

**MINUTES OF A MEETING  
OF THE EXECUTIVE  
HELD AT NELSON TOWN HALL  
ON 22<sup>ND</sup> JUNE, 2023**

*PRESENT –*

*Councillor A. Mahmood (Chair)*

**Councillors**

*Z. Ali  
M. Ammer  
M. Hanif  
D. Lord  
D. Whipp  
T. Whipp*

**Also in attendance:**

*N. Ahmed  
M. Stone  
A. Sutcliffe  
Y. Tennant*

**Officers in attendance**

<i>R. Rouse</i>	<i>Chief Executive</i>
<i>P. Spurr</i>	<i>Director of Place</i>
<i>R. Gibson</i>	<i>Director of Resources</i>
<i>H. Culshaw</i>	<i>Head of Legal and Democratic Services</i>
<i>D. Walker</i>	<i>Assistant Director Operational Services</i>
<i>S. Whitwell</i>	<i>Head of Housing and Environmental Health</i>
<i>J. Eccles</i>	<i>Committee Administrator</i>

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*The following person attended the meeting and spoke on the item indicated:*

<i>A. Ali</i>	<i>Further Clough Head, Nelson</i>	<i>Minute No. 25</i>
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**15. DECLARATIONS OF INTEREST**

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

**16. PUBLIC QUESTION TIME**

There were no questions from members of the public.

**17. MINUTES**

That the Minutes of the meeting held on 25<sup>th</sup> May, 2023 be approved as a correct record and signed by the Chair.

**18. NELSON TOWN DEAL  
RE-PROFILE OF THE BUSINESS RESILIENCE AND GROWTH PROJECT**

The Director of Place submitted a report seeking agreement to the re-profiling of the Nelson Town Deal Business Resilience and Growth project intervention rates; amendment of the grant availability from 4 to 3 years; and approval to review the buffer zone at the end of each year.

The project provided capital grants to help enable business expansion projects, including premises, plant and machinery, to support the creation of sustainable jobs and improved productivity within the manufacturing sector. A percentage of the total amount of capital the business required was awarded as a grant with the business expected to match fund the investment. The maximum grant available was £100,000. At present only manufacturing businesses within the defined Town Centre Boundary were eligible to apply for a grant. Previously there had been discussions about increasing the boundary so that manufacturing businesses in this buffer zone could apply for a grant.

The project had been extremely successful in year 1, with 11 grants approved. To maintain the current rate of grant uptake it was recommended that the intervention rate for 2024/25 and 2025/26 be re-profiled. This was expected to encourage the continued take up of grants, so it was recommended that the buffer zone not be introduced at this time.

**RESOLVED**

- (1) That the re-profiling of the Nelson Town Deal Business Resilience and Growth project intervention rates, as set out in the report at Table 2 be agreed, the grant availability amended to 3 years rather than 4 and the revised projects and outcomes set out at Appendix 1 be noted.
- (2) That the take-up of bids and the buffer zone be reviewed on an annual basis.

**REASON**

- (1) *To encourage take up of grants throughout the life of the project and leave a monitoring year at the end of the programme.*
- (2) *To ensure the continuing success of the take up of grants.*

**19. COLNE MARKET HALL SCHEME**

Following the request at the last meeting a Working Group had been established consisting of 2 Executive Members, 2 representatives from Colne Town Council, 2 representatives from Colne and District Committee, and 2 market traders to consider the proposals for the remodelling of Colne Market Hall. A note of the first meeting on 19<sup>th</sup> June was circulated at the meeting.

Following a constructive discussion supported by the Raise Partnership the Working Group agreed a number of recommendations for the Committee to consider and these were read out at the meeting.

It was noted that the funding needed to be spent by 31<sup>st</sup> March 2025.

## **RESOLVED**

- (1) That a revised planning application be submitted for the remodelling and refurbishment of Colne Market Hall, with the addition of new residential units to the first floor, use of a glazed wall between Market Hall/front area, and an amended layout.
- (2) That an assessment of the viability of the plans for the front of the build, in the vicinity of the proposed food hall be carried out.
- (3) That the Raise Partnership be asked to look at the resources available in temporary accommodation and consult with the market traders to identify a suitable date for relocation (avoiding Christmas trading period), map their needs and match their requirements with what was available, and that an outline project programme (including a timeline for trader relocation) be completed by 19<sup>th</sup> July.
- (4) That an assessment be undertaken of the tenure/management options for the first floor residential units.
- (5) That a proposal for PBC funding to support trader relocation be prepared and presented to the Executive for consideration in due course.
- (6) That the Colne Market Hall Working Group continue to meet to monitor the development, design and implementation of the scheme.

