

*ENGINEERING AND PLANNING COMMITTEE

held 28th November, 1991
at 7.00 p.m.

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PRESENT: Councillor Baron (in the Chair),
Councillors Easton, Fishwick, Hancock, Harding,
McManus, Mrs. Oldham, Pilling and Mrs. Talukdar.

Apologies for absence were received from
Councillors Bolton, Cruise, Mrs. Goldsworthy and
Grogan.

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SECTION 'B' - FUNCTIONS DELEGATED

Sewerage Agency Agreement/Sewerage Maintenance Contract

700. The Borough Engineer and Planning Officer outlined the current position regarding the Council's relationship with North West Water in connection with the provision of sewerage functions. The Water Authority having given notice of the termination of the Agency Agreement were now inviting bids for a Sewerage Maintenance Contract for a three year period which would cover mainly revenue items with very limited capital work; North West Water having already taken back the forward planning function and major design work.

The Borough Engineer and Planning Officer reported in detail on possible bids which the Committee might wish to submit and he explained the underlying principles behind the bids.

The Committee considered the several bids and questions were asked relating to the advantages and disadvantages of winning the Sewerage Maintenance Contract.

Following a full discussion it was

Resolved that the Council does not make a bid for the three year Sewerage Maintenance Contract to take effect from April, 1992.

THE MEETING CLOSED AT 7.55 p.m.

ENGINEERING AND PLANNING COMMITTEE

held 2nd December, 1991
at 7.00 p.m.

PRESENT: Councillor Baron (in the Chair);
Councillors Bolton, Cruise, Easton, Fishwick,
Mrs. Goldsworthy, Grogan, Hancock, Harding,
McManus, Neal, Mrs Oldham, Pilling, Quinn
and Mrs Talukdar.

Minutes

701. Resolved that the Minutes of the meetings of the Committee held on the 16th and 28th October, 1991 be signed by the Chair as a correct record.

SECTION 'B' - FUNCTIONS DELEGATED

Town and Country Planning Act, 1990
Applications for consideration by the Committee

701. The Borough Engineer and Planning Officer submitted a report upon each of the applications contained in Minutes Nod. 703 to 715 inclusive which gave details of each application, the consultations which had been carried out and where appropriate details of objections and representations received together with his observations on each application. He also submitted details of further correspondence received since the preparation of the reports.

Application No.14/91/480 - Alterations to existing access
to accommodate redevelopment of site for seven detached dwellings
and office accommodation. Rosebank Mill, Bolton Road North, Ramsbottom

701. Resolved that permission be granted subject to the following conditions:-

1. Before any development is commenced approval shall be obtained from the local planning authority with respect to the reserved matters, namely, siting design, external appearance and landscaping. The landscaping proposals

shall include all hard and soft landscaping features (as such including where appropriate screen or boundary walls, fences or other means of enclosure) and shall be fully implemented before the buildings are first occupied for the purposes of this permission or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs becoming diseased, dying or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.

2. In accordance with Policy E8 of the Rossendale District Plan First Review the development hereby approved shall provide for a 20 metre (mean) belt of trees along the outer edge of the site adjoining the countryside beyond and shall be protected by the provision of stock proof fencing as appropriate.
3. The development hereby approved shall be constructed with an outer face of coursed natural local stone and the roof shall be laid with natural blue or grey slate, samples of which shall be submitted to and approved by the local planning authority before development commences.
4. The office element of the development hereby approved shall be used for that purpose and for no other purpose (including any other purpose within Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order).

5. No development shall take place within the application site boundary until the applicant has secured the recording of any archaeological structures or remains in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.
6. The new estate road/access between the site and Bolton Road North shall be constructed to at least base course to the satisfaction of the local planning authority before any development takes place within the site.
7. The proposed access from the site to Bolton Road North shall be constructed to a (minimum) width of 7.3m, and this width shall be maintained for a minimum distance of 12m measured back from the nearside edge of the carriageway. The kerb radius on the north part of the access shall be 10m and that on the south part of the access shall be 6m.
8. No part of the development, hereby approved, shall be occupied or opened for trading until the approved highway scheme referred to in Condition 6 has been implemented and completed to the satisfaction of the local planning authority in consultation with the Highway Authority.

