

Council

Agenda and Reports
for consideration on

Tuesday, 14th July 2009

In the **Lancastrian Room**, Town Hall, Chorley
at 6.30 pm



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.

3 July 2009

Dear Councillor

COUNCIL - TUESDAY, 14TH JULY 2009

You are invited to attend a meeting of the Chorley Borough Council to be held in the **Lancastrian Room, Town Hall, Chorley** on Tuesday, 14th July 2009 commencing at 6.30 pm for the following purposes. **Please note particularly the venue for this meeting.**

AGENDA

1. **Apologies for absence**

2. **Minutes of Annual Meeting (Pages 1 - 12)**

To confirm as a correct record the minutes of the Annual Meeting of the Council held on 13 May 2009 (enclosed).

3. **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.

4. **Mayoral Announcements**

5. **Public Questions**

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

6. **Executive Cabinet**

a) **General Report** (Pages 13 - 18)

To consider the enclosed report of the proceedings at the meetings of the Executive Cabinet held on 28 May and 25 June 2009.

b) **Capital Programme - Provisional Outturn for 2008/09 and Monitoring of Programme for 2009/10 and onwards** (Pages 19 - 36)

To consider the enclosed report of the Executive Cabinet.

7. **Annual Report from Overview and Scrutiny 2008/09** (Pages 37 - 42)

To receive the enclosed report on Overview and Scrutiny activity in 2008/09.

8. **Overview and Scrutiny Committee and Task and Finish Groups** (Pages 43 - 46)

To consider the enclosed report of proceedings at meetings of the Overview and Scrutiny Committee held on 21 May and 22 June 2009.

9. **Audit Committee** (Pages 47 - 50)

To consider the enclosed report of the proceedings at the meeting of the Audit Committee held on 24 June 2009.

10. **Standards Committee Annual Report 2008/09** (Pages 51 - 62)

To receive and consider the Annual Report for the Standards Committee and the annual return to the Standards Board for England (enclosed).

11. **Appointment of two Independent members of Standards Committee** (Pages 63 - 64)

To consider the enclosed report of the recommendations of the Standards Committee.

12. **Planning application for Multi Use Games Area at Astley Village** (Pages 65 - 82)

To consider the enclosed reports on an application for planning permission (Application No. 09/00024/FUL) for the erection of a multi-use games area on land east of Buckshaw Primary School, Chancery Road, Astley Village.

13. **Annual Report of the Council for 2008/09**

To receive and approve the finalised version of the Annual Report of the Council for 2008/09, the draft of which was presented to the Annual Meeting on 13 May 2009 (to follow).

14. **Changes to appointments to Committees and Outside Bodies 2009/10**

As a result of the change in political balance on the Council there will be the following changes to committees which require Council approval:

Licensing and Public Safety Committee:
Councillor Adrian Lowe to replace Councillor Marie Gray.

Development Control Committee
Councillor Christopher France to replace Councillor Adrian Lowe.

General Purposes Committee:
Councillor Catherine Hoyle to replace Councillor John Walker.

In addition, Councillor Kevin Joyce to replace Councillor Marie Gray on Lancashire Locals Committee.

To appoint members to the Shared Services Joint Committee – Councillor K Joyce and Councillor G Russell to be appointed as Members for 2009/10.

To approve the following appointments to outside bodies:

Councillor Pat Houghton to replace Councillor Doreen Dickinson on Chorley and South Ribble Homestart.

Councillor Christopher France to be appointed as a Council representative on the Heapey and Wheelton Village Hall Committee.

Councillor G Morgan to be appointed as the Council's representative on the Preston and Western Lancashire Racial Equality Council.

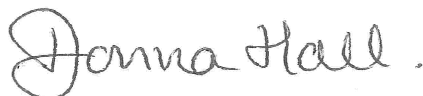
15. **Questions Asked under Council Procedure Rule 8 (if any)**

16. **To consider the Notices of Motion (if any) given in accordance with Council procedure Rule 10**

17. **To consider petitions (if any) presented in accordance with Council procedure Rule 23**

18. **Any other item(s) the Mayor decides is/are urgent**

Yours sincerely



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Distribution

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ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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ANNUAL MEETING OF THE COUNCIL**Wednesday, 13 May 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, Magda Cullens, Mike Devaney, David 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, Adrian Lowe, Marion Lowe, Peter Malpas, Thomas McGowan, June Molyneaux, Greg Morgan, Simon Moulton, Mick Muncaster, Debra Platt, Geoffrey Russell, Rosie Russell, Edward Smith, Joyce Snape, Ralph Snape, John Walker, Stella Walsh and Peter Wilson

09.C.01 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Doreen Dickinson and Mark Perks.

09.C.02 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any Member in relation to matters under consideration at the meeting.

09.C.03 MINUTES

RESOLVED -The minutes of the Council meeting held on 7 April 2009 be confirmed as a correct record and signed by the Mayor.

09.C.04 ELECTION OF THE MAYOR FOR THE ENSUING MUNICIPAL YEAR

(a) Election of Mayor

It was moved by Councillor Marie Gray and seconded by Councillor Pat Haughton that Councillor Iris Smith be elected Mayor of the Borough of Chorley for the ensuing Municipal Year.

The nomination was welcomed and supported by the respective Leaders of the political groups represented on the Council.

RESOLVED- That Councillor Iris Smith be elected Mayor for the Borough of Chorley for the 2009/10 Municipal Year.

(b) Declaration of Acceptance of Office and introduction of Mayor's Consort

Councillor Iris Smith signed the Declaration of Acceptance of the Office of Mayor.

The Mayor expressed her appreciation for her election as Mayor and introduced her husband James as the Mayor's Consort for the coming year.

09.C.05 ELECTION OF DEPUTY MAYOR FOR THE ENSUING MUNICIPAL YEAR(a) Election of Deputy Mayor

It was moved by Councillor Stella Walsh and seconded by Councillor Ralph Snape MBE that Councillor Kenneth Ball be elected Deputy Mayor of the Borough of Chorley for the ensuing Municipal Year.

The nomination was supported by the respective Leaders of the Conservative and Labour Groups.

RESOLVED – That Councillor Kenneth Ball be elected Deputy Mayor of the Borough of Chorley for the 2009/10 Municipal Year.

(b) Declaration of Acceptance of Office

Councillor Kenneth Ball signed the Declaration of Acceptance of Office of Deputy Mayor.

Councillor Ball thanked the Council Members for their support and introduced his wife, Councillor Nora Ball, as the Deputy Mayoress for the coming year.

09.C.06 PRESENTATION AND VOTE OF THANKS TO PAST MAYOR(a) Presentation to Past Mayor

The Mayor presented Councillor Terry Brown with a portrait of himself in the Mayoral regalia and gave Councillor Brown and his wife, Julie, medallions and a plaque bearing the Council's Coat of Arms as tokens of their past year of office as Mayor and Mayoress of Chorley.

(b) Vote of Thanks

The Mayor paid tribute to the excellent manner in which Councillor Terry Brown and his wife Julie had served and promoted the Borough during their past year of office as Mayor and Mayoress.

The Leaders of the Conservative, Labour, Liberal Democrat and Independent Groups paid their personal tribute to the Mayor and Mayoress' year of office and dedication to their fundraising activities.

(c) Address by Past Mayor

Councillor Terry Brown thanked the Council Members for their kind remarks and support of his fundraising and social activities throughout the past year which had raised £13,500 to be divided between his chosen Charities.

Councillor Brown presented the Council with a gift as a memento of his Mayoral term of office.

09.C.07 MAYORAL ANNOUNCEMENTS

The Mayor reminded Members of their invitations to attend both the Civic Dinner in the Lancastrian Room on Friday, 15 May 2009 and the Annual Procession and Civic Service at St Laurence's Church, Chorley on Sunday, 17 May 2009.

The Mayor announced that she would be organising a number of events throughout her year of office to raise money for her chosen Charities (North West Air Ambulance, St Catherine's Hospice, Derian House and local young people's organisations). The first of these events, "Music of Four Decades", was to be held on Friday, 17 July 2009.

The Mayor also invited Councillors to accompany her to a Jaguar Enthusiasts Rally to be held in Astley Park on 31 May 2009.

09.C.08 APPOINTMENT OF EXECUTIVE CABINET, COMMITTEES AND OTHER BODIES FOR 2009/10

The Council received a schedule of nominations for:

- (a) the appointment of the Executive Leader and other Members for the Executive Cabinet for the ensuing Municipal Year;
- (b) the appointment of the Lead Members for the ensuing Municipal Year;
- (c) the appointment of 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.

A note listing the prospective Shadow Portfolio Holders was also circulated at the meeting.

A report of the Chief Executive previously circulated to Members had drawn attention to the transfer of responsibility for the Licensing function from the Resources portfolio to the Neighbourhoods portfolio, following the transfer of the Licensing Section to the Neighbourhoods Directorate.

The Executive Leader also referred to other proposed changes to the composition of the Executive Cabinet and other Council bodies, including plans to place the Chairship of the Equality Forum under the Executive Member (Policy and Performance), and thanked the Members who had previously held those positions.

It was moved by Councillor Peter Goldsworthy and seconded by Councillor Pat Case that the proposals for the appointment of the Executive Cabinet, Lead Members, Committees and other bodies of the Council, as now presented, be approved.

An amendment was moved by Councillor Dennis Edgerley and seconded by Councillor Adrian Lowe that, with the consent of Councillor Hasina Khan, Councillor Catherine Hoyle replaces Councillor Khan on the membership of the Equality Forum. If approved, this would also entail a change to the Shadow Portfolio Position for Equalities.

Councillor Goldsworthy accepted the amendment and it was:

RESOLVED – (1) That Councillor Peter Goldsworthy be appointed Executive Leader of the Council.

(2) That Councillor Pat Case be appointed Deputy Leader of the Council.

(3) That, in addition to the Executive Leader and the Deputy Leader of the Council, the following Councillors be appointed Executive Members to serve on the Executive Cabinet with the respective Portfolio indicated:

Councillors	Eric Bell	Executive Member (Neighbourhoods)
	Kevin Joyce	Executive Member (Resources)
	Peter Malpas	Executive Member (Business)
	Greg Morgan	Executive Member (Policy and Performance)
	John Walker	Executive Member (People)

(4) That the following Councillors be appointed Lead Members for the functions indicated:

Councillors	Harold Heaton	(Development Control)
	Keith Iddon	(Licensing)
	Rosemary Russell	(Health and Older People)

(5) That the following appointments be made to Committees, Sub-Committees and other bodies of the Council as shown below, including the respective Chairs and Vice-Chairs as indicated:

Audit Committee

Councillors	A Gee (Chair)
	L Lennox (Vice Chair)
	M Gray
	K Iddon
	D Platt
	G Russell

Development Control Committee

Councillors	H Heaton (Chair)
	G Russell (Vice Chair)
	K Ball
	J Berry
	J Boothman
	A Bradley
	H Counce
	M Devaney
	David Dickinson
	D Edgerley
	K Iddon
	R Lees
	A Lowe
	J Molyneaux
	S Moulton
	M Muncaster
	R Snape

General Purposes Committee

Councillors	P Goldsworthy (Chair)
	P Case (Vice Chair)
	K Ball
	J Boothman
	A Cullens
	M Cullens
	D Edgerley
	A Gee
	M Gray
	L Lennox
	A Lowe
	M Lowe
	P Malpas
	S Moulton
	R Russell
	J Snape
	J Walker

Licensing and Public Safety Committee

Councillors K Iddon (Chair)
E Smith (Vice Chair)
J Boothman
T Brown
M Cullens
David Dickinson
Doreen Dickinson
A Gee
M Gray
P Haughton
H Khan
M Lowe
T McGowan
D Platt
R Snape
S Walsh
J Walker

Overview and Scrutiny Committee

Councillors D Edgerley (Chair)
A Cullens (Vice Chair)
N Ball
M Devaney
M Gray
H Heaton
A Lowe
R Russell
E Smith
I Smith
J Snape
P Wilson

Standards Committee

Councillors M Devaney (Vice Chair)
J Boothman
C Hoyle
D Platt
S Walsh

Appointments Panel

Councillors P Goldsworthy (Chair)
K Ball
P Case
D Edgerley
J Walker
plus relevant portfolio holder

Borough/Parish Liaison

Councillors P Goldsworthy (Chair)
P Case (Vice Chair)
E Bell
P Malpas
G Morgan
J Walker

Chief Executive's Performance Review Panel

Councillors P Goldsworthy (Chair)
P Case
D Edgerley
A Lowe
J Walker

Chorley Partnership (LSP) Board

Councillors E Bell
P Case
P Goldsworthy
A Lowe
P Malpas
G Morgan

Equality Forum

Councillors G Morgan (Chair)
David Dickinson
C Hoyle
L Lennox
R Russell
I Smith

Human Resources Appeals Committee

Councillors J Walker (Chair)
M Lowe
S Moulton
M Muncaster

Lancashire Locals

Councillors K Ball
M Gray
L Lennox
J Molyneaux
M Muncaster
D Platt
G Russell

Licensing Liaison

Councillors K Iddon (Chair)
E Smith

Local Development Framework Working Group

Councillors P Goldsworthy (Chair)
P Malpas (Vice Chair)
A Bradley
H Counce
M Devaney
H Heaton
R Lees
L Lennox
S Moulton
M Muncaster
G Russell

Members Support Working Group

Councillors J Walker (Chair)
N Ball
A Gee
J Molyneaux
M Muncaster
D Platt

Town Centre Workshop

Councillors M Gray (Chair)
J Berry
A Bradley
P Haughton
P Malpas
S Walsh

(6) That the appointment of the following Shadow Portfolio Members be noted:

<u>Councillor</u>	<u>Portfolio</u>
D Ederley	Shadow Leader and Resources
A Bradley	Business
J Molyneaux	Community Safety
To be appointed	Equalities
A Gee	Member Support and Licensing
L Lennox	Neighbourhoods
P Wilson	People
R Lees	Planning and LDF
A Lowe	Policy and Performance
J Berry	Strategic Housing Services and Housing Client
M Lowe	Street Cleansing and Streetscene
T Brown	Waste

09.C.09 APPOINTMENTS TO OUTSIDE BODIES FOR 2009/10

A schedule of nominations for the appointment of representatives on outside bodies for the Municipal Year 2009/10, including the appointment of substitute members, where appropriate, was circulated at the meeting.

It was moved by Councillor Peter Goldsworthy (Executive Leader) and seconded by Councillor Pat Case (Deputy Leader of the Council) that the schedule of appointments of representatives to outside bodies presented, be approved.

An amendment was moved by Councillor Dennis Ederley and seconded by Councillor Roy Lees that the proposed nominee on the North West of England and the Isle of Man Reserved Forces and Cadets Association (Councillor J Boothman) be replaced by Councillor T McGowan. On being put to the vote the amendment was lost.

The Executive Leader accepted a further amendment that the Leader of the Labour Group be authorised to appoint the Group's new Shadow Portfolio Member for Equalities as the Council's representative on the Preston and Western Lancashire Racial Equality Council.

