

Annual Council Meeting

Agenda and Reports
for consideration on

Wednesday, 13th May 2009

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



1 May 2009

Dear Councillor

ANNUAL COUNCIL MEETING - WEDNESDAY, 13TH MAY 2009

You are invited to attend the Annual Meeting of Chorley Borough Council to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 13th May 2009 commencing at 6.30 pm for the following purposes.

AGENDA

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

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

To confirm as a correct record the minutes of the ordinary meeting of the Council held on 7 April 2009 for signature by the Mayor (Minutes enclosed).

4. **Election of the Mayor for the ensuing Municipal Year**

- (a) Election of Mayor;
- (b) Declaration of Acceptance of Office;
- (c) Mayor to address the Council.

5. **Election of Deputy Mayor for the ensuing Municipal Year**

- (a) Election of Deputy Mayor;
- (b) Declaration of Acceptance of Office;
- (c) Deputy Mayor to address the Council.

6. **Presentation and Vote of Thanks to Past Mayor**

- (a) The Mayor will present the retiring Mayor (Councillor Terry Brown) with a portrait,

medallion and plaque bearing the Borough Coat of Arms as a token of thanks for his year of office;

- (b) Vote of Thanks to the retiring Mayor;
- (c) The retiring Mayor to address the Council.

7. **Mayoral Announcements**

8. **Appointment of Executive Cabinet, Committees and Other Bodies for 2009/10 (Pages 7 - 8)**

To receive the enclosed report of the Chief Executive,

The Council will be requested to:

- (a) appoint the Executive Leader and other Members of the Executive Cabinet for the ensuing Municipal Year;
- (b) appoint the Lead Members for the ensuing Municipal Year;
- (c) appoint the members of the various Committees, Sub-Committees and other bodies of the Council in accordance with the political balance rules, together with the respective Chairs and Vice-Chairs for the ensuing Municipal Year; and
- (d) note the Shadow Executive Portfolio Holders.

(A schedule of nominations will be circulated at the meeting).

9. **Appointments to Outside Bodies for 2009/10**

To appoint representatives onto the respective outside bodies, including the appointment of substitute members, where appropriate, for the ensuing Municipal Year.

(A schedule of nominations will be circulated at the meeting).

10. **Programme of Ordinary Council Meetings for 2009/10**

The Council is requested:

(a) to confirm the following timetable of ordinary meetings of the Council to be held in the Town Hall, Chorley at 6.30pm during the ensuing Municipal Year:

14 July 2009;
22 September 2009;
15 December 2009;
26 January 2010;
13 April 2010:

(b) to note that Special Meetings of the Council will be held on 3 November 2009 and 2 March 2010.

11. **Chorley's Draft Annual Report for 2008/09 (Pages 9 - 12)**

To consider the enclosed report of the Assistant Chief Executive (Policy and Performance).

The draft Annual Report for 2008/09 will follow.

12. **Questions asked under Council Procedure Rule 8 (if any)**

13. **To consider the Notices of Motion (if any) given in accordance with Council Procedure Rule 10**
14. **Any other item(s) the Mayor decides is/are urgent**

Yours sincerely

Donna Hall

Donna Hall
Chief Executive

Carol Russell
Head of Democratic Services
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Distribution

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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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COUNCIL**Tuesday, 7 April 2009**

Present: Councillor Terry Brown (Mayor), Councillor Iris Smith (Deputy Mayor), Councillors Ken Ball, Nora Ball, Eric Bell, Julia Berry, Judith Boothman, Alistair Bradley, Alan Cain, Pat Case, Henry Caunce, Alan Cullens, David Dickinson, Doreen Dickinson, Dennis Edgerley, Anthony Gee, Peter Goldsworthy, Marie Gray, Pat Haughton, Harold Heaton, Catherine Hoyle, Keith Iddon, Kevin Joyce, Hasina Khan, Roy Lees, Laura Lennox, Marion Lowe, Peter Malpas, Thomas McGowan, June Molyneaux, Greg Morgan, Simon Moulton, Mick Muncaster, Mark Perks, Debra Platt, Geoffrey Russell, Rosie Russell, Edward Smith, Shaun Smith, Joyce Snape, Ralph Snape, John Walker, Stella Walsh and Peter Wilson

09.C.229 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Magda Cullens, Mike Devaney and Adrian Lowe.

09.C.230 MINUTES

RESOLVED – That the minutes of the last Council meeting held on 26 February 2009 be confirmed as a correct record and signed by the Mayor.

09.C.231 DECLARATIONS OF ANY INTERESTS

Councillors Alan Cain, Laura Lennox, Mark Perks and Debra Platt declared personal and prejudicial interests in agenda item 6, planning application 09/00024/FUL (minute no. 09.C.234) for the erection of a multi use games area at land east of Buckshaw Primary School, Chancery Road, Astley Village, and left the meeting for consideration of that item.

