

8 April 2010

Dear Councillor

COUNCIL - TUESDAY, 13TH APRIL 2010

I am now able to enclose, for consideration at next Tuesday's meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No Item

10. **Executive and Electoral Arrangements Review (Pages 89 - 96)**

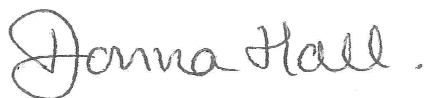
To consider the enclosed report of the Chief Executive on the outcome of the consultation on the review of Executive and Electoral Arrangements.

11. **Publication Version of Central Lancashire Local Development Framework (LDF) Core Strategy (Pages 97 - 104)**

To consider the enclosed report of the Director of Partnerships, Planning and Policy, with the attached Issues schedule.

A copy of the draft Publication Version of the Central Lancashire LDF Core Strategy is attached separately.

Yours sincerely



Donna Hall
Chief Executive

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Distribution

1. To all Members of the Council, Chief Executive and Directors.

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون کیجئے: 01257 515823

| Report of | Meeting | Date |
|--|--------------|---------------|
| Chief Executive (Introduced by the Leader of the Council) | Full Council | 13 April 2010 |

EXECUTIVE AND ELECTORAL ARRANGEMENTS – REVIEW

PURPOSE OF REPORT

1. To report to members the results of the Consultation Exercise, that sought the views of residents as to the proposed Executive and Electoral Arrangements, and ended on 31 March 2010.
2. To invite members to consider Executive arrangements and to adopt either, a Strong Leader and Cabinet arrangement or an Elected Mayor and Cabinet arrangement.
3. To invite members to consider Electoral arrangements and to either continue with elections by thirds or move to all out elections.

RECOMMENDATION(S)

4. 4.1 That based on the results of the consultation the Council be recommended to adopt the Strong Leader with Cabinet arrangement to be effective from May 2011.

- 4.2 That based on the results of the consultation the Council continue to hold local elections by thirds.

EXECUTIVE SUMMARY OF REPORT

5. The Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007 require the Authority to consider their Executive and Electoral Arrangements. The Authority has to resolve to adopt either a strong leader and cabinet or an elected mayor and cabinet; and consider whether to retain the current electoral arrangements or to move to all out elections.
6. There is a requirement to consult the electorate for Chorley Borough to establish their views on the proposed arrangements.
7. The consultation exercise responses indicate a higher level of support for ‘a new style “strong leader” and cabinet executive’ than for a ‘directly elected mayor and cabinet’ model. Respondents also showed greater support in favour of election by thirds as opposed to the introduction of out elections for all wards once every four years.
8. The resolutions must be passed by 31 December 2010.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

8. It is a legal requirement to pass the necessary resolutions by 31 December 2010.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9. There are no alternatives, the Authority is obliged by statute to pass the necessary resolutions.

CORPORATE PRIORITIES

10. This report relates to the following Strategic Objectives:

| | | | |
|--|---|---|---|
| Put Chorley at the heart of regional economic development in the Central Lancashire sub-region | | Develop local solutions to climate change. | |
| Improving equality of opportunity and life chances | | Develop the Character and feel of Chorley as a good place to live | |
| Involving people in their communities | X | Ensure Chorley Borough Council is a performing organization | X |

BACKGROUND

11. Parts 2 and 3 of the Local Government and Public Involvement in Health Act 2007 require all Local Authorities to consider and pass resolutions concerning their executive and electoral arrangements.
12. Authorities are required to consider whether they wish to have either:-
 - (a) A Strong Leader and Cabinet Executive; or
 - (b) An Elected Mayor and Cabinet Executive.⁽¹⁾
13. They are further required to consider whether the Authority wishes to either maintain their current electoral arrangements, for Chorley this is elections by thirds, or change to all out elections.⁽²⁾
14. As part of the decision making process relating to the executive arrangements, Local Authorities are required to consult the local government electors in the authorities area before drawing up proposals for the resolution.⁽³⁾ However, there is only a requirement to consult electors on the electoral arrangements if it is intended to change them.⁽⁴⁾ The Council decided however to consult on this in any event to establish public opinion.
15. The Act requires that the resolution must be passed by District Councils by 31 December 2010.⁽⁵⁾

CONSULTATION PROCESS

16. The following exercises have been undertaken in the Consultation
 - Direct Approach to all Citizen Panel Members
 - Web-Based questionnaire
 - Direct Approach to Parish Councils
 - Advertising in Local Press

17. In addition all comments and representations received by the Council relating to the consultation will be considered.

