



Council

Agenda and Reports

For consideration on

Tuesday, 26th January 2010

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



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PROCEDURE FOR PUBLIC QUESTIONS/SPEAKING AT COUNCIL MEETINGS

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

15 January 2010

Dear Councillor

COUNCIL - TUESDAY, 26TH JANUARY 2010

You are invited to attend a meeting of the Chorley Borough Council to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 26th January 2010 commencing at 6.30 pm for the following purposes.

AGENDA

1. **Apologies for absence**
2. **Minutes of meeting Tuesday, 15th December 2009 of Council (Pages 1 - 8)**
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 : Capital Programme Monitoring 2009/10 to 2011/12 (Pages 9 - 20)**

To consider a report of the Executive Cabinet (attached).

7. **Executive Cabinet : General Report (Pages 21 - 22)**

To consider a general report of the meeting held on 7 January 2010 (attached).

8. **Executive and Electoral Arrangements (Pages 23 - 28)**

To consider a report of the Corporate Director (Governance) from Executive Cabinet (attached).

9. **Overview and Scrutiny Committee and Task and Finish Groups**

To consider a general report of the meeting held on 18 January 2010 (to follow).

10. **Audit Committee**

To consider a general report of the meeting held on 14 January 2010 (to follow).

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

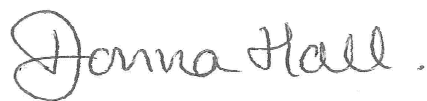
12. **To consider any Notices of Motion in accordance with Council procedure Rule 10**

13. **Petition Received from Residents of Wallets Road (Pages 29 - 32)**

To consider a report of the Director of People and Places regarding action taken following the receipt of a petition (attached).

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

Yours sincerely



Donna Hall
Chief Executive

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Distribution

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

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
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COUNCIL**Tuesday, 15 December 2009**

Present: Councillor Iris Smith (Mayor), Councillor Ken Ball (Deputy Mayor), Councillors Nora Ball, Eric Bell, Julia Berry, Judith Boothman, Alistair Bradley, Terry Brown, Alan Cain, Pat Case, Henry Caunce, Alan Cullens, Magda Cullens, Mike Devaney, David Dickinson, Doreen Dickinson, Dennis Edgerley, Christopher France, 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, Mark Perks, Debra Platt, Geoffrey Russell, Rosie Russell, Edward Smith, John Walker, Stella Walsh and Peter Wilson

09.C.42 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Joyce and Ralph Snape and the Mayor welcomed back Councillor Terry Brown following his recovery from a major operation.

09.C.43 MINUTES OF MEETING TUESDAY, 3RD NOVEMBER 2009 OF COUNCIL

RESOLVED – That the minutes of the meeting of the Council held on 3 November 2009 be confirmed as a correct record and signed by the Mayor.

09.C.44 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

09.C.45 MAYORAL ANNOUNCEMENTS

The Mayor referred to the Council's success in achieving the highest score possible under the new Comprehensive Area Assessment and also in achieving Level 2 of the NW Employers Member Development Charter. She thanked Members of all parties for their contributions.

The Mayor referred to the forthcoming Charity Ball on 5 February 2010 and wished all Members a very happy Christmas and best wishes for the New Year.

09.C.46 PUBLIC QUESTIONS

There were no public questions.

09.C.47 CAPITAL PROGRAMME, 2009/10 TO 2011/12

The Council considered a report monitoring the Capital Programme for 2009/10 to 2011/12. The report referred to the capitalising of redundancy payments from recent restructure proposals and the impairment of the Icelandic investment which would otherwise be charged to the 2010/11 revenue budget. The increased use of the VAT shelter income from CCH would minimise the temporary increase in borrowing in 2009/10 to offset the rephasing of asset sales receipts to a later year when market values are expected to rise.

The Executive Member for Resources, Councillor K Joyce moved, the Executive Leader seconded and it was **RESOLVED**

1. That the revised Capital Programme for 2009/10 as set out in the appendix to the report be approved.
2. That the proposed amendments to the provisional capital programme for 2010/11 as indicated in the appendix to the report be noted
3. That the request to apply for capitalisation of redundancy and pension strain costs and the impairment of the Icelandic investment be agreed.
4. That budget holders be requested to review their uncommitted 2009/10 budgets in order to identify whether any expenditure could be rephased to a later financial year.

09.C.48 GENERAL REPORT OF MEETINGS OF THE EXECUTIVE CABINET HELD ON 1 OCTOBER AND 12 NOVEMBER 2009

Consideration was given to a general report summarising Executive Cabinet business from meetings on 1 October and 12 November 2009.

Discussions took place on a number of issues including Treasury Management Activity and Neighbourhood Working Action Plans.

The Executive Leader Councillor P Goldsworthy moved, the Deputy Leader Councillor P Case seconded and it was **RESOLVED - that the report be noted.**

09.C.49 GENERAL REPORT OF MEETING OF THE EXECUTIVE CABINET HELD ON 3 DECEMBER 2009

A general report of the Executive Cabinet meeting held on 3 December 2009 was considered.

Discussions took place on a number of issues including restructuring proposals from the Value for Money Review of Corporate Support Services, the Senior Management Restructure and the booking of the Lancastrian Suite.

The Executive Leader, Councillor P Goldsworthy moved and the Deputy Leader, Councillor P Case seconded and it was **RESOLVED - that the report be noted.**

09.C.50 GENERAL REPORT OF MEETINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 28 SEPTEMBER AND 9 NOVEMBER 2009

The Council meeting considered a general report of meetings of the Overview and Scrutiny Committee, including the work of Task and Finish Groups on 28 September and 9 November 2009.

The Chair of the Overview and Scrutiny Committee, Councillor D Edgerley moved, the Vice Chair Councillor A Cullens seconded and it was **RESOLVED - that the report be noted.**

09.C.51 GENERAL REPORT OF THE MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 1 DECEMBER 2009

The Council meeting considered a further report from the Overview and Scrutiny Committee meeting on 1 December 2009 which has focussed on the Scrutiny of the work

of the Safer Chorley and South Ribble Partnership. Councillor D Edgerley moved, Councillor A Cullens seconded and it was **RESOLVED - that the report be noted.**

09.C.52 REPORT OF DEVELOPMENT CONTROL COMMITTEE : PLANNING APPLICATION 09/00702/CB3 TATTON COMMUNITY CENTRE AND PARK, CHORLEY

The Council meeting considered a report of the Development Control Committee recommending that planning permission be granted for the erection of a flagpole at Tatton Community Centre and Park in Chorley.

