

**MINUTES OF A MEETING OF
NELSON, BRIERFIELD AND REEDLEY COMMITTEE
HELD AT NELSON TOWN HALL
ON 4TH NOVEMBER, 2024**

PRESENT –

Councillor F. Ahmad (Chair)

Councillors

*M. Ammer
N. Ashraf
M. Iqbal
Y. Iqbal
A. Mahmood
Y. Tennant*

Officers in attendance:

*Alex Cameron Principal Planning Officer/Area Co-ordinator
Jessica Robinson Committee Administrator*

(Apologies for absence were received from His Worship the Mayor, Councillor M. Aslam, Councillors M. Adnan, S. Ahmed, Z. Ali, R. Anwar and M. Hanif and N. Emery, Nelson Town Centre Partnership and S. Bibi, Nelson Town Council).



83. DECLARATION OF INTERESTS

Members were reminded of the requirements of the Member Code of Conduct concerning the Declaration of Interests. There were no declarations of interest.

84. PUBLIC QUESTION TIME

There were no questions from members of the public.

85. MINUTES

RESOLVED

That the Minutes of the meeting held on 7th October, 2024 be approved as a correct record and signed by the Chair.

86. PROGRESS REPORT

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

87. POLICE ISSUES

The crime statistics for October 2024 had been circulated prior to the meeting.

Members expressed extreme disappointment that the Police were yet again not in attendance. The Police had not attended a meeting since 5th February, 2024. Members had wanted to discuss what was being done to address the misuse of fireworks which had been a particular issue in recent times in Nelson, Brierfield and Reedley.

It had been hoped that an on duty PCSO would be in attendance at this meeting but Sergeant Rachael Duerden had advised that attending to incidences of fireworks misuse in the run up to Bonfire Night would have to be prioritised above attending the meeting.

Members felt that a letter should be sent from the Chair to request some Police attendance at the next meeting and also more regular attendance at future meetings.

RESOLVED

That a letter be sent to Sergeant Rachael Duerden from the Chair to request some Police attendance at the next meeting and also more regular attendance at future meetings.

REASON

In the interests of community safety in Nelson, Brierfield and Reedley.

88. PLANNING APPLICATIONS

(a) Applications to be determined

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

24/0569/ADV Advertisement Consent: Display of illuminated box sign on gable wall elevation at 1 Chapel Street, Nelson for Al-Murad Tiles

RESOLVED

That the application be **approved** subject to the following conditions and reasons: -

1. Notwithstanding the provision of Part 3 (Regulation 14) of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 this consent shall expire five years from the date of this consent.

Reason: Condition imposed by the Regulations.

2. The advertisements hereby permitted shall be displayed in accordance with the following approved plans:

- 716/1 Location and Site Plan (received on 22.08.24)
- 716/2A Proposed Side Elevations (received on 22.08.24)

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

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the land entitled to grant permission.

Reason: Condition imposed by the Regulations.

4. No advertisement shall be sited or displayed so as to:
- a) Endanger persons using the highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

Reason: Condition imposed by the Regulations.

5. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: Condition imposed by the Regulations.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public

Reason: Condition imposed by the Regulations.

7. Where an advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity

Reason: Condition imposed by the Regulations.

8. Any illuminated advertisement shall be designed so that:
- No part of the source of the illumination shall at any time be directly visible to users of the adjacent public highway network;
 - Static illumination is provided and the sign shall not feature intermittent or flashing lights;
 - The level of illuminance shall not exceed the maximum level found within the Institution of Lighting Engineers (ILE) document PLG 5 Brightness of Illuminated Advertisements or its equivalent in any replacement guide;
 - Moving features are not provided.

Reason: In the interest of highway safety to avoid glare, dazzle or distraction to passing highway users.

REASON FOR DECISION

The proposed advertisement is acceptable in terms of amenity and highway safety.

24/0579/HHO Full: Erection of a front dormer at 340 Leeds Road, Nelson for Mrs. Sidrah Daar

RESOLVED

That the application be **approved** subject to 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:

- Proposed Plans and Elevations – 28 August 2024

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

3. The external materials to be used for the construction of the development hereby approved shall be as stated on the application form and approved drawings and shall not be varied without the prior written consent of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

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 development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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.

