1) That the submissions received be noted.
- (2) That PEARL Together be chosen as the preferred developer, subject to agreement over land value and future ownership of assets on the land.
- (3) That the Bankhouse Road Site, Nelson, as shown in Appendix 2 to the report, be declared surplus to requirements and available for development.
- (4) That a further report be submitted to this Committee at an appropriate time in relation to the terms of the disposal.
- (5) That the Housing, Health and Engineering Services Manager be thanked for all their

efforts on this project.

**REASON**

***To progress as Extra Care on the site.***

**148.**

**GIB HILL**

*(Councillor K. Howarth declared a non-pecuniary interest in this item which was not a disclosable pecuniary interest as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 but, in the interests of transparency, asked that this be recorded.)*

The Chief Executive submitted a report which set out the next steps to implement the decision of the Council at its meeting on 25<sup>th</sup> March, 2021 (minute 48(b) refers) in relation to land at Gib Hill.

The decision included commencing discussions with Colne Town Council, Nelson Town Council and any other community group to transfer the land at Gib Hill as a community asset transfer and looked after in perpetuity.

It was noted that the form by which the asset transfer was carried out was dependant on a range of factors.

It was proposed that a Working Group of five members be established to develop the preferred option and the approach to the discussions with interested organisations.

**RESOLVED**

- (1) That a five member Working Group be established to develop a preferred option and the approach to discussions with interested organisations.
- (2) That no part of the site be considered for housing.
- (3) That the thanks of the Committee be conveyed to the Lancashire Wildlife Trust for its work on surveying the site.

**REASON**

***In response to the Council decision.***

**149.**

**TRIANGULAR PIECE OF LAND IN FRONT OF THE WHITE LION, EARBY  
(ADJACENT TO ASPEN LANE)**

As part of the Transfer of Services and Facilities to Town and Parish Councils initiative, and also to try and identify potential savings, a list of miscellaneous pieces of land which might be transferred had been drawn up.

The Corporate Director submitted a report for the Committee to consider a request from Earby Town Council for the transfer to it of the triangular piece of land in front of the White Lion, Earby.



**RESOLVED**

That the request be agreed.

**REASON**

***To take forward the transfer of services and facilities initiative to town and parish councils.***

**150. HODGE HOUSE PLAYING FIELDS  
REQUEST FROM BRADLEY BIG LOCAL COMMUNITY LAND TRUST**

The Corporate Director submitted a report for the Committee to consider a proposal from Bradley Big Local Community Land Trust to provide artificial grass pitch(es) at Hodge House and for a community asset transfer to bring this about.

The Trust estimated the total cost at £1.2 million. It had resources of its own in the region of £375,000 and it would seek the remainder from the Football Foundation, Sports England and the Government's new Community Ownership Fund.

At this stage the Trust was looking to the Council for support, in principle, to make land available by way of a community asset transfer. It was proposed that this would be by a long lease at a normal rent with details yet to be agreed.

**RESOLVED**

- (1) That the Trust be informed of the Council's support, in principle, for its proposal.
- (2) That the Corporate Director continue discussions with the Trust and submit a further report to this Committee at the appropriate time.

**REASON**

***To help bring about the provision of a new sports facility.***

**151. HACKNEY CARRIAGE UNMET DEMAND SURVEY**

The Planning, Economic Development and Regulatory Services Manager submitted a report which provided an update on progress with the decision of the Taxi Licensing Committee to consult Pendle's hackney carriage proprietors as to whether they would fund an unmet demand survey.

The Committee was advised that a consultation had been undertaken with parts of the trade and it had been intended to report the results to this meeting for consideration. However, recent legal advice indicated that Council must undertake full consultation with all interested parties before considering the issue of delimiting.

It was therefore recommended that a full consultation be carried out with the taxi trade and other relevant parties and that a further report be brought back to this Committee for consideration.

**RESOLVED**

That consideration of this item be deferred to the next meeting of this Committee and that, in the

meantime, the Planning, Economic Development and Regulatory Services Manager be asked to write to the hackney carriage trade to establish if it would be willing to fund a hackney carriage unmet demand survey.

## **REASON**

*In order to ascertain the views of the hackney carriage trade.*

### **152. DEPARTMENT FOR TRANSPORT STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS AND POLICY REVIEW**

The Planning, Economic Development and Regulatory Services Manager submitted a report on the responses received to the consultation on the draft taxi licensing policy incorporating the Department for Transport's statutory standards, together with proposed updated local policies.

Since the draft policy had been published details of a requirement under the Finance Act 2021 had been published and would require adding to the policy. The details were set out in the report.

