



# EARBY TOWN COUNCIL



Chairman: Chris P. Tennant  
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**Meeting of Earby Town Council**  
**Monday 26<sup>th</sup> July 2021 at 7.30pm**  
**The Parish Rooms, Victoria Road, Earby**

Members of the Council are hereby summoned to attend an ordinary meeting of the Full Council in accordance with schedule 12 para.10(2) (b) of the Local Government Act 1972 to be held as detailed above. If you are unable to attend, your apologies and reason should be passed to the Clerk in advance of the meeting.

## **AGENDA**

Meetings are open to the public and may be recorded by representatives of the media or by members of the public. Any persons intending to record this meeting are requested to respect the wishes of members of the public who have come to speak at a meeting; and reminded that it is not permitted for oral commentary to be provided during a meeting. The Chairman may ask people to stop recording and leave the meeting if they act in a disruptive manner.

**1. Welcome**

The Chairman welcomes all to the meeting at 7.30pm.

**2. Attendance, Apologies and non-attendance**

To record, accept, or otherwise, attendance, apologies for absence and non-attendance.

**3. Declarations of Interest/s**

To receive declarations of pecuniary interests in any matter identified in this agenda.

*A member with a pecuniary interest in any item may not participate in any discussion of the matter at the meeting and must not participate in any vote taken on the matter at the meeting. In addition, it is suggested that a member with a pecuniary interest leave the room where the meeting is held while any discussion or voting takes place.*

**4. Public Participation**

To adjourn the meeting to allow for members of the public to be offered the opportunity to address council on any subject.

*Any questions for Council which require a detailed answer should to be sent via post or email to the Clerk one week before the meeting.*

**5. Minutes**

To accept and approve as an accurate representation, the minutes of the last meeting held on [Tuesday 4<sup>th</sup> May 2021](#).

**6. Exclusion of the public and press**

To determine which items, if any, should be taken with the public excluded.

If the Council decides to exclude the public it will be necessary to pass a resolution in the following terms: "In view of the confidential nature of some items, it may be necessary to discuss these items with the Public and Press excluded in accordance with the Public Bodies (Admission to Meetings) Act 1960, S1.

## 7. Update of ongoing issues from previous minutes

Presented for information only, no resolutions to arise from such updates, a verbal update from Clerk and Councillors on any matters from the previous minutes and not covered as an item on this agenda.

## 8. Allotments

8.1 To resolve to consider changes to the tenancy agreement of seven of the Rostle Top hen & pigeon only plots to also allow the keeping of cockerels, and that in doing so Council consider the points submitted by the plot holders as detailed at **Appendix A**.

8.2 To resolve that Council agree (i) to renew the full length of the School Lane allotment site boundary that abuts to the residential properties on School Lane, from the boundary with the Old Grammar School to the main entrance gate at the side of the access track leading to Anne's Wood. (ii) That Council agrees the materials to be used and obtains quotations for this work, and (iii) agrees that this work be carried out at the end of the allotment year (30<sup>th</sup> September 2021) and (iv) that funding for this work is allocated from the allotments rents that will fall due for the forthcoming allotment year – 1<sup>st</sup> October 2021 to 30<sup>th</sup> September 2022.

8.3 To resolve that the tenant/s of Stoney Bank Road allotment plot SB11A be formally notified that the tenancy of this plot will not be renewed when the current tenancy agreement ceases on 30<sup>th</sup> September 2021.

8.4 To resolve to approve the re-calculation of the allotment rates as previously circulated.

## 9. Friday Surgery

Councillor Cocker to bring to Councils' attention any items of special note.  
(Friday surgeries currently suspended due to Covid 19).

## 10. Police business

To report on any issues of concern and forward anything of importance to the local police team.

## 11. Correspondence

To receive for information purposes items received since the last meeting that have not already been dealt with by the Clerk or appear on the agenda.

11.1 To consider and agree a formal response to the **Community Governance Review** process being undertaken by Pendle Borough Council as outlined in **Appendix B**

## 12. Planning: to consider and comment on the following:

### Applications

#### [21/0566/TCA](#)

7 Woodlands Close,  
Earby  
BB18 6WD

Tree pruning of three Sycamores to the boundary line.

#### [21/0481/FUL](#)

Pretty Perfect Properties Ltd  
Rear 8 Birch Hall Lane, Earby

**Full:** Erection of six detached dwellings and garages with new estate road and associated landscaping.

#### [21/0600/TPO](#)

2 White Lees Close,

Tree and hedge pruning of Oak, Sycamore and Hawthorn to

Earby  
BB18 6LU

the boundary line.

