

**MINUTES OF A MEETING OF
BARROWFORD AND WESTERN PARISHES COMMITTEE
HELD ON 4TH DECEMBER, 2024
AT HOLMEFIELD HOUSE**

PRESENT

Councillor N. Ahmed (Chair)

Councillors

*D. Gallear
B. Newman
M. Stone*

Co-optees

*D. Heap - Barley with Wheatley Booth Parish Council
R. Oliver – Barrowford Parish Council
N. Hodgson - Blacko Parish Council
K. Wilkinson – Goldshaw Booth Parish Council
D. Perrin - Higham with West Close Booth Parish Council
M. Schofield - Roughlee Booth Parish Council*

Officers in Attendance

*W. Forrest
N. Watson*

*Housing Needs Manager (Area Co-ordinator)
Assistant Director Planning, Building Control and Regulatory
Services*

J. Robinson

Committee Administrator

Police

*PCSO A. Fielding
PC P. Meades*

Also in Attendance

County Councillor H. Hartley

(An apology for absence was received from D. Hall, Old Laund Booth Parish Council).



The following persons attended the meeting and spoke on the following items:

<i>John Crossland Howard Hartley Jackie Heaps Stephen Heaps Sophie Morgan Robin Willoughby</i>	<i>24/0484/FUL- Full: Demolition of existing vacant shop and the erection of 6 no. dwellings with associated infrastructure at Roaming Roosters, Barrowford Road, Higham</i>	<i>Minute No. 96a</i>
<i>Philip Marginson</i>	<i>24/0717/HHO - Full: Erection of timber fence to Barrowford Road boundary at 1 Fir Trees Grove, Higham</i>	

Rod Marsden 24/0758/HHO - Full: Extension of front dormer at
Saba Razzaq 40 Lower Parrock Road, Barrowford
Ian Scott
Kathryn Scott

Saba Razzaq 24/0759/HHO - Full: Extension of front dormer at
Ian Scott 38 Lower Parrock Road, Barrowford
Kathryn Scott



92. 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.

93. PUBLIC QUESTION TIME

There were no questions from members of the public.

94. MINUTES

RESOLVED

That the Minutes of this Committee, at the meeting held on 6th November, 2024, be approved as a correct record and signed by the Chair.

95. POLICE MATTERS AND COMMUNITY SAFETY ISSUES

The crime statistics for November 2024 compared to the same period in the previous year had been circulated prior to the meeting.

NOVEMBER	2024	2023
Burglary – Residential	2	5
Burglary – Other than Dwelling	1	2
Vehicle Crime	6	2
Assaults	4	15
Theft	2	4
Arson/Criminal Damage	4	2
Hate Crime	37	37
All Other Recordable Incidents	371	N/A
All Other Recordable Incidents (Year to Date)		
Anti-Social Behaviour	5	12

The crime figures for November were showing no increase with the exception of Vehicle Crime and Arson/Criminal Damage. There had been a 58% decrease in the number of reported anti-social behaviour incidents.

PC P. Meades advised Members that the Police's priorities for December were largely the same as November's and included anti-social driving, speeding and fireworks, these priorities had been informed by the local community's concerns. December would also see the launch of a drink driving campaign and Operation Vulture to tackle retail crime.

With regards to fireworks, there would be a change to the legislation which would enable anyone organising the setting off of fireworks to be prosecuted, currently only the person setting them off could be prosecuted and they had to be found committing. It was expected that the legislative change could be implemented quite quickly.

With regards to speeding, there had been a recent exercise on Wheatley Lane Road during which six drivers had been caught speeding and words of warning had been issued. The perpetrators were mostly local people. There were plans to undertake similar exercises across all the parishes in the New Year, the drink driving campaign would be prioritised in December.

PCSO A. Fielding had recently been working with schools in the Barrowford and Western Parishes area to tackle inconsiderate parking and would continue to do so. This issue had been the subject of a recent Facebook campaign that had received many comments and likes.