Only four responses had been received to the consultation. In addition two meetings of the Taxi Licensing Committee, together with members of the trade had been held. At those meetings the Committee made the following recommendations to this Committee:

- (1) That the Policy and Resources Committee be recommended to approve the draft Hackney Carriage and Private Hire Licensing Policy, which includes the action/updates required by the Department for Transport statutory guidance as detailed in appendix 1 to the report and the recommended updates as detailed in appendix 2, subject to the following amendments –
  - (i) that the requirement for medical certificates to be completed by the driver's own GP be extended to include any qualified medical practitioner, subject to the driver providing a summary of their medical history to the medical practitioner, and the wording of Section 5.8 of the draft policy be amended to reflect this;
  - (ii) that the vehicle age limits as detailed in Section 4.7 of the draft policy be amended to include the following –
    - that there be no lower age limit at which hackney carriage and private hire vehicles may be licensed;
    - that the upper age limit for licence renewal of vehicles manufactured or adapted to allow for wheelchair accessibility be increased from 12 years to 15 years;
    - that an upper age limit for licence renewal of electric/Euro 6 vehicles be set at 15 years;
    - that the upper age limit for licence renewal of all other hackney carriage and private hire vehicles be increased from 11 to 12 years.
  - (iii) that, in view of the potential cost involved, the requirement that all vehicles must be fitted with CCTV cameras that must be functioning and in recording whilst the vehicle is in use not be implemented at this time and this be removed from Section 4.1 of the draft policy;
  - (iv) that Section 5.13 (c) relating to the suspension of an operator's licence where drivers employed by the same private hire firm have been found guilty of unlawful plying for

hire be removed from the draft policy;

- (v) that to delegate authority to the Planning, Economic Development and Regulatory Services Manager to incorporate the requirements of paragraphs 6.14 and 6.15 of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards in the knowledge test and, in doing so, acknowledge that these measures will ensure that the Council's policies relating to hackney carriage and private hire licensing comply with the language proficiency elements of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards.

## **RESOLVED**

- (1) That the recommendations from the Taxi Licensing Committee, as set out above, be accepted and incorporated into the Taxi Licensing Policy, subject to an amendment to recommendation (1)(iii) which be revised to read as follows -
  - That the requirement that all vehicles must be fitted with CCTV cameras that must be functioning and in recording whilst the vehicle is in use be included in Section 4.1 of the Policy, but in view of the potential cost involved and the need to search for potential funding, it not be implemented at this time.
- (2) That the requirement under the Finance Act 2021, as set out in the report, be incorporated into the Taxi Licensing Policy.
- (3) That the Taxi Licensing Policy be adopted as from 1<sup>st</sup> April, 2022.

## **REASONS**

- (1) ***The proposed changes would make the Policy more robust.***
- (2) ***Following the requirement under the Finance Act 2021.***
- (3) ***The Policy to be adopted following a five year review, incorporated the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards and was an appropriate Policy for Pendle.***

## **153. ENFORCEMENT OF PUBLIC SPACE PROTECTION ORDERS (PSPOs)**

The Corporate Director submitted, for information, a report following receipt of a petition submitted at the Council meeting on 24<sup>th</sup> February, 2022.

The petition had been signed by 182 people and it was about various matters relating to the enforcement of public space enforcement orders in Victory Park, Barnoldswick.

The Council resolved to "urgently ask the Environmental Services Manager to carry out a comprehensive review of all signage where PSPOs were in place".

The report was submitted for information only. Decisions on the review of the signage and of the future of the District Enforcement contract would need to be taken in the light of full information to be presented at the May meeting of this Committee.

*(With the time having reached 11.00 p.m. a vote was taken on whether to adjourn the meeting or continue with all or any of the remaining business. The Committee resolved to agree to continue with all remaining business.)*

**154. LORRY PARK, WEST CLOSE AVENUE, BARNOLDSWICK**

It was reported that this matter was the subject to a call in following the decision at the December meeting. Subsequently the County Council had indicated that it would contribute £12,000 to the cost of the resurfacing of the lorry park and £12,000 had been identified from the Capital budget.

**RESOLVED**

That approval be granted to proceed with the scheme.

**REASON**

*To enable the resurfacing of the lorry park to be carried out.*

**155. TENDERS**

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

**156. MATTERS REFERRED FROM AREA COMMITTEES**

**(a) Disposal of land on Bradley Road East/Junction of Leeds Road, Nelson**

At a meeting of the Nelson, Brierfield and Reedley Committee on 28<sup>th</sup> February, 2022, Members considered a report which included three options for consideration following requests to make commercial use of the Council owned amenity land on Bradley Road East/Junction of Leeds Road, Nelson.

It was resolved “that the Policy and Resources Committee be recommended to declare the land on Bradley Road East and the junction of Leeds Road, Nelson (shown edged black on the plan attached to the report) surplus to requirements and offers of a commercial lease for car sales be invited in writing for further consideration”.

The report considered by the Committee was submitted for consideration.

**RESOLVED**

- (1) That the recommendation of Nelson, Brierfield and Reedley Committee not be agreed.
- (2) That the Council retain control of the whole of the site for continued informal car park use by all nearby residents and businesses.

**REASON**

*To consider the best long-term use of the site.*

Chairman \_\_\_\_\_