The Chair of the Development Control Committee, Councillor H Heaton moved, the Vice Chair Councillor G Russell seconded and it was **RESOLVED - that the Council grant planning permission to application 09/00702/CB3 for advertisement consent and the erection of an 8m flagpole to display the Green Flag award logo on the proposed site approximately 12m north of the Tatton Community Centre building, Silverdale Road, Chorley.**

09.C.53 REPORT OF DEVELOPMENT CONTROL COMMITTEE: PLANNING APPLICATION 09/00703/CB3 NATURE RESERVE, WITHNELL.

The Council meeting considered a report of the Development Control Committee recommending planning permission be granted for the erection of a flagpole at Withnell Nature Reserve.

The Chair of the Development Control Committee, Councillor H Heaton moved, and the Vice Chair, Councillor G Russell seconded and it was **RESOLVED – that the Council grant planning permission to application 09/00703/CB3 for advertisement consent and the erection of an 8m flagpole to display the Green Flag award logo at Withnell Nature Reserve.**

09.C.54 AUDIT COMMITTEE

Consideration was given to a report on the business of the Audit Committee meeting held on 24 September 2009.

The Chair of the Audit Committee, Councillor A Gee moved, and the Vice Chair, Councillor L Lennox seconded and it was **RESOLVED - that the report be noted.**

09.C.55 REVIEW OF THE COUNCIL'S CONSTITUTION

Members considered a report of the Corporate Director (Governance) on a number of changes to the Council's Constitution. The changes were required to comply with the new organisational structure for the Council, new legislation and to improve the way the Council conducts its business.

The report detailed the rationale for each of the eight changes proposed. Councillor D Edgerley reported that his group were in general agreement with all proposals with the exception of the proposal to no longer require Council approval for planning applications by the Council or on Council owned land. He moved an amendment that recommendation (2.3) be deleted from the report, seconded by Councillor R Lees.

The amendment was put to the vote and **LOST.**

The Executive Leader, Councillor P Goldsworthy moved the changes proposed as set out in the report, seconded by the Deputy Leader, Councillor P Case and it was

RESOLVED that

1. The current petitions procedures be revised to ensure a more customer focussed approach. When a petition is received it will immediately be referred for consideration by the Executive Member or Executive Cabinet and a report with proposed actions will be sent to the lead petitioner. The receipt of the petition and action taken to be reported to full Council at a later date. Any petition received regarding staffing issues to be dealt with directly by the Chief Executive as the Head of the Paid Service.
2. The protocol appended to the report be approved as the Council's arrangements for public speaking in place of existing arrangements for public and Ward Councillor participation at Development Control Committee.
3. The requirement for full Council to determine planning applications for Council developments or on Council land no longer apply, and be removed from the Constitution. Any related decision which involves the disposal or lease of land will continue to be made by the Executive.
4. The terms of reference of the Overview and Scrutiny Committee be revised to include the following two new powers under scrutiny regulations issued in 2009 under the Local Government and Involvement in Health Act 2007:

4.1 "At least one meeting a year of the Council's Overview and Scrutiny Committee be dedicated to the review and scrutiny of decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions through the Safer Chorley and South Ribble Partnership – Responsible Authorities Group.

4.2 The Overview and Scrutiny Committee may scrutinise the local improvement targets included in the Local Area Agreement and make and publish reports and recommendations to the County Council on LAA matters where the Council has a role in delivering a target. The Committee may also send a copy to any other partner to which the target relates. This includes local authorities, the Regional Development Agency, probation, the Environment Agency, but excludes health bodies, housing associations, colleges and the voluntary sector, although these may choose to work with scrutiny on a voluntary basis".

5. Recognition of the legal basis of Councillor Call for Action, the local provision whereby any Councillor or member of the public can raise an issue for consideration by the Overview and Scrutiny Committee, be included in the Constitution under the Overview and Scrutiny procedure rules and the Overview and Scrutiny Information and Guidance booklet be similarly revised.
6. A new section be included in the Responsibility for Functions section of the Constitution on Joint Committees, to include the terms of reference for both the Lancashire Locals and the Shared Services Joint Committee with South Ribble, and any other Joint Committee which the Council may enter into.
7. When the new senior management structure is implemented, the current scheme of delegations be amended so that existing delegated powers to Corporate Directors are transferred to the Director who will be

responsible for the function in question and the Chief Executive be given authority to make consequent amendments to the Constitution.

8. That under the new senior management restructure the Director of Transformation be designated as the section 151 Officer and the Head of Governance be designated as the Council's Monitoring Officer.

09.C.56 CHANGES TO THE CURRENT GRADING STRUCTURE

Consideration was given to a report of the Corporate Director (Human Resources and Organisational Development) proposing that the existing salary grading structure be extended in order to accommodate changes in the Senior Management restructure of the Council.

The Executive Member for Resources Councillor K Joyce moved, the Executive Leader seconded and it was **RESOLVED - that the proposed new grading structure as circulated, be agreed.**

09.C.57 PROPOSED CHANGES TO POLLING STATIONS

The Council meeting considered a report of the Corporate Director (Governance) on changes to current polling stations in Chisnall and Astley and Buckshaw Wards for forthcoming elections, it also sought to give authority to the Chief Executive to agree changes to polling station arrangements in an emergency.

The Executive Leader, Councillor P Goldsworthy moved, the Deputy Leader, Councillor P Case seconded and it was **RESOLVED - that the following changes be made**

1. That the Scout and Guide Headquarters on Charter Lane, Charnock Richard replace Charnock Richard Primary School as a polling station.
2. That the new Astley Village Community Centre be used as an additional polling station on its completion, to serve voters in polling district 02C initially and any further new build in that area.
3. That the Chief Executive be authorised to make any urgent changes to polling stations should any become unavailable in the run up to elections.

09.C.58 APPOINTMENT OF A VICE CHAIR TO THE EQUALITY FORUM

The Chair of the Equality Forum, Councillor G Morgan moved and the Executive Leader, Councillor P Goldsworthy seconded the appointment of Councillor David Dickinson as Vice Chair of the Equality Forum.

RESOLVED - that Councillor David Dickinson be appointed as Vice Chair of the Equality Forum.

09.C.59 CHANGES TO APPOINTMENTS TO OUTSIDE BODIES

Councillor D Edgerley moved and Councillor A Lowe seconded a number of changes to appointments to outside bodies.

