

**MINUTES OF A MEETING  
OF THE EXECUTIVE  
HELD AT NELSON TOWN HALL  
ON 19<sup>th</sup> DECEMBER 2023**

*PRESENT –*

*Councillor A. Mahmood (Chair)*

**Councillors**

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

**Also in attendance:**

*Councillor N. Ahmed  
Councillor C. Church  
Councillor K. McGladdery  
Councillor M. Stone  
Councillor A. Sutcliffe*

**Officers in attendance**

<i>Rose Rouse</i>	<i>Chief Executive</i>
<i>Philip Spurr</i>	<i>Director of Place</i>
<i>Richard Gibson</i>	<i>Director of Resources</i>
<i>Damon Lawrenson</i>	<i>Interim Director of Resources</i>
<i>Howard Culshaw</i>	<i>Head of Legal and Democratic Services</i>
<i>Jane Watson</i>	<i>Democratic Services Manager</i>



**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 the meeting held on 16<sup>th</sup> November 2023 be approved as a correct record and signed by the Chair.

Executive (19.12.2023)

**88. PERFORMANCE UPDATE REPORT 1<sup>st</sup> APRIL TO 30<sup>th</sup> SEPTEMBER 2023**

The Director of Resources submitted a report which provided performance monitoring information for the period 1<sup>st</sup> April to 30<sup>th</sup> September 2023.

Members acknowledged and thanked staff for the improvements made in relation to planning performance and waste collection.

**RESOLVED**

That the report be noted.

**REASON**

*To inform the Executive of performance monitoring information relating to the Council's services.*

**89. INTERNAL AUDIT SERVICE**

The Director of Resources submitted a report on the contract for Internal Audit Services.

It had been agreed by the Policy and Resources Committee on 19<sup>th</sup> March 2020 to outsource this service and on 21<sup>st</sup> January 2021 and Mersey Internal Audit Agency were awarded the contract for three financial years up to 2023/24. The award also included the possibility for a further one-year extension, and it was recommended that the contract be extended until 31<sup>st</sup> March 2025.

Consideration would need to be given beyond 1<sup>st</sup> April 2025 for the provision of the Internal Audit Service.

**RESOLVED**

That a one-year extension of the Internal Audit Service contract to Mersey Internal Audit Agency to 31<sup>st</sup> March 2025 be agreed.

**REASON**

*To ensure the Council can maintain an effective internal audit function and remain compliant with statutory and regulatory requirements.*

**90. EARBY FLOOD ALLEVIATION SCHEME PHASE 3  
FLOOD STORAGE AREA AT WENTCLIFFE BROOK**

The Head of Economic Growth submitted a report which provided an update on Phase 3 of the Earby Flood Alleviation scheme following the success of Phase 2 and to establish future maintenance responsibility.

**RECOMMENDATION**

(1) That the report be noted.

Executive (19.12.2023)

- (2) That Council be recommended to agree that the Environment Agency grant funding of £200,000 be used for flood modelling, scheme design and business case development, and subject to the scheme being deliverable, the Council adopt the new asset and be responsible for all future revenue costs associated with inspections and maintenance.

## **REASON**

***To enable the Council to move forward with the scheme feasibility. Then a decision can be made on whether to deliver the scheme based on the feasibility study and estimated costs.***

## **91. MATTERS REFERRED FROM AREA COMMITTEES**

### **(a) 20 Scotland Road, Nelson**

At a meeting of the Nelson, Brierfield and Reedley Committee on 30<sup>th</sup> October 2023 it was resolved:

- “(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 be recommended to authorise the Director of Place to negotiate terms of the sale with a restrictive covenant and that the property be occupied by a charity delivering services for the benefit of the community of Nelson only.”

## **RESOLVED**

- (1) That 20 Scotland Road, Nelson be declared surplus to requirements for a sale at its current market value to be negotiated with the tenant, Building Bridges.
- (2) That the Director of Place be granted delegated authority to negotiate terms of the sale with a restrictive covenant and that the property be occupied by a charity delivering services for the benefit of the community.

## **REASON**

***The current tenant has requested to purchase the property on two occasions, and a sale of the property would result in a capital receipt for the Council and an end to all liabilities.***

### **(b) Land at Elizabeth Street, Nelson**

At a meeting of the Nelson, Brierfield and Reedley Committee on 30<sup>th</sup> October 2023 it was resolved:

- “(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 be recommended to authorise the Director of Place to negotiate terms of a freehold or long leasehold sale on the open market.”

