

**MINUTES OF A MEETING
OF THE EXECUTIVE
HELD AT NELSON TOWN HALL
ON 31st OCTOBER 2024**

PRESENT –

Councillor A. Mahmood (Chair)

Councillors

*M. Hanif
M. Iqbal
Y. Tennant
D. Whipp
T. Whipp*

Also in attendance:

*Cllr S. Cockburn-Price
Cllr K. McGladdery
Cllr M. Stone
Cllr A. Sutcliffe*

Officers in attendance

<i>Rose Rouse</i>	<i>Chief Executive</i>
<i>Phillip Spurr</i>	<i>Director of Place</i>
<i>Karen Spencer</i>	<i>Director of Resources</i>
<i>David Walker</i>	<i>Assistant Director, Operational Services</i>
<i>Howard Culshaw</i>	<i>Head of Legal and Democratic Services</i>
<i>Iftikhar Bokhari</i>	<i>Head of Economic Growth</i>
<i>Gemma-Louise Wells</i>	<i>Head of Finance</i>
<i>Philip Riley</i>	<i>Green Spaces Manager</i>
<i>Peter Gregory</i>	<i>Interim Property Officer</i>
<i>Paul Preston</i>	<i>Democratic Services Manager</i>

Members of the public attending - 4



68. DECLARATIONS OF INTEREST

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

69. PUBLIC QUESTION TIME

There were no questions from members of the public.

70.

MINUTES

RESOLVED

That the Minutes of the meeting held on 19th September 2024 be approved as a correct record and signed by the Chair.

71.

FURTHER CLOUGH HEAD

The Head of Economic Growth submitted a report which requested the Executive to commit financial resources to the Further Clough Head infrastructure works. He commented on each aspect and costs of the additional work required and in respect of the embankment work, added that if this additional work was not undertaken (revised engineering estimation of £38,000 based on detailed design), then Lancashire County Council (LCC) Highways would not adopt the access road.

Councillor D. Whipp raised concerns, supported by other Executive Members, that LCC should be fully responsible for the costs of undertaking the embankment works. Rose Rouse, Chief Executive confirmed she had twice recently brought this matter to the attention of the Interim Chief Executive at LCC and would continue to pursue the matter of this funding with him.

RESOLVED:

- (1) That Executive agrees to an additional financial commitment, as detailed in the submitted report, to be financed from the Capital Budget, towards the completion of this scheme; and
- (2) That Officers continue dialogue with LCC with a view to LCC accepting responsibility for and meeting the full expenditure cost of the embankment work (engineering estimation of £38,000 based on detailed design).

REASON

- (1) ***To ensure that the Further Clough Head scheme delivers the intended outcomes without incurring time delays due to budget constraints.***

72.

BANKHOUSE ROAD SITE

The Head of Economic Growth submitted a report which provided an update on the progress of the Bankhouse Road site in Bradley Nelson and to agree a method to facilitate the future development of the site for housing.

Councillor M. Iqbal commented on the proposal and the possibility of private sector interest and/or involvement in this scheme and requested, which was supported by the Executive, that the delegated authority proposed be amended to include consultation with the Leader and Deputy Leader prior to any agreed sale.

RESOLVED: That the Executive –

- (1) Agrees to place the site on the open market, and to seek offers for its development for housing; and
- (2) Gives delegated authority to the Director of Place, in consultation with the Leader and Deputy Leader of the Council to agree any sale.

REASONS

- (1) ***In order to progress the development of land which has been vacant for over 10 years a housing scheme to meet the needs of the local community.***
- (2) ***To expediate the decision-making process and bring the development of the vacant site forward.***

73. CO-OPTION TO CLIMATE CHANGE WORKING GROUP

At Minute 61 of the last meeting of Executive in September 2024, it was resolved that the revised Climate Emergency Working Group's (CEWG) Terms of Reference be approved, subject to Executive determining the external bodies represented on the CEWG. Since that meeting co-option requests had been received from Angela Moran (representing Eco Barnoldswick), Stephen Sykes, East Lancashire Chamber of Commerce and from Trawden Community Group (name of nominee awaited) to be considered seeking the Executive's approval.