RESOLVED - that Councillor C France replace Councillor P Wilson on the Rivington and Brinscall Advisory Group; and Councillor J Berry replace Councillor P Wilson on the West Pennine Moors Area Management Committee.

09.C.60 TO CONSIDER THE FOLLOWING NOTICES OF MOTION GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 10

The Council considered the following motion submitted by Councillor D Edgerley and seconded by Councillor A Lowe:

“This Council would like to place on record its grateful thanks and appreciation to Chorley Lions for the very many years its Members have provided a firework display and bonfire in Astley Park for the benefit and enjoyment of the people of Chorley”.

Following a debate on this matter it was **RESOLVED to accept this motion.**

The Council considered a second motion submitted by Councillor D Edgerley and seconded by Councillor A Lowe:

“This Council deplores the way in which the Chorley Guardian reported proposals for the senior management restructure. The use of photographs and names represents a gross invasion of privacy. The Council therefore resolves to report the issue to the Press Complaints Commission”.

Following the debate on this matter and a recorded vote it was **RESOLVED that the motion be rejected.**

In favour of the motion: Councillors K Ball, N Ball, J Berry, A Bradley, T Brown, D Edgerley, C France, A Gee, C Hoyle, H Khan, R Lees, L Lennox, A Lowe, M Lowe, T McGowan, J Molyneaux, S Walsh and P Wilson

Against the motion: Councillors E Bell, A Cain, P Case, H Caunce, A Cullens, M Cullens, M Devaney, David Dickinson, Doreen Dickinson, P Goldsworthy, M Gray, P Haughton, H Heaton, K Iddon, K Joyce, P Malpas, G Morgan, S Moulton, M Muncaster, M Perks, D Platt, G Russell, R Russell, E Smith and J Walker

Abstaining from the vote: Councillor J Boothman and the Mayor, Councillor I Smith

09.C.61 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - that the press and public be now excluded from the meeting as the business to be conducted involves the disclosure of exempt information as defined by Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

09.C.62 SENIOR MANAGEMENT RESTRUCTURING

Following the waiving of standing orders the Chief Executive reported on the current position in the implementation of the senior management restructuring.

Appointments Panel meetings had been held on Friday, 11 December where appointments had been made to the three new Director posts. In compliance with the Chief Officer Employment Procedure Rules, all Members of the Executive had been consulted and the posts had now been accepted as follows:

- Director of Transformation – Mr Gary Hall
- Director of People and Place – Mr Jamie Carson
- Director of Partnership, Planning and Policy – Mrs Lesley-Ann Fenton

Under the terms of the restructuring proposals the employment of the current Corporate Director (Governance), Corporate Director (Business), Corporate Director (ICT) and Corporate Director (HR and OD) with the Council would be terminated on 11 March 2010.

Interviews for the vacant Service Heads posts were taking place on 16, 17 and 18 December and the new structure would take effect from 4 January 2010.

RESOLVED – that the Council endorse the above action in implementing the restructuring of the Council's Senior Management.

Mayor

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REPORT OF EXECUTIVE CABINET**Capital Programme 2009/10 to 2011/12 – Monitoring Report**

1. The Executive Cabinet considered at its meeting on 7 January 2010 a report on proposals to revise the Council's Capital Programme for 2009/10 to 2011/12.
2. The Council has previously agreed an application for the capitalisation of redundancy payments and pension strain costs arising from the restructuring of Directorates in 2009 and we were recommended to apply for the estimated costs of the recent senior management and Corporate Services restructures to be also capitalised. This will take the total of the capitalised restructuring costs to £1,150,000.
3. Rephasing of certain capital schemes to 2010/11 will offset part of the net increase in expenditure and other additions to the programme are expected to be financed through external resources.
4. The borrowing requirements to fund the 2009/10 programme has increased by £550,280, principally as a consequence of the capitalised restructuring costs. The cost of the increased borrowing, as well as the revenue savings in the region of £600,000 per annum anticipated from the restructures, will be taken into account in the preparation of the draft revenue estimates for 2010/11 onwards.
5. A copy of the report presented to the Executive Cabinet is attached so that the Council is able to take account of the relevant factors before taking decisions on the Capital Programme.

Recommendations

6. That the Council be recommended:
 - i. to approve the revised Capital Programme for 2009/10, as shown in Appendix 1 to the submitted report;
 - ii. to note the amendments to the provisional Capital Programme for 2010/11, as shown in Appendix 1 to the submitted report;
 - iii. to note the inclusion of the additional restructuring costs in the December 2009 applications for Directions to capitalise redundancy and pension strain costs in 2009/10;
 - iv. to request budget holders to continue to review their uncommitted 2009/10 budgets in order to identify any further expenditure that can be rephased to a later financial year in order to reduce the borrowing requirement in 2009/10 and the revenue costs in 2010/11.

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	7 th January 2010

CAPITAL PROGRAMME MONITORING 2009/10 TO 2011/12

PURPOSE OF REPORT

1. To update the capital programme for 2009/10 to 2011/12.

RECOMMENDATION(S)

2. That the revised capital programme for 2009/10 presented in Appendix 1 be approved.
3. That the amendments to the provisional capital programme figures for 2010/11, presented in Appendix 1, be noted.
4. That the inclusion of additional restructuring costs in the December 2009 applications for directions to capitalise redundancy and pension strain costs in 2009/10 be noted.
5. That budget holders continue to review their uncommitted 2009/10 budgets in order to identify whether any further expenditure could be rephased to a later financial year.

EXECUTIVE SUMMARY OF REPORT

6. A number of changes to the capital programme for 2009/10 are recommended. In December 2009 the Council applied for permission to capitalise all redundancy payments and pension strain arising from the restructuring of directorates this year. The success of the applications for capitalisation directions will not be known until late January 2010, but it is recommended that the costs be included in the 2009/10 capital programme on the assumption that the applications are approved. The estimated additional cost arising from the corporate services and senior management restructures is £932,880, which takes capitalised restructuring costs to a total of £1,150,000. The application to capitalise the Icelandic investment impairment was £39,000 less than previously estimated, because the figure was recalculated to take account of the latest guidance available at the time. Rephasing of other capital schemes to 2010/11 offsets part of the net increase in expenditure. Increased borrowing of £550,280 is required to finance the 2009/10 programme, mainly as a consequence of adding the capitalised restructuring costs. The cost of this increased borrowing has been taken into account in the net savings included in the draft revenue estimates for 2010/11 onwards. The revenue savings arising from restructuring exceed £600,000 per year. Budget holders will continue to review their projects this year to establish whether expenditure could be rephased to 2010/11 in order to reduce the borrowing required in 2009/10 and the revenue cost in 2010/11. Such rephasing will be reported as soon as project managers confirm which expenditure can be delayed until next year.