Application No. 14/91/548 - Change of use to Estate Agency,
Unit 27, Bank Street, Rawtenstall

- 701 . Resolved that planning permission be refused for the following reason:-
1. The proposal is contrary to policy No.12 of the adopted Rawtenstall Town Centre Conservation and Management Plan which states that ground floor office uses (including banks, building societies and other financial institutions) within primarily shopping streets, areas of frontages (identified as Bank Street, The Precinct, Bacup Road part of St. Mary's Way and Lower Kay Street) will generally be restricted to those premises presently occupied for those purposes. Applications for planning permission to extend existing offices into the ground floor areas of adjoining retail (or other) properties, to construct new offices at ground floor level, or to change the use of shop (or other) properties to offices within the streets, areas or frontages so identified will, save in every exceptional circumstances, be resisted.

Application No. 14/91/498 - Construction of 26 No. houses, 2 bungalows and 28 No. Sheltered Housing flats with parking for 10 No. cars, Tong Lane, Bacup

701. That planning permission be refused for the following reasons:-

1. The development would be contrary to Policy E10 of the Rossendale District Local Plan First Review - approved for the purposes of development control on the 13th November, 1991, in that it states:-

E10 - Local natural stone will normally be required for all new development in selected areas.

The selected areas are:-

- (a) Within the town centres or sub-centres of:-

Bacup
Edenfield
Haslingden
Waterfoot
Rawtenstall
Crawshawbooth
Whitworth

- (b) Along all principal highways/valley corridors, in areas where the use of natural local stone in existing buildings predominates.
 - (c) Within designated conservation areas where the use of natural local stone in existing buildings predominates.
 - (d) Development adjoining or otherwise affecting the setting of a listed building where the use of natural local stone facing materials is necessary to preserve or enhance the setting of the listed building.
 - (e) Elsewhere in areas where the use of natural stone in existing buildings predominates and forms a substantial part of the character of the built environment of the locality.
2. The development would also be contrary to Policy No. 3 of the Bacup Conservation Area Plan in that it states:-

Proposals to develop or redevelop within the Conservation Area will be required to ensure that the highest of standards in terms of design and use of compatible external facing materials is achieved in all cases. Sensitive and sympathetic design whether for larger schemes of redevelopment or for smaller proposals to refurbish or extend existing properties is essential if the character of the town centre is to be properly conserved. External facing materials will be required to match those of the existing building to be extended or refurbished, or of surrounding properties in the case of redevelopment. In almost all instances this will mean the use of natural local stone in appropriate coursing, together with blue slate or stone flag to roofs.

Application No. 14/91/513 - Renewal of temporary permission
for a change of use of land for a Rifle and Pistol Range.
Pinner Quarry, Pinner Lane, Crawshawbooth.

701. Resolved that planning permission be granted subject to the following condition:-

1. No shooting shall take place on the site between 21.00 hours on any day and 11.00 hours on the following day with the exception of Sundays when shooting shall be restricted to 12.30 hours and 21.00 hours.

Application No. 14/91/496 - Erection of dwelling
in connection with use of land as Pets Crematorium.
Rossendale Pets, Crematorium Centre, Burnley Road, Crawshawbooth

701. Resolved that planning permission be granted subject to the following conditions:-

1. This is an outline application only.
2. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed at the pets cemetery or a dependant of such a person residing with him or her, or a widow or widower of such a person, and who of necessity requires to be so resident in the interests of the security and efficient business operation of the pets cemetery enterprise.

3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 no development which would otherwise be permitted by virtue of the provisions of Class A-E of Part 1 of the Schedule 2 to Article 3 of the Order shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.
4. Notwithstanding the provision of the Town and Country Planning General Development Order 1988 no material change of elevation, change of use or alteration to form a habitable room of any integral or other garage constructed concurrently with or subsequent to the original dwellinghouse, which would otherwise be permitted by virtue of the provisions of Class A of Part 1 of Schedule 2 to Article 3 of the aforementioned Order, shall be carried out anywhere within the application site without the grant of formal express planning permission in that behalf by the local planning authority.

