



MEETING OF THE

COUNCIL

TO BE HELD ON

THURSDAY 8th DECEMBER, 2022

AT 7.00 p.m.

IN THE COUNCIL CHAMBER AT NELSON TOWN HALL

Minutes of all meetings held since the last Council meeting can be accessed via the Council's website www.pendle.gov.uk followed by the "Council" tab.

Members are reminded that it is now not necessary to submit amendments in writing prior to the start of the meeting. Members are however urged wherever possible to continue to do this so that the effect of amendments can be fully understood.

For further information please contact
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ROSE ROUSE, CHIEF EXECUTIVE

If you would like this information in a way which is better for you, please telephone us.



اگر آپ یہ معلومات کسی ایسی شکل میں چاہتے ہیں، جو کہ
آپ کے لئے زیادہ مفید ہو تو براہ مہربانی ہمیں بتائیے۔

Under the Openness of Local Government Bodies 2014, people attending open meetings can film, audio record, take photographs or use social media. Oral commentary is not allowed during meetings as it would be disruptive. If you are attending a meeting you need to be aware that you may be filmed by others attending. This is not within our control.



AGENDA

1. Apologies
2. Declarations of Interest

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

A Member must declare a disclosable pecuniary interest which he/she has in any item on the agenda. A Member with a disclosable pecuniary interest in any item may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting.

In addition the Council's Standing Orders require a Member with a disclosable pecuniary interest to leave the room where the meeting is held while any discussion or voting takes place.

3. Minutes of Council

Enc. To approve as a correct record, or otherwise, the Minutes of a meeting of the Full Council held on 29th September and extraordinary meetings of the Full Council held on 18th October and 17th November, 2022.

4. Announcements from the Mayor and Leader of the Council (if any)
5. Questions on Notice from the Public to the Leader (if any)
6. Questions on Notice by Members to the Leader, a Committee Chairman or a Representative on an Outside Body on Matters not otherwise on the Agenda (if any)
7. Report by the Leader on the Work of the Policy and Resources Committee

Enc. A report of the Leader on the work of the Policy and Resources Committee since the last Council meeting is attached.

8. Planning Matters

Applications to be determined

To consider the report from the Planning, Economic Development and Regulatory Services Manager.

Application No.	Proposal and Location	Page No.
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PART 1

22/0670/HHO	Full: Insertion of dormer windows to front and rear roof	3
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slopes at 97 Bradshaw Street, Nelson

22/0620/ADV	Advertisement Consent: Display of one LED illuminated wall mounted fascia advertisement sign at 123 Gisburn Road, Barrowford	6
22/0655/HHO	Full: Erection of a single storey extension to rear and insertion of dormer window to front roof slope at 12 Wickworth Street, Nelson	11
22/0510/FUL	Full: External alterations involved in conversion from bank to clinic including insertion of a new door and window and replacement of doors and windows at 2 Newtown, Barnoldswick	16
PART 2		
22/0356/HHO	Full: Retrospective permission for retaining wall to garden at 14 Hindley Court, Barrowford	22
22/0375/FUL	Full: Formation of an access track at Higher Park Barn, Salterforth	24
22/0433/HHO	Full: Demolition and erection of single storey side and rear extension at 8 Whittycroft Avenue, Barrowford	27
22/0663/PIP	Permission in Principle: Erection of 9 dwellings on land to the North of Turney Crook Mews, Ivegate, Colne	31
22/0410/FUL	Full: Erection of 2 detached double garages on garage site to the North East of 31 to 45 St. Paul's Road, Nelson	36
22/0721/ADV	Advertisement Consent: Display of a single sided digital LCD screen at Nelson and Colne College, Scotland Road, Nelson	39
22/0719/HHO	Full: Erection of front and rear dormers at 60 Moore Street, Nelson	43
22/0751/NMA	Non-Material Amendment: Change of window and door materials from softwood to UPVC of planning permission 21/0596/FUL at Greenbank House, Hollin Hall, Trawden	45
22/0421/CND	Approval of details reserved by condition: Discharge of Conditions 4 (surface water drainage) 7 (landscaping scheme) and 11 (construction method statement) of planning permission 21/0062/FUL at Casper Fold, Francis Avenue, Barrowford	47
22/0766/LHE	Permitted Development Notification (proposed larger home extension): Erection of a single storey rear extension at 85 Charles Street, Nelson	50