Councillor Debra Platt declared a personal interest in agenda item 11 (minute no. 09.C.239), the appointment of Parish Councillor representatives to the Council's Standards Committee.

09.C.232 MAYORAL ANNOUNCEMENTS

The Mayor referred to the following forthcoming events:

- On Sunday, 19 April 2009, the Royal British Legion would be holding their annual service of remembrance to honour those who gave their lives in the Falklands Campaign. All Councillors were invited to take part in both the parade from the Town Hall and the service which would take place at the Falklands Memorial Stone in Astley Park.
- The last Mayoral Charity event was a Soul and Motown Night in the Lancastrian Suite at the Town Hall on Friday, 8 May. Tickets were available from the Mayor's Secretary and proceeds would be donated to the Mayor's Charity appeal.

09.C.233 PUBLIC QUESTIONS

Questions were received from six members of the public regarding the agenda item on the planning application for the multi use games area at Astley Village. All six members of the

public attended the meeting, put their questions, including supplementary questions. The questions related to:

- The proximity of the proposed development to elderly people living nearby and the lack of a site visit;
- The availability of alternative sites for the development;
- A request that the matter be referred back so that the Parish Council can consult residents on alternative sites;
- A request that the application be refused as it does not reflect the wishes of local residents;
- Concerns about the visual impact of the development; and
- Concerns about the loss of open space within the village and the strength of local opposition to the development.

The Chair of the Development Committee Councillor Greg Morgan responded to all six questions setting out the Council's position; the fact that the Council can only consider the application put forward; any requests for development on alternative sites needed to be the subject of another application; the response to consultation received from both objectors and supporters; the consultation carried out by the Parish Council; the fact that all members had now been given two opportunities to visit the site.

(Councillors Alan Cain, Laura Lennox, Mark Perks and Debra Platt declared personal and prejudicial interests in the following agenda item (Minute 09.C.234) and left the meeting room during the discussion and voting on the item.)

**09.C.234 DEVELOPMENT CONTROL COMMITTEE : PLANNING APPLICATION
09/00024/FUL FOR A MULTI USE GAMES AREA, ASTLEY VILLAGE**

RESOLVED – That the Council's Procedure Rules be waived to allow the Corporate Director (Business) to give a presentation on this item and to answer any technical questions.

The Corporate Director (Business) gave an outline of the application including the location and a description of the proposal, a summary of the objections and supporting comments received, and the impact on the existing space. The recommendation from the Development Control Committee was to approve the application. The application required full Council approval as the land was in Council ownership.

During the debate some Members expressed disappointment that in view of the controversial nature of the application, the Development Control Committee had not agreed to undertake a site visit prior to making any recommendation on the application. An offer of an opportunity to visit the site on 6 April prior to the Council meeting had been made to all Councillors.

It was moved by the Chair of the Development Control Committee (Councillor Greg Morgan) and seconded by the Vice-Chair (Councillor Geoffrey Russell) that the application be approved.

Councillor Ralph Snape moved and Councillor Dennis Edgerley seconded an amendment that the application be referred back to the Development Control Committee for consideration, with a recommendation that the Committee undertakes a site visit to which all other Members of the Council are invited.

Councillor J Berry requested a recorded vote:

FOR THE AMENDMENT: Councillors K Ball, N Ball, E Bell, J Berry, J Boothman, A Bradley, P Case, H Counce, A Cullens, Doreen Dickinson, D Edgerley, A Gee, P Goldsworthy, P Haughton, C Hoyle, K Iddon, K Joyce, H Khan, R Lees, M Lowe, P Malpas,

T McGowan, J Molyneaux, G Morgan, S Moulton, M Muncaster, R Russell, E Smith, I Smith, S Smith, J Snape, R Snape, J Walker, S Walsh, P Wilson, T Brown.

AGAINST THE AMENDMENT: Councillor David Dickinson, M Gray, H Heaton, G Russell.

RESOLVED – That the planning application (09/00024/FUL) be referred back to Development Control Committee for consideration, with a recommendation that the Committee undertakes a site visit to which all other members of the Council are invited.

09.C.235 EXECUTIVE CABINET

The Executive Leader presented two reports summarising key items of business considered at meetings of the Executive Cabinet on 12 February and 26 March 2009.

It was moved by the Executive Leader, Councillor Peter Goldsworthy, seconded by the Deputy Leader, Councillor Pat Case and **RESOLVED** that the report be noted.

