

**MINUTES OF A MEETING OF
WEST CRAVEN COMMITTEE
HELD AT THE VILLAGE HALL,
SALTERFORTH
ON 3RD OCTOBER 2023**

PRESENT –

D. M. Whipp (Chair)

Councillors

*R. E. Carroll
S. Land
T. Whipp*

Co-optees

A. Inman, Earby Town Council

Police

*PC G. Ingham
PCSO N. Wallin*

Officers Present

*D. Walker
N. Watson
J. Eccles*

*Assistant Director Operational Services and Area Co-ordinator
Assistant Director Planning, Building Control and Regulatory Services
Committee Administrator*

(Apologies were received from Councillors C. Church and M. Strickland.)



The following person attended and spoke at the meeting on the item indicated –

<i>Mr G. Parkinson</i>	<i>23/0573/PIP – Permission in Principle: Erection of 1 no. detached dwelling at Land and Buildings on the south side of Highfield Road, Earby</i>	<i>Item No. 69(a)</i>
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85. DECLARATIONS OF INTEREST

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

86. PUBLIC QUESTION TIME

There were no questions from members of the public.

87. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 5th September 2023, be approved as a correct record.

88. POLICE AND COMMUNITY SAFETY ISSUES

PC G. Ingham went through the crime statistics for September compared to the same period in the previous year. They were broken down as follows –

	2022	2023
Burglary – Residential	4	0
Burglary – Commercial	1	1
Vehicle Crime	4	3
Hate Crime	0	0
Assaults	35	36
Theft	7	7
Criminal Damage	13	15
Other Crime	14	21
All Crime	78	83
Anti-Social Behaviour (ASB)	8	4

The discussion focused on anti-social behaviour and efforts underway by town councils, the Police, voluntary groups and others to create diversionary activities so there was somewhere for young people to go. There were plans to have a youth club up and running again in Barnoldswick. There were also discussions about more youth activities taking place in Earby and use of New Road Community Centre.

89. LOCAL GOVERNMENT ACT, 1972

In accordance with the provisions of Section 100 (B)(4) of the Local Government Act, 1972, as amended, the Chairman agreed that the following item should be considered as a matter of urgency, the ground being that it was in the interests of highway safety and should not wait another 4 weeks before being discussed.

90. ACCIDENT ON COLNE ROAD, EARBY

The Chairman reported that there had been a very serious incident on the A56 in Earby involving a high-speed vehicle and it was a miracle that no-one had been killed. A lot of damage had been caused which needed attention. PC G. Ingham could not comment on the incident which was under investigation but encouraged anyone who had concerns or complaints about roads in their area to report them to the Road Safety Partnership.

RESOLVED

That the Committee's previous request for average speed cameras to be installed along the length of the road between Colne and the County boundary at the Punch Bowl in Earby be reiterated to Lancashire County Council, Lancashire Constabulary and the Road Safety Partnership and LCC be asked to introduce traffic calming measures in road designs or improvements going forward.

91. PLANNING APPLICATIONS

(a) Planning applications for determination

(A site visit was undertaken prior to the meeting.)

A planning update was circulated prior to the meeting which provided further information regarding the proposed design and colour of the windows.

That planning permission be **granted** subject to appropriate conditions including a condition requiring details to be submitted for the design and colour of the windows in order to ensure the proposed windows were acceptable.

(A site visit was undertaken prior to the meeting.)

That permission in principle be **granted**.

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

(b) Planning Appeals

The Assistant Director Planning, Building Control and Regulatory Services reported that there was one outstanding planning appeal which was noted.

92. ENFORCEMENT ACTION

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

93. AREA COMMITTEE BUDGET 2023/24

The Director of Place reported that the current balance for the Committee's budget for 2023/24 was £25,227.

94. PROPOSED FOOTPATH IMPROVEMENTS, MYRTLE GROVE, BARNOLDSWICK

At the last meeting, Members had considered the Council's Engineering Team's plan and costings for footpath improvements from Myrtle Grove across the fields to Barnoldswick Church of England Primary School to encourage more parents to walk their children to school. However, Members were disappointed to hear that LCC had confirmed that it would not allow part of the land adjacent to Myrtle Grove to be used for a car park or proposed footpath improvements as it was reserved for educational use.

As requested LCC had been asked to arrange for the unmarked but well used footpaths in this location to be added to the definitive map. LCC had replied with the appropriate application forms and guidance notes, stating that evidence was required to show that a route was a public right of way and then, on the strength of that evidence, an application could be made for a Definitive Map Modification Order. It was acknowledged that this would involve a lot of work.