24/0614/HHO Full: Erection of dormer windows to front and rear roof slopes and ground floor bay window change at 83 Chapel Street, Nelson for Mr. Azeem

RESOLVED

That the application be **approved** subject to 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:

- AB0191-01 29/08/24
- AB0191-02 29/08/24
- AB0191-03 29/08/24
- AB0191-04 29/08/24
- AB0191-05 29/08/24

- AB0191-06 29/08/24
- AB0191-07 29/08/24
- AB0191-08 29/08/24
- AB0191-09 29/08/24

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

3. The external materials to be used for the construction of the development hereby approved shall be as stated on the application form and approved drawings and shall not be varied without the prior written consent of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

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 development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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.

24/0622/FUL Full: Erection of dormers to front and rear roof slopes and insertion of 3 no. windows to side elevation at 125 Bradshaw Street, Nelson for Mr. Mubashir Ali

RESOLVED

That the application be **approved** subject to 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 12.09.24)
- BRA-04-20 Proposed Plans (received 21.10.24)

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

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior consent 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.

24/0644/HHO Full: Erection of dormers to front and rear roof slopes at 50 Walton Lane, Nelson for Mr. Sikandar

RESOLVED

That the application be **approved** subject to 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:

- AB0196-02
- AB0196-03 (Rev- 15 Sep 2024)
- AB0196-04 (Rev-19 Sep 2024)
- AB0196-07

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

3. The external materials to be used for the construction of the development hereby approved shall be as stated on the application form and approved drawings and shall not be varied without the prior written consent of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

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 development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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.

24/0651/HHO Full: Erection of dormers to front and rear roof slopes at 70 Chapel House Road, Nelson for Mr. Asif

RESOLVED

That the application be **approved** subject to 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:

- AB0197-02 (Rev- 23 Sep 2024)
- AB0197-03
- AB0197-04
- AB0197-05 (Rev- 23 Sep 2024)

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

3. The external materials to be used for the construction of the development hereby approved shall be as stated on the application form and approved drawings and shall not be varied without the prior written consent of the Local Planning Authority.

Reason: Those materials are appropriate for the development and site.

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 development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. 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, which was noted.

89. ENFORCEMENT ACTION

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

90. AREA COMMITTEE BUDGET 2024/2025

The Head of Housing and Environmental Health submitted a report which advised Members on the Committee's 2024/25 Budget. It was noted that the Committee had allocated its Budget for 2024/25.

RESOLVED

- (1) That the 2024/25 Budget as committed and shown in Appendix 1 attached to the report be noted.
- (2) That the financial requirements stipulated in paragraph 4 of the report be noted.

REASON

To enable the Budget to be allocated effectively and in line with financial regulations.

91. TRAFFIC LIAISON MEETING

The minutes of the Pendle Traffic Liaison Meeting held on 3rd September, 2024 were submitted for information and noted.

92. LAND AT KINGS CAUSEWAY (HALIFAX ROAD), BRIERFIELD

The Director of Resources submitted a report on a currently underused Council asset, shown edged in black on the plan attached to the report at Appendix A, so that this Committee could discuss possible future uses. Part of the site was already being considered as the access to the proposed Cemetery on Halifax Road, Nelson.

This report was at the request of a Councillor, who had asked that it be brought to Committee for discussion following an approach by a resident of Kings Causeway looking to extend their existing rear garden onto a small area of the Council's larger unused site. This request had brought the whole site's future use into question.

Part of the site could be made available for sale to the residents on Kings Causeway to enable them to create garden extensions. However, it would be detrimental to the Council's longer-term interests to sell such land piecemeal. Good estate management would require all properties adjoining the site to be offered the opportunity to create garden extensions so that a straight-line boundary could be maintained in this visible location. Irregular boundaries would make the retained Council land more difficult and costly to maintain with possible issues for any disposal in the future.

Following some discussion Members determined to support selling part of the site for garden extensions but agreed all other possible uses should be discussed by Officers. They further determined that the Brierfield East and Clover Hill Ward Councillors should be involved in all such discussions. Members felt that the part of the site in question would not lend itself to many uses, with the exception of garden extension use, as it was not particularly sizeable and should not, in their opinion, be classed as adjacent to the proposed Cemetery due to its gradient.

RESOLVED

- (1) That the report be noted.
- (2) That Officers, in consultation with the Brierfield East and Clover Hill Ward Councillors, be authorised to further discuss options for the land at Kings Causeway (Halifax Road), Brierfield, including selling the land for garden extensions, and also any requirements relating to the proposed Cemetery site.
- (3) That, if once the future use(s) of the larger site was/were determined, subject to any Statutory requirements, delegated authority be given to the Director of Resources to negotiate an acceptable premium, if any acceptable future use(s) required any part of the site to allow garden extension(s) to properties on Kings Causeway.

