

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD ON 1ST FEBRUARY, 2023
AT NELSON TOWN HALL**

PRESENT

Councillor N. Ahmed – Chairman (in the Chair)

Councillors

*D. Gallear
B. Newman
M. Stone*

Co-optees

*D. Heap - Barley with Wheatley Booth Parish Council
R. Oliver – Barrowford Parish Council
N. Hodgson - Blacko Parish Council
K. Wilkinson – Goldshaw Booth Parish Council
D. Hall – Old Laund Booth Parish Council
S. Cronshaw - Roughlee Booth Parish Council*

Officers in Attendance

*W. Forrest
L. Barnes
J. Robinson*

*Housing Needs Manager (Area Co-ordinator)
Senior Planning Officer
Committee Administrator*

Police

PCSO Alan Fielding

(Apologies for absence were received from R. Willoughby, Higham with West Close Booth Parish Council).



105.

DECLARATION OF INTERESTS

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

106.

PUBLIC QUESTION TIME

Some residents of Parrock Road, Barrowford spoke about the issues they were experiencing as a result of works being undertaken on land to the north west of their road. One resident had spoken at the last meeting and had received an e-mail from the Planning Department advising that the septic tank issue she had raised was a civil matter. The resident had then submitted a Freedom of Information request to the Council to request sight of communications between the Council and Agent regarding the septic tank and access and had today received a response that they felt was unsatisfactory. The resident was advised the Council could do nothing further and was recommended to seek independent legal advice on the septic tank issue. Another resident said that they had reported the Developer to the Council for multiple violations of the Construction Method Statement but the issues had not ceased. They also said that residents felt that their safety was being severely compromised as there had recently been two accidents involving construction wagons, one of which could have been fatal. The Chairman asked the resident to share all the communications on the matter with him so that he could follow it up with the appropriate Officers.

107. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 4th January, 2023, be approved as a correct record and signed by the Chairman.

108. POLICE MATTERS AND COMMUNITY SAFETY ISSUES

PCSO A. Fielding reported positive news in relation to levels of Anti-Social Behaviour during January.

He then reported that various resources for gathering speeds and times of day would be used in speeding hotspot areas in the Borough including the A6068. The data gathered would be used to determine where and when to allocate finite Police resources to the most effect. Cuckstool Lane, Fence had also recently been identified as an area of concern and Police patrols had been increased there as a result. The noise nuisance caused by speeding vehicles was mentioned. The Police did not have access to noise cameras but if supplied with the registration numbers of any offending vehicles they could take action if any of them had been modified from their factory specification.

PCSO A. Fielding was dealing with a number of complaints of inconsiderate parking in the Parishes. He had been; knocking on doors; moving offending drivers on; and asking people to take a common sense approach to parking. He urged those present to only report vehicles that were causing an obstruction i.e. those that blocked whole pavements and paths.

109. PLANNING APPLICATIONS

(a) Planning applications for determination

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

22/0372/FUL Full: Demolition of existing garages and erection of seven dwellings on Garage Site South West of 28-54 Hamilton Road, Barrowford for Mr. Z. Ali

The Planning Officer advised, that due to a technical issue, this application was invalid and therefore could not be considered at this meeting. The issue would be addressed and the application submitted to a future meeting for consideration. This application had been deferred from the last meeting to allow for the Applicant to submit a Ground Investigation Survey.

22/0747/CEU Certificate of Lawfulness (S.191 Existing Use): Existing use of land as garden and domestic curtilage and erection of a greenhouse at Hollin Hall Farm, 517 Gisburn Road, Blacko for Mr. D. Hall

RESOLVED

That the Certificate of Lawfulness (S.191 Existing Use) be **issued**.

REASON

On the basis of the submitted information on the balance of probabilities the domestic use of the land incidental to the dwellinghouse has been continuous for ten or more years and the greenhouse was erected four or more years ago, the domestic use of the land and the greenhouse are therefore lawful by virtue of Section 191(2) of the Town and Country Planning Act 1990 and the land forms part of the curtilage for the purposes of the General Permitted Development Order 2015.

22/0784/CND Approval of Details Reserved by Condition: Discharge of Conditions: Condition 3 (External Materials), Condition 4 (Surface Water), Condition 5 (Window set back), Condition 6 (Contamination), Condition 9 (Cycle facilities), Condition 12 (Electric car charging points), Condition 13 (Construction Method Statement) of Planning Permission 21/0154/FUL on Land adjacent to 30 Dixon Street, Barrowford for MFH Projects

This application and Condition 13 (Construction Method Statement) specifically was brought before Members for determination as per the resolution of this Committee at its meeting on 1st December, 2021.

An update was circulated at the meeting reporting that the Ground Investigation report which had been submitted to satisfy Condition 6 needed to be supplemented with trial holes. The overall recommendation to approve Delegate Grant Consent remained but was now subject to a satisfactory outcome from the Ground Investigation report instead of from Statutory Consultees.