County Councillors for Pendle Rural had been invited to this meeting to discuss this issue with Members. They had given their apologies saying that they believed that LCC had made their position clear.

RESOLVED

That this item be deferred to the next meeting and the invitation to County Councillors to attend be reiterated.

REASON

To try to improve pedestrian access and highway safety in the vicinity of Barnoldswick CE School.

95. REQUEST FOR IMPROVEMENTS TO BACK STREETS IN BARNOLDSWICK TOWN CENTRE

At the last meeting Members were informed that following a site visit with officers to back streets in Barnoldswick Town Centre LCC had confirmed that resurfacing these roads was not a priority. Since then, a letter had been received from the County Councillor for Highways and Transport reporting that no defects had been found on the rear of Ellis Street. A defect had been identified on the rear of Rainhall Road between Park Road and Mosley Street which would be repaired within 10 days. The letter confirmed that LCC had no plans to resurface any back streets or ginnels within the County, but any reports of defects on adopted back streets could be reported on the Love Clean Streets app.

Members noted the position but felt that these particular back streets were in a prominent position in the town centre, were well used by many pedestrians when there were town centre events on, so it was important that there were kept in good repair as well as being important aesthetically.

RESOLVED

That the Head of Economic Growth be asked to look at including the improvements to these particular back streets in Barnoldswick in the masterplanning process and LCC's attention be drawn to the wider economic benefits these improvements would bring to the town.

REASON

In the interests of pedestrian safety, visual amenity and the local economy.

96. NEW ROAD COMMUNITY CENTRE, EARBY

A meeting was held on 25th September with the Secretary and Treasurer for New Road Community Centre to discuss bookings and hiring of this community facility. The Chairman reported that it had been a very useful meeting finding out about regular events/activities and the potential for other activities to be held at the Centre. They had provided phone numbers which were available to members of the public and could be publicised. They were also going to improve their noticeboard outside the centre and their website page which would all help to improve accessibility. They had also confirmed that they would be delighted, in principle, to host a Youth Club. These actions were welcomed and hopefully would mean the Centre would be used to its full potential for the benefit of the local community.

97. LOCAL CYCLE AND WALKING INFRASTRUCTURE PLANS ENGAGEMENT STAGE 2

Members had been given details of LCC's Local Cycle and Walking Infrastructure Plans (LCWIPs) showing proposed Active Travel Network Maps across Lancashire. Pendle Council had been working with LCC on the Burnley and Pendle LCWIP. Comments were now being sought from the public on the proposed network plan. The consultation closed on 24th October 2023.

The Committee was encouraged to engage with the process.

RESOLVED

- (1) That the Burnley and Pendle LCWIP be welcomed.
- (2) That the following additional routes be considered for inclusion –
 - The route following the old Colne to Skipton railway line
 - Canal paths and routes through the parks (at the moment Victory Park wasn't included in any route)
 - A route through Bracewell linking into the Ribble Valley
 - A route across Barnoldswick Town Green down to Skipton Road, including Cravenside and Lower North Avenue
 - A route through Northolme, Earby to Salterforth linking into Mucky Lane and the bridleway
 - A route from Brogden Lane through to the top of Weets Hill and Blacko
- (3) That delegated authority be given to the Chairman to request that these and any additional routes for the area be added; that the routes shown on the LCWIP be joined up wherever

possible; and to highlight the ongoing need for maintenance on both the existing and suggested routes (including the old railway line).

REASON

To improve access to cycleways and footpaths in the area.

98. ITEMS FOR DISCUSSION

Members had requested that the following items be discussed -

(a) New Cut and Wentcliffe Beck watercourses at Earby becoming choked with debris and vegetation

It had been observed that there was a considerable amount of debris and vegetation which was at risk of blocking the above two watercourses at Earby. Pendle Council had raised this issue with the Environment Agency but had not yet had a response.

RESOLVED

That the Director of Place be asked to report back to the next meeting following the response from the Environment Agency.

REASON

To try to reduce the risk of flooding in Earby.

(b) Land off Bailey Street, Earby

Members considered the temporary use of Council owned land on Bailey Street, Earby adjacent to the junior football pitch for PEARL Together to use for a car park/compound during construction work at Spring Mill in Earby. In lieu of financial payment PEARL had agreed to betterment works which included repair of the drain along the edge of the site and works to assist with ground water attenuation. There was also a request to transfer the future landscaped area fronting onto Spring Mill/Chapel Street from PEARL Together to the Council subject to the receipt of a commuted sum to cover future maintenance costs. Ward Councillors had already been consulted on these proposals.

