

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD ON 11TH MAY, 2022
AT NELSON TOWN HALL**

PRESENT

Councillors

*N. Ahmed
B. Newman
M. Stone*

Co-optees

*D. Heap – Barley with Wheatley Booth Parish Council
R. Oliver – Barrowford Parish Council
K. Wilkinson – Goldshaw Booth Parish Council
A. Walker - Roughlee Booth Parish Council*

Officers in Attendance

*W. Forrest
N. Watson
J. Robinson*

*Housing Needs Manager (Area Co-ordinator)
Planning, Economic Development and Regulatory Services
Committee Administrator*

Police

*PC. L. Bolton
SGT. J. Sutcliffe*

Also in Attendance

County Councillor H. Hartley

(Apologies were received from Councillor C. Lioni and R. Willoughby, Higham with West Close Booth Parish Council.)



The following people attended and spoke at the meeting on the item indicated –

*Ian Ingham
Paula Claridge
Hannah Palin
Elaine Walsh*

*Enforcement Action – Belgarth Nursing Home,
Barrowford*

Minute No. 9



1.

APPOINTMENT OF CHAIRMAN

RESOLVED

That Councillor N. Ahmed be appointed Chairman of this Committee for the municipal year 2022/23.

Councillor N. Ahmed – Chairman (In the Chair)

2. APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That this be deferred until the next meeting.

3. APPOINTMENT OF CO-OPTees

RESOLVED

That the following Parish Councils be invited to appoint a representative of their Council as Co-optee on this Committee for the municipal year 2022/23 –

- Old Laund Booth
- Roughlee Booth
- Barley with Wheatley Booth
- Barrowford
- Blacko
- Goldshaw Booth
- Higham with West Close Booth

4. DECLARATION OF INTERESTS

Members were reminded of the legal requirements concerning the declaration of interests.

The following Councillor declared a disclosable pecuniary interest on the item indicated –

<i>B. Newman</i>	<i>22/0041/HHO Full: Demolition of conservatory and erection of single storey rear extension and extend patio, demolition of garage to side and erection of single storey side extension, formation of 2 dormers to front and extend driveway at 18 Forester Drive, Fence</i>	<i>Minute No. 8(a)</i>
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5. PUBLIC QUESTION TIME

There were no questions from members of the public.

6. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 30th March, 2022, be approved as a correct record and signed by the Chairman.

7. POLICE MATTERS AND COMMUNITY SAFETY ISSUES

The following crime statistics for April, 2022 compared to the same period in the previous year had been circulated prior to the meeting. The crime statistics for March 2022 were not compiled due to staff shortages.

APRIL	2021	2022
Burglary – Residential	1	1
Burglary - Commercial	0	2
Vehicle Crime	1	1
Hate Crime	0	0
Assaults	9	8
Theft	2	2
Criminal Damage/Arson	5	1
Other Crime	19	20
ALL CRIME	37	35
Anti-Social Behaviour	34	9

The crime figures for April were showing no increase with the exception of Commercial Burglaries. There was a 74% decrease in the number of reported anti-social behaviour incidents. PC Bolton reported that she would be tackling the Commercial Burglary issue from a crime prevention point of view and would be distributing leaflets on improving security to commercial premises.

PC Bolton reported that the Operation targeting anti-social drivers on roads in Pendle including the A6068 and Gisburn Road, Barrowford which launched on 1st April, 2022 and continued throughout April had been a success. She said a large number of Section 59 Warnings for anti-social driving and Tickets for speeding, use of mobile phones and not wearing seatbelts had been issued and that uninsured vehicles had been seized. She added that figures were available and that she would provide them after the meeting. She also added that in spite of this success a longer term solution for the issue was still needed and spoke of the continuing work the Police were doing with the Lancashire Road Safety Partnership and with local Schools and Colleges to educate young drivers.