REASONS

- (1) ***To assist with the review of a Council owned asset which currently does not provide a benefit and is held on the Asset Register as Naturalised Land.***
- (2) ***Members support selling some part of the site for garden extensions as, in their opinion, the land in question should not be classed as adjacent to the proposed Cemetery due to its gradient.***
- (3) ***To ensure that non-income generating assets are reviewed in order that the Director of Resources and Head of Finance are happy with the content of the Asset Register and are beneficial to the Council continuing to hold or dispose of assets to obtain Capital Receipts to support Services.***

93. POTENTIAL ASSET TRANSFER OF LAND ADJACENT TO 26 POPLAR STREET, NELSON

The Director of Resources submitted a report to seek Members' views on a request from Nelson Town Council (NTC) that the Council transfer the land adjacent to 26 Poplar Street, Nelson, shown edged in black plan attached to the report at Appendix A, to them.

The Council were currently the Leasehold owners of the non-income generating land and it was recorded on its Asset Register as an amenity area.

It was understood that NTC had secured an external Grant to upgrade the site. If NTC could evidence this funding and also a budget for future inspections and maintenance, a transfer could be made and would result in an end to all liabilities for the Council.

Members were advised that any transfer should contain a covenant that the site was to be retained as an amenity/play area and for no other uses.

The Council's Asset Management Working Group had met in September 2024 and had agreed to recommend the transfer.

RECOMMENDATIONS

- (1) That the Executive be recommended to agree to transfer the land adjacent to 26 Poplar Street, Nelson, shown edged in black plan attached to the report at Appendix A, to Nelson Town Council.

- (2) That the Executive then be recommended to ensure the transfer contained a covenant that the site was to be retained as an amenity/play area only.

REASONS

- (1) ***The land does not generate any income for the Council.***
- (2) ***The Asset Management Working Group had also recommended that the land be transferred to Nelson Town Council.***

94. BODIES IN MOTION BRADLEY GARDEN PROJECT

The Director of Resources submitted a report to seek Members' views on a request for the Council's financial support from Bodies in Motion (BiM) to enable Phase 2 of their Bradley Garden Project to be delivered.

BiM approached the Council in September 2024 requesting a contribution of up to £100,000 to meet a funding shortfall of £98,400 for Phase 2 of their project, a double storey youth building, which was about to begin construction and also to safeguard the project in the longer term. They indicated that, should the Council approve such a package of support, the Department of Culture, Media and Sport's "Youth Investment Fund" might provide further funding to ensure continuation of the project.

It was understood that BiM was exploring other funding streams to help address the shortfall but, to date, they hadn't disclosed the other funding sources they were pursuing.

The report advised Members to consider carefully the implications of awarding funding on an ad-hoc basis to community/voluntary groups who approached the Council for grant funding outside any grant allocation process. This could set a precedent and give rise to unrealistic expectations of the Council within communities. Although the Council fully supported and endorsed such projects, unfortunately, it was not in a position to offer any financial support. This Committee was in the exact same position.

Following some discussion Members determined that BiM's request be referred to both the Nelson Town Deal Board and the Nelson Long-Term Plan for Towns Board. Members felt that there might be some scope for slippage within both Boards' allocated project budgets to be used to provide BiM with the financial assistance they required. Members also felt BiM should be encouraged to continue actively pursuing the undisclosed other funding sources.

RESOLVED

- (1) That the report be noted.
- (2) That Bodies in Motion's (BiM's) request for a contribution of up to £100,000 to meet their funding shortfall for the delivery of Phase 2 of their Bradley Garden Project be referred to the Nelson Town Deal Board and the Nelson Long-Term Plan for Towns Board.
- (3) That BiM be encouraged to continue actively pursuing the undisclosed other funding sources.

REASONS

- (1) ***Bodies in Motion were doing good things to improve community wellbeing and***

address youth anti-social behaviour in the Bradley Ward of Nelson and were deserving of the financial support they had requested.

- (2) *This Committee and the Council are, unfortunately, not in a position to offer any financial support.***

95. PARKING POLICY AND STRATEGIES UPDATE

The Head of Economic Growth submitted a report, for information, to update Members on the work currently being undertaken on an overarching parking strategy and five area-specific parking policies for Nelson, Brierfield, Barnoldswick, Earby and Colne and to summarise the next steps.