22/0766/LHE	Permitted Development Notification (proposed larger home extension): Erection of a single storey rear extension at 83 Charles Street, Nelson	51
22/0583/HHO	Full: Erection of a single storey rear extension at 17-19 Ethel Street, Barnoldswick	52
22/0388/HHO	Full: Erection of rear extension to barn to form a garage at Piked Edge Farm, Skipton Old Road, Colne	56
22/0631/CND	Approval of Details Reserved by Condition: Re-discharge of condition 4 of planning permission 21/0142/HHO at 44 Lancaster Gate, Nelson	61
22/0709/HHO	Full: Erection of a single storey side extension at Plantation Cottage, Greenhead Lane, Fence	63
22/0645/VAR	Variation of Condition 2 (plans) to amend parking layout and farm access of planning permission 21/0915/FUL at Bridge House Farm, Keighley Road, Colne	67
22/0001/FUL	Full: Change of use of former Lomeshaye Village Nursery premises (Use Class E) to form 3 individual storage units (Use Class B8) including the installation of a concrete access ramp (retrospective) at Lomeshaye Day Nursery, Lomeshaye Business Village, Turner Road, Nelson	74
22/0446/CND	Approval of details reserved by condition: Discharge of conditions 2 (investigation and remediation of contamination) 4 foul and surface water) 5 (visibility splay kept clear) 6 (construction method statement) 9 (material samples) 14 (landscaping) 15 (tree protective fencing) and 17 (tree clearance schedule of planning permission 21/0758/FUL on land to the North West of Parrock Road, Barrowford	77
22/0646/AGD	Prior Approval: Change of use of agricultural buildings to two dwelling houses (Use Class C3) (Class Q(a) only) at Bridge House Farm, Keighley Road, Colne	83
22/0528/HHO	Full: Erection of two storey side and single storey rear extension with parking provision and turning circle at 70 Higher Reedley Road, Brierfield	89
22/0698/HHO	Full: Erection of a boundary fence at 35 Clegg Street, Brierfield	93
22/0604/FUL	Full: Major: Erection of a slurry store with roof over at Greenberfield Farm, Greenberfield Lane, Barnoldswick	
22/0692/OUT	Outline: Erection of 2 detached dwellings (access only)	

Ref. 4 on land to the South East of 71 Mansfield Crescent, Brierfield

22/0668/HHO	Full: Erection of a two storey side and rear extension and single storey front extension at 251 Halifax Road, Nelson	
22/0300/HHO	Full: Erection of first storey bedroom extension over existing garage, erection of single storey full width rear extension and insertion of dormer to rear elevation at 12 Whittycroft Drive, Barrowford	
PART 3	Applications Deferred from the last meeting:	
22/0283/HHO	Full: Erection of a single storey rear extension at 5 Becksides Close, Trawden	2
22/0430/FUL	Full: Erection of a pair of semi-detached dwellings at Dam Head Studio, Blacko Bar Road, Roughlee	6
22/0486//FUL	Full: Reconfiguration and removal of holiday restrictions to allow residential occupation (part retrospective) at Prospect Farm Caravan Site, Lenches Road, Colne	14
22/0503/CND	Approval of Details Reserved by Condition: Discharge of Conditions 5 (site access and off-site highway improvements) condition 6 (construction method statement) condition 7 (height of obstacles within the visibility splay) condition 14 (tree protection fencing) and condition 15 (landscaping scheme) at Spencer House Farm, 262 Wheatley Lane Road, Fence	20
22/0583/HHO	Full: Erection of a single storey rear extension at 17-19 Ethel Street, Barnoldswick	22
22/0659/FUL	Full: Remodelling of land surrounding the mosque, including the provision of 49 additional car parking spaces and associated landscaping works, a fenced children's play area, access paths with lighting, steps within the woods, a water fountain a 3G sports pitch and a retaining wall at the Madina Mosque, 144 Manchester Road, Nelson	27

9. Enforcement Updates

Enforcement action

Enc. The Head of Legal Services submits the attached report giving the up-to-date position on prosecutions.

10. Kelbrook and Sough Neighbourhood Plan

Enc. To consider the attached report from the Planning, Economic Development and Regulatory Services Manager.

11. Appointment of Director of Place

At a meeting of the Senior Appointments Committee on 24th November, 2022 it was recommended “that Phillip Spurr be appointed to the post of Director of Place.”

12. Fees and Charging Policies

At a meeting of the Policy and Resources Committee on 24th November, 2022 it was resolved “that Council be recommended to adopt the Fees and Charges Policy as set out in the appendix to the report.”

Enc. The report considered by the Committee is attached.

13. Business Growth and Resilience Grants

Enc. To consider the attached report from the Housing, Health and Engineering Services Manager.