EXECUTIVE REFORM

Strong Leader and Cabinet

18. This model is defined in the 2007 Act as an executive consisting of:-
- (a) a councillor of the authority elected as leader of the executive by the authority; and
 - (b) two or more councillors of the authority appointed to the executive by the executive leader.
19. Other key features of the model include the following: -
- the executive leader makes the arrangements for the discharge (e.g. by officers) of the functions which (under regulations) are the responsibility of the executive.
 - the leader is elected at a post election annual meeting
 - the leader's term of office is for the remainder of his term as a councillor a period of up to four years, but the executive arrangements may include provision for the Council to remove the leader by resolution before then.
 - the executive leader must have the power to be able to determine the number of councillors which may be appointed to the executive (although this must be at least two, but cannot exceed 9 unless the Secretary of State increases the maximum in regulations)
 - a deputy executive leader must be appointed by the executive leader, and the deputy will hold office until the end of the term of office of the executive leader (although the deputy may be removed by the executive leader at any time but, if so, there would have to be a replacement).
 - The position of ceremonial mayor would be retained.

Elected Mayor and Cabinet

20. As indicated this remains the same as the Model introduced by the 2000 Act. It is defined as an executive consisting of:-
- (a) an elected mayor of the authority; and
 - (b) two or more councillors of the authority appointed to the executive by the elected mayor.
21. Other key features of the Model include the following:-
- the term of office of an elected mayor is four years and the executive arrangements cannot include provision for the Council to remove the elected mayor
 - the mayor is elected on the ordinary day of elections (eg 5 May 2011 is the next relevant election date for Chorley's purposes)
 - the elected mayor makes the arrangements for the discharge of the authority's executive functions (i.e. who is to discharge those functions - the elected mayor, the

executive, another member of the executive, a committee of the executive, or an officer of the authority)

- the elected mayor must be able to determine the number of councillors who may be appointed to the executive (subject to the statutory minimum (2) and maximum (9) unless the Secretary of State increases the maximum permitted)
- the elected mayor has to appoint one of the members of the executive to be his deputy. The deputy mayor, unless he resigns or ceases to be a member of the authority, will hold office until the end of the term of office of the elected mayor (although the deputy mayor may be removed by the elected mayor at any time, but if so, another person must be appointed in his place)
- the mayor would be elected directly by the whole electorate every four years, unlike the Leader an elected Mayor would NOT represent a ward.
- the position of ceremonial mayor would be retained although the name of the position would have to change.

ELECTORAL REFORM

Current Position

22. Chorley Council presently has elections by thirds on a 4 year cycle.
23. For each of the first 3 years one third of the Council Seats are up for election. When elected each Councillor serves for a period of 4 years. In the 4th year of the cycle County Council elections are undertaken.

Alternative – All Out Elections

24. The alternative model means that Chorley Council would have elections once every 4 years with all Council Seats being up for election.

