

**MINUTES OF A MEETING
OF THE EXECUTIVE
HELD AT NELSON TOWN HALL
ON 17TH JULY 2025**

PRESENT –

Councillor D. Whipp (in the Chair)

Councillors

*F. Ahmad
S. Ahmed
A. Bell
D. Hartley
A. Mahmood
L. Whipp*

Also in attendance:

*Councillor D. Cockburn-Price
Councillor S. Cockburn-Price
Councillor A. Sutcliffe*

Officers in attendance

<i>Lawrence Conway</i>	<i>Interim Chief Executive</i>
<i>Phillip Spurr</i>	<i>Director of Place</i>
<i>Neil Watson</i>	<i>Assistant Director, Planning, Building Control & Regulatory</i>
<i>Gemma-Louise Wells</i>	<i>Head of Finance</i>
<i>Iftikhar Bokhari</i>	<i>Head of Economic Growth</i>
<i>Emma Barker</i>	<i>Legal Services Manager</i>
<i>Ryan Gifford</i>	<i>Senior Regeneration Officer</i>
<i>Paul Preston</i>	<i>Democratic Services Manager</i>

Apologies for absence were received from Councillors M. Hanif and M. Iqbal.



23. DECLARATIONS OF INTEREST

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

Councillors D. Whipp declared an Other Registrable Interest in Minute 26 – Spring Mill Development Earby. He then addressed the Executive in his capacity as a member of the public before leaving the meeting whilst the matter was considered and voted on.

Councillors S. Cockburn-Price and A. Mahmood declared Other Registrable Interests in Minute 26 – Spring Mill Development Earby and both left the meeting whilst the matter was considered and voted on.

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Councillor D. Whipp declared an Other Registrable Interest in Minute 28 – Lancashire Local Nature Recovery Strategy as he was an Elected Member on Lancashire County Council.

Councillor D. Whipp declared an Other Registrable Interest in Minute 29 – Apprentice/Trainee Funding as he was a member of Growth Lancashire

Councillors A. Mahmood and D. Whipp declared Other Registrable Interests in Minute 35 - Pearl Together – Transfer of Barnfield Ownership and Minute 36 – Pearl Together, Lancashire County Council, Loan Facility and both left the meeting whilst the matters were considered and voted on.

24. PUBLIC QUESTION TIME

There were no questions from members of the public.

25. MINUTES

RESOLVED

That the Minutes of the meetings held on 19th June, 2025 be approved as a correct record and signed by the Chair, subject to the correction to the spelling of Cllr S. Cockburn-Price's name in the first line of the second paragraph.

26. SPRING MILL DEVELOPMENT, EARBY – LANDSCAPING AND MAINTENANCE

(In the absence of the Leader and Deputy Leader, the Executive appointed Cllr L Whipp to chair this item).

The Acting Head of Economic Growth submitted a report which sought a decision on whether Pendle Borough Council should adopt and maintain the landscaped open space at the top of the Spring Mill development (Stoney Bank Road end), and which updated the Executive on outstanding matters relating to landscaping design, commuted sums, and underground infrastructure.

The report reflected changes to the previously approved position (Executive, November 2023, Item 05), following developments in the landscaping design, increased maintenance costs, and clarification on the status of the underground attenuation tank. It also addressed the recommendation made by the West Craven Area Committee on 6th May 2025.

Executive Members and Cllr A. Sutcliffe commented on the report to which the Interim Chief Executive, the Director of Place, the Head of Economic Growth and the Senior Regeneration Officer responded. In response to a question about possibly deferring this matter to a future meeting for further information, Officers added that it was time critical for a decision to be made on this matter. Questions were further asked about land ownership and whether the properties on the site were leasehold, freehold or shared ownership, the attenuation tank and in relation to the landscaping and drainage works.