Application No. 14/91/428 - Erection of 4 No. dwellings
Land Adjoining Water Lane, Edenfield

701. Resolved that planning permission be refused for the following reasons:-

The proposed development would by reason of its size, mass and close proximity to adjoining dwellinghouses be detrimental to the visual and residential amenities and privacy at present enjoyed by and reasonably to be expected to continue to be enjoyed by the occupiers of those adjoining dwellinghouses.

Standing Order No. 39(1)

701. Resolved that in accordance with Standing Order No. 39(1), the Committee hereby consent to Councillor Pearson taking part in the discussion on the following item.

Application No. 14/91/434 - Erection of 1 No. 2 storey block of 6 flats
and Terrace of 4 single storey dwellings and associated siteworks.
Land off Stag Hills Road, Newchurch

701. Resolved that planning permission be granted subject to the following conditions:-

1. Before any development is commenced a fully detailed scheme of landscaping (as such including tree and shrub planting, the provision of any grassed areas, hard landscaping features and the erection of any screen or boundary walls, fences or other means of enclosure) shall be submitted to and approved by the local planning authority, and such scheme shall thereafter be fully implemented before any building hereby permitted is first occupied for the purposes hereof, or at such other time as may subsequently be agreed in writing with that authority. Any trees or shrubs dying/becoming diseased or otherwise being removed within two years of planting shall be replaced by the applicant/developer by species of a similar type and size.
2. No development shall take place until samples of the proposed brickwork and roof tiles have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
3. None of the dwellings hereby approved shall be occupied until such time as land drains have been completed in accordance with a scheme to be submitted to and approved by the local planning authority.

4. The eastern site boundary fence and the residential curtilage fences to the rear of the single storey dwellings shall be constructed and thereafter retained for the duration of the development at a height no greater than 1.2m above ground level.

Application No. 14/88/282 - Retail shopping with offices over.
Land at and adjoining the former site of Phipps Building,
Bank Street/Bright Street, Rawtenstall

701. Resolved that planning permission be granted subject to the following conditions:-

1. Before the use which is the subject of this permission is first instituted the car parking facilities as indicated on the submitted plan shall be provided, surfaced, laid out and made available for use, and thereafter retained for those purposes.
2. No development shall take place until samples of the proposed stonework and roof slate have been submitted to and approved by the local planning authority and the outer face of the building shall not be constructed other than with the approved materials.
3. The ground floor of the premises to which this permission relates shall be used as a Class A1 retail shop and for no other purpose as defined by Part A of the Schedule to the Town and Country Planning Use Classes Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Application No. 14/91/568 - Change of housetype on plots 22-31 inclusive
and an increase in the density of the site by the erection of 5 No.
additional dwellings on plots numbered 57, 58, 59, 60, 61.
Holmeswood Park, Holme Lane, Rawtenstall

701. Resolved that permission be refused for the following reason:-

The proposed development would result in an undesirable increase in the dwelling density upon a significant portion of this prominently located site

to the detriment of securing orderly and well co-ordinated and well planned development in the locality.

Application No. 14/91/382 - Formation of new access
and erection of 8 two bedroomed houses and garages,
off Heald Lane, Irwell Springs, Weir, Bacup

701. Resolved that planning permission be granted subject to the following conditions:-

1. The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
2. No development shall take place until details of the siting and design of all screen or boundary walls, fences or other means of enclosure which form part of the development have been submitted to and approved by the local planning authority. No building/none of the buildings hereby permitted shall be occupied until the walls, fences or other means of enclosure have been erected in accordance with the approved details.

