

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 30TH OCTOBER 2023**

PRESENT—

Councillor F. Ahmad (Vice-Chair - in the Chair)

Councillors

M. Adnan
S. Ahmed
Z. Ali
M. Ammer
R. Anwar
N. Ashraf
M. Aslam
M. Hanif
M. Iqbal
Y. Iqbal
A. Mahmood
Y. Tennant

Co-optees

H. Ahmed (Brierfield Town Council)
N. Emery (Nelson Town Centre Partnership)

(An apology for absence was received from Councillor M. Kaleem).

Also in attendance:

PC *Jemima Hill*
PCSO *Donna Waterworth*

Officers in attendance:

Neil Watson Assistant Director Planning, Building Control and Regulatory Services
Jessica Robinson Committee Administrator



84. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests.

85. PUBLIC QUESTION TIME

A Petition was submitted at the meeting. The Petition requested the support of this Committee for the removal of the telegraph poles that had been erected on the Healdwood Close and Healdwood Drive residential estates in Reedley by an independent full-fibre broadband network provider. The poles had been erected without any formal notice or consultation and were blocking the sightlines of some residents.

The Petitioner was advised that under the Town & Country Planning Act 2015 (General Permitted Development) poles could be erected without the need for planning permission and consultation but that there was the right to object to them within 12 months of their installation. The Petitioner

had already exercised this right and had received an unsatisfactory response from the developer. It was proposed that a letter be sent to the developer from this Committee, on the behalf of the residents, to request the removal of the telegraph poles as Members agreed that the poles were affecting their enjoyment of and interest in the land they were sited on.

RESOLVED

That a letter be sent to the developer from this Committee to request the removal of the telegraph poles on Healdwood Close and Healdwood Drive, Reedley as they were affecting residents' enjoyment of and interest in the land they were sited on.

86. MINUTES

RESOLVED

That the Minutes of the meeting held on 2nd October, 2023 be approved as a correct record and signed by the Chair.

87. PROGRESS REPORT

A progress report on actions arising from the last meeting of the Nelson, Brierfield and Reedley Committee was submitted for information, which was noted.

88. POLICE ISSUES

The issue of the lack of Police attendance at meetings of this Committee was raised. PC Hill and PCSO Waterworth, who were in attendance due to this meeting coinciding with them being on duty, agreed to raise the issue with their Supervisors so arrangements could be made for other Officers to attend future meetings if they were unable to themselves.

The action planned in the run up to Bonfire Night was enquired about. Operation Bright Sparx had been launched and enforcement was now taking place at the weekends to reduce the dangers and nuisance caused by the anti-social use of fireworks. A multi-agency vehicle crewed by trained Paramedics, Police and Fire Service Officers was also being used to respond to emergencies. Furthermore, education campaigns focussing on safety and the consequences of firework misuse were being delivered in Primary and Secondary Schools across the Borough.

89. PLANNING APPLICATIONS

(a) Applications to be determined

The Assistant Director Planning, Building Control and Regulatory Services submitted the following planning applications for determination: -

23/0293/OUT Outline (Major): Demolition of Cash and Carry and the formation of 41 self contained flats (Access, Layout and Scale only) at Queens Hall, Bradley Road, Nelson for Jan Capital Ltd.

This application had been deferred from the last meeting to allow for the Lead Local Flood Authority and Environment Agency to respond to their further consultation.

An update had been circulated prior to the meeting reporting that the Lead Local Flood Authority had removed their objection following their further consultation. It further reported that additional information was required to address the Environment Agency's objection and that the Applicant was preparing the submission of that information. The recommendation to refuse the application had altered, as a result, to delegate grant consent subject to the withdrawal of the Environment Agency's objection.

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be granted **delegated authority** to **approve** the application subject to the withdrawal of the Environment Agency's objection and also the following conditions and reasons: -

1. An application for approval of the reserved matters (namely the appearance and landscaping of the site) shall be submitted in writing to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance and landscaping (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: In order to comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 23-008-01, 23-008-10, 23-008-15A.

Reason: For the avoidance of doubt and in the interests of proper planning.

4. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) The parking of vehicles of site operatives and visitors
- b) The loading and unloading of plant and materials
- c) The storage of plant and materials used in constructing the development
- d) The erection and maintenance of security hoarding
- e) Wheel washing facilities
- f) Measures to control the emission of dust and dirt during construction
- g) Measures to limit noise and vibration
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works

- i) Details of working hours
- j) Details of hours of deliveries
- k) Routing of delivery vehicles to/from site
- l) Restriction of burning on-site

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect residential amenity and highway safety during construction.

5. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (29th July 2023 / Flood Risk Assessment – Revision A / Dunster Consulting). The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

6. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority. The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment (29th July 2023 / Flood Risk Assessment – Revision A / Dunster Consulting) and indicative surface water sustainable drainage strategy (25th September 2023 / Belowground Drainage Strategy – Revision B / Dunster Consulting) submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creepCalculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary.

- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.

d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site.

7. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase.

8. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements. Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained.

9. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems.

10. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

- (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

11. Within 3 months of the commencement of the development a scheme for the site accesses and off-site highway works involved in the formation of the access shall be submitted to and approved by the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable.

12. Prior to the occupation of the first dwelling a scheme for electric vehicle charging points shall be submitted for approval. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently available. Charging points shall thereafter be installed in accordance with the approved scheme prior to the occupation of the first dwelling and maintained thereafter.

Reason: To ensure adequate provision for sustainable transport.

13. Prior to the occupation the first dwelling a scheme for secure, covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be provided in accordance with the approved scheme prior to the occupation of the first dwelling and maintained thereafter.

Reason: To ensure adequate provision for sustainable transport.

14. Prior to the occupation of the first dwelling details of bin storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details prior to the occupation of the first dwelling and maintained thereafter.

Reason: To ensure that there is adequate provision for the storage and collection of bins.

15. Prior to the occupation of the first dwelling car parking shall surfaced, marked out and made available in accordance with details to be submitted to and approved in writing by the Local

Planning Authority and thereafter maintained free from obstruction and available for parking purposes.

Reason: To ensure that there is adequate provision for the storage and collection of bins.

16. Prior to the commencement of development the applicant shall have submitted to and have agreed in writing by the Local Planning Authority a method statement which sets out in detail the method, standards and timing for the investigation and subsequent remediation of any contamination which may be present on site. The method statement shall detail how:-

- a) an investigation and assessment to identify the types, nature and extent of land contamination affecting the application site together with the risks to receptors and potential for migration within and beyond the site will be carried out by an appropriately qualified geotechnical professional (in accordance with a methodology for investigations and assessments which shall comply with BS 10175:2001) will be carried out and the method of reporting this to the Local Planning Authority; and
- b) a comprehensive remediation scheme which shall include an implementation timetable, details of future monitoring and a verification methodology (which shall include a sampling and analysis programme to confirm the adequacy of land decontamination) will be submitted to and approved in writing by the Local Planning Authority. All agreed remediation measures shall thereafter be carried out in accordance with the approved implementation timetable under the supervision of a geotechnical professional and shall be completed in full accordance with the agreed measures and timings, unless otherwise agreed in writing by the Local Planning Authority.

In addition, prior to commencing construction of any building, the developer shall first submit to and obtain written approval from the Local Planning Authority a report to confirm that all the agreed remediation measures have been carried out fully in accordance with the agreed details, providing results of the verification programme of post-remediation sampling and monitoring and including future monitoring proposals for the site.

Advisory Notes:

- (i) Where land identified as having the potential to be contaminated is undergoing redevelopment, a copy of the leaflet entitled 'Information for Developers on the investigation and remediation of potentially contaminated sites' will be available to applicants/developers from the Council's Contaminated Land Officer. The leaflet will be sent to the developer by request.
- (ii) Three copies of all contaminated land reports should be sent to the Local Planning Authority.
- (iii) This condition is required to be fully complied with before development is commenced.

Failure to comply with the condition prior to commencement of work may result in legal action being taken.

Reason: In order to protect the health of the occupants of the new development and to prevent contamination of the controlled waters.

17. The development shall be carried out in strict accordance with the recommendations of the Noise Climate Report Ref: DRUK/ACC/RS/MCCBRNRD/3226, 14th July 2023. Prior to the occupation of the first dwelling a scheme of acoustic mitigation shall have been submitted to and approved in writing by the Local Planning Authority and the measures shall thereafter be

implemented prior to the occupation of each dwelling identified to require mitigation measures.

Reason: To ensure an acceptable living environment for occupiers of the dwellings.