Councillor S. Cockburn-Price, who attended the meeting, welcomed and supported these requests for Membership. She added that the existing external representatives on CEWG were Friends of the Earth (Jane Wood), Greenpeace (Sylvia Godfrey), and (David Penney) Lancashire Climate Action Network (LancsCAN). She further commented that if the representation put forward for CEWG membership was approved at this meeting, it would leave one remaining vacancy, which could possibly be a school or young person representative.

Executive was supportive of the requests put forward for membership of CEWG.

RESOLVED:

That Executive approves these appointments of the person(s)/organisation(s) as representatives on the CEWG.

74. TRAFALGAR HOUSE, NELSON (REDEVELOPMENT PROPOSALS)

The Director of Place submitted a report which set out options for Executive's consideration for the Trafalgar House site in Nelson Town Centre and to deliver the constituent parts of the original Town Deal funded proposals for the site.

A member of public, Dr William Stephenson, attended the meeting and spoke in favour of the full retention of the Trafalgar House building.

Executive (31.10.2024)

Councillor Ash Sutcliffe who attended the meeting referenced an online petition which was asking to save Trafalgar House from demolition and spoke strongly about the history and value of retaining Trafalgar House.

Councillors S. Cockburn-Price, K. McGladdery and M. Stone also expressed the view the whole building should be retained.

Councillors D Whipp and T. Whipp expressed views in favour of the total demolition of the Trafalgar House building

Councillors M. Asjad, M. Hanif, M. Iqbal and Y. Tennant all favoured a regeneration scheme for Trafalgar House which retained the front portion of the building only.

Upon being put to the vote, it was:

RESOLVED: that the Executive:

- (1) Notes the estimated revenue costs of keeping the refurbished front portion of Trafalgar House empty if a tenant for the proposed commercial space created at the ground floor and/or a residential tenant for the first floor cannot be found;
- (2) Notes the estimated capital costs for fitting out the first floor for one-bedroom residential apartment; and
- (3) Confirms it approves a regeneration scheme which retains the front portion of the building.

REASONS

- (1) To inform the Executive of potential on-going revenue cost liability on the Council if a tenant was not found and the retained portion of Trafalgar House was to sit empty following partial demolition and refurbishment;***
- (2) To quantify the impact of the available New Town Deal capital budget for the option of adding residential occupation to the first floor***
- (3) To secure a clear way forward for the site which can be delivered within the timescales of the Nelson Town Deal programme.***

75.

PLAYING PITCH STRATEGY 2024/29

The Assistant Director, Operational Services submitted a report which sought the Executive's approval of the Playing Pitch Strategy 2024 – 2029 and to note the content and recommendations contained within.

Cllr D. Whipp welcomed the report and suggested a further resolution be added to look to explore how Pendle Borough Council (PBC) best works with Town and Parish Councils to make this strategy a success.

Cllr A. Sutcliffe raised the issue of suitable playing surfaces for the provision of hockey and how that could be met in the strategy moving forward. He also asked if this strategy could be

considered as part of the separate on-going review of the Council's leisure facilities in the Borough.

Cllr M. Hanif commented on the lack of cricket pitches in part of the Borough and about multi-purpose sports facilities.

Cllr S. Cockburn-Price commented regarding an Academy in Colne and that some pupils had not had the opportunity to play cricket due to a lack of facilities. She also spoke of the importance of encouraging children's interest and participation in sport and exercise from an early age.

Cllr K. McGladdery commented on the state of some of the facilities in his ward.

