



# Special Council

Agenda and Reports

For consideration on

## Tuesday, 26th February 2008

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



[www.chorley.gov.uk](http://www.chorley.gov.uk)

## **PROCEDURE FOR PUBLIC QUESTIONS/SPEAKING AT COUNCIL MEETINGS**

- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Council meeting to allow time to prepare appropriate responses and investigate the issue if necessary (12 Noon on the Friday prior to the meeting).
- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each ordinary Council meeting, excluding the Annual Meeting.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.
- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated 3 minutes.

15 February 2008

Dear Councillor

## **SPECIAL COUNCIL - TUESDAY, 26TH FEBRUARY 2008**

You are invited to attend a special meeting of the Chorley Borough Council to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 26th February 2008 commencing at 6.30 pm for the following purposes.

### **AGENDA**

1. **Apologies for absence**

2. **Minutes (Pages 1 - 6)**

To confirm the minutes of the Council meeting held on 18 December 2007 as a correct record for signature by the Mayor (enclosed)

3. **Declarations of Any Interests**

Members of the Council are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

4. **Mayoral Announcements**

5. **Public Questions**

Members of the public who have requested the opportunity to ask a question(s) on any item(s) on the agenda will be asked to put their questions(s) to the Council. Members of the public will be allowed to ask one supplementary question within their allocated 3 minutes

6. **General Fund Revenue and Capital Budget and Council Tax, 2008/09**

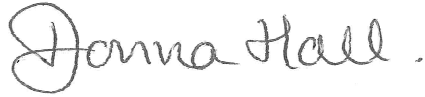
A report on the recommendations of the Council's Executive Cabinet at its meeting on 14 February 2008, the draft Council Tax resolution, the Statutory Section 25 report of the Assistant Chief Executive (Business Transformation) and the Shadow Cabinets alternative budget will be circulated to Members of the Council prior to the Council meeting on 26 February 2008.

Continued....

Unfortunately, due to the Police Authority changing the date of their budget meeting, the Council's Council tax proposals cannot be produced until Thursday 21 February 2008.

However if you wish to view the Council's budget proposals these are contained as part of the Executive Cabinet agenda for the meetings held on 6 December 2007 and 14 February 2008.

Yours sincerely



Donna Hall  
Chief Executive

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**Distribution**

To all Members of the Council and Chief Officers.

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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

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کیجئے:

**COUNCIL****Tuesday, 18 December 2007**

**Present:** Councillor Adrian Lowe (Mayor), Councillor Terry Brown (Deputy Mayor), Councillors Nora Ball, Eric Bell, Judith Boothman, Pat Case, Henry Caunce, Alan Cullens, Magda Cullens, Michael Davies, Mike Devaney, David Dickinson, Mrs Doreen Dickinson, Dennis Edgerley, Anthony Gee, Daniel Gee, Peter Goldsworthy, Mrs Marie Gray, Pat Haughton, Harold Heaton, Catherine Hoyle, Keith Iddon, Margaret Iddon, Kevin Joyce, Hasina Khan, Margaret Lees, Roy Lees, Laura Lennox, Marion Lowe, Peter Malpas, Thomas McGowan, June Molyneaux, Greg Morgan, Mick Muncaster, Mark Perks, Edward Smith, Iris Smith, Shaun Smith, Joyce Snape, Ralph Snape, John Walker and Mary Wilson

**07.C.101 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Ken Ball, Alan Cain, Geoffrey Russell, Rosie Russell and Mrs Stella Walsh.

**07.C.102 DECLARATIONS OF ANY INTERESTS**

No Member declared an interest in relation to matters under construction at the meeting.

**07.C.103 MAYORAL ANNOUNCEMENTS**Charity Ball

The Mayor informed Members that tickets were being snapped up fast and reminded Members to book their place at his Charity Ball on Friday, 1 February 2008 at Park Hall Hotel, Charnock Richard.

The Mayor wanted as many as possible to join him for what he was sure to be a great night and would hopefully raise lots of money for his chosen charities. Tickets were priced at £30 per person.

