

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 21st JULY, 2022
AT NELSON TOWN HALL**

His Worship the Mayor Councillor Y. Iqbal

Councillor N. Ahmed (Chairman – in the Chair)

Councillors

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

M. Hanif
A. Mahmood
J. Purcell (Substitute)
D. Whipp

Also in attendance:

Councillor N. Ashraf
Councillor Sajjad Ahmed
Councillor Faraz Ahmad
Councillor K. McGladdery
Councillor P. McGladdery
Councillor K. Salter
Councillor A. Sutcliffe

Officers in attendance:

Rose Rouse	Chief Executive
Philip Mousdale	Corporate Director
Richard Gibson	Chief Finance Officer
Julie Whittaker	Housing, Health and Engineering Services Manager
Laura Barnes	Senior Planning Officer
Jane Watson	Head of Democratic Services



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

John Wilcock	22/0197/FUL Full: Major: Erection of residential	Minute No. 30
Susan Nike	development of 79 dwellings and estate	
Terry McGinn	infrastructure, including construction of new access	
Janet Thomas	from Wheatley Lane Road, plus ancillary open	
Thomas Slater	space and landscaped area on land to the North	
Paula Fitzgerald	East of St. Thomas Church, Wheatley Lane Road,	
Emma Hartley	Barrowford	
Paul Graham		
Christine Ashton		
Anne Hagan		
Ken Turner		
Elain Green	New Cemetery for Nelson and Brierfield	Minute No. 31
Mr. Ishrah		
Kamran Ahmed		

*Azhar Ali
Gordon Widdop*



27. DECLARATION OF INTERESTS

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

28. PUBLIC QUESTION TIME

A resident from Barrowford asked why the planning application for land off Pasture Lane had not been submitted to this Committee for decision yet. The Leader said that the agent had asked for an extension of time for them to consider some highways issues. The application would be submitted to this Committee as soon as those issues had been addressed.

A resident of Colne asked when the decision had been made to defer the planning application for land off Lenches Road which she had been advised would be before the Committee this evening. The Leader apologised for the change but said this had been done with the best intentions. He said following discussions with colleagues it was felt that, due to the large public interest in both the Lenches application and the land to the North East of St. Thomas Church, Wheatley Lane Road, Barrowford (which was before Committee this evening), it would be difficult to consider two major planning applications on one evening. Therefore, it had been decided to hold a separate meeting on 28th July to consider the Lenches application. The intention was to hold the meeting at Colne Municipal Hall but this wasn't available and so the meeting was to be held in the Council Chamber at Nelson Town Hall.

Another resident also expressed her concerns and disappointment that the Lenches application was to be considered next week and not this evening. Both residents were unable to attend the meeting next week.

29. MINUTES

RESOLVED

That the minutes of the Policy and Resources Committee meeting held on 30th June, 2022 be agreed as a correct record and signed by the Chairman.

30. PLANNING APPLICATION

22/0197/FUL Full: Major: Erection of residential development of 79 dwellings and estate infrastructure, including construction of new access from Wheatley Lane Road, plus ancillary open space and landscaped areas on land to the North East of St. Thomas Church, Wheatley Lane Road, Barrowford

RESOLVED

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

- Highway safety – particularly for pedestrians with the lack of a footpath on part of Church Street
- Impact on the Conservation Area
- Inappropriate design

31. NEW CEMETERY FOR NELSON AND BRIERFIELD

The Corporate Director submitted a report on progress with the provision of a new cemetery for Nelson and Brierfield. At the March meeting of this Committee it was resolved that the land off Edge End Avenue/Halifax Road, Nelson was the preferred site for new cemetery provision.

Negotiations with the County Council had been on the basis that Pendle would acquire the whole of the site unconditionally. Officers considered that a purchase price of £840,000 plus £10,000 contribution to the County's surveyor and legal costs was reasonable. There would also be stamp duty and Land Registry fees amounting to £31,600.

It was also reported that it would cost approximately £500,000, including fees, for additional works on the site to provide road and pathways, car parking, a small building for storage, niche walls for ashes etc.