[21/0601/TCA](#)

Green End Farm House,  
Earby  
BB18 6PQ

Tree pruning of Cherry by 1.5 – 2m.

### **Appeals**

None.

### **To note the delegated list.**

The latest list has been circulated by the clerk to all councillors via email. Council will discuss items pertinent to Earby and the Clerk to be notified should a Councillor wish to highlight a decision for such discussion. **If none, the list will be deemed to be accepted.**

### **13. Reports from meetings with other organisations**

To receive for information purposes, verbal or written reports from Councillors or the Clerk on any such meetings they have attended. **These should be notified to the Clerk in advance of the agenda so that they can be listed**; in the case of written reports, so that they can be circulated to Councillors prior to the meeting.

### **14. Wentcliffe Drive, water seepage**

14.1 To receive an input from Councillor C. Carter on problems being experienced by residents of Wentcliffe Drive with water emerging from the area of recent works.

14.2 To resolve to support the Ward & District Council in calling for an urgent meeting with all interested parties to resolve the matter before the winter months.

### **15. Clerk's Vacancy**

15.1 To note the recent resignation of the Clerk, Mrs K. Jeffreys of over 4 years' service.

15.2 To note the appointment of a new Clerk from 6<sup>th</sup> July 2021.

15.3 To note and accept the employment contract circulated to full council.

### **16. Finance**

16.1 To note the receipt of the precept from Pendle Borough Council, total £150,150.25

16.2 To resolve to approve the payment list, as circulated.

16.3 To consider a grant application for funding, submitted by the St Peter's Community Garden, and to resolve to approve £100 grant to the group for storage facilities.

16.4 To resolve to approve the purchase of a replacement laptop, peripherals, and replacement office chair for use by the Clerk to ensure compliance with The Health & Safety (Display Screen Equipment) Regulations 1992 as per the report circulated to Council.

16.5 Further to the 26<sup>th</sup> April meeting when Council resolved to:-

(i) note the reporting of the bank reconciliation to the 31<sup>st</sup> March 2021 (ii) agree that any reserves that are surplus to the working balance (Total of £45,000.00 required working balance £20,000.00) to be earmarked for the building conversion project of the Front Office. In addition, £1,639.59 is to be transferred to increase the balance available for the provision of elections.  
Proposed: CT Seconded: JM Unanimous

### **Council is now requested to resolve:**

16.5.1 That a further £92.41 be added to the Council reserves account for the provision of elections and that the equivalent amount be deducted from the £45,000.00 identified for the building conversion project of the front office.

16.5.2 That the remaining balance of the reserves amount identified for flood relief spending £68 (1800 – 1732) be reallocated to the provision of future elections.

16.6 To resolve to (i) upgrade the office software from Office 2016 to Microsoft 365 providing enhanced security, online storage, and backup and (ii) to subscribe to an alternative accounting software programme providing efficiency savings through functions not available in the current solution e.g., connectivity with banks, PAYE connectivity with HMRC (Making Tax Digital), online storage of receipts and payments and remote access for the internal auditor.

16.7 To resolve to accept the quotations obtained by Cllr Cocker from Mr Boocock, Painter & Decorator and Unique Clean Hire & Facilities for work at the Parish Rooms and Public Toilets, as circulated to Councillors.

#### **17. West Craven Area Committee Representative**

To resolve to appoint a representative and substitute to the West Craven Area Committee.

#### **18. Meeting Dates**

To note the scheduled meeting dates for 2021 and 2022 as follows:

Monday 23<sup>rd</sup> August 2021  
Monday 27<sup>th</sup> September 2021  
Monday 25<sup>th</sup> October 2021  
Monday 29<sup>th</sup> November 2021  
**Tuesday** 4<sup>th</sup> January 2022  
Monday 31<sup>st</sup> January 2022  
Monday 28<sup>th</sup> February 2022  
Monday 28<sup>th</sup> March 2022  
Monday 25<sup>th</sup> April 2022  
Monday 30<sup>th</sup> May 2022  
Monday 27<sup>th</sup> June 2022  
Monday 25<sup>th</sup> July 2022  
Monday 22<sup>nd</sup> August 2022  
Monday 26<sup>th</sup> September 2022  
Monday 31<sup>st</sup> October 2022  
Monday 28<sup>th</sup> November 2022