It was subsequently **RESOLVED** that the Council's representatives on the following outside bodies for 2009/10 be approved as follows:

Name of Body	No of Representatives	Representatives	Expiry Date
Adlington Community Association	2	Cllr J Molyneux Mr Adam Unsworth (Conservative Nominee)	May 2010
Brindle Village Hall Management Committee	1	Cllr David Dickinson	May 2010
Chorley Age Concern	2	Cllrs R Russell and C Hoyle	May 2010
Chorley & District Neighbourhood Watch Association	1	Executive Member for Neighbourhoods (Cllr E Bell)	May 2010
Chorley & District Sports Forum	2	Executive Member for People (Cllr J Walker); Cllr M Muncaster	May 2010
Chorley & South Ribble Citizens Advice Bureau Management Committee	1	Cllr P Haughton	May 2010
Chorley & South Ribble Council for Voluntary Service	1	Cllr Doreen Dickinson	May 2010
Chorley & South Ribble Crossroads Care Scheme (Trustees)	1	Cllr J Boothman	May 2010
Chorley & South Ribble Disability Forum	1	Cllr David Dickinson	May 2010
Chorley & South Ribble MIND	1	Cllr Doreen Dickinson	May 2010
Chorley & South Ribble Shopmobility	1	Cllr M Gray	May 2010
Chorley Churches Together	1	Cllr M Gray	May 2010
Chorley Community Housing Board	4	Cllrs A Cullens, M Gray, L Lennox & A Lowe	May 2010
Chorley Consolidated Charity & Chorley Relief Fund	3	Cllrs A Gee & M Gray (Appointed 2005) Cllr M Cullens (Appointed 2006)	May 2010 May 2011
Chorley Domestic Violence Forum	2	Cllrs M Cullens & I Smith	May 2010
Chorley Local Children's Trust Partnership	1	Executive Member for People (Cllr J Walker)	May 2010
Chorley Women's Centre	1	Cllr Doreen Dickinson	May 2010
Clayton-le-Woods Community Centre Management Committee	1	Cllr M Cullens	May 2010
Cuerden Valley Trust	1	Cllr M Muncaster	May 2010
Eccleston Maintained Youth Centre Management Committee	2	Cllrs H Counce & K Joyce	May 2010

Groundwork Trust Wigan and Chorley	1	Cllr E Bell	May 2010
Heapey & Wheelton Village Hall Committee	2	Cllr I Smith/Vacancy	May 2010
Heskin Hall Management Committee	1	Cllr E Smith	May 2010
Hoghton Village Hall Management Committee	1	Cllr David Dickinson	May 2010
Homestart Chorley and South Ribble	1	Cllr Doreen Dickinson	May 2010
Lancashire County Council Adult Social Care and Health Overview and Scrutiny Committee (Co-opted member)	1	Cllr R Russell (Substitute Members Cllrs G Russell & A Gee	May 2010
Lancashire Economic Partnership Forum	1	Executive Leader (Cllr P Goldsworthy)	May 2010
Lancashire Neighbourhood Watch Forum	1	Cllr E Bell	May 2010
Lancashire Police Authority Community Meeting	6	Cllrs E Bell, J Molyneaux, A Cullens, David Dickinson, M Muncaster & D Platt	May 2010
Lancashire Police Authority Partnerships Forum	1	Cllr David Dickinson	May 2010
Lancashire Shared Services Contact Centre Partnership	1	Cllr J Walker	May 2010
Lancashire Teaching Hospitals NHS Trust – Governing Council	1	Cllr I Smith	May 2010
Lancashire Valuation & Community Charge Tribunal	1	Mr Jon Davies (Labour nominee)	May 2010
Lancashire Waste Management Strategy Group	1	Executive Member for Neighbourhoods (Cllr E Bell)	May 2010
Local Development Framework Joint Advisory Committee	3	Executive Member for Business (Cllr P Malpas), Cllrs H Heaton & R Lees (Substitute Members Cllrs P Goldsworthy, G Russell and L Lennox)	May 2010
Local Government Association General Assembly	2	Executive Leader (Cllr P Goldsworthy) & Deputy Leader of the Council (Cllr P Case)	May 2010
Local Government Association New Towns Special Interest Group	2	Executive Leader & Deputy Leader of Council	May 2010
Local Government Association Rural Commission	2	Executive Leader & Deputy Leader of Council	May 2010
Local Government Association Urban Commission	2	Executive Leader & Deputy Leader of Council	May 2010
Local Government Association Lancashire Branch	3	Executive Leader, Deputy Leader of Council and Leader of the Opposition (Cllr D Edgerley)	May 2010
Mawdesley Millennium Trust	1	Cllr K Iddon	May 2010
Mawdesley Village Hall Management Committee	1	Cllr K Joyce	May 2010

North Western Local Authorities' Employers Organisation	1	Executive Member for Resources (Cllr K Joyce)	May 2010
Preston & Western Lancashire Racial Equality Council	1	Labour Group Shadow Portfolio Member for Equalities	May 2010
Rivington Heritage Trust	1	Cllr P Case	May 2010
Rivington & Brinscall Advisory Group	3	Cllrs M Gray, P Case & P Wilson	May 2010
Runshaw College Community Liaison Group	4	Cllrs G Russell & G Morgan; Mr Daniel Gee (Labour Nominee) & Mr Kevin Hodges (Conservative Nominee)	May 2010
Safer Chorley & South Ribble Partnership (Responsible Authorities Group)	1	Executive Member for Neighbourhoods (Cllr E Bell)	May 2010
St John Ambulance Association	1	The Mayor	May 2010
The North West of England and the Isle of Man Reserved Forces and Cadets Association	1	Cllr J Boothman	May 2010
West Pennine Moors Area Management Committee	2	Cllrs M Gray & P Wilson	May 2010

09.C.10 PROGRAMME OF COUNCIL MEETINGS FOR 2009/10

RESOLVED – (1) That the following timetable of ordinary meetings of the Council to be held in the Town Hall, Chorley at 6.30pm during the 2009/10 Municipal Year be confirmed:

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

(2) That the Special Meetings of the Council to be held on 3 November 2009 and 2 March 2010 be noted.

09.C.11 CHORLEY'S DRAFT ANNUAL REPORT FOR 2008/09

The Assistant Chief Executive (Policy and Performance) submitted a report seeking the Council's approval of the draft Annual Report for 2008/09.

The report gave an overview of the Council's performance in 2008/09 and summarised the authority's plans for 2009/10, including planned spending. The report highlighted the Council's achievements in the past year in being awarded both an excellent rating by the Audit Commission and a further Beacon status in the 'gold standard' category of 'Better Outcomes for People and Places'. Chorley Council continued to be recognised as one of the best Councils nationally for providing value for money.

It was moved by Councillor Peter Goldsworthy and seconded by Councillor Pat Case that the draft Annual Report for 2008/09 be approved and that the Executive Leader be given delegated authority to approve the final document.

Councillor Dennis Edgerley, however, referred to the incomplete nature of the draft Annual Report and suggested that the completed report be re-submitted to Members for formal approval.

In view of the fact that, unlike previous years, there was no requirement for the Annual Report to be agreed by the Council by a specific date, Councillor Goldsworthy accepted the suggestion and it was:

RESOLVED – That the draft Annual Report for 2008/09, as now presented, be noted and that the finalised version of the report be presented to the next ordinary meeting of the Council on 14 July 2009.

Mayor

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REPORT OF EXECUTIVE CABINET

GENERAL REPORT

1. The Executive Cabinet has met twice on 28 May and 25 June 2009 since the last ordinary Council meeting in April 2009. This report summarises briefly the principal items debated and decisions reached at each meeting.

MEETING HELD ON 28 MAY 2009

Performance Monitoring Report – Fourth Quarter of 2008/09

2. The Executive Cabinet received and noted a report of the Assistant Chief Executive (Policy and Performance) which set out and reviewed the Authority's performance during the fourth quarter of 2008/09 ending on 31 March 2009 both in respect of the 36 key projects included in the refreshed 2008/09 Corporate Strategy and against the National Indicators for which the Council is responsible.
3. The report reveals an overall commendable performance on the delivery of the Corporate Strategy key projects, with 35 projects being either completed, progressing on or ahead of schedule or scheduled to commence later in the year. We noted that only the refurbishment of the Covered Market project was behind schedule, but were informed that, following the resolution of past issues, completion of the project should be imminent.
4. The report also reveals a good performance on the national indicators, with 12 out of 17 indicators having matched or exceeded their targets. Action plans have been adopted in respect of the 5 indicators where the target performance has not been reached.

Chorley Partnership Draft Annual Report for 2008/09

5. The Executive Cabinet was presented with the Chorley Partnership's end of year performance report for 2008/09. The report reviews the Partnership's activities and performance throughout the last financial year, highlighting the progress of the LSP sponsored projects and their contribution to the achievement of the Sustainable Community Strategy. The report also comments on the Council's performance against the first year of the Local Area Agreement.
6. We discussed in particular the correlation between the rise in the number of violent crime incidents (albeit a small number) and domestic incidents, together with the rise in the number of hospital admissions for alcohol related harm. The Executive Members agreed that these two issues, in particular, should be addressed more thoroughly.

Overview and Scrutiny Inquiry into Streetscene Issues

7. We received and considered a report of the Corporate Director (Neighbourhoods) on a suggested response to the findings and recommendations of the Overview and Scrutiny Task Group following its recent inquiry into the activities of the Streetscene Section of the Neighbourhoods Directorate.
8. The Transformation Action Plan developed in response to the recent Value for Money review of the Directorate contains a number of processes aimed to support the implementation of many of the Overview and Scrutiny inquiry recommendations. These proposals include the formulation of schedules for the cleaning and emptying of litter bins and the mapping and numbering of assets on the Geographical Information System.

9. We thanked the Overview and Scrutiny Task Group for its inquiry report and accepted each of the 25 recommendations contained in the report. We also endorsed the comments within the Corporate Director's report clarifying the appropriate action that has been, or will be instigated under the Transformation Action Plan as the Executive's response to the Task Group's recommendations.

Regulatory Enforcement and Sanctions Act 2008

10. The Executive Cabinet received and noted a report of the Corporate Director (Neighbourhoods) which summarised the main provisions of the new Regulatory Enforcement and Sanctions Act 2008 and its implications for the Council's enforcement functions.
11. The Act aims to establish a risk based approach to enforcement and creates a new agency to monitor the mechanisms put in place by local authorities to regulate enforcement action (the Local Better Regulation Office) which will report directly to the Secretary of State. The Council's Service Manager (Environment) has been nominated as Chorley Council's key point of contact on enforcement issues.
12. The Act also establishes a Primary Authority scheme, under which a business operating in two or more local authority areas can request a single authority to act on its behalf for specified regulatory enforcement matters such as food safety, health and safety at work and environmental enforcement activity. Any authority wishing to pursue enforcement action against a business within an area where a Primary Authority arrangement exists will need to consult the appropriate Primary Authority before taking action.
13. Local authorities will also be required to review by December 2009 its application of current legislation and bye-laws to ensure that any business within the European Community wishing to trade in the locality is not prejudiced.

Business Directorate Value for Money Review – Final Report

14. The Assistant Chief Executive (Business Transformation) presented the Executive Cabinet with a report which commented on the findings, conclusions and recommendations contained within the report of the recent value for money review of the Council's Business Directorate.
15. The purpose of the internal review was to assess the Directorate's effectiveness in the delivery of quality services and value for money and to produce recommendations on how the service can be improved.
16. The review concludes that while the Directorate has been found generally to offer good value for money, there are areas where improvements can be pursued.
17. The report contains a series of recommendations that have been used as the basis of a transformation plan to drive the suggested improvements in order to make the services provided by the Directorate more effective and efficient.
18. We accepted the findings of the Value for Money review and approved its recommendations for development and implementation.

Structure Changes to Neighbourhoods Directorate to accommodate integration of the Licensing function

19. The Executive Cabinet considered a confidential report of the Corporate Director (Neighbourhoods) on proposed structural changes to her Directorate following the integration of the Council's licensing function within the Directorate.

20. The Council's licensing function can be separated into the following two distinct operations:
 - a quasi-judicial administrative process to validate and issue licence applications; and
 - an enforcement operation to ensure that licensable activities comply with legislative requirements and that the conditions of licence are adhered to.
21. The new structure seeks to separate the functions to allow the administrative element to be operated as part of the Neighbourhoods Directorate's Business Improvement Team and the operational enforcement element to fall within the Public Protection Section of the Directorate. If adopted, this will entail a fundamental change in the operation and management of the current Licensing Team.
22. In addition, the report recommends the refinement of the structure of the Neighbourhoods Quality Team to enable a more coherent integration of the responsibilities for private sector housing standards and general statutory nuisance and pollution work into the new neighbourhoods working arrangements.
23. We accepted the report and agreed its proposals to revise the staffing structure of the Neighbourhoods Directorate in order to make the best use of resources and ensure effective service delivery as the basis for consultation with staff and trade unions.

MEETING HELD ON 25 JUNE 2009

Sustainable Communities Act, 2007 – Implications for Chorley

24. The Corporate Director (Business) presented the Executive Cabinet with a report on the provisions of the Sustainable Communities Act, 2007 and its implications and opportunities for Chorley.
25. The Act provides an opportunity for local authorities to gain new powers in order to promote the sustainability of local communities. While there is no limit to the type of proposals an authority can put forward, they must not replicate existing powers and be aimed at improving the social, environmental and economic well-being of their area.
26. Any proposals which local authorities wish to submit to Central Government, via the Local Government Association, need to be submitted by 31 July 2009.
27. The Executive Cabinet welcome this opportunity to pursue policy changes that will benefit the Borough. After taking account of the current economic climate and other factors, we have selected and agreed to pursue the following three proposals:
 - that Business Rates should be retained by the local authority to be spent on local priorities;
 - an amendment to Planning Policy Statement No 3 to exclude gardens from the definition of brownfield land;
 - that local authorities should be represented on public bodies (eg Primary Care Trusts).
28. The Council will need to consult the Citizens Panel on the three options to seek residents' opinions before any proposals are lodged with the Government.

Overview and Scrutiny Inquiry into Chorley Community Housing

29. During the latter half of 2008, an Overview and Scrutiny Task Group conducted a scrutiny inquiry principally to examine whether the obligations made by Chorley Community Housing under the terms of its contract were being delivered to tenants.

30. The Task Group's report of its inquiry findings and consequent recommendations was submitted to a meeting of the Executive Cabinet in January 2009 and we considered a report of the Corporate Director (Business) setting out suggested responses to each of the Task Group's 13 recommendations. We welcomed and accepted the suggested commentary, which outlined the actions and measures that have either directly been taken or are proposed for the future, as our response to the inquiry recommendations.

Section 106 Agreements – Involvement of Parish Councils

31. We received and considered a report of the Corporate Director (Business), firstly, reviewing the processes for the drawing up of Section 106 Agreements and, in particular, how Parish Council's involvement could be strengthened; and secondly, proposing the creation of a Play and Recreation Fund to boost the provision of facilities throughout the Borough.
32. Parish Councils have, in the past, expressed a wish for greater input into the Section 106 process and, particularly, the contents of the agreement. The report suggested that a procedure could be introduced whereby Parish Councils' views on prospective Section 106 Agreements should be requested as part of the statutory consultation exercise on planning applications.
33. The Council's current policy requires a contribution from the developers of each new dwelling towards play and recreation, but as these contributions do not generally benefit the rural areas where there is limited development, the report suggested the introduction of a policy under which contributions made under Section 106 Agreements on developments below 15 properties could be used for the provision and maintenance of play and recreation facilities on a Borough-wide basis and not limited to a particular locality. In addition, a twice yearly bidding process could be established, under which Chorley Council, Parish Councils and other appropriate community groups could be invited to submit relevant recreational schemes for consideration by the Executive Cabinet for funding purposes.
34. The Executive Cabinet endorsed the proposals outlined in the Director's report for discussion and consultation purposes at the next Borough/Parish Liaison meeting on 15 July 2009. Provided no major significant issues are raised at this Liaison meeting, the Corporate Director has been authorised to approve the recommended consultation process.

Revenue Budget, 2008/09 – Provisional Outturn

35. The Executive Cabinet received a report of the Assistant Chief Executive (Business Transformation) on the provisional outturn for the Council's 2008/09 General Fund revenue budget.
36. We were pleased to note that all of the efficiency savings targets have been achieved and that the revenue outturn for 2008/09 has revealed an overall underspend of £20,000 (excluding concessionary travel costs). The total of the predicted overspend on concessionary travel expenditure, to be funded from working balances, has been reduced to £135,000.
37. The General Fund level of working balances as at 31 March 2009 totals £1.601m, an increase of £51,000 on the balances forecast in the medium term financial strategy in March 2009. This has been achieved as a result of both the revenue underspend and the reduction in the originally projected overspend in concessionary travel costs.
38. The Assistant Chief Executive highlighted a number of relevant factors that had contributed to the current financial position and we agreed to consider a re-examination of the structure of car parking fees.

Possible Changes to the Administration of the Concessionary Travel Scheme

39. The Executive Cabinet received and considered a report of the Assistant Chief Executive (Business Transformation) seeking our views and response to a Government consultation on proposals to amend the administration of the Concessionary Travel Scheme.
40. A number of problems and anomalies with the current administrative arrangements have become apparent and the Government has identified a number of options aimed at improving the efficiency and sustainability of the system. The options for change to the statutory minimum concession include:
- retention of the current system (leaving the administration largely with District Councils);
 - moving responsibility to upper tier authorities only;
 - centralising administration completely;
 - moving responsibility to a regional level, which would require primary legislation.
41. The current consultation excludes changes to the current funding arrangements, which is to form a separate consultation exercise as part of the next comprehensive spending review in 2011.
42. The Executive Cabinet accept that the key issue surrounding the concessionary travel scheme remains one of funding and endorse the view that a centrally funded and administered scheme is potentially the best option. We have, therefore, approved the content of the response outlined in the submitted report which advocates this view.