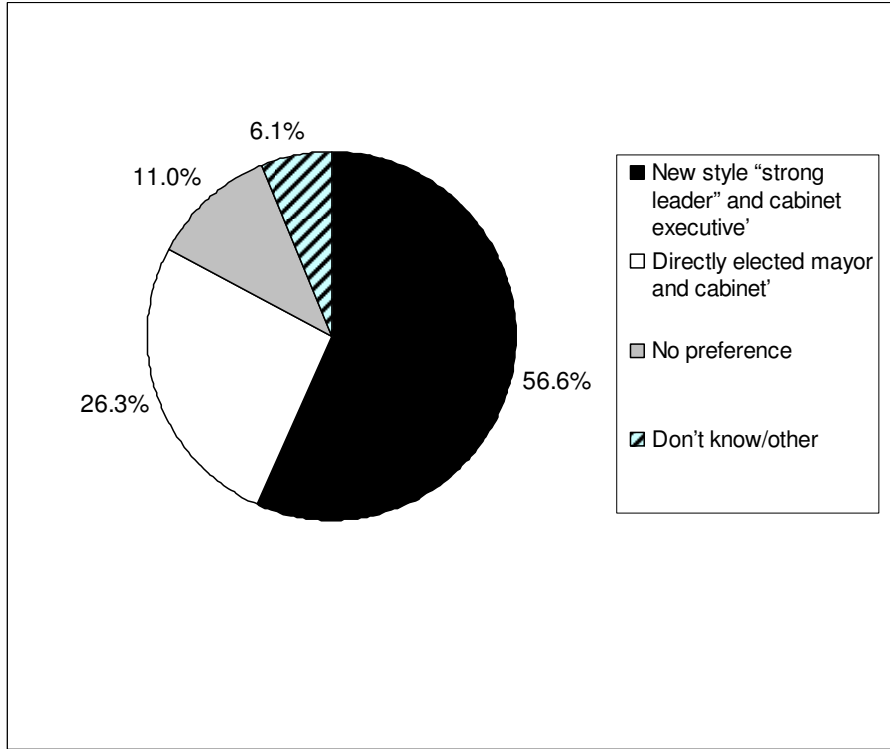
- (1) Local Government and Public Involvement in Health Act 2007 section 62
- (2) Local Government and Public Involvement in Health Act 2007 part 2
- (3) Local Government Act 2000 section 25
- (4) Local Government Act 2000 section 33
- (5) Local Government Act 2000 section 330 (O)

RESULTS OF THE CONSULTATION

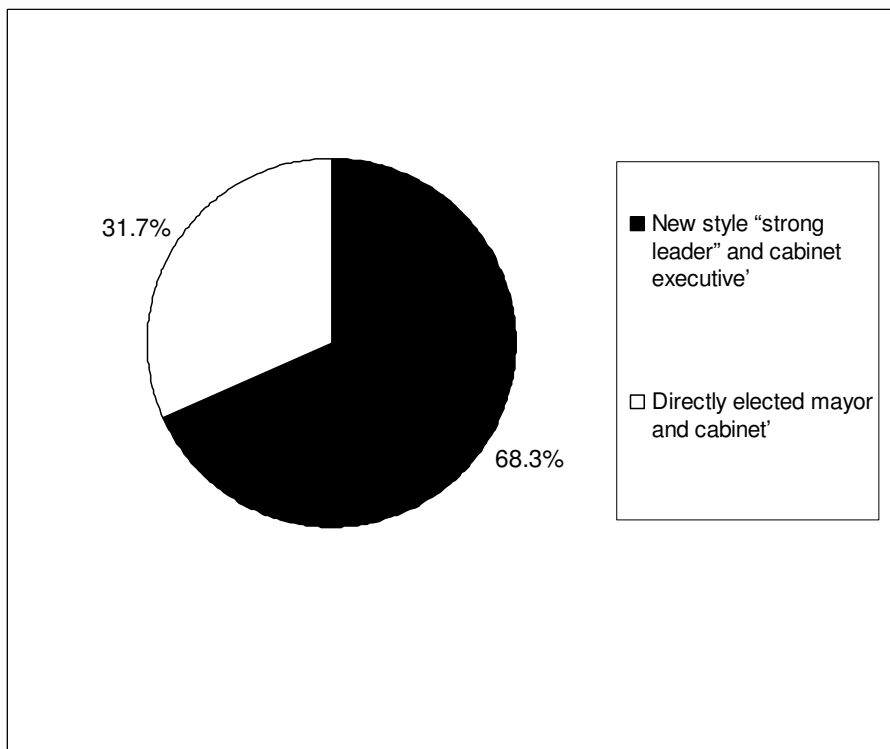
25. As identified above the Council adopted a multi-layered approach to the consultation. Responses were received through a web-based questionnaire, from paper-based consultation packs and letters received from the public following advertising in the local press. A separate postal consultation of the 1100 Citizen Panel Members was undertaken to gain further insight into wider public opinion as similar consultation exercises in other areas had received low response levels.
26. In total 437 residents responded to the consultation, the results of which are set out below. Note: the numbers below may not total 437 as some residents only wished to provide a response or comment on one of the choices and not both.