It was mentioned that a Police Community Support Officer (PCSO) had not been seen in Fence for some time. Sgt Sutcliffe explained that the deployment of PCSOs was dependent on operational demand and that recently many had been assisting with murder enquiries in Burnley. He was not aware of a demand in Fence as there had been no reports. He urged those present to report any issues or concerns through the correct channels such as Lancashire Talking (<https://ourlancashire.org.uk/lancashire-talking>) as opposed to making reports via e-mail so they could be addressed in a timely manner. He added that going forward an intake of new PCSOs in September and planned work with Officers from Colne's Policing Teams would increase resources to be dedicated where they are needed.

PC Bolton also mentioned that she would be setting up Police Surgeries in the Western Parishes over the summer months.

RESOLVED

That PC L. Bolton be asked to provide the figures from the Operation which targeted anti-social drivers on roads in Pendle including the A6068 and Gisburn Road, Barrowford to be shared with Members.

8. PLANNING APPLICATIONS

(a) Planning applications for determination

The Planning, Economic Development and Regulatory Services Manager submitted the following planning applications for determination -

21/0936/HHO Full: Erection of a part single storey, part two storey extension to the rear at 15 Kendal Avenue, Barrowford for Mr. and Mrs. Berry

(A site visit was undertaken prior to the meeting).

This application was deferred from the last meeting to allow for a site visit.

RESOLVED

That planning permission be **granted** subject to the following conditions -

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:

- Location Plan Ref: 001-Rev A
- Proposed Elevation and Floor Plans Ref: 002 Rev B

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

3. Prior to commencement of above ground level works, samples of the materials for the external walls, roof, windows, doors and rainwater goods shall be submitted to the Local Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

4. Notwithstanding the plans hereby approved, the ground side elevation window of the development shall at all times be fitted with obscure glazing to at least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

Reason: To ensure an adequate level of privacy to adjacent residential properties.

REASON

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.

22/0012/HHO Full: Demolition of existing single storey outriggers and erection of single storey extension to the front elevation at Cross Lane Farm, Cross Lane, Barley for Sarah Spencer

This item was deferred prior to the meeting at the request of the Applicant.

22/0041/HHO Full: Demolition of conservatory and erection of single storey rear extension and extend patio, demolition of garage to side and erection of single storey side extension, formation of 2 dormers to front and extend driveway at 18 Forester Drive, Fence for Mr. and Mrs. Heys

(Councillor B. Newman declared a pecuniary interest in this item and withdrew from the meeting.)

(A site visit was undertaken prior to the meeting).

This application was deferred from the last meeting to allow for the amended plans to be reviewed and assessed and to allow for a site visit.

RECOMMENDATION

That permission be **refused** on the following grounds –

1. The development would result in an unacceptable relationship with the kitchen window to the adjoining property, 16 Forester Drive. The development would be overbearing and lead to a loss of quality of living environment for the occupant of 16 Forester Drive. This is poor design and would be contrary to Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy 2001 - 2030 and paragraph 134 of the National Planning Policy Framework.

(b) Planning Appeals

The Planning, Economic Development and Regulatory Services Manager submitted a report on new planning appeals for information.

9. ENFORCEMENT ACTION

The Head of Legal Services submitted a report for information, giving the up-to-date position on prosecutions.

Four residents who had been affected for years by issues associated with Belgarth Nursing Home spoke at the meeting and asked when the significant action promised at previous

meetings would be taken as they did not feel much had been taken so far. One of the residents had provided eight photographs of the property prior to the meeting showing its untidy state. Members sympathised with the residents and explained that the Council was taking action but could only work within the powers available to it. It was further explained that a Court date now needed to be obtained for prosecution proceedings to commence for non-compliance with the re-served Section 79 Notice. It was also mentioned that a Planning Application to redevelop the site had been submitted and that it was felt that redevelopment was the key to finding a long-term solution for the site as it had been with the Langroyd Hall site in Colne.