3. The existing trees within the application site shall be retained for the duration of the development and shall not be wilfully damaged or destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the local planning authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced in the next planting season with trees of similar size and species, unless the local planning authority gives written consent to any variation.
4. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
5. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device.
6. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed site access from the continuation of the nearer edge of the carriageway of Heald Lane to the north-western corner of the site and, also, that land in front of a line drawn from the same point to the south-western corner of the site, and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

Application No. 14/91/487 - Change of use into
Launderette with minor elevational changes involving
gas flue installation - 16 King Street, Bacup

701. Resolved that permission be refused for the following reasons:-

1. Notwithstanding the proposed measures to alleviate condensation the introduction of a wet operation would possibly lead to the eventual physical deterioration of the structure of the building.
2. The introduction of a launderette use into this mixed commercial/residential block of property would by reason of the noise and hours of operation be detrimental to the amenities of future occupiers of adjoining residential units.
3. The utilisation, non-retail nature of a launderette would jeopardise the (specialist) retailing prospects of the adjoining two shop units.

Application 14/91/488LB - Change of use into launderette
with minor elevational changes involving gas flue installation
16 King Street, Bacup

- 701 . Resolved that permission be refused for the following reasons:-
1. The introduction of a wet operation of this type into this Grade II Listed Building would possibly lead to condensation problems which could jeopardise the building's future.

SECTION 'A' - FUNCTIONS NOT DELEGATED

Planning Appeal Decisions

701. The Borough Engineer and Planning Officer reported on the results of appeals against the Council's decision to refuse planning permission in the following cases.

(a) Application No. 14/90/829 - Front and rear dormer extensions
93 Manchester Road, Haslingden

Appeal dismissed.

(b) Enforcement Appeal - Use of land as caravan site
Land adjoining Holden Mill House, off Grane Road, Haslingden.

Permission granted subject to the following conditions

1. The use hereby permitted shall be for a limited period being the period during which Holden Mill House is occupied residentially by Christopher or Gabrielle Tattersall.
2. When Holden Mill House ceases to be occupied residentially by Mr and Mrs Tattersall, the use hereby permitted shall cease, and the caravans/mobile homes and any other items brought onto the site in connection with the use shall be removed from the land.
3. No more than 29 caravans/mobile homes shall be stationed on the site at any one time.
4. Within two months of the date of this letter a scheme for the painting of the caravans/mobile homes hereby permitted shall be submitted to the local planning authority for approval, the scheme shall be implemented within four months from the date of approval by the local planning authority, and shall not be amended thereafter without the prior permission in writing of the local planning authority.

5. Within three months of the date of this letter a scheme of landscaping shall be submitted for written approval to the local planning authority which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, such a scheme shall only be approved by the local planning authority after consultation with British Gas (North West) plc.
6. All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out in the first available planting and seeding seasons following approval, and any trees or plants which, within a period of 5 years from the date of seeding or planting die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size of species, unless the local planning authority gives written consent to any variation.
7. No part of any caravan/mobile home on the site shall be position within 15.6m of British Gas plc's Helmshore Altham pipeline.
8. Within two months of the date of this letter, a scheme for the sewage disposal/drainage works required to service the site shall be submitted to the local planning authority and, once approved, shall thereafter be fully implemented within a period of three months.

9. Within one month of the date of this letter, a site investigation or investigations and assessment shall be commenced by the site owner in relation to the suspected presence of methane gas from former landfill operations beyond the boundaries of the site for a period of three months or such longer period as may be specified in writing by the local planning authority, and take such steps and carry out all measures as may be required, following the assessment and recommendations, to deal satisfactorily with any methane gas still being generated within the site, before three months have elapsed from the date of the local planning authority's direction that the assessment be complied with.

(c) Enforcement Appeal - Extension to existing stable building
Brow Edge, off Market Street, Whitworth

Permission granted subject to the following conditions

1. The Development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.
2. The building shall be used as a stable and for no other reason.

Little Tooter Quarry, Sharneyford, Bacup

701. The Borough Engineer and Planning Officer reported that the six month period for restoration of the quarry area had expired on 1st November. The Chief Executive Officer reported that an Enforcement Notice had been served on 28th November, 1991 which required by 27th January, 1992, the submission to the County Planning Officer of a scheme for approval for the restoration of the site and for the works to be carried out in their entirety within a period of six months from the date of approval of the scheme.

Resolved that the report be noted.