EXECUTIVE ARRANGEMENTS

27. When the combined consultations are considered 56.6% of residents (241) favoured 'Option 1 – a new style “strong leader” and cabinet executive' 26.3% (112) were in favour of 'Option 2 – a directly elected mayor and cabinet'. The remaining 17.1% (26) expressed 'no preference' or 'don't know' or 'other'.

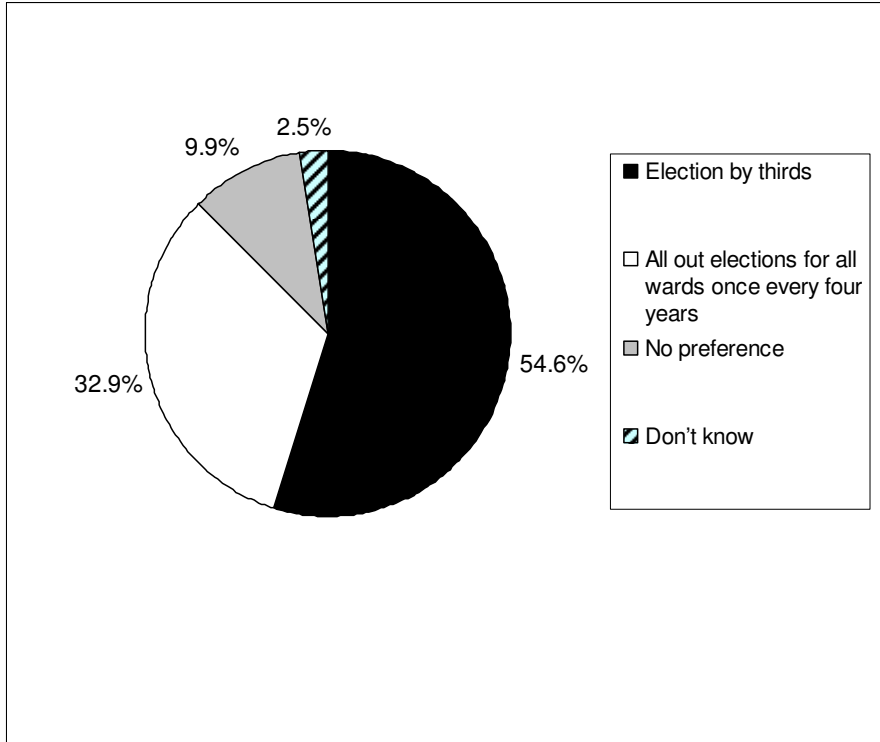


28. Of those who made a positive selection (i.e. excluding no preference/don't know /other responses); 68.3% of residents favoured 'Option 1 – a new style “strong leader” and cabinet executive' and 31.7% were in favour of 'Option 2 – a directly elected mayor and cabinet'.