One resident read their Victim Impact Statement and asked if a Section 215 Notice could now be served as per of the resolution of this Committee on 6th October, 2021. It was explained that a Section 215 Notice would double up on the Section 79 Notice already served. The resident also asked why another Community Protection Notice (CPN) had been served this year and why both CPNs had not been enforced. The resident had not been made aware that the second CPN had been issued and added that communication with victims needed to be improved. The Planning, Economic Development and Regulatory Services Manager said they would request information from the Community Protection Co-ordinator on this.

Another resident spoke of a bench situated at the top of Warren Drive, Barrowford around which youths often congregated and asked if it could be removed. They also spoke of increased sightings of rats around the property and in the surrounding area and of access points that needed boarding up as a matter of urgency given the real risk that someone could be seriously injured. The resident asked to be kept informed of progress on these matters.

Sgt Sutcliffe added that the property had since been added to its priority patrol plan following the receipt of an increased number of reports of anti-social behaviour over the last weekend. He further added that an increased Police presence at the property could be expected. PC Bolton mentioned that video footage had been received and had helped identify a number of the perpetrators and that she would be visiting them personally to speak to them.

An update was requested on The Bungalow, Dam Head Farm, Blacko Bar Road, Roughlee and specifically on the outcome of the Hearing which was held on 28th April, 2022. It was explained that the Hearing had been a Plea Hearing and that the owner had chosen to go to Trial which was scheduled for 7th July, 2022.

An update was also requested on the Land at 128 Wheatley Lane Road, Barrowford following the expiry of the extended compliance period on 2nd April, 2022. The Planning, Economic Development and Regulatory Services Manager said that site had been tidied, the non-residential activities on the land had ceased and the Enforcement Notice had now been complied with.

RESOLVED

- (1) That the Head of Legal Services be instructed to obtain a Court date for prosecution proceedings against the owner of Belgarth Nursing Home to commence for non-compliance with the re-served Section 79 Notice.
- (2) That the Community Protection Co-ordinator be asked to explain why two Community Protection Notices had been served on the owner of Belgarth Nursing Home and why neither had been enforced.

- (3) That removing the bench at the top of Warren Drive, Barrowford be considered.
- (4) That a Pest Control Officer be asked to attend Belgarth Nursing Home to assess the infestation of rats at the property and in the surrounding area.
- (5) That an Environmental Health Officer be asked to attend Belgarth Nursing Home to board up open to access points as a matter of urgency.

REASON

In the interests of visual amenity and public health and safety.

10. CAPITAL PROGRAMME 2022/23

The Housing, Health and Engineering Services Manager reported that the balance of the Committee's 2022/23 Capital Programme was £21,550, including the remaining £3,700 of capital funding under the non-grant budget for Covid measures carried forward from 2021/22. Parish Councils were invited to submit any new bids by 25th June, 2022 for consideration at the July meeting.

Members considered a request to deallocate the £2,360 allocated to the St. Thomas' Church CCTV Scheme on 3rd September, 2020 as it was not going ahead.

RESOLVED

That the £2,360 allocated to the St, Thomas' Church CCTV Scheme on 3rd September, 2020 be deallocated as it was not going ahead.

REASON

To enable the Capital Programme to be allocated effectively.

11. TRAFFIC ISSUES ON WILTON STREET, BARROWFORD

The Housing, Health and Engineering Services Manager reported that on 21st April, 2022, Members met with the owner of Valley Forge Business Park to discuss utilising their access to alleviate traffic issues on Wilton Street, Barrowford. It was agreed at the meeting that this proposal was not feasible and that the possibility of improving Swinden Bridge over the canal should be investigated as an alternative solution. The bridge is owned by Canal & River Trust and they would now be approached to discuss the works that they would require to allow vehicular access over the bridge. Members noted that a full report would be submitted to the next meeting.