REASON FOR DECISION

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 access and principle of the development is acceptable in all relevant regards in accordance with the Local Plan Part 1: Core Strategy and saved policies of the Replacement Pendle Local Plan. 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.

23/0522/HHO Full: Erection of a two storey rear extension at 60 Rakes House Road, Nelson for Mr. Zaffer Iqbal

RESOLVED

That determination of the application be **deferred** to give the Applicant the opportunity to consult with the Case Officer and submit an amended proposal that would be acceptable in terms of design.

23/0568/TDC Technical Details Consent: Erection of 6 no. Dwellings of Planning Permission 23/0092/PIP at 27 Highgate, Nelson for Mr. A. Aslam

RESOLVED

That determination of the application be **deferred** to allow for the Applicant to provide further information about the capability of the proposed retaining wall to support the material behind it.

23/0580/HHO Full: Erection of a two storey side extension and single storey rear extension with sloped roof at 181 Regent Street, Nelson for Mrs. Z. Ali

RESOLVED

That planning permission be **granted** subject to the requirement for screening being conditioned and also the following conditions and reasons: -

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 2139/01AA.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Except on the roof of the single storey extension, the external materials used in the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The external roofing materials to the single storey rear extension shall match those of the existing building in terms of type, size, form, texture and colour and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: In order to ensure that new material matches the existing.

5. Prior to the first use of the proposed development hereby permitted a 1.8m high fence shall be erected along the joint boundary with No. 1 Swinden Hall Road. The fencing shall not be see through. The fencing shall thereafter be permanently retained and maintained.

Reason: In order to prevent any loss of privacy to the occupants of the adjacent dwelling.

6. Prior to the first use of the development hereby permitted, the bathroom window and the ensuite window to the first floor shall at all times be obscure glazed to a minimum of obscurity of Pilkington Level 5 (or equivalent). Any replacement glazing shall be of an equal degree of obscurity. The glazed window shall be hung in such a way so as to prevent the effect of the obscure glazing being negated by way of opening.

Reason: In order to prevent any loss of privacy of the occupants at Number 1 Swindon Hall Road.

REASON FOR DECISION

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.

23/0641/HHO Full: Erection of front, rear dormers and the erection of a single storey rear extension at 65 Chapel House Road, Nelson for Mr. Mohammad Zaman

RESOLVED

That the Assistant Director Planning, Building Control and Regulatory Services be granted **delegated authority to approve** the application subject to acceptable amended plans being submitted and the following conditions and reasons: -

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (received 19th September, 2023), Elevations 1 DWG 3 (received 16th November, 2023), Proposed Plans DWG2 (received 16th November, 2023).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The external materials used in the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

REASON FOR DECISION

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 submitted a report, for information, on planning appeals.

In a verbal update it was reported that the appeal against the Enforcement Notice issued for, without planning permission, the unauthorised removal of the chimney stack on the Land at 3 Woodside Terrace, Nelson had been dismissed.

90. ENFORCEMENT ACTION

The Head of Legal and Democratic Services submitted an update on enforcement matters, which was noted.

91. AREA COMMITTEE BUDGET 2023/2024

The Head of Housing and Environmental Health submitted a report advising Members that £32,553 of the Committee's 2023/24 Budget was uncommitted, which was noted.

92. 20 SCOTLAND ROAD, NELSON

The Director of Place submitted a report to recommend that the Executive be requested by this Committee to consider declaring 20 Scotland Road, Nelson surplus to requirements in order for it to be sold to the Tenant, Building Bridges, who had twice requested to purchase the property.

The report further recommended that the property be sold at market value and that there be a covenant restricting it to occupation by a Charity delivering services for the benefit of the community in Nelson. A sale of the property would result in a capital receipt for the Council and an end to all liabilities. The property had been valued at £82,600 in early 2020 and there had been no change in that valuation further to it being re-assessed.

RECOMMENDATIONS

- (1) That the Executive be recommended to declare 20 Scotland Road, Nelson surplus to requirements for a sale at its current market value to be negotiated with the Tenant, Building Bridges.
- (2) That the Executive then be recommended to authorise the Director of Place to negotiate terms of the sale with a restrictive covenant that the property be occupied by a Charity delivering services for the benefit of the community in Nelson only.

REASON

A sale of the property would result in a capital receipt for the Council and an end to all liabilities.

