

**MINUTES OF A MEETING OF THE
POLICY AND RESOURCES COMMITTEE
HELD ON 16th MARCH, 2023
AT NELSON TOWN HALL**

Councillor N. Ahmed (Chairman – in the Chair)

Councillors

*S. Ahmed (Substitute)
M. Aslam
D. Cockburn-Price
S. Cockburn-Price*

*M. Goulthorp
M. Hanif
A. Mahmood
D. Whipp*

Also in attendance:

*Councillor M. Adnan
Councillor M. Iqbal
Councillor K. McGladdery
Councillor J. Purcell
Councillor M. Stone
Councillor A. Sutcliffe*

Officers in attendance:

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| <i>Rose Rouse</i> | <i>Chief Executive</i> |
| <i>Phillip Spurr</i> | <i>Director of Place</i> |
| <i>Howard Culshaw</i> | <i>Head of Legal Services</i> |
| <i>Jane Watson</i> | <i>Head of Democratic Services</i> |
| <i>Neil Watson</i> | <i>Planning, Economic Development and Regulatory Services Manager</i> |
| <i>Wayne Forest</i> | <i>Housing Needs Manager</i> |
| <i>Michael Duck</i> | <i>Commercial Team Manager, Environmental Health</i> |

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

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| <i>Mr. Akram</i> | <i>Taxi Safety and Measures to Improve Public Safety</i> | <i>Minute No. 114</i> |
| <i>Mr. Ilyas</i> | | |

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104. DECLARATION OF INTERESTS

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

105. PUBLIC QUESTION TIME

There were no questions from members of the public.

106.

MINUTES

RESOLVED

That subject to a slight amendment to minute 98 (resolution (4)) the minutes of the Policy and Resources Committee meeting held on 9th February, 2023 be approved as a correct record and signed by the Chairman.

107.

PENDLE LOCAL PLAN UPDATE

The Planning, Economic Development and Regulatory Services Manager submitted, for information, an update on work being undertaken to prepare a new Local Plan for Pendle.

The report provided details of the timetable and arising issues. Workshops were scheduled for March and April with the draft Local Plan scheduled for submission to the Executive in May for approval for a six-week public consultation commencing in early June, 2023.

RESOLVED

That the report be noted, including the timetable for the preparation of the Local Plan and Member Workshops planned for late March/early April.

REASON

To progress the Local Plan towards its submission in accordance with the Regulations of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended and in order to ensure that Pendle has an up to date Local Plan.

**108. THE BOROUGH OF PENDLE (PENDLE RISE SHOPPING CENTRE, NELSON)
COMPULSORY PURCHASE ORDER 2022**

The Chief Executive submitted a report advising the Committee of an amendment to the boundary of the above proposed compulsory purchase order to acquire the Pendle Rise Shopping Centre. The amendment include an area of land on Leeds Road on which the entrance canopy into the former Market Hall stood.

RESOLVED

That the revised boundary line for the proposed Compulsory Purchase Order area, as shown on the plan attached to the report (ref NE/PR2 dated February, 2023) to incorporate the canopy structure fronting the entrance to the former Market Hall be agreed.

REASON

To ensure that the proposed Compulsory Purchase Order includes all land and structures attached to the Centre that were potentially to be acquired by the Council.

109. TO CONSIDER AND RESPOND TO THE CONSULTATION TO IMPROVE PLANNING PERFORMANCE SUPPORTED THROUGH AN INCREASE IN PLANNING FEES

The Planning, Economic Development and Regulatory Services Manager submitted a report advising of the proposed changes to the fees arrangement and to agree the Council's response.

The consultation was wider than just planning fees and sought to embed wider changes to planning performance. This would include matters such as measuring formally on levels of delegation and the quantum of applications decided contrary to the recommendations made in Committee reports. The deadline for a response was 25th April, 2023.

RESOLVED

- (1) That the report be noted.
- (2) That the draft response to the consultation, as set out in Appendix A attached to the report, be agreed as the Council's final response.

REASON

In order to ensure that Pendle contributes to the development of local and national policy on planning issues.

110. AIR QUALITY STATUS REPORT 2020/2021

The Director of Place submitted, for information, an update on Air Quality Management in Pendle during 2020 and 2021.

There was a discussion around the Nitrogen Dioxide data; measures for recording particulate matter such as diesel and wood smoke; and the Air Quality Management Areas.

RESOLVED

That the report be noted along with the progress made against the Air Quality Action Plan.