7. Other additions to the programme are to be financed with external resources. The estimated phasing of the use of the S106 contribution held by Chorley Council for the development of Buckshaw Village Railway Station by Lancashire County Council and Network Rail is that £80,250 will be spent in 2009/10 and £3,455,550 in 2010/11. A budget for the financing of capital schemes yet to be agreed with Housing and Planning Delivery Grant carried forward from 2008/09 has been added at £51,240. The budget is included in Appendix 1 with the corporate 'match funding pot', to be reallocated to specific projects at a later date. The grant is not 'ring-fenced' and therefore an alternative use would be to finance the existing programme rather than new schemes. A small project for contaminated land site investigations, financed with a DEFRA grant of £9,140, has been added in 2009/10. Chorley Council's estimated share of Lancashire's Performance Reward Grant to finance capital schemes is £158,340 each year from 2009/10 to 2011/12. A £100,000 S106 contribution will finance play facilities at Fairview Farm, Adlington in 2010/11.
8. A number of other virements, rephasing of expenditure and savings are indicated in Appendix 1.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

9. To update the 2009/10 capital programme to add, rephrase and vire budgets and to reflect the estimated availability of capital resources.
10. To update the provisional capital programme figures for 2010/11 and 2011/12 to take account of rephasing of expenditure and the resources estimated to be available.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11. If the Council had not applied to capitalise redundancy and pension strain costs arising from restructuring, or if the applications are not successful, these would be charged to the revenue budget in 2009/10.

CORPORATE PRIORITIES

12. 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

13. The revised capital programme for 2009/10 was approved at a total of £7,487,400, and the provisional totals for 2010/11 and 2011/12 were £3,660,380 and £2,141,110 respectively. Financing of the 2009/10 programme took account of the rephasing of sales of surplus assets to 2010/11 and the estimated reduction in Preserved Right To Buy income from Chorley Community Housing.

2009/10 CAPITAL PROGRAMME

14. The applications for permission to capitalise redundancy and pension fund costs arising from restructuring of directorates, required to achieve efficiency savings, were increased to include the additional costs relating to the corporate services and senior management

restructures. These were estimated to be £932,880, bringing the capitalised restructuring costs in 2009/10 to £1,150,00 in total. Taking into account the latest guidance available at the time of making the application, the figure for capitalised Icelandic investment impairment was £39,000 less than previously estimated. The result of the capitalisation applications will be known only in January 2010 and there is no guarantee of success. However, the majority of this Council's applications in recent years have been approved. Capitalisation of revenue expenditure in such circumstances is worthwhile when cashable efficiency savings are achieved and the payback period is relatively short. The draft revenue estimates for 2010/11 onwards have been prepared on the assumption that the permission to capitalise the restructuring costs will be granted and take account of savings less associated capital financing costs. The annual revenue savings from this year's restructuring exceed £600,000 from 2010/11 onwards. Rephasing of other capital expenditure to 2010/11 has helped to offset the increase in expenditure, but estimated borrowing in 2009/10 has been increased by £550,280. To reduce the need for financing by borrowing, I recommend that budget holders consider whether further expenditure can be rephased. Additional capital receipts generated from disposal of surplus assets could also be used to finance the capital programme instead of borrowing.

15. Project managers will continue to review their budgets in order to identify whether further expenditure can be rephased to 2010/11. Though this is not yet reflected in the revised estimate for 2009/10 presented in Appendix 1, the budgets that will be reviewed include the Climate Change Pot, Planned Improvements to Fixed Assets, and Duxbury Park Golf Course Improvements, plus some smaller projects. Rephasing of the expenditure and the effect on borrowing will be reported at the earliest opportunity.
16. The estimated phasing of the implementation by Lancashire County Council and Network Rail of the Buckshaw Village Railway Station has been identified. Chorley Council holds a S106 contribution to finance the development of the station, £80,250 of which is estimated to be required in 2009/10 and £3,455,550 in 2010/11. The balance of the cost of the station is to be financed with a grant receivable by LCC.
17. Other additions to the programme include a £51,240 budget for projects yet to be agreed, which would be financed with Housing and Planning Delivery Grant. This grant has been carried forward from 2008/09. It is not 'ring-fenced', and could be used to finance the existing capital programme if suitable new schemes are not identified. DEFRA funding of £9,140 has been achieved to finance a small contaminated land site investigations project. An estimated budget of £158,340 has been included, to finance schemes with Chorley Council's share of Lancashire's Performance Reward Grant. The figure is based on the standard requirement to split the total grant allocation 50/50 between revenue and capital purposes. It is being investigated whether the split can be varied with the co-operation of other councils, so that the share of the grant available to finance revenue expenditure could be increased. In addition, it might be possible to release resources for revenue budget projects by using part of the PRG to finance suitable existing capital schemes, with the agreement of the Chorley Partnership. When further information is available, it will be reported at the earliest opportunity.
18. A number of virements in 2009/10 are recommended. The £39,000 budget for 'investment in assets' should be combined with the larger 'planned improvements' budget, as the two budgets are essentially for the same purpose. From the Invest To Save budget, it is recommended that £31,980 be vired to finance implementation costs in respect of the new internet service provider (ISP) and an improved network link to Astley Hall. Annual revenue budget savings arising are estimated to be £16,000. Of the remaining Invest To Save budget, it is estimated that £100,000 can be rephased to 2010/11 to help avoid further borrowing this year. It would be required for further investment in information technology schemes in 2010/11 and such schemes would generate revenue budget savings.
19. Budget holders have identified a number of other projects that should be rephased. Expenditure of £64,550 in respect of the Thin Client implementation needs to be brought

forward from 2010/11. This is more than offset by the rephasing of £189,550 of the ‘server virtualisation’ budget to next year. It is estimated that £108,600 of the ‘planned improvements’ budget can be rephased to 2010/11 to help avoid increasing borrowing in 2009/10.

- 20. One budget saving has been estimated: £10,000 in respect of the Legal Case Management System.