RESOLVED

- (1) That the purchase price of £84,000 plus the County Council fees of £10,000 plus Land Registry fees and stamp duty of £31,600 be approved.
- (2) That the provisional estimate of £500,000 for the various works to be carried out on the site be noted.
- (3) That the Environmental Services Manager be authorised to submit a planning application.
- (4) That a bid to the capital programme be submitted.

REASON

To ensure sufficient burial space is available for future needs.

32. TREASURY MANAGEMENT OUTTURN 2021/22

The Chief Finance Officer submitted a report which set out the performance of the Council's Treasury Management function for the 2021/22 financial year.

RESOLVED

That the outturn position on the Council's Treasury Management activities for 2021/22 be noted.

REASON

In compliance with the Council's Treasury Management Policy.

33. £150 ENERGY REBATE DISCRETIONARY SCHEME

The Chief Finance Officer submitted a report which set out the arrangements for the delivery of the £150 Energy Rebate Discretionary Scheme.

The Council had received £232,200 for the Discretionary Scheme. All allocations from this fund were to be spent by 30th November, 2022 with any remaining funding required to be repaid to government. Councils could determine locally how best to make use of the funding and guidance was provided in the report.

RESOLVED

- (1) That a payment of £150 be made to all households in Bands E-H that were in receipt of Council Tax Support on 1st April, 2022.
- (2) That a credit top up of £28 be applied to the Council Tax account of all households in Bands A-D that were in receipt of Council Tax Support on 1st April, 2022.
- (3) That in relation to households in Bands E-H the Chief Finance Officer be granted delegated authority to make payments to those households who would have been eligible for receipt of this Council Tax Support Scheme but had not applied for it yet, and they be given until 1st November, 2022 to do so.

REASON

To allow funds to be distributed in accordance with the Scheme as set out.

34. CAPITAL PROGRAMME – PROVISIONAL OUTTURN 2021/22

The Chief Finance Officer submitted a report on the provisional outturn position on the Council's Capital Programme for 2021/22.

Reference was made to the amount of slippage identified and the need for the Programme to be re-profiled. There was also a discussion about the underspend with Disabled Facilities Grants and an explanation was given to the Committee.

RESOLVED

- (1) That the provisional outturn position on the Council's Capital Programme for 2021/22 be noted and the initial proposals for slippage in the programme from 2021/22 to 2022/23 be approved.
- (2) That it be noted that a review will be undertaken later in the year on the Council's priorities along with the re-profiling of the Council's Capital Programme.

REASON

To inform Committee of the provisional outturn position for the Council's Capital Programme 2021/22.

35. PROVISIONAL REVENUE OUTTURN 2021/22

The Chief Finance Officer submitted a report on the provisional outturn position on the Council's General Fund Revenue Budget for 2021/22.

It was noted that a number of budgets had been identified as suitable for being carried forward to 2022/23 and these were listed in the report.

RESOLVED

- (1) That the provisional outturn position on the Council's General Fund Revenue Budget for 2021/22 be noted.
- (2) That the proposals for budget slippage over £189,040 from 2021/22 to 2022/23 (as detailed in table 4 in the report) be approved.
- (3) That the reserve position, as set out in paragraph 16.0 in the report to ring-fence £2.751m until further work was done on the Statement of Accounts and future savings plans be approved and it be broken down as follows:

£1.25m for energy costs
£0.5m for one off projects
£1m for general reserves

REASON

To inform the Committee of the provisional outturn position on the Council's General Fund Revenue Budget for 2021/22.

36. STRATEGIC MONITORING REPORT 1st APRIL, 2021 – 31st MARCH, 2022

The Chief Finance Officer submitted a report which provided performance monitoring information on the Council's services and financial plans for the period 1st April, 2021 to 31st March, 2022.

RESOLVED

That the report be noted.

REASON

To inform Committee of performance monitoring information relation to the Council's services and financial plans.

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In accordance with the Council's rules of procedure the time having reached 11.00 p.m. a vote was taken to continue with the meeting.