93. LAND ADJOINING 67 VERNON STREET, NELSON

The Director of Place submitted a report to recommend that the Executive be requested by this Committee to consider agreeing to grant a lease of the land shown edged in black on the plan attached to the report at Appendix 1.

There had been two requests to purchase the land, one from an individual to build a residential property and another from the Tuition Centre at 149 Railway Street, Nelson opposite the land to create a parking area for parents and staff. Both parties had also indicated that they would be prepared to enter into a lease as an alternative. A sale of the land would result in a capital receipt for the Council but would also result in a loss of control. Whilst the granting of a lease would allow the Council to retain some control through the lease covenants in relation to use and maintenance which could be enforced in the event of them being breached.

The land was currently managed and maintained by the Council's Operational Services Department who had confirmed that the land was a problem site and that they would have no objection to it either being leased or sold.

Members agreed that the land should be leased but felt that further clarification from each of the interested parties on their proposals for use of the land was required before any decision could be taken.

RECOMMENDATIONS

- (1) That the Executive be recommended to agree to grant a lease of the land adjoining 67 Vernon Street, Nelson to one of the two interested parties following the consideration of further additional information relating to each parties' proposed use of the land.
- (2) That the Executive then be recommended to authorise the Director of Place to negotiate the terms of that lease.

REASONS

- (1) *The two interested parties had indicated that they would be prepared to enter into a lease.***
- (2) *The granting of a lease would allow the Council to retain some control through the lease covenants which could be enforced in the event of them being breached.***
- (3) *The granting of a lease would also result in the Council's maintenance liabilities being transferred to the lessee.***

94. LAND AT ELIZABETH STREET, NELSON

The Head of Housing and Environmental Health submitted a report to recommend that the Executive be requested by this Committee to consider declaring the land shown edged in red on the plan attached to the report at Appendix 1 surplus to requirements following the Compulsory Purchase Order (CPO) and subsequent site demolition of 65-71 Elizabeth Street, Nelson, in order for it to be sold.

A sale of the land would result in a capital receipt for future CPO work and would prevent it becoming a maintenance liability for the Council.

The report further recommended that the land be sold on either a freehold or long leasehold on the open market.

RECOMMENDATIONS

- (1) That the Executive be recommended to declare the land at Elizabeth Street, Nelson surplus to requirements in order for it to be sold.**
- (2) That the Executive then be recommended to authorise the Director of Place to negotiate terms of either a freehold or long leasehold sale on the open market.**

REASON

A sale of the land would result in a capital receipt for the Council's Compulsory Purchase Order programme and an end to all liabilities.

95. REPLANTING ROUNDABOUT AT REEDYFORD INTERCHANGE, NELSON

At a previous meeting on 4th September, 2023 it was resolved that a scheme to replant the redesigned roundabout at the Reedyford Interchange in Nelson be supported by this Committee and Lancashire County Council (LCC) were advised of this.

LCC have since raised some constraints regarding the proposal as they need to ensure no impact to forward visibility sightlines as vehicles negotiate the roundabout. LCC would also usually require tree root barring systems to be installed when planting trees in the highway to prevent any damage to highway infrastructure as the trees mature, although they had suggested that tree species to minimise this and/or shrubs as an alternative could be considered.

Options for planting would need to be discussed and a design provided for LCC to approve should the Committee wish to progress a scheme.

It was reported that a replanting scheme for the roundabout had been long sought after by Barrowford Parish Council in order to provide a more aesthetically pleasing gateway into Barrowford. In view of this, Members felt it would be more appropriate for Barrowford Parish Council, supported by the County Councillor for the Brierfield and Nelson West Division, to instead liaise with LCC to agree a scheme that would meet both of their requirements.

RESOLVED

That Barrowford Parish Council, supported by the County Councillor for the Brierfield and Nelson West Division, be requested to liaise with Lancashire County Council to agree a replanting scheme for the roundabout at the Reedyford Interchange, Nelson that would meet both of their requirements.

REASON

A replanting scheme for the roundabout had been long sought after by Barrowford Parish Council and any scheme agreed should meet with their requirements.