Affordable Housing Task Group – Service Improvement Plan

43. The Corporate Director (Business) gave a short presentation and submitted a confidential report seeking approval of an Action Plan for the delivery of affordable housing drawn up by the Affordable Housing Task Group.
44. The Task Group was appointed in the light of the impact of the economic recession to examine how affordable housing could be increased and delivered more quickly and to ensure that all available funding and resources were accessed. The Council has, in fact, received an increased funding allocation of £1.2m from the Government's Regional Housing Pot, which can be utilised to stimulate appropriate initiatives.
45. The Executive Committee welcomed and approved the Action Plan devised by the Task Group as outlined in the Director's report, which identifies 11 projects and initiatives aiming to provide a greater number of affordable housing units by more flexible and innovative methods over a planned programme.
46. We have also authorised the establishment of a temporary Empty Homes Officer to be responsible for taking forward the key Empty Homes Project with the objective of bringing empty properties back into use, subject to either the post being filled from existing staff resources or its costs being contained within budget.

Off-Street Parking – Enforcement

47. The Corporate Director (Neighbourhoods) circulated at the meeting a confidential report seeking the Executive Cabinet's decision on the future arrangements to apply in respect of the provision of "off-street" parking enforcement services in Chorley when current arrangements with the Lancashire County Council for the enforcement of "on-street" and "off-street" parking expire in September 2009. The present integrated arrangements will cease on 5 September when the County Council will retain the "on-street" parking enforcement

function and District Councils will become responsible for “off-street” parking enforcement services.

48. A number of options for the provision of enforcement services have been examined and costed through Team Lancashire, details of which were contained within the submitted report. The Executive Cabinet was asked to determine whether the Council should continue its partnership with the County Council for “off-street” parking enforcement or whether we should consider an alternative short term contract arrangement, pending the exploration of a longer term solution with other Lancashire Districts, after taking account of all pertinent factors, including estimated comparative costs.
49. The Director’s report concludes that pursuance of the short term contract is likely to be the most cost effective and beneficial arrangement, generating savings of up to £0.25m across the County as a whole. This option will entail the engagement of a contractor to provide back office services (ie administration of penalty notice challenges and debt recovery) and a separate contractor to provide front-line enforcement and cash collection services.
50. The Executive Cabinet accepted the recommendations and have approved the procurement of a short term contract to provide “off-street” parking enforcement services in Chorley, subject to sufficient other authorities committing to the scheme, in order to enable Officers to explore a longer term solution for the provision of the service.

Recommendation

51. The Council is recommended to note this report.

COUNCILLOR P GOLDSWORTHY
Executive Leader

AU

There are no background papers to this report.

REPORT OF EXECUTIVE CABINET**CAPITAL PROGRAMME – PROVISIONAL OUTTURN FOR 2008/09 AND MONITORING OF PROGRAMME FOR 2009/10 AND ONWARDS**

1. The Executive Cabinet at its meeting on 25th June 2009, was presented with a report of the Assistant Chief Executive (Business Transformation) which set out (i) the provisional outturn for the Council's Capital Programme for 2008/09; and (ii) a progress report on the 2009/10 Capital Programme.
2. The provisional outturn for 2008/09 is projected as £5,235,092, a reduction of £3,347,528 on the budget approved in January 2009, caused primarily by the slippage of expenditure to 2009/10. An appendix to the submitted report sets out the projected method of funding the programme in order to achieve a reduction in the level of prudential borrowing in 2008/09 by £1.539m.
3. Other appendices to the report presented the revised Capital Programme budgets for 2009/10 and 2010/11. The proposed programme for 2009/10 has increased to £9,672,620 as a result principally of a £3.601m slippage of expenditure from 2008/09 and an increase in the Regional Housing Pot capital grant allocated to the Council in 2009/10.
4. A copy of the report presented to the Executive Cabinet on 25th June is attached so that the Council is able to take account of the relevant factors before taking decisions on the Capital Programme. Appendices to the report give a detailed analysis of the provisional outturn for 2008/09 and outline the proposed financing arrangements for the revised 2009/10 programme.

Recommendations

5. The Executive Cabinet endorsed the report and recommend the Council:
 - a) to note the provisional outturn for 2008/09 Capital Programme totalling £5,235,092;
 - b) to approve the financing of the 2008/09 Capital Programme as set out in Appendix 1 of the submitted report;
 - c) to approve the revised Capital Programme for 2009/10 totalling £9,672,620 to take account of slippage from 2008/09, increased resources and other increases.

COUNCILLOR KEVIN JOYCE
Executive Member (Resources)

There are no background papers to this report

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Report of	Meeting	Date
Assistant Chief Executive (Business Transformation) (Introduced by the Executive Member for Resources)	Executive Cabinet	25th June 2009

CAPITAL PROGRAMME PROVISIONAL OUTTURN 2008/09 AND MONITORING 2009/10 ONWARDS

PURPOSE OF REPORT

1. To report the provisional outturn for the capital programme for 2008/09 and to update the programme for 2009/10 onwards.

RECOMMENDATION(S)

2. That the 2008/09 capital programme provisional outturn be noted.
3. That the financing of the programme as indicated in Appendix 1 be approved.
4. That the capital programme for 2009/10 be increased to £9,672,620 to take account of slippage from 2008/09, increased resources and other increases.

EXECUTIVE SUMMARY OF REPORT

5. The provisional outturn at a total cost of £5,235,092 is attached as Appendix 1. This also sets out the financing of the programme, which has achieved a reduction in prudential borrowing in 2008/09 by £1.529 million. This is not a saving over the three years to 2010/11, but slipping borrowing to 2009/10 achieves a revenue budget saving in that financial year.
6. The updates to the budgets for 2009/10 and 2010/11 are also presented in Appendix 1. Further information about the slippage of £3.601 million from 2009/10 is presented in Appendix 2. Information about the other budget increases totalling £1.018 million in 2009/10 is given in Appendix 3. Most of this increase relates to a considerable increase in the Regional Housing Pot capital grant allocated to the Council for 2009/10.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To give formal approval to the financing of the 2008/09 capital programme.
8. To update the capital programme for 2009/10 to take account of expenditure committed during 2008/09 but not incurred by 31st March 2009.
9. To update the 2009/10 capital programme to take account of additional resources such as Regional Housing Pot Capital grant.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. None.

CORPORATE PRIORITIES

11. 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

12. Council reduced the capital programme for 2008/09 to a total of £8,582,620 on 27 January 2009. The financing of schemes for the years 2008/09 to 2010/11 was amended so that prudential borrowing would be restricted to the previously approved maximum of £3,624,640.
13. The capital programme for 2009/10 to 2011/12 was approved by Council on 26 February 2009. Estimated expenditure for 2009/10 was £5,053,280, which included the slippage of £1,297,580 expenditure from 2008/09 that had been reported previously.

2008/09 PROVISIONAL OUTTURN

14. The provisional outturn for the 2008/09 capital programme is £5,235,092, which is a reduction of £3,347,528 compared to the budget approved in January 2009. The detailed outturn is presented in Appendix 1.
15. Of the total variance, £3,601,290 is slippage of expenditure to 2009/10. Further information is presented in Appendix 2. The major variances were as follows:
- £1,200,000 - New recycling containers, which were delivered to Chorley residents in April 2009.
 - £481,330 – Chorley Strategic Regional Site. Effect on capital resources is neutral because to be financed with earmarked capital receipt.
 - £370,210 – Astley Park pavilion/pets corner phase, and CCTV. Lottery scheme due to be completed during 2009/10. CCTV contract nearly completed.
 - £365,360 – Improvements to property assets. Schemes will be developed with Liberata.
 - £191,070 – Various ICT projects, including CRM. Due to be completed in 2009/10.
 - £164,800 – Recreation schemes funded by grants and contributions. Effect on capital resources is neutral.
 - £160,500 – Energy Grants. New contractor commenced work towards end of 2008/09.
 - £150,000 – Affordable Housing. Implementation of projects depends on housing association partners.
16. Expenditure on a number of schemes exceeded budget provision, though in several cases this was matched by increased funding from external sources. In particular, increased expenditure in respect of the Astley Park, Common Bank and Leisure Centres schemes

was financed by grants and contributions from other funding partners. The expenditure on Buckshaw Village Railway Station was financed using the S106 contribution received for that purpose.

17. Plant and equipment required for the Grounds Maintenance service has now been included in the capital programme at a cost of £74,564, and has been financed by prudential borrowing because this would be cheaper than paying annual lease rentals. Though this has contributed to an increase in borrowing above that included in the budget for 2008/09 to 2010/11, the revenue savings are greater than the increased revenue costs arising from the borrowing.
18. Some expenditure was moved from the revenue budget when it was considered appropriate to charge it to the capital programme instead. This included improvements to various properties and the purchase of ICT equipment. Capitalising the expenditure achieved savings against the revenue budget. However, some expenditure that had been included in the capital programme was charged to the revenue budget instead, because it was not considered appropriate to capitalise it. The effect on the revenue budget was neutral, because earmarked reserves that would have financed capital expenditure were used to finance this revenue expenditure instead.
19. Some capital projects show variances at 2008/09 outturn because they have received an allocation of capitalised salaries, the budget for which was included as Project Design Fees under Business directorate.
20. There was a net shortfall in capital receipts of £17,350, the main reason being that preserved Right To Buy (RTB) receipts from Chorley Community Housing (CCH) fell short of even the reduced estimate. This is a continuing effect of the so-called "credit crunch".
21. Prudential borrowing in 2008/09 has reduced by £1,529,482 to £1,142,898. Most of this relates to slippage to 2009/10, so the reduction is only temporary. However, this delay in borrowing leads to revenue budget savings during 2009/10.

2009/10 CAPITAL PROGRAMME

22. The capital programme for 2009/10 is shown in Appendix 1 as increasing by £4,619,340 to £9,672,620. Of this total £3,601,290 is the slippage of expenditure from 2008/09, which is itemised in Appendix 2. Appendix 3 identifies the reasons for the further increase by £1,018,050 and further details are presented below in respect of the major variances.
23. Of the expenditure identified as slippage, £1,200,000 relates to the purchase of the new recycling containers, which were received by Chorley residents during April 2009 and therefore should be accounted for in 2009/10. The next largest item (£481,330) is in respect of infrastructure work at the Chorley Strategic Regional Site, which is being financed by a capital receipt from the sale of the land, earmarked for that purpose. The effect on the Council's capital resources is neutral, and if the receipt is not spent in full, the balance should become payable to the North West Development Agency, which provided the grant funding for the reclamation of the land being developed.
24. The Council has received a considerable increase in its allocation of Regional Housing Pot (RHP) capital grant. The base estimate for 2009/10 was £311,500, based on the allocation for 2008/10. The actual grant received in 2009/10 is £1,277,000, an increase of £965,500. This represents most of the increase in the 2009/10 programme other than slippage from 2008/09. At present the increased grant has not been allocated to fund specific projects, but the Business directorate budget for 'housing renewal' has been increased by a sum that will be reallocated when proposals have been developed.
25. The 2009/10 programme includes £1,753,140 expenditure on promotion of affordable housing schemes. However, of this total, £600,000 represents a S106 contribution that has

not yet been received from the developer. It is by no means guaranteed that the contribution will be received during 2009/10, though that was a reasonable assumption when the programme was prepared. Affordable housing expenditure that is intended to be financed with the contribution should not be incurred before it is received, so it is possible that any programme would have to be rephrased to reflect any delay in receipt of the resource. Furthermore, an affordable housing programme would require housing association partners to have funding available and to implement their schemes on time, which means that some slippage is likely to occur in any case for reasons beyond the control of the Council

- 26. Further expenditure on the implementation of the Buckshaw Village Railway Station is not yet included in the programme. As at 1 April 2009, the balance of the S106 contribution received for this purpose was £3.506 million, though additional external grants and contributions will be required in order to complete the project.
- 27. Officers are working with Liberata to reduce the estimated cost of the Covered Market improvement scheme. The total estimated works cost is £366,200, which is expected to be the maximum payable. Additional works estimated to cost £26,650, in particular those relating to rainwater harvesting, should help to reduce subsequent annual running costs. This work is funded in part from the Climate Change Pot budget. The revenue budget savings from rainwater harvesting are estimated to be £3,000 per year.
- 28. A consequence of adding additional expenditure to the capital programme in 2008/09 and further increases in 2009/10 is that prudential borrowing is now estimated to exceed the budgeted total by £46,480. However, this is less than the cost of the Grounds Maintenance equipment added to the programme in 2008/09 (£74,564), and the increase in borrowing costs chargeable to revenue is less than the saving in lease rentals, so there is at present a saving to the revenue budget.
- 29. Avoiding further increases in borrowing is likely to be possible only if all budgeted receipts are achieved and further assets included in the disposal programme are sold during the year. At present the estimate for Preserved RTB receipts from CCH remains at £100,000, though the total achieved during 2008/09 was only £63,275. The total in 2007/08, before the "credit crunch" was £1.144 million.

IMPLICATIONS OF REPORT

- 30. 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	

Financial implications are indicated in the body of the report.

GARY HALL
 ASSISTANT CHIEF EXECUTIVE (BUSINESS TRANSFORMATION AND IMPROVEMENT)

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Michael L. Jackson	5490	10 June 2009	Capital Programme Provisional Outturn 2008-09.doc

Capital Programme - 2008/09 to 2010/11

Scheme	2008/09 Current Estimate (1) £	Slippage (to)/from 2009/10 (2) £	Other Changes (3) £	2008/09 Provisional Outturn (4) £	2009/10 Current Estimate (5) £	Slippage (to)/from 2008/09 (6) £	Other Changes (7) £	2009/10 Revised Estimate (8) £	2010/11 Current Estimate (9) £	Other Changes (10) £	2010/11 Revised Estimate (11) £	Total 2008/09 to 2010/11 (12) £
<u>Town Centre Investment</u>												
Markets Action Plan (Phase I)	325,800	(37,820)	12,342	300,322	0	37,820	67,980	105,800	0		0	406,122
Town Centre Investment	0			0	0		0	0	1,025,000		1,025,000	1,025,000
Town Centre Investment Total	325,800	(37,820)	12,342	300,322	0	37,820	67,980	105,800	1,025,000	0	1,025,000	1,431,122
<u>Affordable Housing</u>												
Homelessness Prevention Central Lancs Sanctuary Scheme	28,500		3,137	31,637	28,500			28,500	0		0	60,137
Affordable Housing Halliwell Street Project 2007-2010	0		1,505	1,505	79,000			79,000	0		0	80,505
Affordable Housing HALS Project 2007/08 - 2008/09	130,000	(130,000)	1,505	1,505	750,000	130,000		880,000	0		0	881,505
Choice Based Lettings	20,000	(20,000)	7,011	7,011	0	20,000		20,000	0		0	27,011
Affordable Housing New Development Project 2008/09 - 2010/11	0		8,500	8,500	754,140		(8,500)	745,640	533,760		533,760	1,287,900
Affordable Housing Total	178,500	(150,000)	21,658	50,158	1,611,640	150,000	(8,500)	1,753,140	533,760	0	533,760	2,337,058
<u>Sustainability & Climate Change</u>												
Climate Change Pot	70,000	(70,000)	0	0	110,000	70,000	(10,000)	170,000	0		0	170,000
Sustainability & Climate Change Total	70,000	(70,000)	0	0	110,000	70,000	(10,000)	170,000	0	0	0	170,000
<u>Matched Funding Pot</u>												
Matched Funding Pot / Invest To Save	50,000	(50,000)	0	0	150,000	50,000	(25,000)	175,000	100,000		100,000	275,000
Matched Funding Pot Total	50,000	(50,000)	0	0	150,000	50,000	(25,000)	175,000	100,000	0	100,000	275,000
<u>Performing Organisation - Investment in Infrastructure</u>												
<u>Assistant Chief Executive (Business Transformation)</u>												
Planned Improvements to Fixed Assets	299,990	(299,990)	(1,296)	(1,296)	200,000	299,990		499,990	200,000		200,000	698,694
Investment in Council Assets	100,000	(65,370)	48,867	83,497	50,000	65,370	(63,820)	51,550	0		0	135,047
Capitalised restructuring costs	530,000	0	(4,431)	525,569	0			0	0		0	525,569
Assistant Chief Executive (Business Transformation)	929,990	(365,360)	43,140	607,770	250,000	365,360	(63,820)	551,540	200,000	0	200,000	1,359,310