Computerisation of the Building Control System

701. The Borough Engineer and Planning Officer reported that he had been investigating the availability of computer systems to assist in the operation of the

building control function. he reported that the most appropriate package was the MKA Building Control Software Package which was available at a cost of £11,000 plus £1,600 approximately annual support.

Resolved that subject to the approval of the Computer Systems Steering Group, the MKA Building Control Software Package together with the necessary hardware, be purchased during the financial year out of Building Control fee income.

Highways Report

701 . The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on highways throughout the Borough. He replied to Members' questions on items referred to in his report and matters relating to maintenance etc., and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

Tong Lane, Whitworth - Pedestrian Facilities

701. The Borough Engineer and Planning Officer reported that in 1989 a pedestrian refuge had been installed on Market Street near to its junction with Tong Lane. Since that time he had received a number of requests for a controlled pedestrian crossing to be installed and he reported that he most recent/vehicle count came very close to satisfying the criteria for a crossing.

The Borough Engineer and Planning Officer indicated that he had written to the County Council asking for them to include provision for a crossing within their maintenance programme and he undertook to report to a future meeting. He further reported that if a crossing were to be provided its precise siting might be slightly modified from the position of the existing pedestrian refuge.

Resolved that the report be noted.

Capital Programme - Progress Report

Queens Square Roundabout, Rawtenstall

701. (a) The Borough Engineer and Planning Officer reported that tenders for the engineering works and landscaping works had been accepted by the Development Control Sub-Committee at their last meeting.

Resolved that the report be noted.

Newhallhey Roundabout

721. (b) The Borough Engineer and Planning Officer reported that following discussions with the Department of the Environment regarding the levels of ERDF grant for the scheme, the Department had accepted that grant at the rate of 40% could be applicable in the case of this scheme. He reported that tenders had been opened and indicated the value of the tenders.

The Borough Engineer and Planning Officer reported on the sources from which funds were being drawn to finance the scheme and indicated that he had been

advised earlier in the day that the private sector contribution in the order of £75,000 was not currently available for the scheme.

The Committee discussed the matter and the Chief Executive Officer pointed out that because of the situation in which the Committee now found themselves, it would not be possible for the scheme to proceed in the current year but this would not prevent them from seeking grant in the next financial year although he pointed out that it would then be competing for funds with other schemes.

Resolved that the Policy and Resources Committee be recommended to determine at their next meeting whether the scheme may proceed.

Bacup Town Centre Improvement

721. (c) The Borough Engineer and Planning Officer reported that tenders were shortly to be received for the schemes at Austin Street, Kershaw Street and Rochdale Road, Bacup.

Resolved that the report be noted.

Salem Street, Haslingden

721. (d) The Borough Engineer and Planning officer reported that Orders had been placed for the necessary service diversions and the contract documents were currently being prepared.

Resolved that the report be noted.

Rising Bridge - Traffic Conditions

701. The Borough Engineer and Planning Officer reported that a meeting had been held on 30th November, 1991, to discuss the several items raised in a residents petition regarding traffic problems in the Rising Bridge area (Vide Minute No. 595).

Arising out of these discussions it had been decided to erect signs on Blackburn Road advising of the existence of the signal controlled crossing; in addition, measures to prohibit parking on Northfield Road near its junction with Blackburn Road were proposed and minor amendments to the kerb at the Blackburn Road/Northfield Road junction to facilitate the left turning movement were also agreed.

The Committee raised the continuing difficulties for pedestrians in the vicinity of the Haslingden By Pass particularly at its roundabout junction with the A56 Accrington Easterly By Pass.

Resolved (i) that the report be noted, and

(ii) that the Borough Engineer and Planning Officer make arrangements for pedestrian/vehicle counts in this area to determine whether measures may be taken to assist pedestrian safety at the Haslingden By Pass.

Access for the disabled

701. The Borough Engineer and Planning Officer reported that the Equal Opportunities Working Party had referred to this Committee certain items relating to access for disabled persons in the town centres.