Christmas Raffle

The Mayor informed Members of a chance to buy a ticket for the Christmas Raffle with the draw taking place on Wednesday, 19 December at 2.30pm in the Committee Room 1.

Forthcoming Charity Events

The Mayor informed Members that he was planning a few charity events next year including another ten-pin bowling tournament, a Murder Mystery evening, a quiz night incorporating a wine tasting round and school concert evening. More details would be available next year.

Director of Streetscene, Neighbourhoods and Environment

The Mayor informed Members that this would be the last Council meeting for the Director of Streetscene, Neighbourhoods and Environment, John Lechmere, as he would shortly be retiring from the authority and wished to place on record the Council's thanks and appreciation for his long service with the authority.

Seasons Greetings

He wished everyone a very Happy Christmas and a great 2008 and thanked all for the support given to him so far this year.

**07.C.104 PUBLIC QUESTIONS**

There had been no requests from any member of public to ask a question on any of the agenda items.

**07.C.105 MINUTES**

**RESOLVED – That the Minutes of the Council meeting held on 30 October 2007 be confirmed as a correct record for signature by the Mayor.**

**07.C.106 EXECUTIVE CABINET****(a) Sale of Land at Fairview Farm, Adlington**

The Executive Member for Economic Development and Regeneration presented a report seeking approval for the transfer of an area of land at Fairview Farm, Adlington to Places for People Housing Association at a nil value for the development of affordable housing.

The Executive Cabinet had supported the transfer of land for the purpose of providing 42 units of social rented for low cost houses for sale.

A copy of the report of the Corporate Director (Business) considered by the Executive Cabinet on 15 November 2007, setting out the background to the transaction and clarifying the reason for the recommendation was attached to the report.

It was moved by the Executive Member for Economic Development and Regeneration; seconded by the Executive Leader and subsequently **RESOLVED:**

**1) That the transfer of land at Fairview Farm, Adlington to Places for People Housing Association at nil value be approved, subject to the Association obtaining funding from the Housing Corporation in the 2008-2011 National Affordable Housing Programme and satisfactory nomination rights being negotiated.**

**2) That Officers be authorised to examine appropriate mechanisms which can be agreed to ensure that the dwellings constructed retain their affordability upon re-sale or re-letting.**

**(b) Formalising Joint Local Development Framework Working and Production of Joint Core Strategy**

The Executive Member for Economic Development and Regeneration presented a report seeking Members support for the adoption of the most appropriate means of formalising the current joint working arrangements between Chorley, Preston and South Ribble Councils on the Local Development Framework (LDF) Core Strategy and other planning policies with a view to the production of a joint Core Strategy for the Central Lancashire area.

A formalised working arrangement would entail the three authorities entering into a local agreement to cover relevant areas (ie governance; project management and co-ordination; administration; procurement; and conflict resolution).

The report explained and commented on the two options for formalised modes of joint working laid out in Sections 28 and 29 of the Planning and Compulsory Purchase Act 2004. The Section 29 option would involve a more formal joint working approach requiring the establishment of a Joint Committee. The three authorities, however had recommended the adoption of a more informal approach under Section 28, under which the three authorities would enter into an agreement to prepare a joint Core Strategy. It would be possible for that agreement to include provision for an informal Joint Advisory Body, which would make recommendations on aspects of the Core Strategy to the constituent authorities for their determination. Decisions at key stages would still need to be taken by each authority's Executive or full Council.

It was moved by the Executive Member for Economic Development and Regeneration, seconded by the Executive Leader and subsequently:

**RESOLVED – That the Council supports in principle the formalisation of the Joint Working arrangements between the Chorley, South Ribble and Preston Councils leading to the production of a joint Local Development Framework Core Strategy for the Central Lancashire area by the adoption of the procedures laid out in Section 28 of the Planning and Compulsory Purchase Act 2004, subject to the detailed working and later approval of a local agreement document.**

**(c) Capital Programme 2007/08 - Monitoring Report**

The Executive Member for Resources presented a report on the progress of the 2007/08 Capital Programme and recommending a revision of the Programme.