An update on the new police station on Carr Road, Nelson was requested. Construction works were in progress and seemed to be on programme. The new station would be the Divisional Headquarters for Pendle, and every operational department would work out of it. There would be no custody suite, any detainees would continue to be processed at Greenbank police station in Blackburn. It was not yet known whether the police stations at Colne and Nelson would be retained as auxiliary departments.

96. PLANNING APPLICATIONS

(a) Planning applications for determination

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

24/0484/FUL Full: Demolition of existing vacant shop and the erection of 6 no. dwellings with associated infrastructure at Roaming Roosters, Barrowford Road, Higham for Mr. Charles McDermott

Determination of this application had been deferred from the last meeting of this Committee to allow for the expiry of the publicity period.

RESOLVED

That planning permission be **refused** for the following reason: -

The proposed development would have a greater impact on the openness of the Green Belt than the existing development. It would not preserve the openness of the Green Belt and would thus amount to inappropriate development as it would not be one of the developments set out in the National Planning Policy Framework that would not be inappropriate development. The development is more spread out than the existing development and thus the development does not accord with any exceptions set out in the National Planning Policy Framework or with Policy

ENV2 of the adopted Pendle Local Plan Part 1 - Core Strategy which requires new development to maintain openness.

24/0717/HHO Full: Erection of timber fence to Barrowford Road boundary at 1 Fir Trees Grove, Higham for Mr. K Gerrard

In a verbal update the Assistant Director Planning, Building Control and Regulatory Services reported that the Applicant had since indicated that they intended to submit amended plans. The recommendation, as a result, had altered from refusal to deferral.

Before the vote was taken, the Assistant Director Planning, Building Control and Regulatory Services advised that a decision to determine the application at this meeting could represent a significant risk of costs.

RESOLVED

That determination of this application be **deferred** to the next meeting of this Committee to allow for the submission of amended plans.

24/0758/HHO Full: Extension of front dormer at 40 Lower Parrock Road, Barrowford for Mr. Ian Scott

The Assistant Director Planning Building Control and Regulatory Services had circulated an update report prior to the meeting which advised that further Consultee comments had been received. The issues raised had already been addressed in the original report and, therefore, did not change the recommendation which was for refusal.

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:

- 24037 – LP Location Plan (received 31.10.24)
- 24037 – SP Site Plan (received 31.10.24)
- 24037 – 03 Proposed Plans (received 31.10.24)
- 24037 – 04 Proposed Elevations (received 31.10.24)
- 24037 – 05 Existing/Proposed Roof Plans (received 31.10.24)

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

3. Prior to commencement of development, details of the colour of the upvc cladding shall be submitted to and agreed in writing by the Local Planning Authority and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: 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.

24/0759/HHO Full: Extension of front dormer at 38 Lower Parrock Road, Barrowford for Mrs. Razzaq

The Assistant Director Planning Building Control and Regulatory Services had circulated an update report prior to the meeting which advised that further comments from the nearest neighbour and a Consultee had been received. The issues raised had already been addressed in the original report and, therefore, did not change the recommendation which was for refusal.

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:

- Site Plan 22079 - SP
- Proposed Plans 22079 - 05
- Proposed Elevations 22079 - 06

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

3. Prior to commencement of development, details of the colour of the upvc cladding shall be submitted to and agreed in writing by the Local Planning Authority and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: 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, which was noted.

97. ENFORCEMENT ACTION

The Head of Legal and Democratic Services submitted an update on enforcement matters.

In a verbal update it was reported that the Court Hearing for Case 5 – Land adjacent Pasture Barn East, Pasture Lane, Barrowford had not taken place. This was because the owner of the land, whilst they had had knowledge of the Enforcement Notice, they did not have a copy of it and this could be challenged through the Courts. Another Hearing would now need to be listed for there to be an argument around the planning merits of the case.

98. AREA COMMITTEE BUDGET 2024/25

The Head of Housing and Environmental Health reported that the Committee had allocated all its Budget. A full report would be submitted in due course.