RESOLVED

That the Planning, Economic Development and Regulatory Services Manager be granted **delegated authority to discharge** Condition 3 (External Materials), Condition 4 (Surface Water), Condition 5 (Window set back), Condition 6 (Contamination), Condition 9 (Cycle facilities), Condition 12 (Electric car charging points), Condition 13 (Construction Method Statement) of Planning Permission 21/0154/FUL subject to a satisfactory outcome from the Ground Investigation report.

(b) Planning Appeals

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

In a verbal update it was reported that the appeal against refusal of Permission in Principle for the erection of detached dwelling at Heights Cottage, Heights Lane, Fence had been dismissed.

It was also reported that a new Appeal had since been lodged against refusal of Planning Permission for the demolition of existing buildings and erection of 12 dwellinghouses with associated infrastructure at Former Roaming Roosters, Fence.

110.

ENFORCEMENT ACTION

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

A verbal update was given on the Bungalow, Dam Head Farm, Blacko. It was reported that the owner had failed to attend Hearings scheduled for 12th January, 2023 and 26th January, 2023 and that a Warrant had now been issued for his arrest. As it was both unlikely that the Police would act quickly on the Warrant due to a backlog and that the owner would demolish the building without being compelled to do so, Members were asked to consider whether a High Court Injunction should now be sought. There would be cost implications but they would be recoverable.

RESOLVED

That the Head of Legal Services be instructed to seek a High Court Injunction against the owner of the Bungalow, Dam Head Farm, Blacko to compel them to comply with the Enforcement Notice served on them requiring the demolition of the building.

REASON

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

111.

AREA COMMITTEE BUDGET 2022/23

The Chief Executive reported that all of the Committee's 2022/23 Budget was committed.

Members were asked to consider a request to deallocate the following underspend, totalling £6,630:

Barley with Wheatley Booth PC – Barley Car Park Payment System and Barrier (Scheme 8 in Appendix 1 attached to the report)	£2,500
Roughlee PC – Roughlee Heritage Project (Scheme 10 in Appendix 1)	£1,590
Roughlee PC - Footpath Repair Project (Scheme 5 in Appendix 1)	£2,337
Goldshaw Booth PC – CCTV for Spenbrook and Sabden Fold (Scheme 18 in Appendix 1)	£153
Heritage Trust – A walk around Pendle, then and now (Scheme 25 in Appendix 1)	£50

This would bring the unallocated sum to £6,630 and the following bids, totalling £5,326, could then be considered:

Barley with Wheatley Booth PC - Barley Toilets Upgrade – Flooring, Gutters and Drain Survey	£2,500
Roughlee Booth PC - Happy Valley Verge Project	£2,800
Pendle Council – New Litter bin Barrowford Road, Barrowford	£26

Members noted that, as per the resolution of this Committee at its meeting on 6th July, 2022, the £3,011 unspent funds that had initially been set aside for the scheme proposed to try to improve traffic issues on Wilton Street, Barrowford would now be allocated to the Higher Causeway to Dalesway Footpath Improvements scheme instead given that it was found not to be viable.

RESOLVED

- (1) That it be noted that all of the Committee's 2022/23 Budget was committed.
- (2) That the Chief Executive be requested to deallocate the following underspend:

Barley with Wheatley Booth PC – Barley Car Park Payment System and Barrier (Scheme 8 in Appendix 1 attached to the report)	£2,500
Roughlee PC – Roughlee Heritage Project (Scheme 10 in Appendix 1)	£1,590
Roughlee PC - Footpath Repair Project (Scheme 5 in Appendix 1)	£2,337
Goldshaw Booth PC – CCTV for Spenbrook and Sabden Fold (Scheme 18 in Appendix 1)	£153
Heritage Trust – A walk around Pendle, then and now (Scheme 25 in Appendix 1)	£50
Total	£6,630

- (3) That the Chief Executive be requested to allocate the following amounts from the Committee's 2022/23 Budget:

Barley with Wheatley Booth PC - Barley Toilets Upgrade – Flooring, Gutters and Drain Survey	£2,500
Roughlee Booth PC - Happy Valley Verge Project	£2,800
Pendle Council – New Litter bin Barrowford Road, Barrowford	£26
Total	£5,326

- (4) That Parish Councils in the Barrowford and Western Parishes area, with the exception of Barley with Wheatley Booth and Roughlee Booth, be invited to submit new bids for funding from the Committee's 2022/23 Budget should they wish to now the uncommitted sum was £1,304.

REASON

To allocate the Committee's Budget effectively.

112. SUBSTATION SITES

Members were asked to report on any substation sites in the Barrowford and Western Parishes area that needed tidying.

113. OUTSTANDING ISSUES

- (a) Residents-Only Parking on Forest View, Barrowford (7/9/22)
- (b) Traffic Issues on Wilton Street, Barrowford (4/1/23)

114. 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.

115. ENVIRONMENTAL CRIME

The Environmental Services Manager submitted a report on Environmental Crime in the Barrowford and Western Parishes area in Quarter 3, for the period 1st October to 31st December, 2022, which was noted.

116. SITE REFERENCE PLE/22/0102

A verbal update on progress was given at the meeting.

RESOLVED

That a further update on progress and confirmation of the timescales being worked towards be given at the next meeting.

REASON

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

Chairman _____