

Council

Agenda and Reports
for consideration on

**Tuesday, 2nd November
2010**

in the Council Chamber, 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.

22 October 2010

Dear Councillor

COUNCIL - TUESDAY, 2ND NOVEMBER 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, 2nd November 2010 commencing at 6.30 pm for the following purposes.

AGENDA

1. **Apologies for absence**

2. **Declarations of Any Interests**

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

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

3. **Minutes of last meeting (Pages 1 - 6)**

To confirm as a correct record the minutes of the last meeting of the Council held on 28 September 2010 (Minutes enclosed).

4. **Mayoral Announcements**

5. **Public Questions**

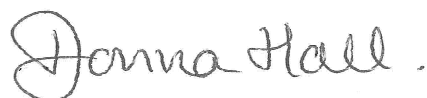
Members of the public who have requested the opportunity to ask question(s) on any item(s) on the agenda will be asked to put their question(s) to the Council. Members of the public will be allowed to ask one supplementary question within their allocated 3 minutes.

6. **Executive Cabinet - General Report (Pages 7 - 10)**

To consider the enclosed general report of the meeting held on 14 October 2010.

7. **Capital Programme Monitoring 2010/11 to 2012/13 (Pages 11 - 22)**
To approve the enclosed report of the Director of Transformation, which was considered by Executive Cabinet on 14 October 2010.
8. **New Sustainable Community Strategy for 2010 to 2020 (Pages 23 - 28)**
To approve the enclosed new Community Strategy for 2010 – 2020, agreed by the Executive Cabinet on 14 October 2010.
9. **Central Lancashire Core Strategy - Amendments following abolition of the Regional Spatial Strategy (Pages 29 - 48)**
To approve the enclosed report of the Director of Partnerships, Planning and Policy, agreed by the Executive Cabinet on 14 October 2010.
10. **Police and Crime Act 2009 - Adoption of powers to regulate sexual entertainment venues (Pages 49 - 80)**
To approve a report of the Director of People and Places, agreed by Executive Cabinet on 14 October 2010
11. **Audit Committee - General Report (Pages 81 - 82)**
To consider a general report of the meeting held on 30 September 2010.
12. **Establishing A Shared Chief Executive Arrangement with Wyre Borough Council (Pages 83 - 92)**
To consider the enclosed report of the Leader of the Council.
13. **Proposed Changes to Polling Stations (Pages 93 - 96)**
To consider the enclosed report of the Returning Officer.
14. **Community Governance Review for the Buckshaw Area (Pages 97 - 102)**
To consider the enclosed report of the Chief Executive.
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. **Any other item(s) the Mayor decides is/are urgent**

Yours sincerely



Donna Hall
Chief Executive

Carol Russell
Head of Democratic Services
E-mail: carol.russell@chorley.gov.uk
Tel: (01257) 515196
Fax: (01257) 515150

Distribution

To all Members of the Council and Directors.

**This information can be made available to you in larger print
or on audio tape, or translated into your own language.
Please telephone 01257 515118 to access this service.**

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

01257 515823

کیجئے:

This page is intentionally left blank

COUNCIL**Tuesday, 28 September 2010**

Present: Councillor Ken Ball (Mayor), Councillor Pat Case (Deputy Mayor), Councillors Nora Ball, Eric Bell, Judith Boothman, Alistair Bradley, Terry Brown, Henry Caunce, Alan Cullens, Magda Cullens, Mike Devaney, David Dickinson, Doreen Dickinson, Dennis Edgerley, Christopher France, Anthony Gee, Peter Goldsworthy, Marie Gray, Alison Hansford, Harold Heaton, Catherine Hoyle, Keith Iddon, Kevin Joyce, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, Peter Malpas, June Molyneaux, Greg Morgan, Simon Moulton, Mick Muncaster, Beverley Murray, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell, Rosie Russell, Joyce Snape, Ralph Snape, John Walker, Stella Walsh and Peter Wilson

10.C.122 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Julia Berry, Pat Haughton, Laura Lennox and Edward Smith.

10.C.123 MINUTES OF THE LAST COUNCIL MEETING

RESOLVED – That the minutes of the last ordinary meeting of the Council held on 20 July 2010 be confirmed as a correct record for signature by the Mayor.

10.C.124 DECLARATIONS OF ANY INTERESTS

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

10.C.125 MAYORAL ANNOUNCEMENTS

The Mayor thanked everyone who had supported the Big Band Night in the Lancastrian Room on 17 September 2010. The event, in aid of the Mayor's Charities, had been well attended. During the evening, the Mayor had announced the start of his sponsored weight loss programme, which all Councillors were invited to support.

The Mayor also reminded Members of the 'At the Movies' Brass Band Night event being organised in the Lancastrian Room on 19 November 2010 to raise funds for his Charity Appeal.

The Mayor also respectfully reminded all Members to switch off their mobile devices, as there had been remarks after the last meeting about Councillors commenting on 'Twitter' during meetings.