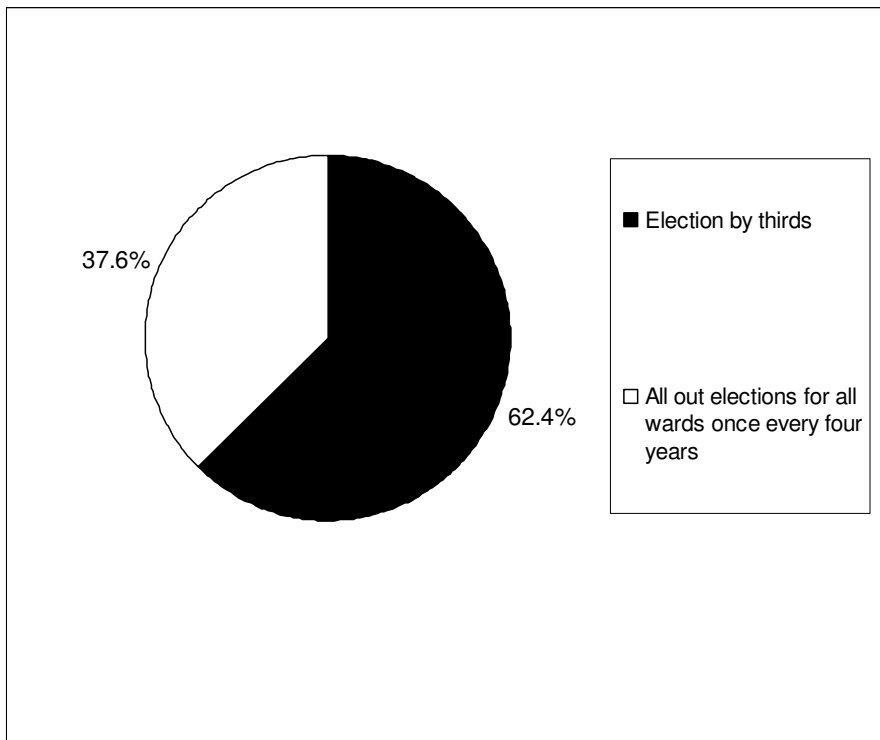


ELECTORAL ARRANGEMENTS

29. When the combined consultations are considered of 54.6% of residents (237) favoured retention of election by thirds while 32.9% (143) were in favour introducing all out elections for all wards once every four years. The remaining 12.4% (54) expressed 'no preference' or 'don't know'.



30. Of those who made a positive selection 62.4% of residents favoured election by thirds while 37.6% were in favour introducing all out elections for all wards once every four years.



IMPLICATIONS OF REPORT

40. This report has implications in the following areas and the relevant Directors' comments are included:

| | | | |
|-----------------|----------|--|--|
| Finance | | Customer Services | |
| Human Resources | | Equality and Diversity | |
| Legal | X | No significant implications in this area | |

COMMENTS OF THE MONITORING OFFICER

41. It is a legal requirement to have resolved to adopt one of the proposed model executive arrangements and whether to retain existing electoral arrangements or to change to all out elections by 31 December 2010. The required consultation has been undertaken and members are, subject to any requests for additional information, in a position to make the necessary resolutions.

DONNA HALL
CHIEF EXECUTIVE

There are no background papers to this report.

| Report Author | Ext | Date | Doc ID |
|---------------------------------|------------|--------------|---------------|
| Chris Moister / David Wilkinson | 5160 | 1 April 2010 | *** |

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| Report of | Meeting | Date |
|---|--------------|-----------------------------|
| Director of Partnerships, Planning & Policy Introduced by Executive Member for Business Chorley Council | Full Council | 13 th April 2010 |

PUBLICATION VERSION OF CENTRAL LANCASHIRE LDF CORE STRATEGY

PURPOSE OF REPORT

1. To set out the significance of the Publication version of the Core Strategy and provide an overview of its content.

RECOMMENDATION(S)

2.
 - (i) That the Council agree to publish the Core Strategy as amended to include the schedule of issues raised at the Joint Cabinet meeting with Preston and South Ribble Councils on 31 March 2010;
 - (ii) That approval of minor clarifications and/or corrections to the document prior to formal publication or submission be delegated to the Director of Partnerships, Planning and Policy in consultation with the Executive Leader and the Executive Member (Business).
 - (iii) That subject to there being no significant/fundamental issues raised as a result of representations received at publication, agree for the Core Strategy to be submitted to the Secretary of State for examination.
 - (iv) That where issues arise following Full Council or publication which require significant change(s) then the Strategy will be taken to a future meeting of the Cabinet and Council to approve the changes.