14. Notices of Motion

(a) Staffing Shortage and Level of Service

To be moved by Councillor M. Iqbal and seconded by

Council wishes to place on record it’s appreciation to every single member of staff who work tirelessly to serve the people of Pendle.

Council notes and praises all members of staff who went beyond their duty during the COVID 19 pandemic to help Pendle residents and businesses during a difficult time for many.

Council notes the alarming level of staff leaving the Council in the last 12 months and the lack of capacity to cover these strategic roles including deliverability of the Nelson Town Deal.

Council also notes the Conservative administration plan for £500,000 cuts in services which will have a direct impact on the ability to deliver quality services to Pendle residents.

Accordingly Council resolves to:

- (1) Instruct the Chief Executive to put in place urgent measures to cover roles left vacant by experienced members of staff instead of relying on those left.
- (2) Put in place a cross party group of 2:2:2 to oversee the retention/recruitment of staff to avoid added pressure on hard-working colleagues.
- (3) Instruct the Chief Executive to write to the Prime Minister and Chancellor of the Exchequer to visit Pendle as a matter of urgency and see what impacts 12 years of Tory cuts have had to Pendle and consider additional funding to Pendle to protect vital front-line services.

(b) Area Committees

To be moved by Councillor D. Whipp and seconded by Councillor A. Mahmood –

That Minute 10(b) of the Annual Council minutes dated 19th May, 2022 being the decision to remove planning issues from Area Committees, be rescinded, that the scheme of delegation in effect prior to the Annual Meeting of the Council be reinstated and consequentially, planning matters be determined by Area Committees, the Planning Manager (and Policy and Resources Committee where appropriate) under the scheme of delegation previously in place.

(c) Community Governance

To be moved by Councillor M. Hanif and seconded by Councillor N. Ashraf –

Council notes the outcome and recommendations of the Governance Working Group in December, 2021 in respect of Brierfield Town Council.

Accordingly, Council resolves that with effect from the next Town Council elections in 2023, the number of electoral wards in Brierfield is reduced from 5 to 3 by combining the existing North and East wards into a new East ward, the existing Central and South wards into a new South ward and retain the existing West ward.

(d) Health Standards for Housing

To be moved by Councillor D. Lord and seconded by Councillor D. Whipp –

Council notes the tragic death of Rochdale child Awaab Ishak caused by exposure to mould in his home and expresses its deepest sympathy to Awabb's family.

Council notes the requirements of the Decent Homes Standard in the social rented sector and further, that a high proportion of homes in Pendle were built over a century ago; have inadequate insulation or heating systems; are occupied by residents living in fuel poverty; with a high proportion of properties in the private rented sector; and that several neighbourhoods in Pendle are assessed as having poor quality housing in national indices of deprivation; and, that, as well as having a significant effect on residents' health, poor housing affects education, employment and wider life-outcomes.

Accordingly, Council resolves:

- (1) That this authority expresses its full support for the Renters' Reform bill; calls upon the Government to introduce legislation as a matter of urgency; and, requests Pendle MP Andrew Stephenson to make every effort to ensure that effective legislation, together with adequate resources to enforce, especially within the private rented sector, is in place by the end of this year.
- (2) That the Chief Executive presents a report to the next meeting of the Policy and Resources Committee with details of existing powers and resources available to the Council, the extent to which these powers are currently used, how use of existing powers can be extended; and, what further powers and resources would be beneficial in dealing with these issues in Pendle.
- (3) That an all-party group of Councillors meet with Housing Associations with homes in Pendle to discuss conditions within the social rented sector as a matter of urgency.

- (4) That Council reiterate calls for a major investment by Government to retrofit homes in Pendle to super-insulated standards; and requests the support of Pendle's MP to press for such measures.

(e) Health Services and Ambulance Response Times

To be moved by Councillor C. Church and seconded by Councillor T. Whipp –

Council notes with extreme concern the crisis within health services all levels, with primary care services failing because of GP and dentist shortages, inadequate primary care facilities in some parts of the Borough, acute hospital services regularly being beyond breaking point, social care being inadequate; the impact on the ambulance service and response times, all leading to a system that is in meltdown, with terrible consequences for local residents.

Council praises health and social care workers at all levels within the system, who continue to work under extreme pressure and are doing their utmost to meet residents' needs under circumstances not of their making.

In particular, Council notes that ambulance response times are significantly worse in the West Craven area, that community health facilities in the West Craven area are significantly worse than elsewhere in the Borough and that replacement facilities for Butts Clinic (which has been allowed to rot) at the former Yorkshire Bank in Barnoldswick are utterly inadequate for residents' needs.