## **REASON**

- (1) ***To enable the revised project to proceed within the Levelling Up Fund timescales.***
- (2) ***To continue a dialogue with interested parties as the scheme develops.***

## **20. ICT STRATEGY**

The Director of Resources submitted a report on the ICT Strategy and sought approval to upgrade the Council's infrastructure network at a cost of £150,000 from the Council's ICT Reserve.

The report explained that the Council's core network equipment had reached end of life which posed a cyber security risk as well as an increased risk of failure that could cause significant disruption to Council services. Refreshing the equipment had already been undertaken in the smaller council sites but the main bulk of the equipment was due for replacement in the Town Hall, Fleet Street and Number One Market Street. HP had been chosen as an alternative provider to Cisco due to their switch range being extremely reliable, versatile and competitive.

The report also provided an update on Microsoft 365 Licensing arrangements for the Tools used by employees and Councillors e.g Outlook, MS Teams, moving from Mitel telephony to full MS Teams telephony, the Cyber Treatment Plan produced to strengthen cyber security, mobile phone contracts, the printer contract and a number of other key systems which it used to manage its back-office functions.

**RESOLVED**

- (1) That the upgrade to the Council's infrastructure network, at a cost of £150,000, be agreed.
- (2) That the wider ICT Strategy be noted.

**REASON**

- (1) To allow essential upgrade work to be completed.***
- (2) To keep Members informed on ICT developments.***

**21. CORPORATE PEER CHALLENGE – FINAL ACTION PLAN REPORT**

The Director of Resources submitted a report on the outcome of the Corporate Peer Challenge and provided options on the Live Streaming of some Council meetings.

This external assessment of the Council's performance had been undertaken in early 2022. The Council was required to draw up an Action Plan by way of response to the Peer Review Team's key recommendations. This was agreed in June 2022 and a six month review held with the Team in December to discuss progress with its delivery. The key recommendations from the Action Plan were shown in detail in Appendix A and summarised in the report, highlighting unresolved areas. One of these was on the Live Streaming of Council meetings.

The Council did not have an agreed policy for Live Streaming meetings. Some meetings held on Teams had been livestreamed and there was some ad hoc live streaming of Policy and Resources Committee, Council and West Craven Committee meetings when face to face meetings resumed, but this had been carried out by Councillors, not by officers or through an external company. Four options were set out in the report ranging from a basic arrangement to a full meeting management system with costs of up to £100,000.

**RESOLVED**

- (1) That the findings of the CPC Action Update Report set out in Appendix 1 be noted.
- (2) That in the short term the Council go out to tender for a third party to live stream meetings of the Council, the Executive and Development Management Committee.
- (3) That the Director of Resources look at the options for installing an in-house fixed camera solution in the Council Chamber, ideally one that could also be used in the Wilson Room, which could be operated by staff, and options to improve the audio system in the Council Chamber with the installation of microphones, and to report back in due course.

**REASONS**

***To allow the live streaming of some Council meetings to be taken forward.***

**22. RESIDENTIAL MOBILE HOMES – FIT AND PROPER PERSON POLICY**

The Head of Housing and Environmental Health submitted a report recommending that the Mobile Home Fit and Proper Person Test Fee Policy be adopted.

This was a new policy allowing the Council to apply a fit and proper person test to park home managers and owners for which a fee was charged for processing their application to benefit and protect residents of park homes from financial and site mismanagement. This was in line with the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.

## **RESOLVED**

That the Mobile Home Fit and Proper Person Test Fee Policy be approved, with the introduction of a fee at £298 for the assessment of Fit and Proper Person applications for relevant residential mobile home sites.

## **REASON**

- (1) *For the protection of residents on mobile home park sites in ensuring that owners/operators of these sites are fit and proper persons.***
- (2) *To enable a fee to be charged for the implementation of The Mobile Homes (Requirement for Manager of Site to be a Fit and Proper Person) (England) Regulations 2020.***

## **23. CEMETERY SITES, PROVISION FOR BURIAL SITES AND CREMATORIUM PROPOSAL**

The Assistant Director Operational Services submitted a report with an update on the current level of burial plots available in the borough and the work to be undertaken to progress plans to extend the life of existing facilities. The report also contained a proposal on the development of crematorium facilities within Pendle.