DRAFT CAPITAL PROGRAMME 2010/11 AND 2011/12

- 21. The addition of the S106-financed Buckshaw Village Railway Station budget to the 2010/11 capital programme, and the rephasing of expenditure from and to 2009/10, have been discussed above. The only other expenditure additions recommended in 2010/11 are a project for play facilities at Fairview Farm, Adlington, which would be financed with a £100,000 S106 contribution received recently during 2009/10, and a budget of £158,340 for schemes to be financed with Performance Reward Grant, the use of which will be reported when suitable schemes are identified.
- 22. The only addition to the draft capital programme for 2011/12 is a budget of £158,340 for schemes to be financed with Performance Reward Grant.
- 23. The budget for Website Development is reduced by £10,000 in both 2010/11 and 2011/12, to match the assumptions included in the draft revenue estimates.
- 24. In the previous monitoring report (Executive Cabinet 12th November and Council 15th December) I indicated that Regional Housing Pot resources available to the North West for 2010/11 had reduced by 39% compared to 2009/10. Furthermore, the method of allocating grant to authorities was being reviewed so that the grant available in 2010/11 could differ from the provisional figure of £500,000 included in the draft programme. The provisional allocation for 2010/11 is £397,000, which is £103,000 less than estimated. This reduction in housing capital grant has been taken into account in the revised figures for 2010/11. To mitigate the effect of this grant reduction, I recommend the rephasing of the use of part of this year’s housing capital grant, so that £721,710 would be used in 2010/11 rather than 2009/10. Housing-related budgets including affordable housing projects need not be reduced in 2009/10, but the expenditure would be financed instead with developers’ contributions that previously had been included in the draft programme for 2010/11. The housing capital grant transferred to 2010/11 would be a more flexible resource than the developers’ contributions, because it could be used to finance affordable housing, and housing renewal activities such as mandatory Disabled Facilities Grants (DFGs), in accordance with priorities. The draft programme for 2010/11 includes a Government grant of £180,000 to finance DFGs, but the Council has applied for an increased allocation. Even if the allocation is increased, it will be necessary to increase the budget by using RHP grant in order to meet the high level of demand for DFGs.

IMPLICATIONS OF REPORT

- 25. 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 Jackson	5490	8 th December 2009	Capital programme Monitoring 2009-10 – 2011-12 Jan 10.doc

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Capital Programme - 2009/10 to 2011/12

Scheme	2009/10 Current Estimate (1) £	Other Changes (2) £	2009/10 Revised Estimate (3) £	2010/11 Current Estimate (4) £	Other Changes (5) £	2010/11 Revised Estimate (6) £	2011/12 Current Estimate (7) £	Other Changes (8) £	2011/12 Revised Estimate (9) £	Total 2009/10 to 2011/12 (10) £
<u>Town Centre Investment</u>										
Chorley Covered Market - Improvement Scheme	87,910		87,910	0		0	0		0	87,910
Chorley Covered Market - Rainwater Harvesting	30,440		30,440	0		0	0		0	30,440
Town Centre Investment	41,550		41,550	1,025,000		1,025,000	0		0	1,066,550
<u>Town Centre Investment Total</u>	159,900	0	159,900	1,025,000	0	1,025,000	0	0	0	1,184,900
<u>Affordable Housing</u>										
Homelessness Prevention Central Lancs Sanctuary Scheme	28,500		28,500	0		0	0		0	28,500
Affordable Housing Halliwell Street Project 2007-2010	79,000		79,000	0		0	0		0	79,000
Choice Based Lettings	20,000		20,000	0		0	0		0	20,000
Affordable Housing New Development Projects	15,500	430	15,930	722,140	(430)	721,710	690,000		690,000	1,427,640
Purchase and Repair	787,730		787,730	0		0	0		0	787,730
<u>Affordable Housing Total</u>	930,730	430	931,160	722,140	(430)	721,710	690,000	0	690,000	2,342,870
<u>Sustainability & Climate Change</u>										
Climate Change Pot	170,000		170,000	0		0	0		0	170,000
<u>Sustainability & Climate Change Total</u>	170,000	0	170,000	0	0	0	0	0	0	170,000
<u>Matched Funding Pot</u>										
Matched Funding Pot / Invest To Save	175,000	(131,980)	43,020	100,000	100,000	200,000	0		0	243,020
Housing & Planning Delivery Grant funded schemes	0	51,240	51,240	0		0	0		0	51,240
<u>Matched Funding Pot Total</u>	175,000	(80,740)	94,260	100,000	100,000	200,000	0	0	0	294,260
<u>Assistant Chief Executive (Business Transformation)</u>										
Planned Improvements to Fixed Assets	499,990	(69,600)	430,390	200,000	108,600	308,600	200,000		200,000	938,990
Investment in Council Assets	39,000	(39,000)	0	0		0	0		0	0
Capitalised restructuring costs	217,120	932,880	1,150,000	0		0	0		0	1,150,000
Capitalisation of Icelandic Investment Impairment	379,000	(39,000)	340,000	0		0	0		0	340,000
<u>Assistant Chief Executive (Business Transformation)</u>	1,135,110	785,280	1,920,390	200,000	108,600	308,600	200,000	0	200,000	2,428,990

Capital Programme - 2009/10 to 2011/12

Scheme	2009/10	Other	2009/10	2010/11	Other	2010/11	2011/12	Other	2011/12	Total
	Current Estimate (1) £	Changes (2) £	Revised Estimate (3) £	Current Estimate (4) £	Changes (5) £	Revised Estimate (6) £	Current Estimate (7) £	Changes (8) £	Revised Estimate (9) £	2009/10 to 2011/12 (10) £
<u>Assistant Chief Executive (Policy & Performance)</u>										
Project Management Support Capitalisation	40,000		40,000	40,000		40,000	40,000		40,000	120,000
Performance Management	10,000		10,000	0		0	0		0	10,000
Performance Reward Grant (PRG) funded schemes	0	158,340	158,340	0	158,340	158,340	0	158,340	158,340	475,020
<u>Assistant Chief Executive (Policy & Performance)</u>	50,000	158,340	208,340	40,000	158,340	198,340	40,000	158,340	198,340	605,020
<u>Corporate Director (Business)</u>										
Disabled Facilities Grants	427,880		427,880	376,000		376,000	378,000		378,000	1,181,880
Housing Renewal				304,000	(103,000)	201,000	302,000		302,000	503,000
- Home Repair Grants	105,000		105,000	0		0	0		0	105,000
- Energy Grants	200,000		200,000	0		0	0		0	200,000
- Handyperson Scheme	12,000		12,000	0		0	0		0	12,000
Project Design Fees	41,440		41,440	41,440		41,440	41,440		41,440	124,320
Eaves Green Link Road - contribution to LCC scheme	80,000		80,000	0		0	0		0	80,000
Buckshaw Village Railway Station (S106 financed)	0	80,250	80,250	0	3,455,550	3,455,550	0		0	3,535,800
Chorley Strategic Regional Site	481,330		481,330	0		0	0		0	481,330
<u>Corporate Director (Business)</u>	1,347,650	80,250	1,427,900	721,440	3,352,550	4,073,990	721,440	0	721,440	6,223,330
<u>Corporate Director (Governance)</u>										
Legal Case Management System	31,750	(10,000)	21,750	0		0	0		0	21,750
<u>Corporate Director (Governance)</u>	31,750	(10,000)	21,750	0	0	0	0	0	0	21,750
<u>Corporate Director (Human Resources & Organisational Development)</u>										
Integrated HR, Payroll and Training System	10,000		10,000	68,200		68,200	0		0	78,200
<u>Corporate Director (Human Resources) Total</u>	10,000	0	10,000	68,200	0	68,200	0	0	0	78,200
<u>Corporate Director (Neighbourhoods)</u>										
Replacement of recycling/litter bins & containers	98,700		98,700	85,000		85,000	85,000		85,000	268,700
Highway improvements - Gillibrand estate/Southlands	90,000		90,000	0		0	0		0	90,000
Alleygates	42,580		42,580	30,000		30,000	0		0	72,580
Refuse and Recycling Contract Purchase of Bins	1,201,150		1,201,150	0		0	0		0	1,201,150
Contaminated land site investigations (DEFRA grant)	0	9,140	9,140	0		0	0		0	9,140
<u>Corporate Director (Neighbourhoods)</u>	1,432,430	9,140	1,441,570	115,000	0	115,000	85,000	0	85,000	1,641,570