The report outlined the reasons for the recommended revision and increase of the agreed capital budget included a scheme by scheme analysis of the programme, and identified the proposed changes and slippage to 2008/09.

The report, in particular, drew attention to the proposed increase in the overall budget for the Astley Park project as match funding for the additional grant offered by the Heritage Lottery Fund, following a redesign of certain elements of the scheme.

It was moved by the Executive Member for Resources, seconded by the Executive Leader and subsequently **RESOLVED**:

**1) That an additional grant award of £373,000 be accepted from the Heritage Lottery Fund towards the cost of the Astley Park capital project and approve contributions of £106,000 towards the cost of the grant eligible expenditure and £17,000 for additional design fees not eligible for grant;**

**2) That the revised capital programme for 2007/08 in the sum of £10,175,240 be approved after taking account of the slippage of £1,176,650 expenditure to 2008/09.**

**(d) General Report from Executive Cabinet meeting on 15 November 2007**

The Executive Leader presented a report which summarised the principal matters considered at the meeting of the Executive Cabinet held on 15 November 2007.

It was moved by the Executive Cabinet, seconded by the Deputy Leader of the Council and subsequently **RESOLVED** that the report be noted.

**(e) General Report from Executive Cabinet meeting on 6 December 2007**

The Executive Leader presented a report which summarised the principal matters considered at the meeting of the Executive Cabinet held on 6 December 2007.

It was moved by the Executive Leader, seconded by the Deputy Leader of the Council and subsequently **RESOLVED** that the report be noted.

#### **07.C.107 DEVELOPMENT CONTROL COMMITTEE**

The Chair of the Development Control Committee (Councillor H Heaton) presented a report which commented on a few of the more significant planning applications that had been determined at a meeting held on 13 November 2007.

It was moved by the Chair of the Development Control Committee, seconded by the Vice-Chair, and subsequently **RESOLVED** that the report be noted.

#### **07.C.108 LICENSING AND SAFETY COMMITTEE AND STATUTORY LICENSING COMMITTEE**

The Chairman of the Licensing and Safety Committee and Statutory Licensing Committee (Councillor Mrs I Smith) presented a report which summarised the principal matters which had been considered by the Licensing and Safety Committee and Statutory Licensing Committee held on 28 November 2007.

It was moved by the Chairman of the Licensing and Safety Committee and Statutory Licensing Committee, seconded by the Vice Chairman and subsequently **RESOLVED** that the report be noted.

#### **07.C.109 OVERVIEW AND SCRUTINY COMMITTEE AND PANELS**

The Chair of the Overview and Scrutiny Committee (Councillor D Edgerley) presented a report which summarised briefly the recent matters discussed at meetings of the Overview and Scrutiny Committee held on 12 November and 3 December 2007. The report also summarised the activities and issues considered by the Committee's associate Environment and Community and Corporate and Customer Overview and Scrutiny Panels of their recent meetings.

It was moved by the Chair of the Overview and Scrutiny Committee (Councillor D Edgerley), and seconded by the Vice-Chair (Councillor L Lennox) and subsequently **RESOLVED** that the report be noted.

#### **07.C.110 STANDARDS COMMITTEE**

The Council received a report of the Chair of the Standards Committee (Mr R A Ellwood) which outlined the main items considered at the meeting of the Standards Committee held on 30 November 2007.

It was moved by Councillor T McGowan, seconded by the Executive Leader (Councillor P Goldsworthy) and subsequently **RESOLVED** that the report be noted.

#### **07.C.111 PROPOSED REVISIONS TO THE COUNCIL'S CONSTITUTION**

The Deputy Leader of the Council (Councillor Mrs P Case) presented a report seeking support for proposed revisions to the rules governing debate at Council meetings.

The proposals aimed to ensure that decisions are made in an effective manner, that the rules for debate at Council meetings are clear and easily understood and that the Council meeting provided a forum for quality political debate.

In accordance with Paragraph 27.2 of the Council's Procedure Rules, the Council meeting held on 30 October 2007 (Minute 07.C.99 refers) agreed that the



recommendations relating to revisions to the Council Procedure Rules be adjourned without discussion to this meeting of the Council.