12. DOG CONTROL – PUBLIC SPACES PROTECTION ORDERS (PSPOs)

Members had been consulted on the borough-wide Dog Control Public Spaces Protection Order in 2016 when the Order was first made and in 2019 when it was extended for three years. The Council was now embarking on further partner and public consultation ahead of a proposed extension for a further three years.

The Order covered dog fouling in all areas accessible by the public; limited the number of dogs in cemeteries and required them to be on a lead; banned dogs in designated children's play areas, war memorials and memorial gardens; and banned smoking in designated children's play areas.

Members were asked to comment on the current provisions and were given the opportunity to propose new provisions prior to consultation with partners and the public.

Members agreed to make residents in the Barrowford and Western Parishes area aware of the public consultation on its promotion through a press release and on the Council's website and to encourage them to make any comments they may have to Tim Horsley (tim.horsley@pendle.gov.uk).

RESOLVED

That the Community Protection Co-ordinator be informed that the Children's Play Areas in Barrowford Memorial Park and Victoria Park should be added to the list of Children's Play Areas in Schedule 4.

13. PROVISION OF LITTER/DOG WASTE BINS

The Environmental Services Manager reported that due to wear, damage or a reduced need for the facility, 9 bins had been replaced/removed by Environmental Services in Quarter 4, for the period January to March, 2022.

LOCATION	DESCRIPTION	TYPE OF BIN	TOTAL COST PER BIN
Forest Avenue, Fence	Replace dog bin at end of the Avenue	DOG	115.39
Colne Road, Barrowford	Replace F/S litter bin on towpath between Lock 47 & 48	LITTER	192.34
Lower Parrock Road, Barrowford	Replaced post and re-attached the dog bin	DOG	20.00
Colne Road, Barrowford	Moved 2 dog bins to more suitable location at Locks, Tow Path	DOG	270.78
Guide Lane, Higham	Replace post and re-attach dog bin	DOG	40.00
Nora Street, Barrowford	Rear of 73, secure base and fit new outer and inner of FS litter bin	LITTER	192.55
Parrock Road, Barrowford	Replace broken dog bin	DOG	135.39
Calder Vale, Barrowford	Reinstate dog bin	DOG	40.00
Blacko Bar Road, Blacko	Replace damaged F/S Litter bin near to Pendle Sign/Layby	LITTER	212.34

14. ITEM FOR DISCUSSION

Landslip near North Valley Forge

Members discussed landslip near North Valley Forge. It was questioned whether the land was in the Barrowford and Western Parishes area. Members agreed that this needed to be

ascertained before any action could be taken by this Committee. The action discussed was the submission of an Engineers report to a future meeting.

RESOLVED

- (1) That it be ascertained whether the land in question near North Valley Forge is in the Barrowford and Western Parishes area.
- (2) That the Housing, Health and Engineering Services Manager be asked to submit a report to a future meeting should be land in question be found to be in the Barrowford and Western Parishes area.

15. OUTSTANDING ISSUE

- Residents-Only Parking on Forest View, Barrowford (2/3/22)

16. EXCLUSION OF PUBLIC AND PRESS

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

17. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on Environmental Crime in the Barrowford and Western Parishes area for the period 1st January to 31st March 2022, along with the totals for 2021/22, which was noted.

18. ENFORCEMENT ACTION CASE

The Planning, Economic Development and Regulatory Services Manager submitted a report for Members' consideration.

RECOMMENDATION

That Policy and Resources Committee be recommended not to seek a Compulsory Purchase of the property referred to in the report but continues to monitor the situation with a view to re-evaluating it if no progress is made on the redevelopment of the site.

REASON

To allow time for an interested party to redevelop the site.

19. SITE REFERENCE PLE/22/0102

The Planning, Economic Development and Regulatory Services Manager gave a verbal update at the meeting.

RESOLVED

That a further update on progress be given at the next meeting.

REASON

In the interests of visual amenity and public health and safety.

Chairman _____