The Chief Executive Officer reported that a survey had been undertaken by mature students from the Rossendale and Accrington College who had experienced difficulties in using the dropped crossings because of obstruction by vehicles and the height of the kerbs at these locations. The Borough Engineer and Planning Officer reported that the height of dropped kerbs was now to be reduced to nil to facilitate easy access for wheelchairs.

The Borough Engineer and Planning Officer reported that the Lancashire County Council was currently preparing a Code of Practice which might be adopted countywide for matters of this type.

The Committee discussed the matter

Resolved (i) that the report be noted

(ii) that the Borough Engineer and Planning Officer be authorised to write to the County Council, British Telecom and Mercury Telecommunications regarding the points raised by the Equal Opportunities Working Party, and

(iii) that the Borough Engineer and Planning Officer investigate the methods by which parking might be prohibited at dropped kerbs and to report to a future meeting on this matter.

Traffic Regulation Orders

Thornfield Avenue, Waterfoot

701. (a) The Borough Engineer and Planning Officer reported on an objection in respect of the above proposed Order relating to difficulties on access to garage premises situated on Thornfield Avenue. He recommended that the proposal was justified in the interests of safety and traffic management.

Resolved that the Order be carried out as originally proposed.

Market Street, Whitworth

724. (b) The Borough Engineer and Planning Officer reported the receipt of an objection to the proposed Order. He suggested that the objection did not in fact refer to the proposed Order.

Resolved that the Order be carried out as originally proposed.

Cross Street North/Blackburn Road, Haslingden

724. (c) The Borough Engineer and Planning Officer reported the receipt of objections regarding inconvenience which would be caused if the proposed Order were to be introduced. He reported that the proposed Order sought to remove hazards whilst at the same time providing unregulated extra parking on Cross Street North by the revocation of the existing Order. In addition ample car parking spaces was available nearby which would not compromise safety and he recommended that the Order proceed.

Resolved that the Order be carried out as originally proposed.

Longholme Road/Back Bacup Road

724. (d) The Borough Engineer and Planning Officer reported the receipt of several objections to the proposed Order. He suggested that long term parking was taking place on Back Bacup Road but he suggested it might be appropriate to extend the time limit to one hour.

Resolved that the Order in respect of Longholme Road be carried out as originally proposed and the Order for Back Bacup Road be carried out on the lengths of highway originally proposed but that the time limit be extended to one hour in any two hours between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Saturdays inclusive (return prohibited within one hour).

Bury Road, Rawtenstall

724. (e) The Borough Engineer and Planning Officer reported that following observations he was recommending the introduction of an Order to improve safety on Bury Road in the vicinity of Andrew Avenue/Cherry Tree Lane.

Resolved that in accordance with the terms of the Agency Agreement with the Lancashire County Council, the Chief Executive Officer be authorised to make an order preventing the waiting of vehicles between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Saturdays inclusive on the south side of Bury Road from its junction with Cherry Tree Lane for a distance of 257 metres approximately in an easterly direction.

Tree Planting Programme, 1991/92

701. The Borough Engineer and Planning Officer reported that he had not prepared the tree planting programme for submission to the Committee but he sought approval to a scheme for planting at Alder Grange High School, Rawtenstall. He advised the Committee that an extension to the School was to be opened on 13th December by the celebrity Mr. David Bellamy, and he suggested that a scheme involving 500 pupils planting approximately 2,500 trees on that day would be a fine spectacle and one which would publicise the Council's tree planting programme.

Resolved that the site be approved for the tree planting scheme as now reported.

Derelict Land Top Up - Britannia Greenway

701. The Borough Engineer and Planning Officer reported that certain works were necessary to improve access for horses and to deter motorcyclists from using the scheme. In addition, a picnic table overlooking the reservoir was proposed for use by disabled persons. The Countryside Commission would grant aid the picnic table and motorcycle barriers but the cost of the scheme was £3,300 in excess of the grant.

Resolved that a sum of up to £3,300 be approved from the derelict land top up allocation for the works now referred to.