Capital Programme - 2008/09 to 2010/11

Scheme	2008/09 Current Estimate (1) £	Slippage (to)/from 2009/10 (2) £	Other Changes (3) £	2008/09 Provisional Outturn (4) £	2009/10 Current Estimate (5) £	Slippage (to)/from 2008/09 (6) £	Other Changes (7) £	2009/10 Revised Estimate (8) £	2010/11 Current Estimate (9) £	Other Changes (10) £	2010/11 Revised Estimate (11) £	Total 2008/09 to 2010/11 (12) £
<u>Assistant Chief Executive (Policy & Performance)</u>												
Project Management Support Capitalisation	40,000	0	(40,000)	0	40,000			40,000	40,000		40,000	80,000
Performance Management	0	0	0	0	10,000			10,000	0		0	10,000
Assistant Chief Executive (Policy & Performance)	40,000	0	(40,000)	0	50,000	0	0	50,000	40,000	0	40,000	90,000
<u>Corporate Director (Business)</u>												
Disabled Facilities Grants	423,360	(4,090)	12,202	431,472	300,000	4,090		304,090	300,000		300,000	1,035,562
Housing Renewal					200,000		973,000	1,173,000	200,000		200,000	1,373,000
- Home Repair Grants	128,030	0	9,877	137,907	0	0		0	0		0	137,907
- Energy Grants	200,000	(160,500)	6,619	46,119	0	160,500		160,500	0		0	206,619
- Handyperson Scheme	10,000	0	2,084	12,084	0			0	0		0	12,084
Project Design Fees	86,940	0	(86,940)	0	70,000		(28,560)	41,440	70,000	(28,560)	41,440	82,880
eDevelopment and Building Control Project	0	0	(1,825)	(1,825)	0			0	0		0	(1,825)
Eaves Green Link Road - contribution to LCC scheme	699,450	(80,000)	1	619,451	0	80,000		80,000	0		0	699,451
Buckshaw Village Railway Station	0	0	76,463	76,463	0			0	0		0	76,463
Chorley Strategic Regional Site	576,530	(481,330)	1	95,201	0	481,330		481,330	0		0	576,531
Contribution to LCC Euxton Library Extension (S106 funded)	60,000	(60,000)	0	0	0	60,000		60,000	0		0	60,000
Contribution to LCC Buckshaw Village Primary School (S106)	0	0	0	0	1,000,000			1,000,000	0		0	1,000,000
Corporate Director (Business)	2,184,310	(785,920)	18,482	1,416,872	1,570,000	785,920	944,440	3,300,360	570,000	(28,560)	541,440	5,258,672
<u>Corporate Director (Governance)</u>												
Legal Case Management System	31,750	(31,750)	0	0	0	31,750		31,750	0		0	31,750
Corporate Director (Governance)	31,750	(31,750)	0	0	0	31,750	0	31,750	0	0	0	31,750
<u>Corporate Director (Human Resources & Organisational Development)</u>												
Integrated HR, Payroll and Training System	17,410	(350)	(3)	17,057	77,850	350		78,200	0		0	95,257
Corporate Director (Human Resources) Total	17,410	(350)	(3)	17,057	77,850	350	0	78,200	0	0	0	95,257

Capital Programme - 2008/09 to 2010/11

Scheme	2008/09 Current Estimate (1) £	Slippage (to)/from 2009/10 (2) £	Other Changes (3) £	2008/09 Provisional Outturn (4) £	2009/10 Current Estimate (5) £	Slippage (to)/from 2008/09 (6) £	Other Changes (7) £	2009/10 Revised Estimate (8) £	2010/11 Current Estimate (9) £	Other Changes (10) £	2010/11 Revised Estimate (11) £	Total 2008/09 to 2010/11 (12) £
<u>Corporate Director (Neighbourhoods)</u>												
Replacement of recycling/litter bins & containers	87,710	(14,850)	3	72,863	85,000	14,850		99,850	85,000		85,000	257,713
Highway improvements - Gillibrand estate/Southlands	0	0	0	0	90,000			90,000	0		0	90,000
Intelligent Management Information	65,520	(65,520)	0	0	0	65,520	(65,520)	0	0		0	0
Alleygates	41,030	(12,580)	4	28,454	30,000	12,580		42,580	30,000		30,000	101,034
Refuse and Recycling Contract Revenue Mitigation	1,200,000	(1,200,000)	0	0	0	1,200,000		1,200,000	0		0	1,200,000
MATAC CCTV Infrastructure Upgrades	0	0	0	0	25,000			25,000	0		0	25,000
Purchase of Grounds Maintenance Equipment	0	0	74,564	74,564				0			0	74,564
Corporate Director (Neighbourhoods)	1,394,260	(1,292,950)	74,572	175,882	230,000	1,292,950	(65,520)	1,457,430	115,000	0	115,000	1,748,312
<u>Corporate Director (ICT)</u>												
Website Development (incl. ICT salary capitalisation)	30,000	0	(30,000)	0	30,000			30,000	30,000		30,000	60,000
Thin Client/Citrix (started 2007/08)	196,980		17,431	214,411	44,850	0		44,850	159,350		159,350	418,611
Telephony	137,000	0	1,087	138,087	0			0	0		0	138,087
Data Storage Solution	67,350	(67,350)	0	0	0	67,350	(67,350)	0	0		0	0
OS Positional Accuracy Improvement	38,900	0	2,066	40,966	0			0	0		0	40,966
Server Virtualisation / Data Storage Solution	0	0	0	0	152,200		67,350	219,550	0		0	219,550
Web Accessibility	20,000	(20,000)	0	0	0	20,000		20,000	0		0	20,000
Corporate Director (ICT)	490,230	(87,350)	(9,416)	393,464	227,050	87,350	0	314,400	189,350	0	189,350	897,214
<u>Corporate Director (People)</u>												
Leisure Centres/Swimming Pool Refurbishment	200,000	(88,940)	31,428	142,488	297,240	88,940		386,180	244,180		244,180	772,848
Duxbury Park Golf Course capital investment	470,090	(56,560)	(3)	413,527	30,000	56,560		86,560	0		0	500,087
Improvements to Sports Pitches	0	0	0	0	0			0	275,000		275,000	275,000
Astley Park Improvements - Construction	1,525,810	(336,210)	75,571	1,265,171	74,000	336,210	58,080	468,290	0		0	1,733,461
Astley Hall/Park CCTV	34,000	(34,000)	0	0	0	34,000		34,000	0		0	34,000
Ulnes Walton Play/Leisure Schemes (S106 funded)	10,630	(10,630)	0	0	0	10,630		10,630	0		0	10,630
Corporate Play Development Plan	47,340	0	(2)	47,338	0			0	0		0	47,338
Coppull Playzone	25,000	0	0	25,000	0			0	0		0	25,000
Play/Recreation Facilities (S106 funded)	23,570	0	3	23,573	0			0	0		0	23,573
Clayton Brook Play Area (lottery funded)	96,780	(96,780)	0	0	0	96,780		96,780	0		0	96,780
Lighting at Coronation Recreation Ground	76,280	(7,630)	2,474	71,124	0	7,630		7,630	0		0	78,754
Eaves Green Play Development	30,600	(30,600)	0	0	181,880	30,600		212,480	0		0	212,480
Village Hall & Community Centres Projects	60,000	(11,670)	(5)	48,325	60,000	11,670		71,670	0		0	119,995
Cemetery Development	13,280	(13,280)	0	0	0	13,280		13,280	0		0	13,280
Memorial Safety St Johns Churchyard	28,460	0	(28,460)	0	0			0	0		0	0
Memorial Safety	0	0	0	0	50,000			50,000	25,000		25,000	75,000
Common Bank - Big Wood Reservoir	143,280	(19,160)	51,980	176,100	0	19,160		19,160	0		0	195,260
Groundwork Projects	25,250	(18,230)	0	7,020	0	18,230		18,230	0		0	25,250
CRM Implementation	60,000	(6,100)	1	53,901	83,620	6,100	65,520	155,240	0		0	209,141
On-line Booking System				0			25,000	25,000				25,000
Project Design Fees				0			29,870	29,870		29,870	29,870	59,740
Corporate Director (People)	2,870,370	(729,790)	132,988	2,273,568	776,740	729,790	178,470	1,685,000	544,180	29,870	574,050	4,532,618

Capital Programme - 2008/09 to 2010/11

Scheme	2008/09 Current Estimate (1) £	Slippage (to)/from 2009/10 (2) £	Other Changes (3) £	2008/09 Provisional Outturn (4) £	2009/10 Current Estimate (5) £	Slippage (to)/from 2008/09 (6) £	Other Changes (7) £	2009/10 Revised Estimate (8) £	2010/11 Current Estimate (9) £	Other Changes (10) £	2010/11 Revised Estimate (11) £	Total 2008/09 to 2010/11 (12) £
Performing Organisation - Investment in Infrastructure Total	7,958,320	(3,293,470)	219,762	4,884,612	3,181,640	3,293,470	993,570	7,468,680	1,658,530	1,310	1,659,840	14,013,132
Capital Programme Total	8,582,620	(3,601,290)	253,762	5,235,092	5,053,280	3,601,290	1,018,050	9,672,620	3,317,290	1,310	3,318,600	18,226,312
<i>Financing the Capital Programme</i>												
Prudential Borrowing - budgeted	2,672,380	(1,512,140)	(17,342)	1,142,898	321,850	1,512,140	100,570	1,934,560	630,410	(83,230)	547,180	3,624,638
- unbudgeted	0			0	0		46,480	46,480	0		0	46,480
Unrestricted Capital Receipts	1,243,840	(199,120)	19,374	1,064,094	510,000	199,120		709,120	411,130		411,130	2,184,344
Capital Receipt earmarked for Strategic Regional Site	576,530	(481,330)	1	95,201	0	481,330		481,330	0		0	576,531
Preserved RTB Capital Receipts from CCH	100,000	0	(36,725)	63,275	100,000	0		100,000	100,000		100,000	263,275
Revenue Budget - Specific Revenue Reserves or Budgets	124,020	0	(124,020)	0	16,750	0	9,750	26,500	0		0	26,500
Revenue Budget - VAT Shelter income	444,000	(444,000)	142,686	142,686	594,000	444,000	0	1,038,000	593,750		593,750	1,774,436
CBC Resources	5,160,770	(2,636,590)	(16,027)	2,508,153	1,542,600	2,636,590	156,800	4,335,990	1,735,290	(83,230)	1,652,060	8,496,203
Ext. Contributions - Developers	1,119,980	(404,390)	86,060	801,650	2,926,850	404,390	(81,830)	3,249,410	1,025,000	84,540	1,109,540	5,160,600
Ext. Contributions - Lottery Bodies	1,273,140	(278,940)	3	994,203	40,870	278,940		319,810	0		0	1,314,013
Ext. Contributions - Other	226,340	(96,780)	99,860	229,420	0	96,780	22,520	119,300	0		0	348,720
Government Grants - Disabled Facilities Grants	180,000	0	0	180,000	180,000			180,000	180,000		180,000	540,000
Government Grants - Housing Capital Grant	622,390	(184,590)	52,440	490,240	362,960	184,590	920,560	1,468,110	377,000		377,000	2,335,350
Government Grants - Other	0	0	31,426	31,426	0			0	0		0	31,426
External Funding	3,421,850	(964,700)	269,789	2,726,939	3,510,680	964,700	861,250	5,336,630	1,582,000	84,540	1,666,540	9,730,109
TOTAL CAPITAL FINANCING	8,582,620	(3,601,290)	253,762	5,235,092	5,053,280	3,601,290	1,018,050	9,672,620	3,317,290	1,310	3,318,600	18,226,312

<u>Capital Programme 2009/10 - Slippage from</u> <u>2008/09</u> Scheme	Slippage (to)/from 2008/09 £	Comments
<u>Town Centre Investment</u>		
Markets Action Plan (Phase I)	37,820	Slippage due to delays in installation of central aisle roof
<u>Town Centre Investment Total</u>	<u>37,820</u>	
<u>Affordable Housing</u>		
Affordable Housing HALS Project 2007/08 - 2008/09	130,000	To be used to contribute to housing association projects
Choice Based Lettings	20,000	Now to be financed with regional choice grant
<u>Affordable Housing Total</u>	<u>150,000</u>	
<u>Sustainability & Climate Change</u>		
Climate Change Pot	70,000	Use of budget has been identified (report to Executive Cabinet 2 October 2008) but payments not made during 2008/09
<u>Sustainability & Climate Change Total</u>	<u>70,000</u>	
<u>Matched Funding Pot</u>		
Matched Funding Pot / Invest To Save	50,000	Balance of 2008/09 budget provision
<u>Matched Funding Pot Total</u>	<u>50,000</u>	

<u>Capital Programme 2009/10 - Slippage from</u> <u>2008/09</u> Scheme	Slippage (to)/from 2008/09 £	Comments
<u>Performing Organisation - Investment in Infrastructure</u>		
<u>Assistant Chief Executive (Business Transformation)</u>		
Planned Improvements to Fixed Assets	299,990	To be applied 2009/10 onwards on improvements to property assets working with Liberata
Investment in Council Assets	65,370	Balance of 2008/09 budget provision
<u>Assistant Chief Executive (Business Transformation)</u>	<u>365,360</u>	
<u>Corporate Director (Business)</u>		
Disabled Facilities Grants	4,090	Balance of 2008/09 budget provision
Housing Renewal		
- Energy Grants	160,500	Balance of 2008/09 budget provision
Eaves Green Link Road - contribution to LCC scheme	80,000	Contribution not yet received from developer.
Chorley Strategic Regional Site	481,330	Balance of 2008/09 budget provision
Contribution to LCC Euxton Library Extension (S106 funded)	60,000	Contribution not yet received from developer.
<u>Corporate Director (Business)</u>	<u>785,920</u>	
<u>Corporate Director (Governance)</u>		
Legal Case Management System	31,750	Implementation has been rephased
<u>Corporate Director (Governance)</u>	<u>31,750</u>	

<u>Capital Programme 2009/10 - Slippage from</u> <u>2008/09</u> Scheme	Slippage (to)/from 2008/09 £	Comments
<u>Corporate Director (Human Resources & Organisational Development)</u>		
Integrated HR, Payroll and Training System	350	Balance of 2008/09 budget provision
<i>Corporate Director (Human Resources) Total</i>	<u>350</u>	
<u>Corporate Director (Neighbourhoods)</u>		
Replacement of recycling/litter bins & containers	14,850	Balance of 2008/09 budget provision
Intelligent Management Information	65,520	Implementation has been rephased
Alleygates	12,580	Balance of 2008/09 budget provision
Refuse and Recycling Contract - new recycling containers	1,200,000	New blue bins provided April 2009
<i>Corporate Director (Neighbourhoods)</i>	<u>1,292,950</u>	
<u>Corporate Director (ICT)</u>		
Data Storage Solution	67,350	Implementation has been rephased
Web Accessibility	20,000	Implementation has been rephased
<i>Corporate Director (ICT)</i>	<u>87,350</u>	

<u>Capital Programme 2009/10 - Slippage from</u> <u>2008/09</u> Scheme	Slippage (to)/from 2008/09 £	Comments
<u>Corporate Director (People)</u>		
Leisure Centres/Swimming Pool Refurbishment	88,940	Balance of 2008/09 budget provision
Duxbury Park Golf Course capital investment	56,560	Balance of 2008/09 budget provision
Astley Park Improvements - Construction	336,210	Pavilion/pets corner phase implemented later than originally planned
Astley Hall/Park CCTV	34,000	Work commenced April 2009
Ulnes Walton Play/Leisure Schemes (S106 funded)	10,630	
Clayton Brook Play Area (lottery funded)	96,780	
Lighting at Coronation Recreation Ground	7,630	Balance of 2008/09 budget provision
Eaves Green Play Development	30,600	
Village Hall & Community Centres Projects	11,670	Balance of 2008/09 budget provision
Cemetery Development	13,280	
Common Bank - Big Wood Reservoir	19,160	Budget provision retained for additional work
Groundwork Projects	18,230	Balance of 2008/09 budget provision
CRM Implementation	6,100	Balance of 2008/09 budget provision
<u>Corporate Director (People)</u>	<u>729,790</u>	
<u>Performing Organisation - Investment in Infrastructure Total</u>	<u>3,293,470</u>	
<u>Capital Programme Total</u>	<u>3,601,290</u>	