09.C.236 OVERVIEW AND SCRUTINY COMMITTEE AND TASK AND FINISH GROUPS

The Chair of the Overview and Scrutiny Committee, Councillor Dennis Edgerley presented a report summarising the work of the Committee at meetings held on 10 February and 23 March. This included an Annual Review of the work of overview and scrutiny in 2008/09 and an update on the work of the Scrutiny Task Groups.

It was moved by the Chair of the Overview and Scrutiny Committee, Councillor Dennis Edgerley, seconded by the Vice-Chair, Councillor Alan Cain and **RESOLVED** that the report be noted.

09.C.237 GENERAL PURPOSES COMMITTEE

The Executive Leader, Councillor Peter Goldsworthy presented a short summary of the decision taken by General Purposes Committee on 17 March 2009.

It was moved by the Chair of the General Purposes Committee, Councillor Peter Goldsworthy, seconded by the Vice-Chair, Councillor Pat Case and **RESOLVED** that the report be noted.

09.C.238 AUDIT COMMITTEE

The Chair of the Audit Committee, Councillor Anthony Gee presented a report on the work of the Committee at its meeting on 19 March 2009.

It was moved by the Chair of the Audit Committee, Councillor Anthony Gee, seconded by the Vice-Chair, Councillor Laura Lennox and **RESOLVED** that the report be noted.

(Councillor Debra Platt declared a personal interest in the following agenda item (Minute 09.C.239) and took no part in the discussion or voting on the item.)

09.C.239 STANDARDS COMMITTEE : APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES

The Monitoring Officer submitted a report recommending the appointment of parish representatives William Mason and Alan Platt to the Council's Standards Committee. This

would increase the number of Parish representatives from two to three, to help meet the requirements of the new standards processes in determining cases locally.

The appointments had been made by a panel formed from members of the Standards Committee but required the approval of full Council.

It was moved by the Vice-Chair of the Standards Committee, Councillor Keith Iddon, seconded by Councillor Tom McGowan and **RESOLVED** that the appointment of parish representatives William Mason and Alan Platt be approved.

09.C.240 NEW CONSTITUTION FOR THE LANCASHIRE LOCAL CHORLEY

A report of Lancashire County Council proposing a new constitution for Lancashire Local Chorley was submitted for endorsement and adoption by this Council.

The Constitution of Lancashire Local Committees had been revised and as it was a Joint Committee, this also required Chorley Council agreement.

It was moved by the Executive Leader, Councillor Peter Goldsworthy and seconded by the Deputy Leader, Councillor Pat Case and **RESOLVED** that the revised Lancashire Local Constitution be endorsed for consideration and adoption by Lancashire County Council and Chorley Council.

09.C.241 QUESTIONS ASKED UNDER COUNCIL PROCEDURE RULE 8

The following question was submitted by Councillor Laura Lennox under Council Procedure Rule 8.

“The audit letter stated that, while progress has been made in 2008/09 to exceed the LAA target for the provision of affordable housing, the number of units provided in 2006/07 and 2007/08 was substantially below the target of 125. The letter went on to say that progress has been made towards 61 units in 2008/09, above the LAA target of 50 units, with projects in place for more units in subsequent years.

Would the Executive Member please provide some details to substantiate this figure of 61 units. Where are these units? How many are now occupied? Will the target of 61 be met? Additionally how many empty properties have been brought back into use in the last 12 months?”

The Executive Member (Business), Councillor Peter Malpas responded that the data was currently being analysed and the information would then be issued as a report to all Members of the Council.

09.C.242 NOTICES OF MOTION GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 10

The following motion was submitted by Councillor Dennis Edgerley under Procedure Rule 10 and seconded by Councillor Alistair Bradley.

“Given the recent criticism, by the Audit Commission, of Councils that invested in Icelandic Banks, the Council calls on the Executive Member for Resources to arrange for members to be provided with copies of Sector’s Morning Bulletins and Friday Morning Grids dealing with Icelandic Banks for the period 1 March 2008 until 10 September 2008. In the event of these no longer being available in the Council, he is called on to ask Sector to reissue the relevant bulletins.”

The Executive Member (Resources) confirmed that this information had been previously requested and made available. The Local Government Association was working with those Councils affected to help them recover their investment. The Audit Commission had criticised seven councils for their investment action, but Chorley was not included in those seven and the Council was now focusing attention on recovering the money.

The motion was put to the vote and it was **RESOLVED – that the motion be lost.**

The following motion was submitted by Councillor Dennis Edgerley under Procedure Rule 10 and seconded by Councillor Peter Wilson.

“The Council calls on the Executive Member for Resources to explain why a total of £450,000 in government grant available for 2009/10 was shown in the administration’s budget as being available in 2010/11 and 2011/12. Given that the grant would have removed the need for a Council Tax rise and maintained the Council’s level of balances he is called upon to apologise to the Council and the people of Chorley for misleading them.”