Council therefore resolves that:

- (1) The Chief Executive requests urgent meetings with senior managers and practitioners of the relevant services with an all-party group of Councillors to discuss how services to local residents can be improved in the short and medium terms.
- (2) That this authority reiterates its view that the use of the former Yorkshire Bank in Barnoldswick for health clinics is completely unacceptable and that the West Craven area needs a comprehensive new health centre. Accordingly, that the Chief Executive seek an all-party meeting with NHS Property Services and related parties to pursue the Council's objective.
- (3) That the Chief Executive writes to Andrew Stephenson MP seeking his support for these courses of action and requests that he uses all possible avenues within Government to press for shortages of GP's and other professions within the health system to be addressed urgently.

(f) Sustainable Transport

To be moved by Councillor T. Whipp and seconded by Councillor D. Whipp –

Council notes the continued 'derailment' of a decision by Government of proposals for the reopening of the Colne/Skipton rail route; and the ensuing uncertainty for local residents and campaigners, both for and against reopening. In addition, Council notes the continued failure of the highway authority and other agencies to publish comprehensive plans, implementation strategies and resources for the provision of sustainable and active travel initiatives and routes within Pendle.

Council resolves:

- (1) That the Chief Executive requests the Secretary of State for Transport, Right Honourable Mark Harper MP, to make a clear-cut decision about reopening the Colne/Skipton rail route and that Pendle's MP is asked to support this request.
- (2) That the highway authority, Lancashire County Council, be asked to provide comprehensive sustainable and active travel routes within and between communities within Pendle and that Pendle's MP be requested to lobby for resources to enable such provision.
- (3) That the chief Executive presents a report to the next Policy and Resources meeting to consider the provision of sustainable and active travel routes in Pendle.

(g) Live Streaming of Council Meetings

To be moved by Councillor D. Whipp and seconded by Councillor T. Whipp –

Council notes the current policy that Council and committee meetings should be live streamed by the authority and that a report about implementing this should have been considered in September as a consequence of the recommendations of the Peer Challenge carried out earlier this year.

Council resolves that the policy of live streaming meetings be reaffirmed and that the reintroduction of livestreaming by the authority be implemented for the January 2023 meeting of the Policy and Resources Committee and that a report detailing how this will be extended to Council and other committee meetings will be considered at that meeting.

(h) Awaab Ishak

To be moved by Councillor F. Ahmed and seconded by Councillor Mohammed Adnan –

Council notes the tragic death of Awaab Ishaq due to sub-standard housing conditions.

Council resolves to instruct the Chief Executive to urgently write to all social housing providers with properties in Pendle asking them to undertake an urgent review of all housing to ensure it fulfils the highest quality of housing for tenants and that a report is shared with all Councillors within three months.

(i) Emergency Contact Arrangements

To be moved by Councillor D. Lord and seconded by Councillor C. Church –

That a review of Pendle Council's out-of-hours emergency contact arrangements is carried out as a matter of urgency, in order that residents and elected representatives can contact the Council about problems needing an immediate or emergency response.

(j) Flood Alleviation in Earby

To be moved by Councillor D. Whipp and seconded by Councillor T. Whipp –

Council notes that Earby has suffered repeated flooding from numerous causes over the years, with the Boxing Day floods of 2015 and the floods of 2016 being recent examples of flooding with affects many homes and businesses far too regularly.

Council welcomes the approaching completion of £1m+ of work overseen by Pendle Council to reduce the risk of flooding from New Cut, which has benefited from European funding and Grant in Aid, but notes that alleviation work on the Wentcliffe Beck watercourse is key to reducing the risk of flooding in the Water Street area and that such work is, as yet, unfunded.

Council further notes that, due to the repeated flooding suffered in Earby, the area is eligible to apply for flood alleviation funding from the Government's recently announced Frequently Flooded Allowance scheme.

Accordingly, Council resolves that: an application to fund an upstream storage scheme on Wentcliffe Beck from the Frequently Flooded Allowance scheme is supported by this authority; that the scheme is included within the Council's capital programme in order that the project can be progressed; that authority be granted for further funding applications to be made in respect of this scheme; a report on the project is submitted to the Policy and Resources Committee at the earliest opportunity; and the Chief Executive is instructed to write to Pendle MP Andrew Stephenson to request his support in gaining Government funding.

15. Exclusion of Public and Press

To consider excluding the public and press from the meeting during the next following item of business in pursuance of the power contained in Section 100(A)(4) of the Local Government Act, 1972 as amended 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.

PART II – EXEMPT ITEMS

16. Outstanding Enforcements

Enc. To consider the attached report from the Planning, Economic Development and Regulatory Services Manager.