Diversion of Footpath 335 - Willows Farm, Crawshawbooth

701. The Borough Engineer and Planning Officer reported that the above-mentioned footpath had been obstructed and to regularise the position an application had been made for a formal Footpath Diversion Order. He submitted a plan indicating the route of the existing path and the proposed diversion.

Resolved that the Borough Solicitor be authorised to make the necessary Footpath Diversion Order.

Drainage Report

701. The Borough Engineer and Planning Officer submitted a report giving details of the works being carried out on Sewerage Schemes throughout the Borough. He replied to Members' questions on items referred to in his report and matters relating to maintenance etc., and undertook to investigate queries and advise appropriate Members accordingly.

Resolved that the report be noted.

ERDF Grant - Waterfoot By Pass

701. The Borough Engineer and Planning Officer reported that bids were being prepared for submission in respect of the schemes approved by the Committee and in addition, the Policy and Resources Committee had decided that bids in respect of further schemes should be submitted.

The Borough Engineer and Planning Officer reminded the Committee that in order to be included in the programme schemes should be committed and be capable of proceeding. He advised the Committee that since the scheme had been dropped from the current TPP, it was unlikely to be funded by the County Council within the next ten years. Accordingly, he recommended that the bid be withdrawn.

Resolved that the Policy and Resources Committee be advised that the bid for Waterfoot By Pass should be withdrawn.

Revenue Estimates, 1992/93

Review of Charges

701. (a) The Borough Engineer and Planning Officer submitted details of charges agreed at a recent meeting of County Surveyors in respect of common tasks undertaken throughout the County.

Resolved that the following charges be adopted with effect from 1st April, 1992;-

1.	Supervision and administration of footpath crossings by private contractors	
	(a) Domestic	£60.00
	(b) Industrial	£80.00
2.	Supervision and administration of highway openings for sewer connections	£50.00
3.	Issue of skip permits week	£6.50 per
4.	Issue of hoarding permits week	£10.00 per
5.	Issue of scaffold permits week	£10.00 per
6.	Affecting temporary traffic regulation order	£190.00
7.	Provision of building over agreement for sewers	
	(a) Building over agreement	£105.00
	(b) Building over consent	£42.50
8.	Supplying information by post in response to professional enquiries	

(a) Adopted highways and public rights of way	£30.00
(b) Adopted sewers	£30.00

Estimates

730. (b) The Borough Engineer and Planning Officer submitted the Committee's draft estimates for 1992/93.

Resolved that the estimates as now submitted be referred to the Policy and Resources Committee.

Enforcement Notice Appeal
Land at Holden Mill House, off Grane Road, Haslingden

701. The Chief Executive Officer referred to a report which had been circulated by the Borough Solicitor relating to Counsel's opinion on the matter of a proposed challenge to the Inspector's decision to grant planning permission in the above-mentioned case.

Details of the opinion were submitted and he recommended that in view of the opinion an appeal should not be lodged against the decision.

Resolved that the report be noted.

Enforcement Notice Appeal - Grane Mill, Haslingden

701. The Chief Executive Officer referred to a report circulated by the Borough Solicitor relating to the above-mentioned appeal. The report indicated that the appellants had lodged an appeal in the High Court against the decision of the Inspector in this case. Counsel's opinion was to be sought on the part which the Council might need to play in any High Court action and the report indicated that if action was necessary on the Council's behalf, a detailed report would be presented to the Policy and Resources Committee at their meeting on 9th December.

Resolved that the report be noted.

Coalfield Community Campaign - Opencast Charter

701. The Chief Executive Officer reported that an invitation had been received for the Chair to attend the National Launch of the Coalfield Communities Campaigns Opencast Charter on 11th December in London.

Resolved that the Chair be authorised to attend the National Launch.

Tree Preservation Orders

701. The Chief Executive Officer reported on several Tree Preservation orders and recommended that they be confirmed as unopposed Orders.