REASON

- (1) ***To provide the Committee with an update on Air Quality monitoring undertaken across the Borough and action taken to improve air quality.***
- (2) ***In 2019 the Council officially recognised climate change as an emergency.***

111. UKRAINIAN RESETTLEMENT

The Director of Place submitted, for information, an update regarding the resettlement of Ukrainian households in Pendle.

112. TENDERS

The Director of Resources submitted, for information, a report on tenders which had been received and accepted since the last meeting.

113. MATTERS REFERRED FROM AREA COMMITTEES

(a) Land adjoining 54 Carleton Street, Nelson

At a meeting of the Nelson, Brierfield and Reedley Committee on 30th January, 2023 it was resolved “that the Policy and Resources Committee be recommended to declare the land surplus to requirements adjoining 54 Carleton Street, Nelson (as shown edged in black on the plan attached to the report) in order for it to be sold and that the Chief Executive be authorised to negotiate terms of a long leasehold sale to the adjoining owner.”

RESOLVED

That land adjoining 54 Carleton Street, Nelson be declared surplus to requirements (as shown edged black on the plan attached to the report) in order for it to be sold and that the Chief Executive be authorised to negotiate terms of a long leasehold sale to the adjoining owner.

REASON

To obtain a capital receipt and to end all of the Council's maintenance liabilities on the land.

114. TAXI SAFETY AND MEASURES TO IMPROVE PUBLIC SAFETY

At a meeting of the Taxi Licensing Committee on 9th February, 2023 it was resolved:

“That the Policy and Resources Committee be recommended to approve changes to the taxi policy as follows –

- (1) Increase the number of tests per year from 2 to 3, one of which to include an MOT.
- (2) Failure of 50% of tested vehicles of an operator over a 1 year period – operator to have their licence reviewed by the Planning, Economic Development and Regulatory Services Manager.
- (3) 8 points to be issued to a driver of any vehicle that fails a spot check – A driver that exceeds 15 points to be brought before Taxi Licensing Committee to have their licence reviewed.
- (4) That an App be introduced to record daily vehicle checks. This would monitor that each vehicle had been checked before the driver started their shift – it would be part of the taxi policy that the App. was used. Failure to use it would result in review of a licence by the Planning, Economic Development and Regulatory Services Manager.
- (5) 8 penalty points for any driver failing to have a record on the App. to confirm that before the start of their shift they had checked the condition of their vehicle. The vehicle must comply with what was recorded on the App. – A driver that exceeded 15 points would be brought before Taxi Licensing Committee to have their licence reviewed.
- (6) Lying/being untruthful on the vehicle check record – Driver to have their licence reviewed by the Planning, Economic Development and Regulatory Services Manager.

(7) Failure to immediately attend a spot check – Driver to have their licence reviewed by the Planning, Economic Development and Regulatory Services Manager.

(8) A vehicle fails two spot checks – Vehicle to have its licence reviewed.”

The recommendations were a result of a report considered by the Taxi Licensing Committee which suggested further changes to the taxi policy (which had been put out to consultation) on ways to make the trade safer for passengers and drivers. This involved the use of a mobile app to record daily vehicle checks.

RESOLVED

- (1) That the Committee thanks all those who responded to the consultation on taxi safety in Pendle.
- (2) That the recommendations from the Taxi Licensing Committee which show a lack of support from the trade be noted.
- (3) That a Task and Finish Group be established to include three representatives from the taxi trade and three Councillors (1:1:1) to look at improvements to taxi safety and associated issues affecting the taxi trade.

REASON

To put measures in place to address the safety of the public, drivers and vehicles.

In accordance with the Council's Rules of Procedure 12.4 Councillors D. Cockburn-Price, S. Cockburn-Price and D. Whipp requested that their votes be recorded. All three Councillors voted against the motion.

115. EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in pursuance of the power contained in Section 100(A)(4) of the Local Government Act, 1972 as amended, the public and press be excluded from the meeting during the next item of business when it was likely, in view of the nature of the proceedings or the business to be transacted, that there is exempt information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

116. DRAINAGE ISSUES IN EARBY

The Head of Legal Services submitted a report in relation to drainage issues in Earby.

RESOLVED

- (1) That further discussions be held with representatives from Together Housing, Lancashire County Council and the Environment Agency with regards to the impact of the groundwater problems being experienced by residents.

- (2) That the residents be advised to contact their own insurance companies in relation to the damage the groundwater problems have impacted on their properties.

REASON

In response to the ongoing problems being experienced by residents.

Chairman _____