EXECUTIVE SUMMARY OF REPORT

3. At a Joint Informal Meeting of Cabinets of Chorley, Preston and South Ribble held on Wednesday 31st March the above recommendations were agreed subject to a number of minor amendments and Full Council Approval. Version 4 of the Core Strategy proposed text is attached – together with a note of the issues and responses raised by members at the Joint Informal Cabinet.
4. The Publication version should be regarded as the Core Strategy the three local authorities want to adopt. It will however have to be formally submitted to government and then examined by an inspector before it can be finalised and adopted. Compared to the previous Preferred version the content has been revised with a greater emphasis on managing growth as well as referring to essential strategic infrastructure needed and how this can be funded through developer contributions where there is a funding shortfall from other sources.
5. As far as other content, it is confirmed that there is no need to change the extent of the Green Belt to accommodate the Core Strategy proposals. There are ambitious targets for reducing carbon emissions from new development and for seeking affordable housing which together with infrastructure requirements all need to take due account of economic viability factors. In respect of overall housing provision there is a steer on where it will be

located, a flexible approach to construction densities and a realistic basis for maintaining a 5 year land supply.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 6. So that Core Strategy can be endorsed by Cabinets at the joint meeting subject to other matters being approved later under delegated authority.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 7. None

CORPORATE PRIORITIES

- 8. This report relates to the following Strategic Objectives:

| | | | |
|--|---|---|---|
| Put Chorley at the heart of regional economic development in the Central Lancashire sub-region | X | Develop local solutions to climate change. | X |
| Improving equality of opportunity and life chances | X | Develop the Character and feel of Chorley as a good place to live | X |
| Involving people in their communities | X | Ensure Chorley Borough Council is a performing organization | X |

BACKGROUND

- 9. The previous version – the Preferred Core Strategy – was published for consultation and wider engagement purposes in September 2008 following two earlier Issues and Options documents produced in 2006 and 2007. Representations and other comments received at each stage have been taken into account to inform the content of the next stage document.
- 10. The Publication version represents what the Councils would like to adopt and bring into force as the finalised Core Strategy. However prior to adoption the Core Strategy has to be formally published and placed on public deposit for a period of 6 weeks to allow for formal representations to be made. The target month for Publication is June.
- 11. Following the 6 week period the Councils are required to produce a report identifying the issues raised by the representations. This report along with the representations themselves will then be submitted along with the Core Strategy to the Secretary of State. The target month for this is September. At this point a Planning Inspector is appointed to examine the Core Strategy. The examination process is likely to include some hearings. The Inspector will produce a written report with binding recommendations as to how the Core Strategy should be amended before it can be adopted and brought into full force. The target month for this final stage is June 2011.
- 12. LDF documents gradually replace the saved policies in Local Plans as they become adopted. Most of the content of Local Plans as shown on the Proposals Maps, including such matters as the extent of the Green Belt and the protection/safeguarding of land, remains unchanged unless altered or replaced by proposals in the LDF Site Allocations documents – these are not due to be published in first draft form until September this year. The Site Allocations documents will be able to detail what is expected on each development site and so cover such as density, timing, infrastructure required. The Core Strategy provides a strategic context for these documents.