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37. TOWN DEAL BUSINESS CASE/PROJECT FUNDING APPROVALS

(a) Accessible Nelson

At a meeting of the Nelson Town Deal Board held on 8th July, 2022 it was resolved that this Committee be recommended to approve £3,463,952 of Towns Funding to this project, subject to a number of conditions.

RESOLVED

- (1) That £3,463,952 of Towns Funding be allocated to the Accessible Nelson project, subject to the following conditions:
 - That ways in which the project works alongside other projects (notably the 'This is Nelson' project) to address the negative impacts of the railway bridge close to Detail Area 6 are set out, so that the potential project benefits from the Accessible Nelson project investment are enhanced and not undermined.
 - That there is a commitment to close monitoring of costs as part of project implementation, given the potential impact of cost over-runs, materials cost rises and contractor availability/capacity. Therefore, affirmation that the risk register for the delivery of the works will be maintained and reviewed regularly as part of project delivery should be given.
 - That the monitoring and evaluation plan is expanded to include baseline and monitoring of walking and cycling usage for the two schemes and a commitment to assessing wider (non-monetised) benefits.
 - A commitment to work to maximise take-up of bicycle use post project, demonstrated through, for example, linking with the potential Lancashire County Council pilot Mobility Hubs and promotion of bike rings for use by town centre businesses.
 - That the post-project maintenance agreement be put in place between Lancashire County Council and Pendle Borough Council.
- (2) That delegated authority be granted to the project appraisal sub-group of the Board to ensure these conditions are met.
- (3) That the submission of the Project Summary Document to Government be authorised.

REASON

To seek approval for project delivery funding from the Accountable Body and the Government and to agree the conditions which should be attached to this.

(b) Healthy Town

At a meeting of the Nelson Town Deal Board held on 8th July, 2022 it was resolved that this Committee be recommended to approve £2,321,149 of Towns Funding to this project, subject to a number of conditions.

RESOLVED

- (1) That £2,321,149 of Towns Funding be allocated to the Healthy Town project.

- (2) That £590,000 of Towns Funding be allocated towards the parks element of the project and this element of the scheme be commenced as soon as is practicably possible, subject to the following conditions:
- The applicant should provide detail on the approach to inflation in respect of costs for the Parks project element.
 - The implications of cost inflation and cost overruns should be carefully monitored over the coming months, so that suitable mitigations could be identified at the earliest opportunity.
- (3) That £1,731,149 of Towns Funding be allocated for the Wavelengths element of the project, subject to the following conditions:
- A report back from the Council within 9 months should it not have approved and progressed the project after consideration of the Strategic Leisure Review undertaken by the Leisure Trust and the Council.
 - An update to the Town Deal Board concerning the implications and potential fall-back position in the event that a grant allocation from Sport England was not secured.
 - An update to the Town Deal Board concerning the status of Wavelengths design work and the subsequent procurement process in order to achieve cost certainty (to minimise inflationary risk).
 - The implications of cost inflation and cost overruns being carefully monitored over the coming months, so that suitable mitigations could be identified at the earliest opportunity.
 - If there was the potential for inflationary pressures or other risks to result in a reduction of the scope of what was affordable and deliverable for the Wavelengths element, a clear process by which amendments to the scope of work would be agreed with Pendle Council and the Town Deal Board should be agreed ahead of confirming a funding agreement.
 - The position in relation to subsidy control being confirmed by Pendle Council based on legal advice.
- (4) That delegated authority be granted to the project appraisal sub-group of the Board to ensure these conditions are met (where specific reference to the Board was not made).
- (5) That the submission of the Project Summary Document to Government be authorised.

REASON

To seek a two stage approval for project delivery funding from the Accountable Body and the Government and to agree the conditions which should be attached to this.

38. MATTERS REFERRED FROM AREA COMMITTEES

(a) Drainage Issues at Wentcliffe Drive, Earby

At a meeting of the West Craven Committee on 7th June, 2022 it was resolved “that the Policy and Resources Committee be recommended to agree that legal action be taken against the contractors who carried out installation works in Wentcliffe Drive without carrying out a geological survey.”

RESOLVED

That a report be submitted to this Committee as soon as possible.

REASON

To inform the Committee of what legal action is available to them.

Chairman _____