Capital Programme 2009/10 - Other Changes

Scheme	Other Changes 2009/10 £	Comments
<u>Town Centre Investment</u>		
Markets Action Plan (Phase I)	67,980	Virement from Climate Change Pot re rainwater harvesting and from Investment in Council Assets
<u>Town Centre Investment Total</u>	<u>67,980</u>	
<u>Affordable Housing</u>		
Affordable Housing New Development Project 2008/09 - 2010/11	(8,500)	Expenditure incurred during 2008/09
<u>Affordable Housing Total</u>	<u>(8,500)</u>	
<u>Sustainability & Climate Change</u>		
Climate Change Pot	(10,000)	Virement to Covered Market scheme re rainwater harvesting, as reported to Executive Cabinet 2 October 2008. Contributes to annual revenue budget savings
<u>Sustainability & Climate Change Total</u>	<u>(10,000)</u>	
<u>Matched Funding Pot</u>		
Matched Funding Pot / Invest To Save	(25,000)	Virement to On-line Booking system, which should enable revenue budget savings arising from restructuring of People directorate
<u>Matched Funding Pot Total</u>	<u>(25,000)</u>	

Capital Programme 2009/10 - Other Changes

Scheme	Other Changes 2009/10 £	Comments
<u>Performing Organisation - Investment in Infrastructure</u>		
<u>Assistant Chief Executive (Business Transformation)</u>		
Investment in Council Assets	(63,820)	To Covered Market scheme and other minor adjustments
<u>Assistant Chief Executive (Business Transformation)</u>	<u>(63,820)</u>	
<u>Corporate Director (Business)</u>		
Housing Renewal	973,000	Increase in Regional Housing Pot capital grant
Project Design Fees	(28,560)	Transferred to People directorate budget
<u>Corporate Director (Business)</u>	<u>944,440</u>	
<u>Corporate Director (Neighbourhoods)</u>		
Intelligent Management Information	(65,520)	Virement to Customer Relationship Management (CRM) project
<u>Corporate Director (Neighbourhoods)</u>	<u>(65,520)</u>	
<u>Corporate Director (ICT)</u>		
Data Storage Solution	(67,350)	Merged with Server Virtualisation project
Server Virtualisation / Data Storage Solution	67,350	From Data Storage Solution budget
<u>Corporate Director (ICT)</u>	<u>0</u>	

Capital Programme 2009/10 - Other Changes

Scheme	Other Changes 2009/10 £	Comments
<u>Corporate Director (People)</u>		
Astley Park Improvements - Construction	58,080	External funding of Pavilion/Pets Corner
CRM Implementation	65,520	Transferred from Neighbourhoods' Intelligent Management Information
On-line Booking System	25,000	Transferred from Invest to Save - to achieve revenue budget savings
Project Design Fees	29,870	Transferred from Business directorate plus increase of £1,310 to match recharges from revenue budget
<u>Corporate Director (People)</u>	<u>178,470</u>	
<u>Performing Organisation - Investment in Infrastructure Total</u>	<u>993,570</u>	
<u>Capital Programme Total</u>	<u>1,018,050</u>	

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Scrutiny Reporting Back

Chorley Council's Annual Report on Overview and Scrutiny in 2008/09



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1. FOREWORD



Councillor Dennis Edgerley
Chair and Vice-Chair of the Overview and Scrutiny Committee



Councillor Alan Cain
Councillor

In 2008 whilst finding the Council excellent overall, the CPA assessors had some concerns about Chorley's scrutiny function:

“Scrutiny is not yet fully effective, which undermines its role in challenging the executive and holding it to account. In implementing improvements to the scrutiny function the Council needs to ensure that:

- all scrutiny members are clear about what is required in the role, and are given any necessary development to enhance their contribution; and*
- participation in all scrutiny activity - including task-and-finish groups - follows good practice in seeking to achieve political balance in its membership.”*

This year we have been embedding the new scrutiny structure and had some excellent review topics which have engaged Members, challenged some of our partners and resulted in some very worthwhile outcomes. Our performance role has challenged the Executive Cabinet on some key topics and our financial scrutiny has enabled us to input into both the budget process and the treasury management strategy. We have made significant progress towards addressing the Audit Commission's comments during the CPA and in their Annual Audit and Inspection Letter dated March 2009 they say:

“ The overview and scrutiny function has been strengthened. Task and finish groups identify opportunities to enhance service quality and governance arrangements in relation to, for example, Streetscene and Chorley Community Housing.”

We are convinced that a politically balanced overview and scrutiny committee supported by interested committed and engaged task group members has shown itself this year to be the way forward for Chorley.

The year concluded with an interactive review of the year looking at the role of members through current scrutiny arrangements; at the challenge that scrutiny has brought to the authority and looked with great enthusiasm ahead to some of the issues we would like to tackle in 2009/10.

2. THE YEAR AHEAD

Our review of the 2008/09 scrutiny year gave us some real food for thought. Some key messages from that review were:

- The current structure is working well, most Members think its an improvement with some very good task group reviews this year.
- Most Members think there has been some very effective challenges to the Executive Cabinet this year but would like to see more Executive Members (rather than Officers) being challenged at scrutiny meetings.
- Although we have started to challenge partners there is more we could do and some suggestions for reviews in 2009/10 should address this.
- Enthusiastic Members and a topic of direct interest or concern to Members or their constituents came out as the best drivers to effective task group reviews.

Topics which came forward for review in 2009/10 are many and varied but two key themes are:

- Lancashire County Council Highways – funding/performance
- Town Centre Regeneration and prosperity/vacant shop premises

3. KEY MESSAGES FROM SCRUTINY REVIEWS IN 2008/09

Chorley Community Housing

This review was to look at whether Chorley Community Housing was delivering on the promises made to tenants as part of the transfer after the first twelve months of the Housing Stock Transfer from Chorley Council.

The review, including hearing evidence from representatives of a number of residents associations showed that generally residents were happy with the service provided by Chorley Community Housing (CCH) although CCH did need to do further work with contractors to monitor their performance. A number of areas were identified where operational performance could be improved. However key concerns related to the inadequacy of current performance monitoring systems and the lack of progress in delivering affordable housing targets. Recommendations were made to strengthen monitoring systems which would enable councillors to better hold CCH to account in delivering its affordable housing targets.

Streetscene

The aim of the Streetscene review was to address public concern about the cleanliness of street's looking at existing maintenance schedules for street cleaning, emptying litter bins, sweepers, tree pruning and grass cutting. The review looked at current arrangements, the need for improvements in service delivery, barriers to changing service delivery and work with parishes. A long list of recommendations was produced towards improving service delivery.

Consultation with Parish Councils on issues in parished areas and with the Equality Forum on any barriers there may be to effective service delivery, provided valuable feedback. Neighbourhood working is also contributing to improved performance on streetscene issues.

The Executive has received both final reports on these two reviews and Overview and Scrutiny Committee is now eager to see their response.

Chorley Partnership

The review of Chorley Partnership, our LSP, isn't quite complete. Overall the review has increased Members understanding of the work of the LSP and answered questions about funding allocations. There are a number of strands to the review but recommendations are emerging in two key areas - firstly a recommendation that the LSP funds one or two larger projects with greater impact rather than a longer list of small projects and secondly that reducing alcohol harm related statistics for the Borough should be the key objective in one of those larger projects. The Group are keen to see some time of youth intervention project contribute to this and are looking at Alcohol Designation Orders.

Housing Allocations Policy

The short review of the new housing allocations policy during its consultation period resulted in Members feeling that customers wouldn't lose out under the policy and that it would be easier to understand and have greater transparency. It also identified this as an area which all members should understand and recommended it for a member learning session.

Joint Scrutiny of Affordable Housing with South Ribble and Preston

Undertaking a joint scrutiny review has resulted in significant learning. It has sometimes been difficult to make progress and drive this review forward with three Councils each researching different elements, sharing information and comparing good practice. However after more than 12 months, recommendations on affordable housing are emerging in a number of areas - maximising housing corporation grant; social rented as against shared ownership; land availability; affordability in the private sector; empty properties and housing standards; layout and design issues and use of S106 funding. The review has involved discussions with Register Social Landlords and other relevant partners.

4. OUR CHALLENGE TO THE EXECUTIVE

The following areas are Executive Cabinet items we have considered at scrutiny and made recommendations in 2008/09.

- Climate Change Strategy
- Growth Point
- Merged Crime and Disorder Reduction Partnership
- Chorley Town Centre Audit and Design Strategy
- Council's Investment process and deposit in Landsbank
- Neighbourhoods Directorate Restructure
- Strategic Housing Issues

5. CHALLENGING PERFORMANCE

Scrutiny has an important role in monitoring the Council's performance and takes its role seriously resulting in a number of challenges leading to reviews. Quarterly monitoring of

- Directorate Business Plans and Performance Indicators.
- Project activity under the Corporate Strategy; and
- Chorley Partnership, including projects being run by the partnership.

Directors are questioned on areas of underperformance and issues of concern. The Streetscene, CCH and Chorley Partnership Reviews are all as a direct result of the Overview and Scrutiny Committee's performance monitoring.

6. FINANCIAL SCRUTINY

As well as scrutinising the Executive's budget proposals and considering the Council's capital and revenue budget monitoring proposals, the Executive Member (Resources) has attended scrutiny meetings at the Committee's request to answer questions about the Council's investment processes and the 2009/10 draft budget and Lancashire County Council Officers have answered questions on the funding of Concessionary Travel.

7. ASSESSING THE YEAR

2008/09 has been a productive year for scrutiny resulting in some key recommendations on topics which fully engaged Councillors. Challenges ahead are to continue to scrutinise area of interest to Councillors and their constituents; to work more effectively with our partners on scrutiny and to continue to challenge our Executive members in a constructive way with recommendations that result in positive outcomes for our residents in Chorley.

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REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**General Report**

1. This report summarises the work of the Overview and Scrutiny Committee meetings held on 21 May 2009 and 22 Jun 2009.

Meeting held on 21 May 2009**Executive Cabinet - 28 May 2009**

2. We received a copy of the report to be considered by the Executive Cabinet at their meeting the following week. The report endorsed all the recommendations made by the Streetscene inquiry and outlined how the actions would be delivered.

Business Plan and Performance Monitoring Statements - Final Quarter 2008 / 2009

3. We received the Business Plan and Performance Monitoring Statements for the final quarter of 2008 / 2009. The Directors presented each report, outlined the key messages and responded to queries from Members.
4. Members requested that further training to be provided for Development Control Committee members particularly relating to site inspections and the provision of a pre-application briefing for the Buckshaw Group 1 application for all Members. An update on the provision of allotments would also be presented within the next Business Plan and Performance Monitoring Statements.

Get Up and Play Rangers

5. The Children and Young Peoples Development Officer advised that work was ongoing with Parish Councils to improve the numbers of children attending sessions and to ensure that provision was appropriate for the area.

Performance Monitoring Report - Final Quarter of 2008 / 2009

6. The Assistant Chief Executive (Policy and Performance) advised that performance was assessed based on the delivery of Key Projects in the Corporate Strategy and the performance against the National Indicators for which the Council is responsible.
7. We discussed the ongoing works to the covered market as there had been some issues with the installation of the entrance canopies. The Assistant Chief Executive (Business Transformation) was dealing with the contractor to resolve any impact on the Council's budget.
8. The indicator relating to street and environmental cleanliness was discussed. Tight targets were set and the indicator was now measured slightly differently, in fact only 3 streets out of 900 had not met the target.

Chorley Partnership Annual Report 2008 / 2009

9. We discussed the report and noted that the recession was having an impact on Chorley just like the rest of the UK. The unemployment benefits claimant count for Chorley had risen by almost double since last year. The recession had also taken its toll on house prices this year. The health profile summary published by the North West Public Health Observatory in 2008 showed significant health inequalities within Chorley, by gender and level of deprivation.
10. Members noted potential future impact on finances, such as enforcement on council tax payments.

Annual Review of Overview and Scrutiny 2008/09 and Topics for 2009/10

11. We considered a report which outlined topics suggested at the “Scrutiny – A review of the year session” held on the rising of the last meeting and agreed that the final Overview and Scrutiny Committee meeting of the year be used as a review session in future years.
12. Two topics for review by Lancashire County Council were suggested as requested: ‘Health scrutiny of the PCT performance and outcomes’ and ‘Enforcement issues in two tier Councils’.

Scrutiny Reporting Back: Annual Report of Overview and Scrutiny in 2008/09

13. We considered the Overview and Scrutiny Annual Report and noted that the “Scrutiny – A review of the year session” had been used to inform the document. We agreed that the Annual Report be presented to Council in July.

Newly Implemented Legislation affecting Scrutiny

14. We received the report of the Corporate Director (Governance) advising on recent legislation which impacts on the role of scrutiny, including individual decision making within wards, Councillor Call for Action and powers relating to crime and disorder. Members discussed the report and queried several points.
15. We noted that the existing arrangements already go further than the new Community call for action requirements. We considered that it would be appropriate to include the role of scrutinising the crime and disorder function in the terms of reference of the Overview and Scrutiny Committee and to make consequential amendments to the Constitution to ensure that the wording is consistent with the new legislation.

Practical Guide to Overview and Scrutiny

16. We considered the revised “Practical guide to overview and scrutiny in Chorley Council – 2009”. In the light of new regulations and changes to current practice the revised document was welcomed and we agreed that the document be adopted as a replacement to the existing Scrutiny Toolkit, subject to updates.

Meeting held on 22 Jun 2009

Executive Cabinet - 25 June 2009

(a) Sustainable Communities Act, 2007 - Implications for Chorley

17. Officers advised that the Sustainable Communities Act did not limit the type of proposals that could be put forward however there are two main criteria for a valid proposal. The proposals must be ones that require action from the government and not be possible within the existing powers of the local authority; and the proposals must relate to actions that the local authority believe would better enable them to improve the social, economic or environmental well being of their area. Proposals were to be submitted by 31 July 2009.
18. The Executive Member (Business) attended the meeting and explained that the three proposals selected were considered to bring the best outcomes for Chorley. We noted that the consultation with the Citizens Panel would involve a meeting and discussion of the proposals in full and that the process of making proposals would be repeated next year enabling other proposals to be considered.

(b) Affordable Housing Task Group - Service Improvement Plan

19. We considered the confidential report and queried several points with the Corporate Director (Business).

Overview and Scrutiny Inquiry - Local Strategic Partnership

20. Councillor Mike Devaney presented the report and advised that the inquiry had increased Members' understanding of the Local Strategic Partnership. We agreed that the report be presented to the Executive Cabinet in August.

Potential Review Topics for 2009/10

21. We considered a report outlining potential review topics for 2009/10 arising from the review session held on 23 March 2009. Topics were raised and grouped under three headings of Corporate Strategy, Public concerns/service issues and external scrutiny. We agreed that the review topics be taken forward as suggested in the report.
22. The membership of the Town Centre vitality group and Highways issues group were confirmed, key issues were also identified. A third review topic could be selected later in the year.

Overview and Scrutiny Work Programme and Reports from the Task and Finish Groups

23. We considered the work programme and noted the revised format.
24. I reported that the final report for the Joint Scrutiny Inquiry with Preston and South Ribble on Affordable Housing inquiry had been drafted. There were a number of recommendations within the report which would be signed off at a meeting of the joint Chairs in the next month or so. The report would then be presented to the Executive Cabinet of each Authority.

Recommendation

25. The Council is recommended
 - a. To note this report.
To instruct the Corporate Director of Governance to make the necessary amendments to the Constitution consequent upon the new scrutiny arrangements described in this report.

COUNCILLOR DENNIS EDGERLEY
Chair of Overview and Scrutiny Committee

RR
There are no background papers to this report.

REPORT OF AUDIT COMMITTEE

GENERAL REPORT

1. This report summarises briefly the principal elements of the items discussed at the meeting of the Audit Committee held on 24 June 2009.

Role of Audit Committee and Auditors

2. The Head of Shared Assurance Services gave a short presentation to the Committee on the role of the Audit Committee and our internal and external auditors for the particular benefit of the Members new to the Committee.
3. The Officer highlighted the specific role of the Audit Committee in providing an objective voice in the audit process by overseeing the adequacy of the Council's governance, risk management and internal control arrangements.
4. The Council is, in fact, required to produce an Annual Governance Statement, which is essentially a corporate self-assessment measured against six core principles. The statement forms part of the authority's financial statement for the year and is reviewed by the Audit Committee in advance of its signing-off by the Executive Leader and the Chief Executive. The Committee is also responsible for ensuring the adoption of an appropriate corporate risk management strategy capable of identifying and mitigating any risks.
5. The presentation also explained the differing roles of the Audit Committee and the Overview and Scrutiny Committee and the internal and external audit bodies.