The Executive Member (Resources) reported that the LABGI grant rules allowed for the grant of £450,000 to be used over a period of time, if the Council thought it appropriate.

The motion was put to the vote and it was **RESOLVED – that the motion be lost.**

Mayor

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Report of	Meeting	Date
Chief Executive (Introduced by the Executive Leader)	Annual Council	13 May 2009

APPOINTMENTS TO EXECUTIVE CABINET, COMMITTEES AND OTHER BODIES 2009/10

PURPOSE OF REPORT

- To make appointments to the Executive Cabinet, Lead Member positions, Committees, Working Groups and other bodies in 2009/10.

RECOMMENDATION(S)

- That the schedules of appointments for 2009/10 as circulated, be approved.

CORPORATE PRIORITIES

- 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		Ensure Chorley Borough Council is a performing organization	✓

BACKGROUND

- Each year the Council makes appointments to the Executive Cabinet, Lead Member positions, Committees and other bodies in line with the rules of political proportionality.

EXECUTIVE RESPONSIBILITIES

- Members may wish to note that there are some slight changes to portfolio responsibilities with the move of the Licensing Section to the Neighbourhoods Directorate. The Neighbourhoods portfolio will now have responsibility for the Licensing function rather than the Resources portfolio. The Licensing and Public Safety Committee will continue to operate as at present.

- 6. The proposed appointments to Executive Cabinet, lead member positions, Committees and other bodies will be circulated at the Council meeting.

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	✓	No significant implications in this area	

ANDREW DOCHERTY
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Carol Russell	5196	27 April 2009	CR/JA/REPORTS2704

Report of	Meeting	Date
Assistant Chief Executive (Policy and Performance) (Introduced by the Executive Member for Policy and Performance)	Council	13 th May 2009

CHORLEY'S ANNUAL REPORT 2008/2009

PURPOSE OF REPORT

1. To present a draft version of the Annual Report for 2008/2009

RECOMMENDATION(S)

2. That the draft report format be approved as presented, and the final approval to be delegated to the Executive Leader.

EXECUTIVE SUMMARY OF REPORT

3. The Council has produced an Annual Report for the last three years. It presents an opportunity to present an overview of the Council's performance over the last year, and the plans for the next. It supports the Council in the Use of Resources Assessment undertaken by the Audit Commission each year.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. The Annual Report presents the information in a user friendly manner to the public on the Council's achievements and performance in the past twelve months and plans for the coming year. This supports the Council in communicating information to residents and in meeting the requirements of the Use of Resources Assessment, part of the new Comprehensive Area Assessment.
5. Delegated approval is required to ensure the Annual Report can contain performance information which will only become available in the first quarter of 2009/2010.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. N/A

CORPORATE PRIORITIES

7. 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	✓	Ensure Chorley Borough Council is a performing organisation	✓

BACKGROUND

8. This is the fourth annual report produced by Chorley Council. Although there is now no statutory responsibility to produce a Best Value Performance Plan, the Council has used the Annual Report to present our key successes and our plans for the future. The Annual Report is a key mechanism for presenting information to residents and other key stakeholders. This way of communicating information is also important in the Council demonstrating that it meets the requirements of the new Use of Resources assessment.

FORMAT AND CONTENTS

9. The format of the Annual Report will remain similar to the format used last year. The following sections will be included:

10. **Message from the Leader and Chief Executive**

Sets out the context for the report, highlighting the key messages from the report and the Council’s main achievements over the last twelve months.

11. **Our Vision, Priorities and Strategic Objectives**

This section will set out the Council’s vision for the area, and explain what the Strategic Objectives mean.

12. **External Inspection**

A section that will report the findings of external inspections undertaken over the twelve months, including CPA, Use of Resources, Direction of Travel and the Equality Standard.

13. **Our plans for the next year**

This will set out the Council’s plans over the next year, and how we are going to respond to issues raised in inspections and tackle other issues faced in the borough.

14. **Our Environmental Footprint**

A section setting out how the Council measures its environmental impact, and the steps we are taking to minimise it. This a requirement of the Use of Resources assessment.

15. **How does the Council use its resources?**

This section sets out, in a reader-friendly, manner how the Council spends its resources and where its money comes from.

16. **Our Performance in 2008/2009**

A set of tables will be included in this section to set out the performance against the national indicators for the Council, showing if they have achieved target and, where possible, the performance compared to last year.

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	✓

LESLEY-ANN FENTON
 ASSISTANT CHIEF EXECUTIVE (POLICY AND PERFORMANCE)

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Chris Sinnott	5337	22 nd April 2009	Annual Report 2009 Covering Report

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