Resolved that the following Tree Preservation Orders be confirmed as unopposed Orders:-

The Borough of Rossendale (Land at Cote Farm, Tramshed Reclamation Scheme T2/69) Tree Preservation Order, 1991

The Borough of Rossendale (Land at Burnley Road Laund T2/74) Tree Preservation Order, 1991

The Borough of Rossendale (land at Lower Cloughfold Bacup Road, Rawtenstall T2/73) Tree Preservation order, 1991

The Borough of Rossendale (Land adjacent to Spring Street, Goodshaw)
Tree Preservation Order, 1991

Development Control Sub-Committee

701. Resolved that the Minutes of the meetings of the Development Control Sub-Committee held on the 18th October, 25th October, 1st November, 8th November, 15th November and 22nd November, 1991 be noted (for Minutes see Appendices 'A' to 'F').

Items of Urgent Business

701. In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972 the Chair agreed that the following matters should be raised at the meeting as a matter of urgency in view of the special circumstances appertaining thereto.

Relocation of Haslingden Market

701. The Chief Executive Officer reported that the Environmental Health and Control Committee at their meeting on 25th November had established a Sub-Committee to consider the problems surrounding the planning application in respect of the relocation of Haslingden Market and this Committee were requested to appoint representatives to meet that Sub-Committee together with representatives of the County Surveyor and the Police.

Resolved that the Chair, Vice Chair and Councillor Mrs. Oldham be appointed to represent this Committee at the meeting with the Sub-Committee of the Environmental Health and Control Committee.

Holme Bridge, Holme Lane, Townsendfold

701 . Further to Minute No. 991 (1990/91), the Chief Executive Officer reported the receipt of a letter from the Chief Executive of the Lancashire County Council requesting that a meeting be held as a matter of urgency between the County Council's Small Improvements Sub-Committee and representatives of the Engineering and Planning Committee to discuss the matter.

Resolved that the Chair, Vice Chair and Councillor Mrs. Oldham be authorised to attend the meeting.

Exclusion of the Public and Press

701 . Resolved that under Section 100(A)(4) of the Local Government Act, 1972, the public and press be excluded from the meeting during consideration of the following

Section 52 Agreement - Greensnook Farm and Cowtoot Farm, Bacup

701 . The Chief Executive Officer referred to a report which had been circulated by the Borough Solicitor relating to a planning consent and associated Section 52 Agreement in respect of Greensnook Farm and Cowtoot Farm, Bacup.

The report indicated that the applicants had entered into a Section 52 Agreement, the effect of which was to restrict the use of Cowtoot Farmhouse and adjoining buildings to use as an agricultural dwelling and centre of operations for the farming business carried out on the adjoining land. The report indicated that changes had now arisen in the personal circumstances of the applicants/owners of the land and they had requested that the restrictions contained in the Section 52 Agreement (contained in Clauses 2c and 4) be removed.

The Borough Engineer and Planning Officer had been consulted in the matter and had indicated that the planning issues involved remained unchanged. Accordingly, the Committee were recommended not to accede to the request.

Resolved that the request from the landowners for the removal of Clauses 2c and 4 from the Section 52 Agreement be refused.

Sewerage Maintenance Contracts

701 . The Chief Executive Officer referred to a report which had been circulated by the Director of Operating Services and followed on from previous consideration by the Committee.

The report outlined the alleged overpayments made to the Contractor from the years 1983-1988 and outlined the alleged reasons for the overpayments having been made. The report indicated that it was not accepted that the overcharge was as significant as had been claimed by North West Water.

At the present time North West Water were withholding significant funds and in an attempt to reach a settlement, certain proposed courses of action had been considered and meetings held with the Water Authority, the most recent being held on Tuesday, 26th November at which an offer of a settlement had been made.

The Chief Executive Officer advised that the District Auditor had been kept fully informed of the situation and that he had found no evidence of wilful misconduct. The Chief Executive Officer further reported that a copy of the District Auditor's report in the matter would be available once the matter had been resolved.

The Committee discussed the matter in detail and following a full discussion it was

Resolved (i) that the settlement recommended in paragraph 11 of the report be reluctantly accepted, and

(ii) that the Chief Executive Officer be instructed to circulate the District Auditor's report in the matter for discussion at the next meeting of the Committee.

THE MEETING CONCLUDED AT 9.00 p.m.