Capital Programme - 2009/10 to 2011/12

Scheme	2009/10	Other	2009/10	2010/11	Other	2010/11	2011/12	Other	2011/12	Total
	Current	Changes	Revised	Current	Changes	Revised	Current	Changes	Revised	2009/10 to
	Estimate	(2)	Estimate	Estimate	(5)	Estimate	Estimate	(8)	Estimate	2011/12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	£	£	£	£	£	£	£	£	£	£
<u>Corporate Director (ICT)</u>										
Website Development (incl. ICT salary capitalisation)	30,000		30,000	30,000	(10,000)	20,000	30,000	(10,000)	20,000	70,000
Thin Client/Citrix (started 2007/08)	44,850	64,550	109,400	64,550	(64,550)	0	94,800		94,800	204,200
Server Virtualisation / Data Storage Solution	219,550	(189,550)	30,000	0	189,550	189,550	0		0	219,550
Web Accessibility	10,080		10,080	0		0	0		0	10,080
New ISP Implementation	0	23,980	23,980	0		0	0		0	23,980
Astley Hall network link	0	8,000	8,000	0		0	0		0	8,000
Corporate Director (ICT)	304,480	(93,020)	211,460	94,550	115,000	209,550	124,800	(10,000)	114,800	535,810
<u>Corporate Director (People)</u>										
Leisure Centres/Swimming Pool Refurbishment	386,180		386,180	244,180		244,180	250,000		250,000	880,360
Duxbury Park Golf Course capital investment	86,560		86,560	0		0	0		0	86,560
Improvements to Sports Pitches	0			275,000		275,000	0		0	275,000
Astley Park Improvements - Construction	468,290		468,290	0		0	0		0	468,290
Astley Hall/Park CCTV	34,000		34,000	0		0	0		0	34,000
Ulnes Walton Play/Leisure Schemes (S106 funded)	10,630		10,630	0		0	0		0	10,630
Clayton Brook Play Area (lottery funded)	96,780		96,780	0		0	0		0	96,780
Lighting at Coronation Recreation Ground	11,430		11,430	0		0	0		0	11,430
Eaves Green Play Development (S106 funded)	212,480		212,480	0		0	0		0	212,480
Fairview Farm Play Facilities (S106 funded)	0		0	0	100,000	100,000	0		0	100,000
Village Hall & Community Centres Projects	71,670		71,670	0		0	0		0	71,670
Cemetery Development	13,280		13,280	0		0	0		0	13,280
Memorial Safety	50,000		50,000	25,000		25,000	0		0	75,000
Common Bank - Big Wood Reservoir	19,160		19,160	0		0	0		0	19,160
Groundwork Projects	18,230		18,230	0		0	0		0	18,230
CRM Implementation	206,790		206,790	0		0	0		0	206,790
On-line Booking System	25,000		25,000	0		0	0		0	25,000
Project Design Fees	29,870		29,870	29,870		29,870	29,870		29,870	89,610
Corporate Director (People)	1,740,350	0	1,740,350	574,050	100,000	674,050	279,870	0	279,870	2,694,270
Capital Programme Total	7,487,400	849,680	8,337,080	3,660,380	3,934,060	7,594,440	2,141,110	148,340	2,289,450	18,220,970

Capital Programme - 2009/10 to 2011/12

Scheme	2009/10	Other	2009/10	2010/11	Other	2010/11	2011/12	Other	2011/12	Total
	Current	Changes	Revised	Current	Changes	Revised	Current	Changes	Revised	2009/10 to
	Estimate	(2)	Estimate	Estimate	(5)	Estimate	Estimate	(8)	Estimate	2011/12
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	£	£	£	£	£	£	£	£	£	£
<i>Financing the Capital Programme</i>										
Prudential Borrowing - budgeted	1,866,360		1,866,360	0	323,600	323,600	94,800	(10,000)	84,800	2,274,760
- unbudgeted	900,480	550,280	1,450,760	0		0	576,310	0	576,310	2,027,070
Unrestricted Capital Receipts	199,120		199,120	527,170		527,170	0		0	726,290
Capital Receipt earmarked for Strategic Regional Site	481,330		481,330	0		0	0		0	481,330
Preserved RTB Capital Receipts from CCH	50,000		50,000	150,000		150,000	100,000		100,000	300,000
Revenue Budget - Specific Revenue Reserves or Budgets	59,790		59,790	0		0	0		0	59,790
Revenue Budget - VAT Shelter income	1,369,630		1,369,630	556,070		556,070	0		0	1,925,700
CBC Resources	4,926,710	550,280	5,476,990	1,233,240	323,600	1,556,840	771,110	(10,000)	761,110	7,794,940
Ext. Contributions - Developers	451,770	802,390	1,254,160	1,747,140	2,833,410	4,580,550	690,000		690,000	6,524,710
Ext. Contributions - Lottery Bodies	324,210		324,210	0		0	0		0	324,210
Ext. Contributions - Other	119,300	158,340	277,640	0	158,340	158,340	0	158,340	158,340	594,320
Government Grants - Disabled Facilities Grants	180,000		180,000	180,000		180,000	180,000		180,000	540,000
Government Grants - Housing Capital Grant	1,468,110	(721,710)	746,400	500,000	618,710	1,118,710	500,000		500,000	2,365,110
Government Grants - Housing & Planning Delivery Grant	0	51,240	51,240	0		0	0		0	51,240
Government Grants - Other	17,300	9,140	26,440	0		0	0		0	26,440
External Funding	2,560,690	299,400	2,860,090	2,427,140	3,610,460	6,037,600	1,370,000	158,340	1,528,340	10,426,030
TOTAL CAPITAL FINANCING	7,487,400	849,680	8,337,080	3,660,380	3,934,060	7,594,440	2,141,110	148,340	2,289,450	18,220,970