Role of External Auditors

6. We welcomed Fiona Blatcher (Engagement Lead) and Tony Hugh (Audit Manager) from the Audit Commission and thanked Fiona for her address on the Commission's role as Chorley Council's external auditors.
7. Ms Blatcher clarified the Auditors' two principal duties in auditing the authority's accounts and commenting on whether there are proper arrangements in place to secure economy, efficiency and effectiveness of the service (ie value for money). In addition, the Audit Commission now appoints Comprehensive Area Assessment Leads, responsible for the planning, co-ordination and delivery of the Audit Commission's inspection in relation to the new assessment regime.
8. Ms Blatcher also explained the criteria used by the Auditors in their annual assessment of the authority's use of resources based upon their evaluation of three Key Lines of Enquiry (KLoE) (ie managing finances; governing the business and managing resources). A new scoring criteria is to be employed in 2009/10, with only the workforce planning element of the KLoE needing to be assessed. The ultimate conclusion on the authority's value for money performance is based on the Auditors' opinion of whether or not the Council has put in place proper arrangements to secure the three KLoEs.
9. The presentation also provided an insight into the process that would be involved under the new Comprehensive Area Assessment (CAA) regime leading up to a Lancashire Area Assessment in November 2009. The Lancashire-wide assessment will include separate organisational assessments of each Lancashire District (excluding Blackpool and Blackburn with Darwen), taking account of each District's use of resources and performance management. Ms Blatcher emphasised the importance of the Local Strategic Partnership and the Council's scrutiny function to the eventual CAA rating.

Annual Governance Statement for 2008/09

10. We received a report of the Corporate Director (Governance) presenting the third draft Annual Governance Statement for 2008/09 which reviews the framework in place to monitor the systems, processes, culture and values by which they authority directs and controls its activities.
11. The Statement has been compiled after taking account of a corporate self-assessment and Director Self-Assurance Statements and an appendix to the Statement lists the actions that will be taken to address identified issues for inclusion in the various Directorates' Business Improvement Plans.
12. We commended the Officers on the presentation of a clear and concise Governance Statement, which we endorsed for signature by the Executive Leader and the Chief Executive in advance of its submission for external audit as part of the 2008/09 financial statements.

Annual Statement of Accounts, 2008/09

13. The Audit Committee received a report from the Assistant Chief Executive (Business Transformation) seeking approval to the Financial Statement for 2008/09, which sets out and comments on the draft accounts for the financial year.
14. The Assistant Chief Executive's report drew attention to the principal elements of the accounts and the salient issues and factors that have influenced the current financial position of the authority.
15. The financial statement reveals a net revenue overspend of £0.115m in 2008/09, caused principally by a £0.135m overspend on Concessionary Travel. The level of the Council's working balances, however, has increased to £1.601m since the last forecast in February 2009, which is additional to the £1.319m of specific, or earmarked, reserves. The Capital Programme provisional outturn for 2008/09 is £5.235m, a reduction of £3.348m, much of which is due to the re-phasing of costs or schemes that are financed from external grants or contributions.
16. On a cautionary note, the Assistant Chief Executive drew attention to the uncertainty of the economic climate and envisaged financial position over the forthcoming few years, advocating the need for a radical re-assessment of services and stringent financial planning for the next two years.
17. Following a comprehensive debate and consideration, the Audit Committee approved the submitted Financial Statement for 2008/09 for submission to the external auditors.

Audit Opinion Plan for 2008/09 (Revised)

18. Our external auditors, the Audit Commission, presented their revised Audit Opinion Plan for 2008/09, which updated the initial audit plan issued in June 2008.
19. The initial audit plan, being produced at the start of the financial year, was unable to specify the detailed risks that the auditors would need to consider as part of their audit work.
20. The revised report set out the approach that had been taken to identify opinion audit risks, which had resulted in the following specific risks being identified:
 - Preparation of the accounts by the Shared Financial Services function.
 - Impact of the current economic climate.

- Impact of Chorley's £2m "at risk" investment in Landsbanki.

21. The Auditors' revised audit opinion plan also contained their response to the identified risks.

Internal Audit Annual Report for 2008/09

22. The Committee received a report of the Assistant Chief Executive (Business Transformation) which summarised the work undertaken by the Internal Audit Section during the 2008/09 financial year.
23. The report revealed that, despite the diversion of some staff resources away from audit work to support the shared services project, the Section had still achieved the planned number of audit assignments in 2008/09. An appendix to the report scheduled the Internal Audit work undertaken during the past financial year, and gives individual opinions on the adequacy of control for each of the areas examined, with a commentary on the key control issues identified.
24. The Committee were pleased to note that, after taking into account all relevant factors and judgements, in the opinion of the Internal Audit Section, the Council continues to operate within a sound control environment.

Annual Audit Fee for 2009/10

25. We received a letter from the Audit Commission informing the Council that the Commission's total indicative fee for the audit work planned for 2009/10 has been calculated as £110,400 (exclusion of VAT). The fee reflects only the audit element of the Commission's fees, excluding any inspection and assessment fees which will be identified separately.
26. The Committee noted the Audit Commission's projections, but hoped that the Commission would be able to review the fees position during the course of the year, with a view to the total fees being reduced to reflect any likely reductions in the planned outputs of the audit work.

Members Allowances and Expenses

27. Upon my request, the Corporate Director (Governance) presented the Committee with a report clarifying the policies and processes adopted in relation to Members' allowances and expenses.
28. Chorley Council's Members' Allowances Scheme is agreed by the full Council upon consideration of recommendations from an Independent Remuneration Panel. The scheme of allowances is compiled from the framework established by Government Regulations and is publicly accessible on the Council's website, together with details of the actual allowances and expenses paid to Councillors during each financial year.
29. In addition, Members are provided with a laptop and telephone to assist them in carrying out their duties as a Councillor and a permit for use on Council car parks.
30. We welcomed the report as confirmation of Chorley Council's adherence to a fair and regulated scheme of allowances, but requested the Member Support Working Group to review and clarify the terms and conditions of use of the car park permits issued to Members.

Recommendation

31. The Council is recommended to note this report.

COUNCILLOR ANTHONY GEE
Chair of Audit Committee

AU

There are no background papers to this report.



ANNUAL REPORT OF CHORLEY COUNCIL'S STANDARDS COMMITTEE

INTRODUCTION

1. This annual report provides a summary of the work undertaken by Chorley Council's Standards Committee during the Municipal Year 2008/09 to promote and ensure compliance with the Member's Code of Conduct and generally to ensure good standards of ethical governance within the Borough Council and the Parish Council's covered by the Committee.
2. This has been a particularly busy year in the Standard's world. In May new arrangements were implemented which transferred the responsibility for receiving and assessing complaints from the Standards Board for England to local Standards Committees. This may be seen to have been the logical next step following a general move over the last few years towards cases being investigated and heard locally. Much of the Committee's work during the last year has focused on implementing these new arrangements and to deal with some of the challenges which will undoubtedly emerge.

MEMBERSHIP

3. The current membership of the Committee is as follows:

A. Independent Members

1. Tony Ellwood (Chair)
2. Reverend John Cree

B. Parish Members

1. Councillor Joan Geddes
2. Councillor William Mason
3. Councillor Alan Platt
4. Councillor Alan Cornwell (substitute Parish Member)

C. Borough Council Members

1. Councillor Keith Iddon (Vice-Chair)
2. Councillor Judith Boothman
3. Councillor Thomas McGowan
4. Councillor Debra Platt
5. Councillor Stella Walsh

4. In order to ensure that the Committee is able to establish the Sub Committees required for local assessment, the Committee requested the Borough Council earlier in the year to increase the numbers of Independent and Parish Members. That request was accepted and recruitment exercises have been conducted. The Committee was pleased that the exercise lead to significant interest within the Parishes. Following interviews Parish Councillors William Mason and Alan Platt were appointed to the Committee by the Borough Council on 7 April 2009
5. So far as recruitment of an additional Independent Member was concerned a press advert did result in some interest and potentially suitable candidates came forward. Unfortunately those suitable were unable to take up the position. The Local Strategic Partnership were



contacted to canvass interest and applicants were requested to apply by letter. Interviews were held in June and the Borough Council will be requested to appoint Gwynne Furlong and Hugh Evans to the Committee on 14 July 2009.

COMMITTEE MEETINGS AND BUSINESS

6. The full Committee has met five times during the year and has been successful in following the work programme approach adopted during the preceding year. At each meeting the Committee considers work undertaken to promote the code and receives any updates from the Standards Board or the Adjudication Panel. Under the latter heading the Committee now receives a report at each of its meetings regarding cases which have been referred by Committees to the Standards Board for investigation and in relation to Adjudication Panel decisions. In addition to its routine business the Committee has considered and made recommendations in relation to the following matters:
 - a. A user policy on Members mini-websites;
 - b. A review of Chorley Council's Whistleblowing Policy;
 - c. A review of Chorley Council's protocol on Member/Officers Relations;
 - d. A response to the Department for Communities and Local Governments consultation paper on revisions to the Code of Conduct for Members and for the introduction of a Code of Conduct for Officers;
 - e. Draft Protocol on Parish Member-Employee Relations and
 - f. Use of Resources Assessment – What the Standards Committee needs to know.

TRAINING AND INFORMATION PROVISION

8. The Standards Committee has continued to regard the provision of training and information as a key function. Members of the Committee have undertaken a variety of training themselves including:
 - a. Attending the Lancashire Standards Conference in March and then feeding back to those Members who were unable to attend at the first Committee meeting of the Municipal Year;
 - b. Undertaking a training exercise in conducting local assessment hearings following a Standards Board training package;
 - c. Independent Members have attended the meetings and training offered by the North West Independent Members Forum;
 - d. The Chair of the Committee has attended the Standards Board National Conference.
9. In addition each Member of the Committee has been supplied with updated Standards Board guidance as it has been produced.
10. In terms of training for other Members, an introduction to the Code was offered as part of the induction programme for new Councillors and a training session was offered to all Borough and Parish Councillors in July 2008.
11. In addition to formal training the Committee has continued to promote general awareness raising. All the Parish Clerks have been supplied with information relating to the new assessment processes and they have also been supplied with all the new guidance coming from the Standards Board. In addition information has been added to Chorley Council's website covering the complaints process.

PARISH MENTORING

12. The Committee is now into the second year of its Parish mentoring programme which is another important aspect of its awareness raising programme. Parish mentoring involves each Member of the Standards Committee being allocated a number of Parish Councils and committing to attend at least one Parish Council meeting during the year. At those meetings the Standards Committee member is prepared to give a brief overview of the work of the Committee and pass on news about important developments. It is anticipated that by the end of the year each Parish Council will have had a visit in accordance with the plan.

HEARINGS

13. The number of complaints being dealt with by the Committee continues to be at a relatively low level. However, in June the Committee considered two complaints against Parish Councillors which had been referred by the Standards Board in accordance with the old procedures. In one of those cases the Committee accepted the Investigating Officer's conclusion that there was no breach of the Code of Conduct. In the other case the Committee agreed with the Investigating Officer's conclusion that there was a breach. In that case a local hearing in July 2008 led to the Councillor receiving a three-month suspension from office. If the Parish Councillor had attended training his suspension period would have been reduced to a month. The Parish Councillor chose not to take up the training and served his full period of suspension.
14. Under the new arrangements the Local Assessment Sub-Committee met in November 2008 to consider two related complaints relating to Borough Councillors. Those complaints have been referred for investigation. One Borough Councillor was found not to have breached the Code of Conduct. In April 2009 a hearing was held in relation to the second Borough Councillor which determined there had been a technical breach, but that that no action needed to be taken.
15. The Sub-Committee (Assessment) has subsequently met in March, April and May to consider complaints against a total of five Parish Councillors. The outcome of the Assessment Sub-Committees were:
 - a. 1 referral to the Standards Board for England,
 - b. 2 no breaches of the Code of Conduct found,
 - c. 2 potential breaches of the Code of Conduct referred for investigation.

STANDARDS SUB COMMITTEE

16. For some years the Committee has operated a Standards Sub-Committee which meets with the purpose of carrying out a review and audit in relation to the maintenance of records of interest and hospitality provided by both Borough Council and Parish members. This Sub-Committee provides guidance and recommendations in regard to compliance of these records. The Sub Committee was pleased this year to note that the quality of register entries showed clear signs of improvement.

USE OF RESOURCES

17. The work of the Committee forms a small part of the work considered by the Audit Commission when undertaking the annual “use of resources assessment” of Chorley Council. Ethical governance arrangements feature as an element within the “internal control” judgement made by the Commission. This year Chorley maintained its overall maximum “4” rating. However, within that score the Council also secured an improvement in the internal control element which moved from “3” to “4”. The Committee hopes to be able to continue to support the Council to maintain this level of standing when it is next assessed under a new use of resources framework.

ANDREW DOCHERTY
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Andrew Docherty	5102	1 July 2009	REPORTS/1102



Wednesday 13 May 2009



Confidence in local democracy

Annual return

Summary

show all

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Independent overview

Does the standards committee have Terms of Reference?

Yes

What help do members receive on following the Code of Conduct?

Twice yearly training sessions take place. Ad hoc guidance notes are produced, circulated to all Members and placed on the Council's intranet. Each Member is given a flowchart for deciding whether to declare an interest. Specific guidance is proactively offered when there is an issue known to affect a number of Members. Individual advice is offered on request.

Does the standards committee have a forward work plan?

Yes

If yes, who outside of the standards committee is involved in agreeing the forward work plan? Please explain below.

The Monitoring Officer.

Is the standards committee given a role in reviewing amendments to the Authority's Constitution (or Standing Orders where appropriate)?

No

Standards committee meetings.

Please use the table below to indicate how many times between 01/04/2008 and 31/03/2009 the standards committee has met and for what reasons.

Reason for meeting	Number of times met between 01/04/2008 and 31/03/2009
General meeting of whole standards committee	4
Training	1
Assessment sub-committee	3
Review sub-committee	0
Consideration meeting	0
Hearing	1
Other	1



Standards committee - annual report

Does the standards committee produce an annual report on its own work?

Yes

Is the annual report received by a meeting of the full authority?

Yes

Is the annual report sent to all members?

Yes

Is the annual report sent to all senior officers?

Yes

How is the annual report publicised to the general public?

The report is sent to all Parish Clerks and is published on the Council Meeting Agenda and is therefore available to local

public and press.



Standards committee - promoting standards

What else does the standards committee do to communicate the role of the standards committee and the importance of high standards internally within the authority to members and officers?

A Sub Committee meets annually to inspect the registers of members' interests. Members are advised before and after this happens. Committee members attend training for other Members. The Independent Chair attends each Council meeting. The Committee reviews other relevant policies such as the Whistleblowing policy and makes recommendations for improvement.

What else has the standards committee done to promote confidence in local democracy to the wider public?

The Committee has established a mentoring scheme for the Parish Councils for which it is responsible. Under this scheme each of the 22 local Parish Councils gets an annual visit from a member of the Standards Committee. The key purpose of the visit is relationship building and to keep Standards issues in the minds of Parish Councillors. Typically the Committee Member will say a few words about the work of the Committee and they will flag up any particular current issues as regards the Code and the standards regime generally. There are usually some members of the public in attendance at these meetings and Committee Members have been able to discuss the standards regime with them as well.

Has the authority, or the standards committee in particular, considered how it will monitor and ensure high standards of behaviour when the authority is working in partnership with other organisations?

Yes

Please provide examples.

We have Members who sit on both County and District Councils and have established (and used) arrangements for dealing with complaints against these dual hatted Members. Key partnerships such as the Local Strategic Partnership have adopted their own Codes of Conduct.



Standards committee - training

Between 01/04/2008 and 31/03/2009, has the authority assessed the training and development needs of members in relation to their responsibilities on standards of conduct?

Yes

What training needs were identified?

Training for Committee Members on local assessment. General Code of conduct and bias training. Introductory standards training for new Members as part of their induction. Planning training was an issue for a number of Members and, although the need was wider than the ethical issues, that was one element of the identified need.

Please provide a list of training and development opportunities that have been provided to members and officers in the period from 01/04/2008 and 31/03/2009, that are relevant to ensuring high standards. Your list should include any training that relates to the operation of the local standards framework, e.g. local assessment, hearings etc.