## **RESOLVED**

- (1) That the pre purchase of burial plots be suspended until the additional space within Colne, Barnoldswick, Barrowford and Earby cemeteries was developed and the new cemetery opened in Nelson.
- (2) That the use of Pendle Borough Council owned land linked to the Ghyll Cemetery site in Barnoldswick for burials be investigated.
- (3) That officers be asked to approach Earby Town Council to seek comments and support for the investigation into the use of part of the transferred land linked to the Earby Cemetery site for burials and the use of land adjacent to the Cemetery and land adjacent to the allotments, also be investigated.
- (4) That the use of Pendle Borough Council owned land linked to the Memorial Cemetery site in Barrowford for burials be investigated.
- (5) That the possibility of extending Colne Cemetery through the use of the lower fields within the current footprint of the site for burials be investigated.
- (6) That the development of crematorium facilities across the existing cemetery sites not be investigated at present.

## **REASON**

- (1) *To ensure sufficient burial space is available for the borough's current needs.***
- (2) *To ensure Pendle has adequate facilities in place to continue to deliver burials and internments into the future.***

### **24. EARBY FLOOD ALLEVIATION PHASE 1, 2 AND 3**

The Director of Place submitted a report on progress with flood alleviation measures in Earby. Earby Phase 1 and 2 schemes had been funded from Grant in Aid, Flood and Coastal Erosion Risk Management (FCERM) funding and the European Structural Investment Fund. Work had focused on a new flood defence wall on the New Cut adjacent to Albert Street including a sheet piled wall at Victoria Mill, and both schemes were substantially complete. There remained some small snagging works to be carried out on Phase 2.

The report also set out the work needed to progress the proposed Phase 3 Scheme to be funded from Grant in Aid and FCERM. This focused on the need to control flood waters in the higher catchment of Earby Beck and proposed a passive earth dam above Birley Playing Fields.

## **RESOLVED**

- (1)** That progress on flood alleviation measures in Earby be noted.
- (2)** That the business case and works required to progress Phase 3 as detailed in the report be approved; that works proceed initially with the appointment of consultants using some of the £200,000 funding from the Environment Agency for the scheme; and that a further report comes back in due course.
- (3)** That the timber boundary fence erected at Goodall Close following the Phase 2 works on New Cut, which had been damaged and vandalised, be replaced with hooped railings to match those on the opposite side of the beck.

## **REASON**

- (1) *To enable flooding issues in Earby to be effectively managed and reduced and to reduce the risk of flooding to outlying areas within the Aire Valley.***
- (2) *In the interests of public safety.***

### **25. FURTHER CLOUGH HEAD, NELSON**

The Director of Place submitted a report advising Members of the intended disposal of Council owned land at Further Clough Head, shown on the Plan at Appendix 1, to PEARL Together for £500,000. It also provided an update on this housing development which would now be for 129 properties rather than 200 properties of which 26 would be affordable.

It was noted that the site investigation process had identified mine shafts present on the site. The exact location of one of the shafts had yet to be determined. However, work to identify its location would be concluded in the next few weeks and an assurance was given that this would not affect the development. The Director of Resources explained the rationale for having a delayed capital receipt for the site.

**RESOLVED**

That the disposal price and the potential for the transfer of a reduced site area to PEARL Together be noted and delegated authority be given to the Director of Resources to agree a delayed capital receipt for the site.

**REASON**

***To achieve a capital receipt and to facilitate the development of the land at Further Clough Head.***

**26. MEETING WITH NHS – HEALTH PROVISION IN BARNOLDSWICK**

The note of a meeting held on 10<sup>th</sup> May with representatives from the NHS to discuss the Council's request for improved facilities in Barnoldswick was submitted for information. It summarised the various issues and work in progress. They were due to meet again in August.

In the meantime, senior officers and Members were visiting West Craven next week to look at potential sites for facilities and any opportunities would be reported to NHS colleagues for their consideration. Follow up reports on future discussions would come back to the Executive and the Area Committee in due course.

It was noted that the Overview and Scrutiny Committee on 15<sup>th</sup> June had considered the request from Annual Council and decided to discuss the general issue of primary health care across the borough at their next meeting.

**27. DISTRICT ENFORCEMENT**

The Assistant Director Operational Services submitted a report on District Enforcement's withdrawal from the agreement to deliver enforcement and behavioural change services for the Council (which commenced on 4th July 2022, and was expected to run for 3 years) and advised Members on the current internal review of enforcement activities.

**RESOLVED**

- (1) That the report be noted.
- (2) That an update be provided to a future meeting on completion of the internal review of enforcement activities, should a decision be required.

**REASON**

- (1) ***To support delivery of the Council's Corporate Plan and in particular its priority to create proud and connected communities and places.***
- (2) ***To support the Council in delivering services that remain a priority for local people. Clean streets.***

**28. FORWARD PLAN**

The Executive's Work Programme and Forward Plan of key decisions for the four month period commencing 1<sup>st</sup> July 2023 was submitted for information.

Executive (22.06.2023)

Chair \_\_\_\_\_