96. PROVISION OF LITTER/DOG WASTE BINS AND SUBSTATION SITES

(a) New Bins

An allocation of £1,000 from this Committee's Budget 2023/24 had been approved at a previous meeting on 3rd July, 2023 and three new bins had since been erected during Quarter 2 for the period 1st July, 2023 to 30th September, 2023, as follows:

LOCATION	DESCRIPTION	TYPE OF BIN	COST PER BIN
Pinewood Drive, Nelson	New dog bin erected opposite the Pinewood Drive road sign	DOG	£155.70
Chapelhouse Road, Nelson	New F/S litter bin erected at gable of Grocers shop, 232 Chapelhouse Rd	LITTER	£230.73
Martinfields, Reedley	New F/S litter bin erected near to the green electricity box	LITTER	£290.73

The total spend was £677.16 which left a balance of £322.84 remaining.

(b) Nelson Area

The Assistant Director Operational Services advised that due to wear, damage or a reduced need for the facility, five bins had been replaced/removed by Operational Services in Quarter 2 for the period 1st July, 2023 to 30th September, 2023, as follows:

LOCATION	DESCRIPTION	TYPE OF BIN	COST PER BIN
Swinden Hall Road, Nelson	Re-attach dog bin number 1462	DOG	£40.00

Wheatley Lane Road, Fence	Replace post and re-attach dog bin to it, at side of White Swan pub, bottom of f/path	DOG	£50.00
Reedyford Road, Nelson	Replace broken dog bin on grassed area in front of Holy Saviours School	DOG	£165.70
Oxford Road, Nelson	Remove F/S litter bin next to School Fence	LITTER	£50.00
Carr Road, Nelson	Replace post and re-attach dog bin on grassed area before the by-pass	DOG	£50.00

(c) Brierfield and Reedley Area

The Assistant Director Operational Services advised that due to wear, damage or a reduced need for the facility, three bins had been replaced/removed by Operational Services in Quarter 2 for the period 1st July, 2023 to 30th September, 2023, as follows:

LOCATION	DESCRIPTION	TYPE OF BIN	COST PER BIN
Higher Reedley Road, Brierfield	To move a f/s litter bin from front of 114 to the gable end of the shop	LITTER	£80.00
Reedley Road, Reedley	Replace litter bin by school fence	LITTER	£310.73
Rothsay Road, Brierfield	Reinstate dog bin, snapped off post, outside No. 41	DOG	£50.00

(d) Substation Sites

The Committee were encouraged to report if there were any new substations within their area that might need tidying up. Members were asked to provide location details of any substations that were causing a problem with litter and/or fly tipping to Operational Services.

97. ITEMS FOR DISCUSSION

(a) Need for priority sign at the junctions of Every Street / Moseley Street, Nelson and Every Street / Macleod Street, Nelson

It was reported that the matter had already been referred to Lancashire County Council's (LCC's) Highways Department who had advised that they would not support the introduction of a priority system as it would not work due to the length of road between the two junctions of Every Street / Moseley Street, Nelson and Every Street / Macleod Street, Nelson. LCC had also advised that the section of Every Street in question had an excellent road safety record. Members did not agree with this as they were aware of a number of accidents and near misses at the location. They also expressed serious concerns over the safety of the pupils of Whitefield Infant School and Nursery.

RESOLVED

That Lancashire County Council be again requested to erect a priority sign outside Whitefield Infant School and Nursery, between the two junctions of Every Street / Moseley Street, Nelson and Every Street / Macleod Street, Nelson.

REASON

In the interests of pedestrian and highway safety.

(b) Reinstating Transdev X43 service provision from Nelson Bus Station

It was reported that the matter had already been referred to Transdev's Commercial Director who had advised the X43 did provide some direct trips to Manchester from Nelson Bus Station in the morning peak and would continue to do so. They had further advised that there were no plans to add further trips during the day as there was a frequent Mainline service which allowed interchange between buses at Burnley Bus Station. Members were not satisfied with Transdev's response and asked that a meeting be arranged with them to discuss the matter further.

RESOLVED

That a meeting between Members of this Committee and Transdev's Commercial Director be arranged to discuss reinstating Transdev X43 service provision from Nelson Bus Station.

REASON

To improve community mobility for residents of Nelson and its surrounding areas.

98. OUTSTANDING ITEM

- (a) Condition of land and parking area by Sure Start Nursery, Brunswick Street, Nelson (02.10.2023)

99. EXCLUSION OF 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.

100. ENVIRONMENTAL CRIME – QUARTER 2

The Assistant Director Operational Services submitted a report on Environmental Crime in Nelson, Brierfield and Reedley in Quarter 2, for the period 1st July to 30th September, 2023, which was noted.

Chair _____