REPORT OF EXECUTIVE CABINET**General Report**

1. This report summaries briefly two of the items discussed at the last meeting of the Executive Cabinet held on 7 January 2010. Separate reports on the two items requiring Council decisions have been prepared for consideration.

Green Travel Plan

2. The Executive Cabinet approved a Green Travel Plan which seeks to provide and improve travel sustainability amongst Council employees.
3. The Plan aims to address the over-dependency on cars by encouraging the exploration of all possible alternatives to single occupancy car use through, for example, car sharing, home working and use of alternative modes of transport (bicycle, public transport, walking, etc), whenever practicable.
4. The Green Travel Plan incorporated an action plan for the delivery of changes to staffs' travel patterns, together with a comprehensive list of targets to be achieved over the plan period. The successful implementation of the Plan is expected to reduce business travel mileage, travel costs for both staff and the Council and a reduction in the Authority's CO2 emissions, which is one of our corporate objectives.
5. Although the Green Travel Plan is currently aimed for application by the Council's staff, we can consider extending applying the provisions of the Plan to Councillors at a later date.

Members' E-Mail, Internet and Telephone Acceptable Usage Policy

6. The Executive Cabinet was recommended to approve for adoption a revised policy setting out and defining the general rules for Councillors' acceptable use of the e-mail, internet and telephone facilities provided by Council.
7. The current policy is now several years old and does not reflect recent changes in technology, legal requirements or best practice.
8. The policy proposed for Members' use primarily replicates the policy regulating staffs' usage of ICT and telephony systems. While breaches of the policy by staff can result in disciplinary action, breaches by Members can result in Code of Conduct issues being considered by the Standards Committee.
9. A few Members present at the Executive Cabinet meeting questioned the validity of Clause 4.3 of the policy which prohibits the use of the Council's email address by Members using public websites for non-business purposes (eg on-line shopping). We were reminded that the principal purpose of the ICT equipment is to improve the efficiency and effectiveness of the delivery of the Council's business and that transactions with public websites can result in the Council's network being inundated and blocked with unnecessary e-mails.
10. However, we do appreciate the concern. Accordingly, we have accepted in principle the revised policy for Councillors' acceptable use of e-mail, internet and telephone facilities as presented, but have requested the respective political groups to examine to policy in advance of the Member Support

Working Group addressing the implications of Clause 4.3, particularly in relation to Members who have dispensed with their personal computer equipment, and making any recommendations as to how the issue might be practically resolved.

Recommendation

11. The Council is recommended to note this report.

COUNCILLOR PETER GOLDSWORTHY
Executive Leader

There are no background papers to this report

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REPORT OF EXECUTIVE CABINET**Executive and Electoral Arrangements**

1. The Executive Cabinet considered at its meeting on 7 January 2010 a report on the implications of the Local Government and Public and Involvement in Health Act 2007 which requires the Council to consult the public sector prior to the amendment of its executive requirements. The Act also provides an opportunity for the Council to amend its electoral arrangements.
2. The Council is statutorily required to alter its executive arrangements and adopt either an elected mayor and cabinet or a new style of “strong” leader and cabinet executive and determine its new executive arrangements by 31 December 2010. However, as the decision is likely to impact on Councillors standing for election in May 2010, the Council’s decision needs to be made as early as practicable. We, therefore, propose to recommend the Council to commence the prior consultation exercise in advance of a report proposing new arrangements being submitted to the 2 March Special Council meeting.
3. The Executive Cabinet agreed that, for reasons of consistency and accountability the public consultation exercise should also seek views on the available options for future electoral arrangements.
4. A copy of the report presented to the Executive Cabinet on 7 January is attached for clarification purposes.

Recommendation

5. The Council is recommended to instruct the Chief Executive to commence the required public consultation exercise on the available options to revise both the current executive and electoral arrangements, with a view to a feedback report being presented to the Special Meeting of the Council on 2 March 2010.

COUNCILLOR PETER GOLDSWORTHY
Executive Leader

There are no background papers to this report.

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Report of	Meeting	Date
Corporate Director of Governance (Introduced by the Leader of the Council)	Executive Cabinet	7 January 2010

EXECUTIVE AND ELECTORAL ARRANGEMENTS

PURPOSE OF REPORT

To make recommendations to Council regarding the commencement of a formal consultation process in respect of revised executive arrangements.

RECOMMENDATION(S)

That Council be recommended:

- To instruct the Chief Executive to commence public consultation on revised executive arrangements and report back to the Special Council meeting in March 2010.
- To agree that no steps be taken to revise the Council's current electoral arrangements.

EXECUTIVE SUMMARY OF REPORT

- The Local Government and Public Involvement in Health Act 2007 requires the Council to amend its executive arrangements and to consult the public before doing so. The Act also provides opportunities for the Council to amend its electoral arrangements.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- Consulting the public before changing executive arrangements is a legal requirement.
- Changes to the Council's electoral arrangements are unlikely to have the necessary two thirds majority support .

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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

7. Changing Executive arrangements

- 7.1 The Council must, by law, alter its executive arrangements and adopt, either
- an elected mayor and cabinet or
 - a new-style “strong” leader and cabinet executive.

Different types of Councils have to adopt these new arrangements at different times. Lancashire County Council implemented a new leader and cabinet executive in June this year. Chorley Council will have to implement them in May 2011.

8. The Models

- 8.1 Under the elected mayor model, the executive consists of a mayor elected by the whole Borough electorate for a four year term, and between two and nine councillors of the authority appointed to the executive by the elected mayor.