99. FOOD WASTE DUMPING IN VICTORIA PARK, BARROWFORD

The Assistant Director Operational Services submitted a report to advise Members on the food dumping blight in the vicinity of the lake in Victoria Park, Barrowford.

The report detailed all the actions, including multilingual signage, leaflet dropping, environmental crime enforcement, that had been taken previously to address the historical food waste dumping and incorrect feed issues.

More recently an educational video had been produced by the Friends of Victoria Park (FoVP) and requests had been made to Imams in local Mosques and surrounding schools to help communicate an anti-dumping message. This was planned to continue in the near future by the FoVP and also the Council's Communications Department.

The FoVP also supplied bags of seed free of charge which could be obtained from the pavilion café.

Members recognised the effective actions the FoVP had taken to tackle the longstanding issues in the park and sought to express their gratitude to the Group.

An external company (*Feed Ducks Initiative*) had offered to install a standalone solar powered contactless payment seed dispenser adjacent to the lake. This might help to alleviate incorrect feed issues, but not the dumping of bulk waste. The FoVP were supportive of this proposal and Council Officers were investigating further. Members also supported this proposal.

Feedback from members of the public had suggested that a low presence of Council Officers within the park was contributing to the issue. The Council's Environmental Crime Team did routinely visit all of Pendle's parks whilst out on patrol but there were only three Officers in this Team and, as such, available resources were extremely limited. The Council had, up until September 2023, employed a third-party enforcement provider to focus on such issues but no formal discussions had been held regarding finding an alternative provider or solution since.

Any cases of dumping should be reported to the Council as soon as possible in order to create effective windows of opportunity for the Environmental Crime Team to patrol the park and apprehend offenders.

Temporary CCTV could be an option as acting as a deterrent to dumping food waste but was not likely to produce traceable perpetrators due to lack of visible identification such as vehicle registration numbers.

The issue, fortunately, had been relatively quiet during September and October 2024 and it was felt that it would be worthwhile to remove the current educational signage and replace it with more aggressive Fixed Penalty Notice warnings, if it were to resume over the winter months.

RESOLVED

- (1) That the report be noted.
- (2) That cases of food dumping in Victoria Park, Barrowford continue be monitored by the Friends of Victoria Park (FoVP), Council Officers and Members of this Committee to narrow down key windows of opportunity for enforcement.
- (3) That education programmes within local schools, places of worship and community groups regarding food waste dumping in the park be continued.
- (4) That thanks be given to the FoVP for the effective actions they had taken to tackle the longstanding issues in the park.

RECOMMENDATION

That the Executive and also the Overview and Scrutiny Committee be urged to consider the varying types of environmental offences causing concern within the Borough's greenspaces during future discussions around enforcement options.

REASONS

- (1) ***To ensure efficient targeting of resources.***
- (2) ***To deter offenders from fly-tipping and dumping food waste.***

- (3) ***To actively promote bird health and raise awareness of the consequences of dumping food.***
- (4) ***To recognise the Friends of Victoria Park.***

100. PUBLIC SPACES PROTECTION ORDERS: PARKS AND SPORTS GROUNDS

The Head of Policy and Commissioning submitted a report to update Members on proposals and options for the extension of the Public Spaces Protection Orders (PSPOs) in relation to parks and also to sports grounds in Pendle.

PSPOs for Pendle's parks and for its sports grounds were signed and sealed on 29th January, 2019 for a period of three years and extended with amendments for a further three years in January 2022. During September 2024 members of the public and Town and Parish Councils were encouraged to comment on the extension of the PSPOs for a further three years from 2025. The general comments from members of the public were attached to the report at Appendix 1.

The intention of the PSPOs and their extension was to continue to strike a balance between the needs of groups, families and individuals using parks and sports grounds for recreation and leisure and those using them as public open space, in particular dog walkers. Only where there was alternative provision or where there was a clear safety need did the PSPOs ban dogs altogether.

The current and draft PSPOs referred to in the report could be viewed at https://www.pendle.gov.uk/meetings/meeting/3368/barrowford_and_western_parishes_committee

It was asked how the extended PSPOs would be enforced given that the previous item had made apparent that the lack of internal and external enforcement resources was an issue in Pendle. Clarification would need to be sought from the Head of Policy and Commissioning on this.