RESOLVED: That:

- (1) Executive notes the contents and recommendations of the Playing Pitch Strategy as a strategic live document for outdoor sports within Pendle;
- (2) Executive approves the Playing Pitch Strategy 2024-2029;
- (3) Executive and all Members of the Council actively support and encourage the development of sports clubs and that authority is delegated to Officers to seek external funding opportunities;
- (4) The report is shared with Town and Parish Councils, alongside other Partners and Stakeholders; and
- (5) Officers also consider and explore how Pendle Borough Council (PBC) best works with Town and Parish Councils in the future to make this strategy a success.

REASONS

- (1) The Playing Pitch Strategy provides a detailed snapshot of both current usage and future demand for outdoor recreation across the Borough to be used as part of the key planning policy, strategic and local decisions;***
- (2) To support funding applications to external bodies;***
- (3) To improve the well-being of Pendle residents and to support funding applications from external sources to improve sports facilities both owned by Pendle Borough Council and educational facilities; and***
- (4) To consider the current Council asset transfer programme, and encourage all partners involved to commit to the recommendations within this report for the benefit of all sports across the Borough following any transfers.***

76. OPERATIONAL SERVICES ENFORCEMENT POLICY

The Assistant Director, Operational Services submitted a report which sought the Executive's approval of the revised Operational Services Enforcement Policy which would cover the removal of waste from private land, littering, failure to clear fouling, fly-tipping and other environmental crimes such as failure to control waste sent for disposal.

Cllr S. Cockburn-Price enquired of the Assistant Director, Operational Services whether the Council had enough Enforcement Officers. He responded there was a high workload of enforcement cases to deal with and any additional resource in this service would always be welcomed.

Cllr K. McGladdery raised a query with Cllr D. Whipp regarding a response from the Executive that the Overview and Scrutiny Committee was still awaiting following the end of a previous contract with an external company for enforcement provision in the Borough. Cllr D. Whipp re-iterated his previous views he had expressed regarding enforcement provision in the Borough.

RESOLVED:

That Executive approves the revised Operational Services Enforcement Policy.

REASONS

- (1) To ensure that the policy can be communicated to staff and applied consistently and fairly whilst carrying out investigations.***
- (2) To ensure there is transparency in decision making and the actions of the enforcement Officers are supported by the Council as they work to protect our local environment.***

77. REFUSAL OF DRIVERS' LICENCE – CONSIDERATION OF THE REMOVAL OF SECTION 5:4 FROM THE TAXI LICENSING POLICY (REFERRAL BACK FROM COUNCIL)

The Assistant Director, Planning, Building Control and Regulatory Services submitted a report which sought the Executive's consideration and determination whether to remove or amend Section 5:4 from the Taxi Licensing Policy.

RECOMMENDATION TO COUNCIL:

That Executive endorses the proposed changes and recommends to Council that the following wording be incorporated into Section 5:4 of the Council's taxi policies: -

"Further applications will not normally be granted until 12 months have elapsed from the original refusal/revocation".

REASON

- (1) To allow for an element of discretion when making decisions on submitted driver's applications.***

78. PUBLIC HEALTH AND WELL-BEING ACTION PLAN

The Head of Policy & Commissioning submitted a report which informed the Executive of Pendle's Health and Wellbeing key priorities and sought agreement of the Pendle Health and Well-Being Action Plan, which was attached (Appendix 1) to the submitted report.

RESOLVED:

That the Pendle Health and Well-Being Action Plan be agreed.

REASONS

(1) To help improve health outcomes for Pendle:

(2) To demonstrate the Council's commitment to working in partnership to address health inequalities.

79. QUARTER 1 – REVENUE AND CAPITAL OUTTURN BUDGET MONITORING REPORT FOR 2024/25

The Director of Resources submitted a report which informed the Committee of the Quarter 1 (Q1) Revenue and Capital Budget Monitoring position for 2024/25.

RESOLVED: That Executive

(1) Notes the Quarter 1 position on the Council's Revenue Budgets for 2024/25; and

(2) Notes the Quarter 1 position on the Council's Capital Monitoring position for 2024/25.