- 8.2 On the face of it “strong” leader and cabinet model, is quite familiar. The executive consists of a councillor elected as leader of the executive by the Council, and between two and nine executive members

- 8.3 The key differences between the new style leader and cabinet executive and the existing Chorley model are that:

- The Leader is appointed for the whole of his remaining term of Office and does not need to be reappointed each year. The Constitution though can provide for him to be removed by a Council resolution.
- The Leader (rather than the Council) determines the size of the executive and appoints its members. He or she can also remove them at any time.
- The Leader will determine the arrangements for the delegation of executive functions (ie the range and level of decision making to be undertaken by the Cabinet and each portfolio holder). Currently the Leader has that power only insofar as the Council (through the Constitution) has not established arrangements for delegation.

- 8.4 An elected mayor would have all the powers described in the previous paragraph. The main differences between a strong Leader and an elected Mayor are that

- The mayor would be directly elected in a Borough wide election and would not have his/her own ward
- Under the leader and cabinet model, the executive recommends the budget and key strategies (such as the corporate plan) to the Council and the Council approves or amends them; under the mayor and cabinet model, the executive submits the budget and key strategies to the Council but the Council can only amend or overturn them by a two-thirds majority.

9. The process of changing the Arrangements

- 9.1 Full Council needs to make a decision on the way forward by the statutory deadline of 31st December 2010. As any decision could impact on Councillors standing for election in May of 2010, it is suggested that it appropriate for the decision to be made sooner rather than later. This is clearly “special business” as defined within the Council’s Constitution and it would therefore be appropriate for a decision to be made at the March, budget setting Special Council meeting.

- 9.2 Before making the decision, the Council is required by law to “take reasonable steps to consult the local government electors for, and other interested persons in” the Council’s area.

- 9.3 There is no national guidance on what form the consultation must take. However, there is a requirement to meet minimum standards for consultation required by case law. This means that consultation will have to be carried out while proposals are still at a formative stage. They will have to include sufficient, balanced information to allow interested parties to formulate their response, allow sufficient time for a response and take all responses into account when the decision is ultimately taken.
- 9.4 It is proposed that the Council will undertake consultation by placing a consultation document on the website and inviting public feedback and by seeking responses from the citizen’s panel.

10. Changing the frequency of elections

- 10.1 A further provision of the 2007 Act permits the Council to alter its electoral arrangements from having elections by thirds in three out of every four years to having all out elections once every four years. This would require a Council resolution carried by a two thirds majority vote.
- 10.2 Before resolving to proceed, the Council would be required to undertake consultation with “such persons as it considers appropriate”. Similar considerations would apply to such consultation as apply to consultation regarding executive arrangements.
- 10.3 Following consultation, a Council resolution would be required before 31st December 2010 in order for whole Council elections to take place in 2011. Thereafter the opportunity to amend arrangements would arise only every fourth year.
- 10.4 There is no consistent picture nationally as to Councils having all out elections as opposed to elections by thirds. Each method has supporters and detractors and undoubtedly each has advantages and disadvantages. Following informal discussions it appears to be unlikely that a move to all out elections would have two thirds majority support in Chorley and it therefore would be inappropriate to consult on this issue.

11. Single Member Wards and Boundary Review

- 11.1 If, however, the Council did moves to all out elections it could then ask the Boundary Committee for England to conduct a review and make recommendations as to single-member Wards. There is, however, no obligation to make such a request.

IMPLICATIONS OF REPORT

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

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

**ANDREW DOCHERTY
CORPORATE DIRECTOR GOVERNANCE**

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Andy Docherty	5102	07 December 2009	***

Report of	Meeting	Date
Director of People and Places	Council	26 January 2010

PETITION – WALLETS ROAD CHORLEY - ALLEYGATES

PURPOSE OF REPORT

1. To inform Members of a petition received from residents of Wallets Road Chorley regarding the Councils Alleygate Scheme

RECOMMENDATION

2. It is recommended that Members note the response of the Director of People and Places to the petition

EXECUTIVE SUMMARY OF REPORT

3. The A petition signed by 18 residents of Wallets Road was received by the Council in December 2009 and a response (Appendix A) was sent to the lead petitioner on 21 December 2009.
4. Wallets Road Alleygate Petition expresses concern at the rising level of crime, antisocial behaviour and environmental crime in the area and requests that the Council install alleygates in accordance with an application to the Councils alleygate programme made by the residents of Wallets Road Chorley.
5. The Council currently operates an alleygate programme whereby residents within the Borough can apply to the Council for financial assistance to provide alleygates as a means of protection for unadopted back streets and alleys.
6. Schemes are assessed on an intelligence led approach and where issues of crime, anti social behaviour and environmental crime can be addressed satisfactorily with a scheme being implemented then those schemes are prioritised within the finite budget available to administer the alleygate programme.

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

7. To ensure petitions submitted to the Council are dealt with in a consistent and transparent way.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. None

CORPORATE PRIORITIES

9. 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	√

IMPLICATIONS OF REPORT

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

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

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	5 January 2010	petiton

APPENDIX A

Our Ref: MA268917

Your Ref: petition

Date: 21 December 2009

Dear

WALLETS ROAD – ALLEYGATE PETITION

Thank you for your letter and list of signatures to the petition relating to the request for Chorley Council to provide alleygates to the rear of Wallets Road.

1. The Councils alleygate scheme has been operating for 5 years and is resourced within a finite annual budget. In order to ensure a fair and transparent distribution of funds for alleygate requests the Council identifies 'gating' projects on the basis of intelligence led data, specifically related to reports of crime, antisocial behaviour and environmental crime.
2. This intelligence led approach means that a priority list of schemes is operated and where the reported crime data identifies schemes of greater need then they will rank higher on the list than others. The application for a scheme at Wallets Road currently ranks 36th on the list operated by the Council.
3. The Council is in the process of setting budgets for the next financial year (2010/11) and clearly if the Council determines that all alleygate schemes on the list should be fully funded then the 2010/11 budget will reflect this.
4. However the current budgetary provision does mean that the Wallets Road scheme is unlikely to be funded in the near future and unless there is a significant increase in reported crime, environmental crime and antisocial behaviour linked to the absence of alleygates then I do not envisage that the scheme will move higher up the list.
5. Notwithstanding the above the Council together with our crime and disorder partners will look to determining what other action can be taken to alleviate the issues that the petition raises ie crime, anti social behaviour, littering and dog fouling and it may be that an increase in direct enforcement activity will be sufficient to deal with the problems being experienced by residents.

I hope this commitment by Chorley Council on behalf of the residents on Wallets Road will resolve the issues currently being experienced.

Yours sincerely

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