RESOLVED

- (1) That a further three-year extension of the Parks and Sports Grounds Public Spaces Protection Orders (PSPOs) generally, and the inclusion of Parks and Sports Grounds in the Barrowford and Western Parishes area specifically, be approved.
- (2) That the Head of Policy and Commissioning be requested to clarify how the extended PSPOs referred to in (1) would be enforced.

REASONS

- (1) ***To enable the Council and its partners to respond to concerns regarding behaviour that is detrimental to the quality of life in public spaces in Pendle, including enforcement action.***
- (2) ***Council enforcement resources are extremely limited and there hasn't been a third-party enforcement provider or solution since September 2023.***

101. ENVIRONMENTAL BLIGHT

Members were advised that there were currently no Environmental Blight sites in the Barrowford and Western Parishes area.

Any new sites should be reported to Tricia Wilson (tricia.wilson@pendle.gov.uk) with a brief description of the site and the problem along with contact details.

102. FLOODING ISSUES/RISKS

The following updates were reported for information.

Flooding Issue on Wheatley Lane Road, Fence

The flooding issues on Wheatley Lane Road, Fence were reported to Lancashire County Council (LCC) via the Love Clean Streets webpage (<https://www.lancashire.gov.uk/roads-parking-and-travel/report-it/flooding-and-drainage/>). LCC had since advised that the situation had been assessed by an Inspector and that the offending gullies had been recommended for inclusion in a future cleaning programme. LCC would continue to monitor and make safe any hazards in the meantime.

Members requested confirmation of when the offending gullies would be cleaned.

Sinkhole (Void) near Stepping Stones, Roughlee

Officers from Pendle Borough Council's (PBC's) Engineering Department met with the owner of the land on which the sinkhole (void) had appeared on 21st November, 2024. During this meeting the landowner advised the Officers that Roughlee had suffered a major flood in 1967 which had resulted in the road being partially washed away. This had required the reconstruction of the road and the formation of a reinforced concrete structure at the edge of the watercourse.

The sinkhole had formed between the edge of carriageway and the reinforced concrete structure.

The landowner's thoughts, to which the Officers concurred, were that the reinforced concrete structure had been undermined due to trees obstructing the channel encouraging the water flow to the wall side of the channel. This had allowed material to be washed out between the road and watercourse, with water coming from the highway in heavy rainfall.

The reinforced concrete structure needed repairing before the sinkhole could be backfilled. If nothing was done, the sinkhole would continue to grow, and the carriageway would be at risk. There was already evidence of movement and cracking in the road.

PBC and Lancashire County Council (LCC) Officers would be meeting on site imminently to discuss the works required to resolve the issue and a further update would be provided at a future meeting.

The representative from Roughlee Booth Parish gave thanks to the PBC and LCC Officers for their work to date and welcomed the further update in due course.

New Issues

It was reported that there had been a number of accidents recently on the M65 motorway and it was felt that surface water flooding and also the lack of carriageway lighting might be contributing to them. This would be raised with Lancashire County Council.

RESOLVED

- (1) That the updates be noted.
- (2) That Lancashire County Council (LCC) be requested to confirm when the offending gullies on Wheatley Lane Road, Fence would be cleaned.
- (3) That a further update on the sinkhole (void) near the Stepping Stones, Roughlee be provided at a future meeting of this Committee.
- (4) That surface water flooding and also the lack of carriageway lighting issues on the M65 motorway be raised with LCC.

REASONS

- (1) *To reduce the risk of flooding in the Barrowford and Western Parishes area.*
- (2) *In the interests of motorway safety.*

103.

OUTSTANDING ISSUES

The following items had been considered by the Committee and further action or information requested. Updates would be provided at future meetings.

- a. Drainage Issue outside Bay Horse Pub, Roughlee (06.11.2024)
- b. Highways/Traffic Issues on Church Street, Barrowford (06.11.2024)

Chair _____