REASON

To inform the Committee of the Council's Quarter 1 position for revenue and capital budgets for 2024/25.

80. LAND AND PROPERTY ASSET MANAGEMENT STRATEGY 2025/28

The Director of Resources submitted a report which sought the Executive's approval of the Council's Land and Property Asset Management Strategy 2025-2028.

Peter Gregory, Interim Property Officer presented the report and responded to members of the Executive's questions and comments thereon. He also proposed a further recommendation to those included in the submitted report, that for delegated authority be given to the Director of Resources for any non-material changes to the Asset Strategy.

Cllr D. Whipp made a proposal that prior to Executive determining this matter, the Land and Property Asset Management Strategy 2025-2028 as now presented, be referred to the Overview and Scrutiny Committee for further oversight and comment by January, 2025.

Cllr M. Stone informed Executive in terms of timescales proposed and work programme that the Overview and Scrutiny Committee had only just met and would need time to be able to consider this request of the Executive.

Cllr S. Cockburn-Price suggested it might all be useful to consult with Area Committees.

RESOLVED:

That the matter be deferred and prior to Executive determining this matter, the Land and Property Asset Management Strategy 2025-2028 as now presented, be referred to the Overview and Scrutiny Committee for further oversight and comment by January, 2025 and then the Strategy be re-presented to Executive with Overview and Scrutiny Committee's comments with a view to the strategy's approval and adoption as the basis for the Council's management of its land and property assets; along with the Action Plan contained therein.

REASONS:

(1) The draft Land and Property Asset Management Strategy 2025 – 2028, Section 1, sets out multiple reasons why the Council should adopt and implement the provisions of an asset management strategy.

(2) The Land and Property Asset Management Strategy 2025-2028 is intended to drive change and transformation in a way that land and property is managed and in a way that assets are available to support service delivery. The implementation of the Action Plan will provide a focus for improvements in the performance of the land and property portfolio.

81. FOR INFORMATION – TENDERS AND OTHER CONTROL RELATED MATTERS

The Director of Resources submitted a report, for information purposes, detailing tenders that had been received and accepted.

RESOLVED:

That the report be noted.

82. MATTERS REFERRED FROM AREA COMMITTEES

(a) 145 Walton Lane, Nelson

At a meeting of the Nelson, Brierfield and Reedley Committee on 2nd September, 2024 it was recommended:

“That the Executive be recommended to refuse the request to declare the land adjoining 145 Walton Lane, Nelson, shown edged in black on the plan attached to the report at Appendix 1, as surplus and to retain it as amenity land.”

The report considered by the Committee was attached.

RESOLVED:

That Executive refuse the request to declare the land adjoining 145 Walton Lane, Nelson, shown edged in black on the plan attached to the report at Appendix 1, as surplus and to retain it as amenity land.

(b) Land Adjoining Marsden Park Golf Club, Nelson

At a meeting of the Nelson, Brierfield and Reedley Committee on 2nd September, 2024 it was recommended:

- “(1) That the Executive be recommended to agree to a grazing licence being granted over the land adjoining Marsden Park Golf Course, shown edged in black on the plan attached to the report at Appendix 1, subject to planning permission being granted.
- (2) That the Executive then be recommended to grant delegated authority to the Director of Resources to agree a rental and terms and conditions of entry”.

The report considered by the Committee was attached

RESOLVED:

- (1) That Executive agrees to a grazing licence being granted over the land adjoining Marsden Park Golf Course, shown edged in black on the plan attached to the report at Appendix 1, subject to planning permission being granted; and
- (2) That the Executive grants delegated authority to the Director of Resources to agree a rental and terms and conditions of entry.

83.

FORWARD PLAN

The Executive's draft Work Programme and Forward Plan of key decisions for the four-month period commencing 17th October, 2024 was submitted for information.

Chair _____