**RESOLVED**

- (1) That the land at Elizabeth Street (formerly numbers 65-71) Nelson be declared surplus to requirements in order for it to be sold.
- (2) That the Director of Place be granted delegated authority to negotiate terms of 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 CPO programme and an end to all liabilities.***

**(c) Land at Vivary Way, Colne**

At a meeting of the Colne and District Committee on 2<sup>nd</sup> November 2023 it was resolved "that the Executive be recommended not to declare the land at Vivary Way, Colne shown edged black on the plan attached to the report, surplus to requirements and the request to purchase the land be refused."

**RESOLVED**

That land at Vivary Way, Colne shown edged black on the plan attached to the report, not be declared surplus to requirements and the request to purchase the land be refused.

**REASON**

***A digital advertising board at this location would create a noise nuisance and be distracting to motorists as well as being an unsightly addition to the gateway into Colne.***

**92. FORWARD PLAN**

The Executive's draft Work Programme and Forward Plan of key decisions for the four-month period commencing 1<sup>st</sup> January 2024 was submitted for information.

**93. EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED**

Members agreed not to exclude the public and press from the meeting during the following item of business.

**94. LEISURE TRUST REVIEW**

The Director of Place submitted a report on the findings of a recently commissioned review by Alliance Leisure and Strategic Leisure on the potential to enhance the leisure offer provided by the Leisure Trust through:

- Retrofitting and renewal of the existing three leisure facilities.
- Reviewing the mix of leisure, recreation and well-being services on offer and the extent which they could be diversified and expanded to suit the needs of the communities serviced by the

## Executive (19.12.2023)

Trust and, in doing so, turn the requisite service mix into a strong and sustainable commercial offering.

- Considering the extent to which existing funded development proposals, development opportunities and development projects, with particular regard to Nelson Town Deal, could be levered and utilised to support the delivery of leisure services in the Borough through complementing existing centres.

A Facility Options Appraisal study was produced and submitted to the Executive for consideration. In undertaking this work the consultancy team took account of the previously completed mechanical and electrical, and energy audit work, and sought views from Elected Members, senior officers, Pendle Leisure Trust, Town and Parish Councils and centre users.

The report made it clear that significant investment would be required over the next ten years to keep the facilities operational in the medium-term which was in the region of £7.1m. The consultants advised that it was unlikely there would be a significant return in investment due to the age of the facilities, particularly in the current economic climate and the recent increases in utilities and material costs.

The consultants also advised that to refurbish/extend the three facilities was likely to cost in the region of £30.3m. This included all preventative planned maintenance work set out in the most recent Condition Surveys, decarbonisation work and the proposed remodelling/improvement costs to create the facilities as detailed in the report.

These findings were also presented to the Overview and Scrutiny Committee on 12<sup>th</sup> December 2023 where they resolved that the Executive be recommended:

- (1) To note that the findings of the review indicate that the retrofitting and renewal of the three leisure facilities in Colne, Nelson and West Craven would not be financially viable.
- (2) Not to pursue the three-centre option and to instead consider other options that are affordable and sustainable.
- (3) To defer consideration of future operating models until a decision has been reached on the long-term future of the three facilities.

Members of the Executive acknowledged that the Council did not have sufficient funding to address the improvements referenced to in the consultants' report. They acknowledged that none of the options referred to were currently viable from a financial point of view. They also felt that further investigations should be carried out to establish possible external funding streams that were available to tap into. Another concern was that they felt that a further consultation exercise was necessary.

### **RESOLVED**

- (1) That the Pendle Leisure Trust Facility Options Appraisal report be noted.
- (2) That the recommendations from the Overview and Scrutiny Committee be noted.
- (3) That investigations be carried out to identify external funding sources which might be available to address some of the improvements reference to in the Options Appraisal report.

Executive (19.12.2023)

- (4) That a comprehensive consultation exercise be undertaken with representatives from the Town and Parish Councils, users of three facilities in West Craven, Colne and Nelson and local residents.
- (5) That this issue be considered further at a future meeting of the Executive.

**REASON**

- (1) ***To identify funding sources to enable investment into the three facilities in West Craven, Colne, and Nelson.***
- (2) ***To engage further with the community and to consider their views.***

Chair \_\_\_\_\_