New member Induction. Local Assessment training. Ethical standards training (twice). Planning in practice. Standards Board ACSES or the LGG. Code of conduct training opportunities provided internally by all legal and democratic services staff. The Independent Members are members of a Lancashire wide forum which meets quarterly. A variety of training has been offered at these meetings e.g speakers from the Standards Board dealing with publicity issues, updating on progress with the proposed revisions to the Code.



Leadership

How often has the standards committee, or its chair, met the chief executive to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

None

Please also provide an overview of what the meetings were about.

How often has the standards committee, or its chair, met the leader of the council to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

None

Please also provide an overview of what the meetings were about.

How often has the standards committee, or its chair, met the other party group leaders to discuss ethical issues in the last 12 months (from 01/04/2008 to 31/03/2009)?

None

Please also provide an overview of what the meetings were about.

Does the standards committee, or its chair, have regular access to the monitoring officer? How regular?

The Chair has access whenever he wants but, on average, the chair and Monitoring Officer will either meet, have a telephone conversation or an e-mail discussion two or three times a month.

How many times in the last 12 months (from 01/04/2008 to 31/03/2009) has the standards committee chair been invited to address a full authority meeting?

None

Does the monitoring officer sit on the Corporate Management Team, or equivalent?

Yes

Has an executive member (or senior member where appropriate) been given portfolio responsibility for standards?

Yes



Complaints

Can the public access information, from the authority website, about how to make a complaint against a member?

Yes

What else has the authority done to advertise the complaint process on member conduct to the general public?

The mentoring arrangement for Parish Councils.

Has the authority sought feedback from any of those people involved in an allegation of member misconduct about their satisfaction with the member conduct complaint process (for example the complainant, witnesses or person against whom the allegation was made)? Please choose from responses below.

No, have not sought feedback

How does the authority communicate the outcome of investigations into member conduct to:

a) members

No cases under the new arrangements have been completed during the time period in question. One Parish Council case under the old arrangements was heard and the Parish Council was advised in writing of the outcome.

b) officers

In the case mentioned the Clerk attended the hearing.

c) the general public

The outcome of the case was formally advertised but was also the subject of a press story and the MO was able to give background information as to processes etc.

How does the authority communicate the outcome of allegations into member conduct which have NOT resulted in an investigation (for example those allegations which have not been referred for investigation and those allegations which have resulted in other action) to:

a) members

N/A

b) officers

N/A

c) the general public

N/A



Member officer relations

Does the authority have a protocol for relations between members and officers?

Yes

How is the protocol communicated to officers and members?

The protocol is communicated on induction. In addition it is part of the Council's Constitution and all Members are supplied with a copy.

What is the mechanism for reviewing the effectiveness of this protocol?

The Protocol was reviewed by the Standards Committee this year. A new Parish Protocol has been endorsed by the Committee. The Committee have asked that an amended Borough Council Protocol be presented to their next meeting.

Does the authority include training on the importance of high standards of behaviour in the inductions of new members and officers?

Yes

Does the authority have informal mechanisms for dealing with member/officer and member/member disputes?

Yes

Please provide details of any mechanisms and, if possible, provide an example where this has been used.

The Chief Executive and MO discuss issues from time to time with the individuals involved or through the leadership of the political groups.

Registering member interests

Is the member register of interests accessible to the public on the authority website?

No

Please briefly explain whether there is any particular reason why not.

The Information Commissioner has recently reminded Authorities that public registers still need to be managed in accordance with the Data Protection Act. There is clearly no legal difficulty in complying with the law and having a register available for inspection. Publicising the register on the website though is different. There is room for differing views on what would constitute "fair processing" under the DPA but the safest course of action is to publish only with the consent of Members. The Standards Committee has decided not to do this. They regard the availability of the Registers as being sufficient and have concerns that information could be more easily misused (e.g. for identity theft) if it received wider publicity.

Is the register of gifts and hospitality available to the public on the authority website?

No

What does the authority do to signal to members the importance of declaring interests and completing the register of interests and the register of gifts and hospitality?

In addition to training: each agenda contains a standard item for declarations. The register of interests is reviewed by a Sub Committee annually, any possible issues are raised directly with the Member concerned and all Members are notified that the review is happening. The Committee have recently requested a twice yearly reminder be sent to Members regarding the need to register gifts and hospitality.



Officer conduct

Does the authority have a code of conduct for senior officers?

Yes

Does the authority compile a register of senior officers' interests?

Yes

If yes, is the register of senior officers' interests available to the public on the authority website?

No

Does the authority compile a register of senior officers' gifts and hospitality?

Yes

If yes, is the senior officers' register of gifts and hospitality available to the public on the authority website?

No



Optional questions

The following questions are optional; you do not have to complete them if you do not wish to. However, this information would be useful to us in helping us to raise ethical standards.

On what issues, if any, would you appreciate more support or guidance on from the Standards Board for England?

The Standards Board for England, the Improvement and Development Agency and the Audit Commission have developed a toolkit that authorities can use to assess the ethical governance arrangements in their authority, and also to identify

improvements.

Has your authority used the ethical governance toolkit?

No

If no, has your authority considered using the ethical governance toolkit?

Yes

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Report of	Meeting	Date
Monitoring Officer	Council	14 July 2009

APPOINTMENT OF INDEPENDENT STANDARDS COMMITTEE MEMBERS

PURPOSE OF REPORT

1. To appoint two additional Independent members of the Standards Committee and to confirm the terms of office for the Committee as a whole.

RECOMMENDATION(S)

2. That Gwynne Furlong and Hugh Evans be appointed as Independent members of the Standards Committee.

EXECUTIVE SUMMARY OF REPORT

3. The new Regulations and local assessment of complaints against Councillors requires three sub-committees for each stage of the process. Each sub-committee will need to consist of no less than three members of the standards committee, including an Independent member and a parish council representative if the matter under consideration relates to parish issues.
4. At the Annual Meeting in 2008 the membership of the Standards Committee was increased to take account of this to ensure that there is an independent member and parish council representative available without a conflict of interest for both the assessment and review sub-committees.

CORPORATE PRIORITIES

5. 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	y
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

INDEPENDENT MEMBERS

6. In order to recruit an additional Independent Member a job description and person specification were drawn up. Following an unsuccessful recruitment process the Local Strategic Partnership were contacted to canvass interest and applicants were requested to apply by letter.



7. In June three candidates attended for interview with the interviews being conducted by Mr Ellwood, as the Independent Chair of the Committee and Councillor Stella Walsh, as a Member of the Committee. Andrew Docherty, as the Council's Monitoring Officer was also present.
8. The Standards Committee considered information about each candidate at their meeting on 18 June 2009 and would like to recommend Gwynne Furlong and Hugh Evans be appointed.
9. Gwynne Furlong has lived in Chorley for many years and is the Honorary President of the Chorley Chamber of Trade and Commerce. He has experience of codes of conduct, working within legal guidelines and chairing meetings.
10. Hugh Evans is the Deputy Chief Executive of the North and Western Lancashire Chamber of Commerce. He has experience of reviewing evidence, making unbiased decisions and working within legal guidelines.
11. Appointments to the Standards Committee require approval by Council.

TERMS OF OFFICE

12. Borough Councillors are appointed to the Committee on an annual basis, but it the Committee have agreed that Independent and Parish members should serve a term of office. Members will be eligible to be reappointed at the end of their original term.
13. For Independent members a four year staggered term of office is proposed:

Tony Ellwood	2011
Gwynne Furlong	2012
Hugh Evans	2013
14. For Parish Council representatives it is proposed they serve the same term of office on the Standards Committee as their term of office on the Parish Council.

Joan Geddes	2010
Bill Mason	2011
Alan Platt	2010

IMPLICATIONS OF REPORT

15. 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	y	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
Ruth Rimmington	5118	24 June 2009	StandardsIndependentMember

REPORT OF DEVELOPMENT CONTROL COMMITTEE**PLANNING APPLICATION 09/00024/FUL – Erection of multi use games area (MUGA) including provision of 3m steel fencing, tarmac playing surface and access footpaths.**

1. The site for the proposed MUGA is on a section of public open space on Land 80m East of Buckshaw Primary School, Chancery Road, Astley Village on a piece of flat grass between a footpath leading into the Primary School and to Millcroft and a wooded hollow with the flats of Brown Hey beyond. The MUGA would be of standard dimensions of 24m by 12m with a 3m high fence around the four sides. The fence would be of dark green metal mesh with curved corners and there would be basket ball hoops at each end. Two lean back benches would be set 2m in from the footway on the side of Chancery Road.
2. The planning application was first considered by the Development Control Committee at its meeting on 3 March 2009 and the Committee received representations from an objector and a supporter of the proposals along with updated information about the planning application on an addendum that was circulated at the meeting.
3. The application has been the subject of considerable public reaction both for and against the proposal.
4. The Committee resolved to recommend Council to grant planning permission.
5. The application was required to be determined by the Council under Part B for the responsibility of functions 1(b) as the land was in Council ownership.
6. Council considered the application at its meeting on 7 April 2009. The Chair Councillor Greg Morgan responded to six public questions on the planning application for the MUGA and reported that all Members had been given the opportunity to visit the site of the proposed development ahead of the meeting. 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.
7. 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.
8. At the conclusion of the debate, the Council 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.
9. A further site visit was organised in consultation with the Chair and Vice Chair of the Development Control Committee meeting on 16 April 2009 ahead of the next Development Control Committee meeting to which all members of the Council were invited.
10. The planning application was then reconsidered by the Development Control Committee at its meeting on 22 April 2009 and again the Committee received

representations from an objector and a supporter to the proposed developments. An addendum was also circulated at the meeting containing updated information about the planning application that has also been attached to this report for information along with a copy of the report of the Corporate Director (Business) and a location plan that had been received by the Committee.

Recommendation

11. The Development Control Committee recommends the Council to grant planning permission to application 09/00024/FUL for the erection of a multi use games area (MUGA) including provision of 3m steel fencing, tarmac playing surface and access footpaths on Land 80m East of Buckshaw Primary School, Chancery Road, Astley Village subject to the following conditions:

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of the perimeter fencing of the MUGA (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

4. At the commencement of ground excavations the site shall be inspected for the presence of bluebells and if found the bulbs shall be translocated to an alternative location within the open space as agreed in writing by the Local Planning Authority.

Reason: To secure the preservation of a protected plant species in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the submitted plans no development shall take place until a scheme of landscaping for the area of land to the north east of the perimeter fence of the Multi- Use Games Area between it and the flats at Brown's Hey has been submitted to and agreed in writing by the Local

Planning Authority. The scheme shall indicate all existing trees on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

COUNCILLOR HAROLD HEATON
Chair of Development Control Committee

Background documents:

Report of Corporate Director (Business)

Addendum circulated at the Development Control Committee meeting on 22 April
Location Plan

DS

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Item 2	09/00024/FUL Permit Full Planning Permission
Case Officer	Mr Andy Wiggett
Ward	Astley And Buckshaw
Proposal	Erection of multi use games area including provision of 3m steel fencing, tarmac playing surface and access footpaths.
Location	Land 80m East Of Buckshaw Primary School Chancery Road Astley Village Lancashire
Applicant	Astley Village Parish Council
Proposal	The application concerns a proposal to construct a Multi – Use Games Area on a section of public open space adjacent to Chancery Road in Astley Village. The site is a piece of flat grass between a footpath leading into the Primary School and to Millcroft and a wooded hollow with the flats of Brown’s Hey beyond. The MUGA would be of standard dimensions of 24m by 12m with a 3m high fence around the four sides. The fence would be of dark green metal mesh with curved corners and there would also be basket ball hoops at each end. Two lean back benches would be set 2m in from the footway on the side of Chancery Road.
Policy	North West Regional Spatial Strategy: Policy L1: Health, Sport, Recreation, Cultural and Educational Services Provision Chorley Borough Local Plan Review: LT14 – Public, Private, Educational and Institutional Playing Fields, Parks and Other Recreational Open Space EP20 - Noise Planning Policy Guidance 17 – Planning for Open Space, Sport and Recreation Planning Policy Guidance 24 – Planning and Noise
Planning History	None relevant
Consultations	Coal Authority – standard comments Architectural liaison and Crime Prevention Adviser – During the past 12 months of 2008 there were 13 recorded crimes and 53 reported incidents on Chancery Road. The reported incidents are almost one per week, given the location in my opinion this is to be expected. The Youth Involvement Officer is content with the proposed site. To counter the potential for criminal damage, consideration should be given to ‘Secured by Design’ fencing around the perimeter of the MUGA. Greenspace Co-ordinator – Astley Village has a severe shortage of quality play opportunities for children and young people that live there. Given the

lack of appropriate locations for a MUGA and the genuine need for a centralised attraction that the young people can identify with, the Chancery Road site has been offered as a contribution to the scheme.

Astley Village Parish Council – wish to register their support for the proposal.

Councillor Mark Perks – would like to record his support for the application.

Lindsay Hoyle MP – raises the concerns of a constituent who lives in Browns Hey closest to the MUGA and overlooks the site and concerns about the old person's accommodation opposite.

Representations

The application has been the subject of considerable public reaction both for and against the proposal. 83 individual letters of objection have been received expressing the following concerns:

- (a) Concern that the proposal will be an eyesore and adversely affect the environment
- (b) The proposal will affect public safety with balls going over the fence and into the road
- (c) The site will become a target for vandalism and public nuisance
- (d) The facility should be sited elsewhere as it will give rise to noise and disturbance to residents close by
- (e) Will encourage trespass and damage to the Primary School
- (f) There is an unused play area on the car park
- (g) Request conditions regarding removal in the event of the closure of the facility, landscaping and sound proofing to protect the amenity of adjacent properties
- (h) Loss of local beauty spot
- (i) There are alternative locations available such as the car park to the rear of the shops and the recently reinstated land between the car park and Astley Hall
- (j) If approved should only have a two year permission to monitor its impact
- (k) The Parish Council should supervise its operation

Three petitions have been received objecting to the proposal, one of 14 signatures raises the above issues, one of 10 signatures express concern as to its location next to the School and one of 310 signatures expresses concern about it being an eyesore and traffic hazard.

51 individual letters of support have been received raising the following points:

- Will be of great benefit to Astley Village by getting children out of their homes playing sport
- It is situated in an ideal part of the village in a central position accessible to all children

- It is next to a main road in full view of all passers by and can be monitored by local community support officers
- The initiative of the originators of the proposal should be supported, as the facility is needed.

Three petitions have been received in support of the project, one of 140 signatures raises the following points:

There are no sports facilities for children and young people in Astley Village, it will be a fantastic asset for young people who live in the Village as it will provide a safe and secure dedicated area for sport away from shops, community centre and Hall Gate car park. The second petition is of 36 signatures from the Astley Village Juniors FC and the third petition raises similar points to the first.

Applicant's Case

In support of the application the Parish Council have submitted a series of documents namely, a survey carried out by Places for People of their tenants to support a bid for Big Lottery "Green Spaces" funding. Many of the responses highlighted the need for a play area. A petition signed by 62 individuals seeking support of young people to a partnership project to get an outdoor ball games area in Astley Village. Copies of the Parish Council Newsletter in September and December 2008 suggesting the application site as a suitable location for the facility and confirming that a planning application would be submitted if funding were to be approved. The Parish Council have also stressed that a group of young people were the originators of the project and sought their support in a bid for funding from the Youth Capital Fund. This was successful and £64000 has been allocated for this project. The young people's group has been closely involved in the design of the facility.

Assessment

The main issues to consider are: impact on the existing open space, impact on amenity of adjacent properties, impact on the Primary School and potential for public nuisance and vandalism. These are each dealt with in turn.

Impact on Existing Open Space

The MUGA would be sited on a flat area of grass as part of a wider area designated as public open space in the Local Plan under the provisions of Policy LT14. This is concerned to protect existing recreational open space from unsympathetic development. The construction of an all weather play surface is not in conflict with this policy which will merely enable a more concentrated form of activity that can take

place on the land currently, namely the playing of ball games. PPG 17 advises that local authorities should seek to improve existing facilities and encourage greater usage. Other locations for the facility have been looked at but discounted due to the lack of high visibility such as to the rear of the primary school which would not have a high degree of openness and good potential for public surveillance.