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Following further deliberation by the Executive, it was moved by Cllr F Ahmad, seconded by Cllr S. Ahmed and:

RESOLVED:

- (1) That the Executive declines the request by PEARL Together for Pendle Borough Council to adopt the land at the top of the site (Stoney Bank Road end).
- (2) That the Executive delegates authority to the Director of Place to agree final proposals for landscaping and drainage works at the bottom of the site (Bailey Street end) and to determine all matters relating to the top end.

REASONS

- 1. The November 2023 Executive report supported adoption in principle but did not consider additional complexities arising from the underground infrastructure or boundary wall.***
- 2. The area to be adopted is larger than originally agreed to and the original commuted sum would not be sufficient.***
- 3. To decline the request would be the most cost-effective solution for Pendle Borough Council.***
- 4. Agreeing to adopt land at a developer's request may set a precedent, leading to similar approaches on other sites, with cumulative impacts on Council resources and liabilities.***
- 5. To grant delegated authority will avoid the need for further Executive reports and enable timely negotiations with PEARL regarding the landscaping and drainage proposals for the bottom of the site (Bailey Street end).***

27. PROPOSED CHANGES TO THE PLANNING SYSTEM CONSULTATION: NATIONAL SCHEME OF DELEGATION AND CHANGES TO COMMITTEES

The Assistant Director, Planning, Building Control and Regulatory submitted a report which informed the Executive of the latest proposed changes to how the planning system operated in England and to agree the Council's response to the consultation.

Several Member spoke expressing the view that the proposed changes to the roles of Committees and reducing the Elected Members roles in the planning system and decision making would be detrimental to the democratic process.

It was moved by Cllr L. Whipp, seconded by Cllr A. Mahmood and:

RESOLVED

That Executive agrees the Council's response to the consultation in the form as set out at Appendix 2 to the submitted report.

REASON

In order that Pendle contributes to the development of national planning policy.

28. LANCASHIRE LOCAL NATURE RECOVERY STRATEGY

The Assistant Director, Planning, Building Control and Regulatory submitted a report which informed the Executive of the consultation on the draft Lancashire Local Nature Recovery Strategy and to agree the comments of the Council.

Members of the Executive and Councillor S. Cockburn-Price commented on and welcomed the document but noted that the Gib Hill nature Reserved needed to be included in the Strategy.

It was moved by Cllr L. Whipp, seconded by Cllr A. Mahmood and:

RESOLVED

That Executive endorses the Local Nature Recovery Strategy (LNRS) and that the Council endorse it as an excellent document. That the amp be amended to include Gib Hill as a Local Nature Reserve.

REASON

The LNRS is an appropriate document for ecological needs of Pendle and is acceptable as drafted.

29. APPRENTICE/TRAINEE FUNDING

The Director of Resources submitted a report which sought agreement on two new apprentices/trainees from budget allocated for succession planning.

Councillor D Whipp mentioned he had recently seen a Pendle Borough Council advert for an apprentice gardener and questioned the rationale and reasoning between the different apprentice pay rates for office-based staff and those apprentices in manual occupations?

Councillor A. Sutcliffe mentioned they might be a LCC funding stream that could be explored to see if it could be used to help support new trainee posts.

It was moved by Cllr A. Bell and seconded by Cllr A. Mahmood

RESOLVED

(1) That budget is allocated for a Building Control Trainee;

(2) That budget is allocated for an Estates Surveyor Trainee;

(3) That the Director of Resources (and Human Resources and Payroll Manager, Liberata) provide a response to the Executive on the Leader's question on the different apprentice pay bandings for office-based staff and those apprentices in manual occupations; and

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(4) That the Director of Resources (and Human Resources and Payroll Manager, Liberata) explore the possibility of any funding available from LCC to help fund trainee posts.

REASON

Both these professions are recognised as difficult to recruit to therefore developing internally supports the Council's succession planning and sustainability of delivering services.

30. REVENUE AND CAPITAL OUTTURN REPORT 2024/25

The Director of Resources submitted a report which informed the Executive of the Revenue and Capital Outturn for 2024/25.