Councillors R. Anwar and M. Aslam had been appointed to a Working Group to assist in establishing Nelson and Brierfield's parking requirements to feed into the overarching policy and relevant area-specific strategies at the meeting of this Committee held on 8th July, 2024. Since that meeting Engineers had met with the Councillors on site to establish their concerns and requirements.

The area specific concerns raised by the Councillors included; Short Stay v Long Stay Parking and Enforcement (Nelson); Business and Resident's Permits (Brierfield and Nelson); EV Charge Points (Brierfield and Nelson); Maintenance, specifically in relation to weed control (Nelson); Signage (Nelson); Anti-social Behaviour (Nelson); and On-street Parking Enforcement (Nelson).

In terms of next steps, Engineers wanted to appoint a Consultant to carry out the fifteen surveys detailed in the report to establish the baseline for all car parks to know where improvements were needed and where there was potential for revenue generation. NSL/Marston Holdings, with whom the Council had a joint contract with Lancashire County Council and other District Councils for car park enforcement, were being considered to conduct the surveys. Once a quotation had been obtained from NSL/Marston Holdings it would be reported to the Working Group and to this Committee together with costings and procurement options.

RESOLVED

- (1) That the report be noted.
- (2) That the feedback from the Working Group's site visits and the surveys required to inform the overarching parking strategy for Pendle and the five area-specific policies be noted.
- (3) That costings and procurement options for the surveys required be considered at a future meeting of this Committee.

REASON

To ensure Members of this Committee are fully apprised.

96. FORMER LUCAS PLAYING FIELDS

Members noted that Barnfield Construction Limited had since agreed to remove trees from a 10m strip from the boundary of properties on Reedley Drive, Reedley at their cost and that they would be placing an order with a Tree Surgeon on that basis. The Tree Surgeon would be asked to liaise with the Council's Green Spaces Manager to ensure no trees were removed unnecessarily.

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

(a) New Bins

An allocation of £2,000 from this Committee's Budget 2024/25 was approved at a previous meeting on 2nd September, 2024 and four new bins had since been erected during Quarter 2 for the period 1st July, 2024 to 30th September, 2024, as follows:

LOCATION	DESCRIPTION	TYPE OF BIN	COST PER BIN £
Oxford Road, Nelson	Needed	LITTER	£326.12
Stanley Street, Nelson	Needed due to new shop and takeaway in area	LITTER	£326.12
Southfield Street, Nelson	Dog fouling problem	DOG	£165.68
Belle Vue Close, Nelson	Litter problem	LITTER	£326.12

The total spend was £1,144.04 which left a balance of £855.96 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, 2024 to 30th September, 2024, as follows:

LOCATION	DESCRIPTION	TYPE OF BIN	COST PER BIN £
Victoria Street, Nelson	Replace F/S litter bin next to the canal bridge, at the bottom of Victoria Street	LITTER	£326.12
Garden Street, Nelson	Relocate f/s litter bin as too near a private garden	LITTER	£100.00
Ringstone Crescent, Nelson	Replace 2 post mounted litter bins with lidded bins by the Green	LITTER	£416.62
Fountain Street, Nelson	Replace wooden post and erect a new dog bin	DOG	£165.68
Manchester Road, Nelson	Replace missing F/S litter bin by seating bench, near Lidl	LITTER	£326.12

(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, 2024 to 30th September, 2024, as follows:

LOCATION	DESCRIPTION	TYPE OF BIN	COST PER BIN £
Halifax Road, Brierfield	Replace F/S litter bin outside No. 150	LITTER	£326.12
Churchill Way, Brierfield	Replace dog bin with a large F/S litter bin for more capacity	LITTER	£326.12
Humphrey Street, Brierfield	Replace dog bin, opposite the top of Ann Street	DOG	£165.68

(d) Substation Sites

Members of the Committee were encouraged to report if there were any 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.

98. ITEM FOR DISCUSSION

Need for Cigarette Bins on Manchester Road, Nelson

RESOLVED

That the Councillor's request for discussion of the need for Cigarette Bins on Manchester Road, Nelson be noted.

REASON

The Councillors in attendance at this meeting could not support anything that might encourage smoking.

99. OUTSTANDING ITEM

The following item had been considered by the Committee and further action or information requested. An update would be provided at a future meeting.

- Brunswick Street Public Realm Improvements (07.10.2024)

100. 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.

101. 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, 2024, along with the totals for 2024/25, which was noted.

Chair _____