OVERVIEW OF CONTENT

13. The Core Strategy text has been revised, re-ordered and shortened from that included in the Preferred version but the changes are a natural evolution from that earlier document reflecting where appropriate the representations and other comments made in the autumn and early winter of 2008, the findings of more recent evidence and due account of the latest trends particularly in the local and wider economy.
14. The main content of the proposed Publication version is as follows:
- a) **Introduction** – this now itemises the influential trends, key challenges and latest evidence that the Core Strategy needs to reflect and respond to, it introduces the concept of 'place shaping', the significance of economic growth leading to prosperity and the cross cutting themes of Achieving Good Design, Promoting Health and Wellbeing and Tackling Climate Change
 - b) **Context** – recast to pick out the particular relevance of other strategies that have a bearing on the Core Strategy
 - c) **Spatial Portrait** – more focussed on the key features of Central Lancashire and the roles places within the area play
 - d) **Vision** – redrafted so that it can also guide the emerging Central Lancashire Economic Regeneration Strategy and provide the basis for more locally distinctive Strategic Objectives
 - e) **Spatial Strategy** – this has several key parts:
 - a clearer emphasis on securing prosperity through sustainable managed growth and without spoiling the distinctive character of the area, marrying the opportunities it has with the need to address pockets of deprivation
 - as before with an urban focus for development but also bolstering local service centres. The main specific locations for investment are the previously allocated Strategic Sites of:
 - Buckshaw Village
 - Lancashire Central, Cuerden
 - BAe Samlesbury

and the next to be brought forward - broader Strategic Locations (to be defined on the ground in detail in the Site Allocations documents) at:

 - North West Preston – Cottam/Bartle/Eastway
 - Central Preston – Central Business District /Tithebarn Regeneration Area/Inner East Preston
 - for each of the above Sites and Locations the importance of timely infrastructure provision is stressed together with an indication of specific major requirements
 - f) **Delivering Infrastructure** – this chapter now immediately follows the Spatial Strategy and proposes a policy that aims to cover the likely transition from Section 106 provisions to some form of levy/tariff based approach, this will be underpinned by a schedule of strategic infrastructure to be produced separately but published alongside the Core Strategy. A great deal of work remains to be done on deciding tariff levels for different forms of development, including taking account of overall future infrastructure requirements (after allowing for any current spare capacity), non-development funding sources and economic viability considerations. It is likely a detailed Development Plan type document will be needed to set out tariff proposals that will be subject to extensive community engagement, and probably examination, before it could be adopted.
 - g) **Catering for Sustainable Travel** – striking the right balance of public and private transport including flexibilities in terms of car parking provision and the promotion of a bus rapid transit system

- h) **Homes for All** – covers a wide spectrum of housing issues;
- Raising the quality of both existing and new properties
 - Controlling the density of new development (including within gardens) by putting the emphasis on respecting character and avoiding harm thereto with low densities as appropriate
 - Managing the delivery of new housing by setting a mechanism for a realistic rolling 5 year supply that reflects the area's growth potential but does not overstate it
 - Pursuing affordable housing in ways that now take account of economic viability but with an ambitious headline target
 - Catering for special housing needs, such as extra care accommodation given the aging population
 - A policy in place to respond to any planning applications for Traveller accommodation of any type
- i) **Delivering Economic Prosperity** – this chapter brings together several related matters:
- Employment Land – making sure there is enough land and scope for a range of sites as well as a policy to protect existing premises needed for continued employment uses
 - Retail, Leisure and Tourism – fulfilling the retail potential of each city and town centre as well as leisure and tourism development to the right places
 - Sustaining the rural economy - by encouraging business activities appropriate to the countryside
 - Education, skills and economic inclusion – now combining these in a coordinated way
- j) **Achieving Good Design** – stresses the importance of well designed buildings and taking full account of Green Infrastructure, landscape character and biodiversity, in addition the text has been clarified to confirm that none of the Core Strategy proposals necessitate any change to the overall extent of the Green Belt
- k) **Promoting Health and Wellbeing** – includes planning for healthy lifestyles as well as crime and community safety
- l) **Tackling Climate Change** – the main issue here is whether the policy should seek to secure new houses built to Sustainable Homes Code Level 4 standard now rather than Level 3, ultimately it will come down to economic viability considerations
- m) **Performance monitoring** – there will be a slimmed down list of indicators with appropriate targets included in a separate monitoring schedule to be published alongside the Core Strategy

IMPLICATIONS OF REPORT

15. This report has implications in the following areas and the relevant Directors' comments are included:

| | | | |
|-----------------|--|--|---|
| Finance | | Customer Services | |
| Human Resources | | Equality and Diversity | |
| Legal | | No significant implications in this area | x |