In response to a question, the Head of Finance confirmed and corrected the proposed slippage figure, which was £23.590m and not the figure of £25.590m that had been included in the original report.

Cllr D Whipp, also requested that future budget monitoring reports include income as well as expenditure lines. He also commented on the national Fair Funding Review.

It was moved by Cllr D Whipp, seconded by Cllr A Mahmood and:

RESOLVED: That Executive -

- (1) Notes the Outturn position on the Council's Revenue budgets for 2024/25 and the reserves position as set out in the report;
- (2) Approves the proposals for revenue budget slippage of £0.293m from 2024/25 to 2025/26;
- (3) Notes the Outturn position on the Council's Capital Programme for 2024/25; and
- (4) Approves the proposals for capital budget slippage of £23.590m from 2024/25 to 2025/26

REASON

To inform the Executive of the revenue and capital outturn for 2024/25 and to approve the budget slippage for 2024/25

31. TREASURY MANAGEMENT OUTTURN 2024/25

The Director of Resources submitted a report which informed the Executive of the Treasury Management Outturn 2024/25.

The Leader of the Council expressed his appreciation and commended the Head of Finance and her team on the excellent work they did in securing the best investment income for Pendle.

Councillor D. Cockburn-Price commented on the report.

It was moved by Cllr D. Whipp, seconded by Cllr A. Mahmood and:

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RESOLVED:

That Executive notes the outturn position on the Council's treasury management activities 2024/25.

REASON

To inform Executive of details of the Council's Treasury Management activities for the financial year 2024/25 in compliance with the Council's Treasury Management Policy.

32. WASTE AND WASTEWATER CONTRACT

The Director of Resources submitted a report which informed the Executive on the award of a contract for Waste and Wastewater Services.

It was moved by Cllr D. Whipp, seconded by Cllr A. Mahmood and:

RESOLVED: That the report be noted.

33. FORWARD PLAN

The Executive's draft Work Programme and Forward Plan of key decisions for the four-month period commencing 1st August 2025 was submitted for information.

34. 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, in relation to exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

(In the absence of the Leader and Deputy Leader, the Executive appointed Cllr L. Whipp to chair the following items).

35. PEARL TOGETHER – TRANSFER OF BARNFIELD OWNERSHIP

The Director of Resource submitted a report which outlined a request that asked the Executive to transfer ownership in PEARL Together Ltd. from Barnfield Investment Properties Limited to Barnfield Group Limited.

It was moved by Cllr A. Bell, seconded by Cllr S. Ahmed and:

RESOLVED

That the request from Barnfield to transfer its ownership in PEARL Together Ltd. from Barnfield Investment Properties Limited to Barnfield Group Limited be approved.

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REASON

As set out in the exempt report.

36. PEARL TOGETHER – LANCASHIRE COUNTY COUNCIL LOAN FACILITY

The Director of Resource submitted a report sought Executive’s approval, in its capacity as a shareholder of Pearl Together Limited, to enter into a new loan agreement between Lancashire County Council (LCC) and Pearl Together Limited (PTL) in line with the Heads of Terms set out by Lancashire County Council

It was moved by Cllr A. Bell, seconded by Cllr S. Ahmed and:

RESOLVED

(1) That the Council approves entering into a new loan agreement (for the amount as set out in recommendation 1 of the exempt report) between LCC and PTL in line with the Heads of Terms as set out by LCC;

(2) Note that Pendle Borough Council is required to contribute additional funding (for the amount as set out in recommendation 2 of the exempt report) in shareholder loans to PEARL Together Limited which would be met from the capital receipt arising from the disposal of the Further Clough Head site; and

(3) That delegated authority be given to the Director of Resources (Section 151 Officer), in consultation with the Monitoring Officer, to finalise and execute the loan documentation on behalf of the Council.

REASONS

As set out in the exempt report.

Chair _____