It was moved by the Deputy Leader of the Council (Councillor Mrs P Case), seconded by the Executive Leader (Councillor P Goldsworthy) and subsequently **RESOLVED:**

**1) That the revised Council Procedure Rules as set out in the appendix to the submitted report be adopted by the Council.**

**2) That the decision making powers of the General Purposes Committee be transferred to the Development Control Committee.**

#### **07.C.112 REVIEW OF POLLING DISTRICTS AND PLACES**

The Executive Leader (Councillor P Goldsworthy) presented a report informing Members of the outcome of the recent review of polling districts and polling places.

The report indicated that proposed changes to polling districts/places/stations, meets the requirements of the Electoral Administration Act 2006 that had formalised the way that reviews of the polling districts and polling places are conducted.

It was moved by the Executive Leader (Councillor P Goldsworthy), seconded by the Deputy Leader of the Council (Councillor Mrs P Case) and subsequently **RESOLVED:**

**1) That the report be noted and the proposed changes be approved.**

**2) That Polling Districts, Places and Stations are best kept under constant review and any issues addressed as they arrive.**

**3) That any suggested changes to polling stations locations be investigated and subsequently reported on.**

#### **07.C.113 STATEMENT OF LICENSING POLICY - TRIENNIAL RENEWAL**

The Chairman of the Statutory Licensing Committee (Councillor Mrs I Smith) presented a report on the triennial renewal of the Council's Statement of Licensing Policy which had been proposed by the Corporate Director of Governance in accordance with Section 4 of the Licensing Act 2003.

The Licensing Act 2003 requires the Council as a Licensing Authority to prepare and publish a statement of its licensing policy every three years. The Policy must be published before the authority carries out any licensing function in relation to applications made under the Act. The Statement of Licensing Policy sets out factors that will be taken into account when determining applications under the Act and must have regard to the following objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

The current licensing policy document has been regularly reviewed by the Licensing Section and minor alterations made to reflect any changes in legislation and revised guidance issued by the Secretary of State on 28 June 2007. In accordance with the Cabinet Office Code of Practice the policy had been subject to consultation and an invitation to comment/amend had been circulated to the consultees listed in Appendix 4 to the draft Statement of Licensing Policy.

It was moved by the Chairman of the Statutory Licensing Committee (Councillor Mrs I Smith), seconded by the Executive Leader (Councillor P Goldsworthy) and subsequently **RESOLVED** that the Statement of Licensing Policy as amended, be approved and take effect from 7 January 2008.

#### **07.C.114 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED – That the press and public be excluded from the meeting during consideration of the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.**

#### **07.C.115 MARKET WALK - PHASE 2 UPDATE**

The Executive Leader (Councillor P Goldsworthy) updated Members on the negotiations with Rreef on the development of Phase 2 of the Market Walk.

The report explained the implications of the Developers' current negotiations to secure the occupancy of the anchor store by a major retailer. Prevailing market conditions had required a revision of the original financial appraisal in order to secure the involvement of the retailer. The revised offer would retain the capital receipt as originally offered to the Council, but will entail the withdrawal of the proposed contributions towards the Markets redevelopment costs and the Town Centre Manager post (for which budget provision had already been made). In addition the revised financial offer would include provision for the Council's reimbursement of the Developers' losses in the event of car park income targets not being met.

The Council's Consultant Advisors considered that the reimbursement risks were minimal and that the revised financial proposals represented value for money for the Authority.

It was moved by the Executive Leader (Councillor P Goldsworthy) and seconded by the Executive Member for Economic Development and Regeneration (Councillor P Malpas) and subsequently **RESOLVED** that the revised financial offer proposed by Rreef in respect of the Market Walk Phase II development scheme be approved and accepted, as outlined in the submitted report.

(The Labour Group abstained from the vote).

#### **07.C.116 COUNCILLOR K BALL**

The Mayor notified all Members of the recent illness of Councillor Ken Ball and wished him best wishes for a speedy recovery.

Mayor