#### **19. Meeting Close**

D. Taylor  
Town Clerk & RFO  
20<sup>th</sup> July 2021

## **Appendix A: Request from allotment tenants**

1. The plots at Rostle Top are listed as Hen pens.
  2. There have been Hen pens down at Rostle Top for well over 40 years and cockerels have been on the pens for the same length of time and as far as we are aware without any complaints.
  3. We would be interested to know how many complaints have been made and why they are being allowed to have a detrimental effect on long standing tenants after such a lengthy period without any complaints.
  4. With the pens being Hen pens, cockerels are needed to breed with the hens so that hens can be replaced with new stock from time to time.
  5. One pen holder breeds poultry for showing and to keep the Old English Game Bantam breed going. He has been doing this for 35+ years and needs male birds to be able to do this. He has never had any complaints in all that time.
  6. The Hen pens are in a rural area and cockerels crowing can be compared to the dawn chorus of a morning.
  7. Many of the Hen pen tenants have been keeping cockerels in excess of 25 years without complaint. Surely the fact that cockerels have been kept for this length of time must be covered by 'custom and practice'.
  8. If we have to remove our cockerels, how would we do this due to the limits on livestock movements due to bird 'flu?
  9. Finally, another consideration is that people have quite a lot of money invested in their birds and the proposal of no cockerels would leave people significantly out of pocket.
- We would appreciate a favourable decision for the keeping of cockerels on the Hen pens, taking into consideration how long they have been kept on the Hen pens.

## **NOTICE OF COMMUNITY GOVERNANCE REVIEW FOR PENDLE 2021-22**

Parish and Town Councils play a vital role in engaging with local people and helping to shape their communities.

Pendle has 5 town councils, 13 parish councils and 1 parish meeting

Pendle Council is about to commence a Community Governance Review. This provides an opportunity to review and make changes to governance arrangements at parish level. It also ensures that they are reflective of the identity and interest of local communities and are working effectively.

### **What can the Community Governance Review change?**

A Community Governance Review can make a number of changes to parish governance when there is clear evidence to do so:

- It can make changes to parish areas – including:
  - changes to boundaries between parishes
  - mergers of two or more parishes
  - creating a new parish out of part of one or more existing parishes
- It can make changes to electoral arrangements within parish areas – including:
  - changes to the number of parish councillors
  - introducing or changing parish warding arrangements
- It can change the name of a parish
- It can group together a number of parishes under a common parish council.

### **Why has Pendle Council decided to undertake a review now?**

- In 2019, the Local Government Boundary Commission for England review of Pendle Council's electoral arrangements decided there will be 12 Borough electoral wards from May 2021. As part of that review, changes to wards of some parishes were introduced by the Commission. It makes sense to take the opportunity to review these and the wider governance arrangements in those parishes.
- It is some years since a full review of community governance in Pendle has taken place.
- The role of parish and town councils has developed significantly in recent years. Many have taken on services and facilities from Pendle Council. A review is an opportunity to ensure effective community governance is in place, so that parish and town councils can make full use of their powers and responsibilities.

Pendle Council has a legal duty to ensure that community governance arrangements are:

- Reflective of the identities and interests of the community in the area
- Effective and convenient (this relates to the ability of parishes to provide services for its residents).

Any proposed changes will need to be considered in that light.

### **How does the Community Governance Review work?**

Between now and the end of April **we are asking town and parish councils, local residents, groups and organisations, to give us their suggestions for changes (including no change) they would like to see considered in the review.**

We will publish details of all suggestions received. A Working Group of Pendle councillors will consider them and put forward a set of draft recommendations for public consultation as appropriate.

The Working Group will then consider the detailed results of the public consultation and make final recommendations to a meeting of Pendle Council. Following the decisions of the Council we will make the necessary legal Order and take the other steps required to implement them.

### Indicative Timetable for the Review

<u>Stage</u>	<u>Action</u>	<u>Dates</u>
<u>Commencement of Review</u>	<u>Give public notice and notify parish and town councils.</u>	<u>February –April 2021</u>
<u>Terms of Reference</u>	<u>Publish Terms of Reference for the review in the light of initial representations received.</u>	<u>May 2021</u>
<u>Draft recommendations</u>	<u>Publish draft recommendations and seek comments through public consultation.</u>	<u>June – August 2021</u>
<u>Final recommendations</u>	<u>Final recommendations submitted to Council for final decision.</u>	<u>October 2021</u>
<u>Next steps</u>	<u>Legal Order made for changes agreed by Council and other necessary steps taken.</u>	<u>November 2021 onwards</u>

**contact us at:**

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