As the MUGA will be located only a few metres behind the pathway and verge on Chancery Road its visual impact is of concern both in relation to the amenity of the open space and on the streetscene at this point. It is proposed that the 3m high fence be of a dark green colour which should assist in helping it to blend in with the grassed area with mature trees and shrubs behind. This part of Chancery Road does not have a consistent design as there is the school frontage with its fence then the open space gap with its copse of mature trees and then the residential properties of Brown's Hey. It is considered that the open mesh fence will not conflict with this as there will still be views through it into the open space to the properties on Millcroft. The proposal to lay a hard play surface would come within the category of permitted development if it had been submitted by the Borough Council but the fencing, as it is 3m in height would still have required planning permission.

Impact on Amenity of Adjacent Properties

The MUGA will be located at its closest point 40m from the Primary School building to the south west and 25m from the flats in Brown's Hey to the north east. Between the flats and the MUGA is a hollow with several mature trees, however, the flats have large windows that face directly onto the games area. In terms of affect on outlook it is not considered that the open mesh fence will obstruct views but of more concern will be the potential for noise and disturbance from ball games being played there. Guidance in PPG24 is that for a recreational use it is necessary for local authorities to balance the enjoyment of the participants against any nuisance to other people. There are no noise standards for play areas but it is unlikely that noise from games being played will be continuous and as the facility will not be floodlit, unlikely to be late into the night. The facility is designed with sound damping built into the rebound walls and other parts of the structure to help minimise noise. Because the area is currently used for recreational activities which have some impact on these properties in terms of noise and disturbance, the resultant impact is not considered to be sufficiently adverse to justify a refusal. In addition, if the proposal were to go ahead, in order to protect the amenity of the adjacent flats, it is recommended that a substantial tree screen should be conditioned along the north eastern perimeter.

Across the other side of Chancery Road is the residential development of Harewood. There is a

concentration of elderly people on this side of the road but at its nearest point the MUGA would be 40m from the properties and these are at 45 degrees to the facility and with a brick wall in front of them. It is not considered that the MUGA will adversely impact on the amenity of these properties because of the distance and the presence of the road in between it and the dwellings.

Impact on the Primary School and the Potential for Public Nuisance and Vandalism

Many objections express concern that as The MUGA is to be located next to the Buckshaw Primary School it will result in an increase in trespass and vandalism. The School have supplied information regarding incidents of damage and vandalism at the school and how, through time and effort the building, grounds and outdoor facilities have been brought up to a high standard. Over the last two years there have only been minor incidents. Fear of crime can be a material consideration in planning, however, it has been established that there will need to be some reasonable evidential basis for that fear. The School have shown that problems have occurred without there being a play area next to the school. One of the reasons for the MUGA and its location on Chancery Road is that it can be seen and be visually supervised. The Youth Involvement Officer supports the location on this basis as does the Council' Greenspace Co-ordinator.

The Government's aim is to create safe and accessible environments where crime and disorder, or fear of crime does not undermine the quality of life or community cohesion (PPS1: Delivering Sustainable Communities). Having a safe and highly visible place for children and young people to play supports this Government initiative and there is no evidence to suggest that its presence will give rise to crime. The experience of the Council with the MUGAs completed in recent years is that they benefit the areas around them and reduce incidences of disturbance and vandalism particularly where, as in this case, the local young people were involved in their evolution.

Other Issues

Concern has been expressed at the MUGAs positioning adjacent to Chancery Road and the danger of balls going over the perimeter fencing into the road and so dangerous. Experience with such facilities is that a 3m height is satisfactory to minimise this risk .

Some objectors have raised of bluebells growing on the site and although listed as protected species, the protection only extends as far as banning the sale of the bulbs. However if the project were to be approved it is recommended that the bulbs be transplanted elsewhere in the openspace.

Conclusion

Any recommendation for this proposal has to be a balanced judgement, particularly in view of the sharply divided public response. Many objectors have qualified their objections by stating that they support the provision of a ball games facility but do not agree with the proposed site but this application must be judged on its merits with regard to the chosen site. The location chosen is not ideal in that there are flats looking out onto the MUGA that are only 25m away. However, there are some mature trees between it and the flats and it is recommended that this be reinforced by planting of additional trees. PPG24 advises that a balance needs to be struck between the enjoyment of the users of the facility and the nuisance to neighbours but the wider community benefits of securing community cohesion in terms of providing young people with a safe and visible play area adds weight to a recommendation to approve. This same argument applies to the fear of increased vandalism and disturbance likely to arise. Members need to weigh up any potential unquantifiable risk with the positive benefits of allowing the MUGA.

Recommendation **Refer to Full Council for Decision (as the proposal is on Council owned land) with a recommendation to approve.**

Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of the perimeter fencing of the MUGA (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

4. At the commencement of ground excavations the site shall be inspected for the presence of bluebells and if found the bulbs shall be translocated to an alternative location within the openspace as agreed in writing by the Local Planning Authority.

Reason: To secure the preservation of a protected plant species in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the submitted plans no development shall take place until a scheme of landscaping for the area of land to the north east of the perimeter fence of the Multi- Use Games Area between it and the flats at Brown's Hey has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall indicate all existing trees on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

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COMMITTEE REPORT

REPORT OF	MEETING	DATE	ITEM NO
Corporate Director (Business)	Development Control Committee	22/04/09	

ADDENDUM

ITEM 1: 09/00024/FUL – Erection of multi-use games area including provision of 3m steel fencing, tarmac playing surface and access footpaths. Land 80m east of Buckshaw Primary School Chancery Road Astley Village.

The Parish Council have submitted the following document for the Committee's attention:

Astley Village Parish Council

PLANNING APPLICATION FACTS - 09/00024/FUL

1. The Multi Use Games Area project is not an Astley Village Parish Council project. It is a project devised by young residents who were assisted by youth workers to find out what they wanted in the village, and get funding.

Astley Village Parish Council presently has involvement in the project because it was requested to agree to maintain the facility (if built), act as Bankers for the grant fund, and latterly to submit a planning application.

2. Astley Village Parish Council took a majority vote at a meeting on the 7 January 2009 to submit a planning application for the Multi-Use Games Area at the site on Chancery Road

The decision above still stands. Astley Village Parish Council has not revoked or changed this decision.

3. Residents of Astley Village were informed of the position of the Games Area via a newsletter article published in the Parish Council's newsletter in September 2008 (copy below). The article identified to residents a suggested position (the one specified on the planning application) and further, asked for 'views or thoughts' from residents.

A further article was published in the following newsletter, December 2008 (copy below) - this identified again to residents the suggested site and went on to say the issue would go through the planning process.

4. The site location for the Games Area was not chosen by the Astley Village Parish Council, it was offered by Chorley Council as their contribution towards the young people's project. The offered site was then specified in the funding bid to Lancashire County Council and the funds approved against the details of the application bid. The site is more than 14.5 metres from the road edge.

5. The Parish Council was informed that alternative sites had been considered during the period running up to the funding bid being submitted - which were unsuitable and unavailable.

Hall Gate car park - Chorley Council could not give permission for a Games Area to be built on there and the Police did not endorse. Land immediately behind Buckshaw School or on spare land near to Westway on the Westway playing fields was also not acceptable to Chorley Council (landowner) or Police.

6. To reiterate, the position of Astley Village Parish Council still remains that it has taken a majority decision to submit a planning application for a Games Area on the site adjacent to Chancery Road. This application was not rejected by the Statutory Development Control Committee of the Planning Authority but recommended for Approval.
7. The amount of statutory consultation required by a planning application has been exceeded in this planning application:

- The whole of Astley Village were informed of the project and the proposed site location on two separate occasions within the Parish Council newsletter (September 2008 and December 2008).
- Over and above the 'affected' residents being consulted as per planning guidelines, a total of 64 letters were hand delivered on 11 December 2008 to all residents of Harewood, The Baron's Rest, Browns Hey, Banastre, Clough Acre and Millcroft - letter and addresses were submitted with the application.
- Support documents with the planning application included a copy of a Places for People survey of 38 properties and a petition of 62 signatures collected by the young applicants seeking support for the games area.
- Development Control consulted by letter, and public notices, to the affected residents as part of their normal procedures.
- Objections were sent in to Development Control but, the village has a population of over 3,330 people, the quantity of objection letters was minimal, 2%, and cannot reflect a 'majority' view or the whole villages view.

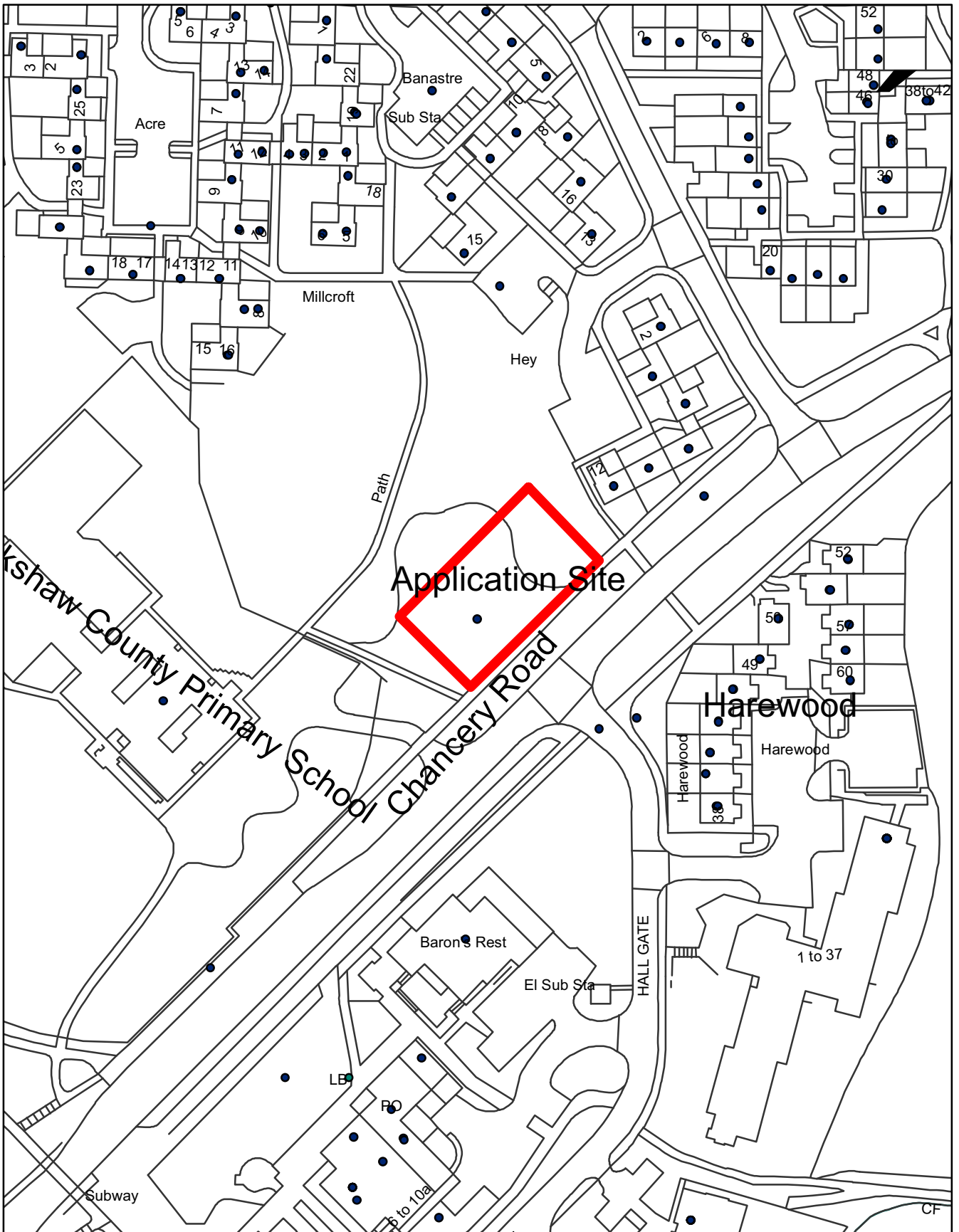
Astley Village Parish Council
20 April 2009

Two further letters of objection have been received raising the following points

- The MUGA is far too near the public house and off-licence
- Chancery Road and the area around it were designed as a 'village', MUGAs are not rural furniture and more akin to City living where there are no open green spaces
- The MUGA should be built into a quiet safe corner of the playing fields away from the school and all the residential buildings that adjoin the perimeter
- The application should be deferred for more consultation with the residents

One additional letter of support has been received.

For Members information at the time of considering the application 83 individual letters of objection were received and three petitions objecting to the MUGA of 14, 10 and 310 signatures respectively. 51 individual letters of support were received and three petitions of 140, 36, and 11 signatures respectively is support.



Jane E Meek BSc(Hons) DipTP MRTPI
 Corporate Director (Business)
 Chorley Council

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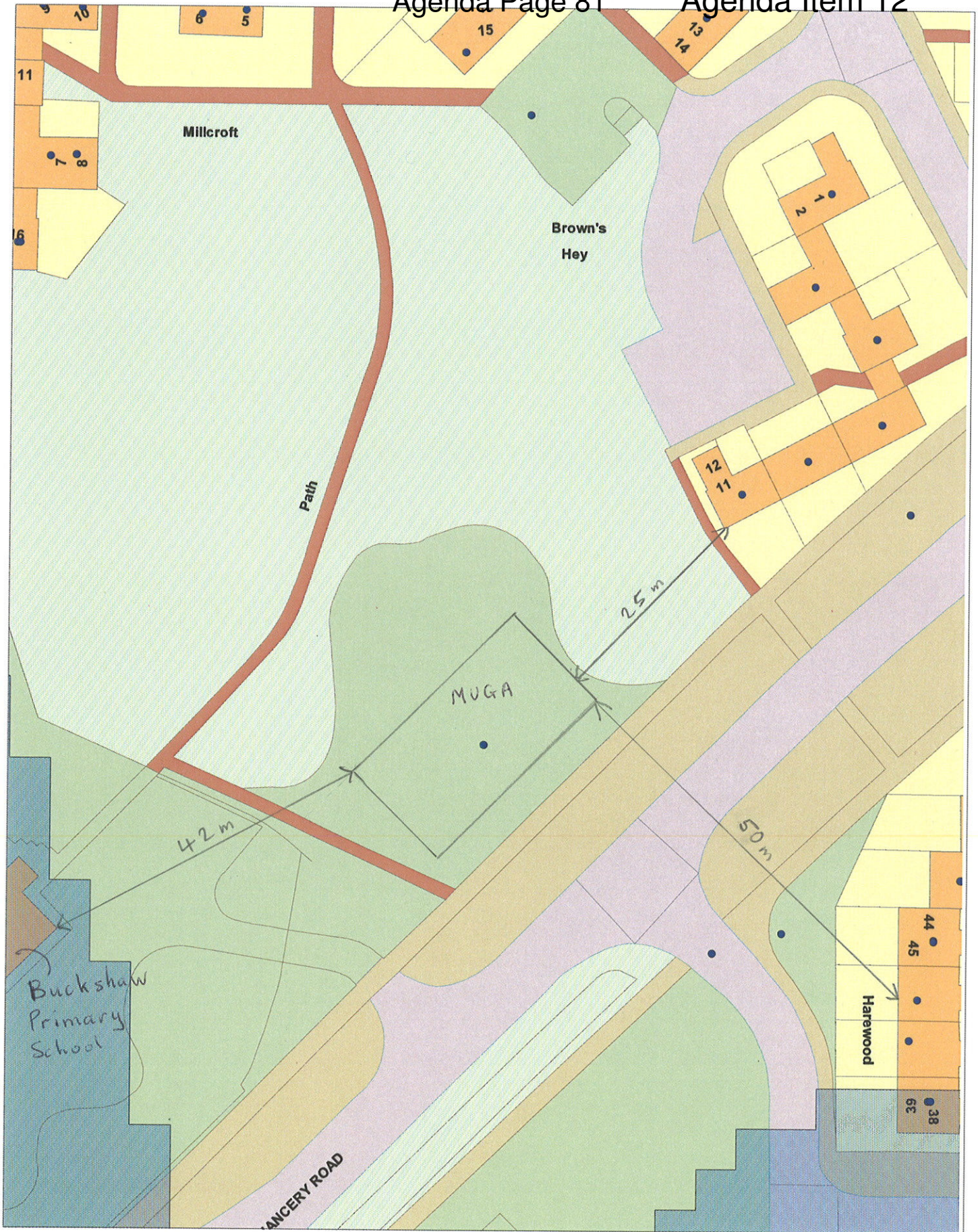
Application Number:
09/0024/FUL

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Agenda Item No.
2

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Chorley Borough Council
Jane Meek
Corporate Director (Business)

Scale: 1:625

Date: 02 April 2009

Multi Use Games Area

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