LESLEY- ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY

There are no background papers to this report.

| Report Author | Ext | Date | Doc ID |
|----------------------|------------|--------------|---------------|
| Lesley-Ann Fenton | 5323 | 8 April 2010 | *** |

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ISSUES RAISED AT THE CENTRAL LANCASHIRE JOINT CABINETS MEETING, 31ST MARCH 2010, AND POSSIBLE RESPONSES (ALL REFERENCES ARE TO VERSION 4 OF THE CORE STRATEGY)

1. Specific issues

- **Page 13, para 2.15:** need to be consistent with Growth Point bid, to say that there will be no overall increase in RSS levels of housebuilding and reflect this in a consistent manner throughout the document including in para 5.9 on page 25.
Response: proposed re-wording of this and other relevant paragraphs to make clear the distinction between RSS and Growth Point, and the "re-phasing" aspect of Growth Point development.
- **Page 15, para 3.3:** importance of distinguishing Farington from Leyland.
Response: minor rewording to make this clear.
- **Page 16, para 3.4:** Penwortham is not a settlement it is a town.
Response: the word "settlement" was used as a generic term, to capture towns, villages and suburbs in one concise sentence. Minor rewording to avoid misunderstanding.
- **Page 36, policy 2:** need for improved emphasis in the first sentence of the last paragraph for infrastructure provision to be tied to local authority requirements.
Response: turn the sentence around and re-write to give greater emphasis to the role and priorities of the authorities.
- **Page 45, para 8.13:** query the expression that there will be "no compromise on overall design standards".
Response: no change, this is what we should aspire to, particularly through Policy 17 (Design of New Buildings) and backed up by the proposed Design SPD.
- **Page 47, para 8.22:** important to stress the need to bring empty properties back into occupation.
Response: minor re-wording of the first bullet point to cross-refer to the role of the Mid-Lancashire Housing and Sustainable Communities Strategy and Investment Plan, plus the empty homes strategies.
- **Page 48, para 8.23:** important to refer to Lancashire County Council's "Civilised Streets" publication in raising the quality of housing development.
Response: minor rewording to incorporate reference to "Civilised Streets" (and other key publications such as CABI's "By Design" and the Department for Transport's Manual For Streets).
- **Page 52, policy 7a:** South Ribble target for affordable housing to be 30%
Response: change policy so that 30% target applies to all three Districts.
- **Page 52, policy 7b:** question raised about the proportion of affordable housing to be built on sites in rural areas and in the green belt.
Response: define "exception sites" in the glossary.
- **Page 61, policy 11:** need to include Lostock Hall as one of the district centres.
Response: no change proposed. Lostock Hall is not a big enough shopping centre to be defined as a district centre.

- **Page 74, policy 19:** need to include area of separation between Farington, Lostock Hall and Penwortham. Important to note that not all the areas of separation in the south/central areas are in the green belt.
Response: amend policy to include the area of separation between Farington, Lostock Hall and Penwortham and to more accurately describe other areas of separation in South Ribble, and delete reference to the green belt where it defines the areas of separation in the north and the south/central areas.
- **Page 74, policy 19:** Extend remit of policy to prevent neighbourhoods merging within Preston at Ingol and Fulwood
Response: add justification and policy text to refer to named Major Open Space areas in Preston
- **Page 74, policy 20:** amend policy to avoid giving the impression that we will be encouraging new development in the Ribble Coast and Wetlands Regional Park.
Response: amend policy with the wording proposed and circulated at the meeting ie "Support the continued development of plans and proposals for ...".

2. General issues

- Why do we have to wait until June 2011 before implementing the policies contained in the Core Strategy?
Response: We are following government guidance on the necessary procedures for adoption of the Core Strategy. No changes proposed however from the date of publication the Core Strategy Can start to be used for development control purposes and will have further weight in respect of those parts that are not objected to
- Can we be careful to distinguish between greenfield and green belt?
Response: We will prepare a glossary of terms used, and will include definitions of these and other terms used in the Core Strategy.