RECOMMENDATION

That the Executive –

- (a) Approve the grant of a licence to PEARL Together for temporary use of the land on Bailey Street Earby to use for a car park/compound during construction work at Spring Mill in Earby on condition of the proposed drainage works being undertaken when the development had completed and the public right of way over part of this land remaining open.

- (2) Agree for the transfer of a landscaped area to be created as part of the development scheme fronting onto Chapel Street, Earby provided the commuted sum was sufficient to allow the Council to look after the land in the future for many years.

REASON

- 1. To assist with the development of the Spring Mill site.**
- 2. To take ownership and control of a future landscaped public area, to make sure it is maintained to a good standard.**

(c) Land at Cornmill Place, Barnoldswick

In November 2022 the Head of Legal and Democratic Services had been requested to ask the Duchy Solicitor to transfer at nil cost the open space at Cornmill Place which should have been transferred to the Council when the land was developed to Pendle Council, in accordance with the original intention of the Section 106 Agreement. Whilst the land had not been transferred when the development was completed, the agreed sum of money for maintaining this open space was transferred and whilst some of the funding had been used, there was some residual funding for maintenance works. The Committee wanted the open space to then be transferred to Barnoldswick Town Council along with the residual funding. The Committee had requested a Community Asset Transfer in 2019 when it was believed that it was Council owned, and when following this up it was discovered that the land had not been transferred.

The Duchy Solicitor had agreed to this request provided the transfer included all the land within the red edge apart from the areas coloured green in title LA931725 which included hard landscaping and the road. However, at the last meeting the Committee decided not to proceed with the request for the Council to take ownership of this land, with the subsequent transfer to Barnoldswick Town Council, as it appeared that responsibility for highway maintenance would be involved. Subsequent enquiries had confirmed that the highway was maintained by the highway authority. The Committee was therefore asked to reconsider this matter.

RECOMMENDATION

That the Executive agree that the Duchy Solicitor be requested to transfer to Pendle Council at nil cost the land in title number LA931725 shown within the red edge, consisting of the public space at Cornmill Place which should have been transferred to the Council when the land was developed as well as the hardstanding area and road, minus the area shown in green, and it subsequently be transferred to Barnoldswick Town Council with the residual S106 funding.

REASON

The open space was originally intended for transfer to the Council along with a commuted sum, for its future maintenance. Barnoldswick Town Council are willing to maintain the land.

(d) Salterforth Road, Earby and Manchester Road, Barnoldswick

Members discussed the damage being caused through defective drainage systems on the above roads where there was a lot of surface water posing a hazard on the highway. Yorkshire Water had agreed to carry out a site visit to Salterforth Road the following week. Here the road had

broken up in various places. There was now a sinkhole on the carriageway nearest to the church where water was surcharging. It was possible that the sewer had collapsed.

United Utilities were investigating the Manchester Road issue, although it was possible that the cause of the problem was the LCC culvert.

RESOLVED

That the Engineering Manager be asked to arrange a meeting of relevant organisations including LCC, Yorkshire Water and United Utilities to discuss the drainage issues on these two roads and the investigations/improvements needed to remove the excess water from the highway.

REASON

In the interests of public and highway safety.

99. OUTSTANDING ITEMS

It was noted that the following items had been requested and an update or report would be provided to a future meeting -

- (a) Costings for Coates Lane/Skipton Road highway improvements
- (b) Meeting with Transdev to discuss bus services
- (c) Surface Improvements to layby at West Craven High School
- (d) Meeting to discuss parking problems at West Craven Sports Centre/Barnoldswick CofE Primary School

It was reported that efforts were being made to arrange the 2 meetings outstanding. An update from the Pendle Education Trust was read out explaining the delay to the resurfacing of the layby at West Craven High School. The Trust still felt that this was a priority and hoped to be able to make the necessary improvements as soon as they could.

100. EXCLUSION OF THE PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the 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 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 or any action to be taken in connection with the prevention, investigation or prosecution of a crime.

101. OUTSTANDING ENFORCEMENTS

The Assistant Director Planning, Building Control and Regulatory Services submitted a report on outstanding enforcements and gave a verbal update at the meeting.

Chairman