10.C.126 PUBLIC QUESTIONS

A member of the public attended the meeting to put forward the following question to the Council:

"How satisfied are you that the content of the questionnaire on Rural Housing Needs is appropriate, will give the necessary information, and will represent value for money?"

The member of the public questioned the relevance of the survey, the likely difficulties in ensuring meaningful responses to a number of questions, and the anticipated aims of the exercise.

The Executive Member (Partnerships and Planning) responded by clarifying that the principal aim of the survey was to seek information from rural households on the existing composition of the households and the likely future demands and expectations for housing accommodation in preferred locations. The outcome of the survey would help to inform future decisions of the Council and its partners on plans to invest in schemes in the most suitable locations that meet proven demand.

The survey had been organised in accordance with both best practice and the Council's Equality Scheme and the Executive Member pointed out that completion of the questionnaire was at the discretion of residents.

The Executive Member also confirmed that, unlike some other Councils, the Chorley survey was being conducted in-house, without the need for consultants.

A supplementary question from the member of the public requested the Council's anticipated level of responses and confirmation that the results of the survey would be published.

The Executive Member, in reply, stated that a response rate in excess of 15% was expected and that he expected that the results of the survey would be published in due course.

10.C.127 EXECUTIVE CABINET

(a) Petitions Scheme

The Council considered a report of the Director of Transformation seeking approval for the adoption of a Petitions Scheme for the Council which had been compiled in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009 and endorsed by the Executive Cabinet at its meeting on 12 August 2010.

The scheme clarified that petitions containing more than 10 signatures would be referred to the Executive Cabinet or Executive Member for consideration, with the ultimate action taken being reported to a subsequent Council meeting. Petitions containing at least 750 signatures would be automatically referred to a public meeting of the Cabinet and petitions signed by more than 1,500 people would be debated at a full Council meeting. In all instances, the respective lead petitioners would be informed of the progress and result of the petitions.

The Executive Leader acknowledged that, whilst the earlier Government guidance on the production of Petition Schemes was expected to be withdrawn shortly, the adoption of the submitted scheme would accord with best practice and the need to meet minimum requirements by clarifying how petitions should be organised and presented and the processes followed by the Council in assessing and reporting back on the petitions.

It was moved by the Executive Leader (Councillor Peter Goldsworthy) and seconded by the Deputy Leader of the Council (Councillor Pat Case), and **RESOLVED that the Petitions Scheme, as now submitted, be approved for adoption and included in the Council's Constitution.**

(b) Capital Programme, 2010/11 to 2012/13 - Monitoring

The Council considered a report of the Director of Transformation on proposals to revise the Capital Programme for 2010/11 to 2012/13.

It was proposed to increase the Capital Programme for the three year period from £12,037,260 to £13,327,540 as a result of the rephasing of £728,830 expenditure from 2009/10 and the financing of new projects by external contributions or virement from other existing capital budgets.

The respective Executive Members responded to a number of queries and concerns raised by Members, particularly in relation to the number of affordable housing units likely to be provided with the aid of available Section 106 contributions; the likely start of housing construction on the Fairview Farm, Adlington site; and the possible need for the capitalisation of future restructuring costs.

It was moved by the Executive Member (Transformation) (Councillor Kevin Joyce), seconded by the Executive Leader, and **RESOLVED:**

- (1) That the revised Capital Programme for 2010/11, as presented in Appendix 1 to the submitted report, be approved.**
- (2) That the amendments to the provisional Capital Programme for 2011/12 and 2012/13, as presented in Appendix 2 to the submitted report, be noted.**

(c) General Report

Consideration was given to a general report which summarised the principal items of business discussed and determined at the two meetings of the Executive Cabinet held on 12 August and 2 September 2010.

The respective Executive Members responded to a number of queries and concerns raised by Members, particularly in relation to the savings made and the impact on services as a result of vacancies not being filled; the Council's performance in the determination of planning applications as compared against the respective targets; the authority's future plans for the collection and disposal of food waste; and the recent re-engagement of the Council's Treasury Management Advisors.

A few Members also questioned the effectiveness of the current neighbourhood working regime, emphasising the need for adequate liaison with Members and citing particular issues within Adlington. In response, the Executive Member (Places) undertook to meet the three Adlington Ward Councillors separately to discuss their concerns and the Mayor suggested that Members wishing to raise specific neighbourhood issues should submit formal questions to the Council under Council Procedure Rule 8.

The Executive Member (Transformation) undertook to send a written explanation to Councillor Dennis Edgerley to clarify the performance statistics for the processing of Housing Benefit/Council Tax Benefit new claims as reported to the 12 August 2010 Executive Cabinet meeting.

The Executive Member (Transformation) also undertook to respond to Councillor Catherine Hoyle's enquiry as to whether the Council currently levied a charge, or proposed to levy a charge, for the payment of bills by debit or credit cards.

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

10.C.128 OVERVIEW AND SCRUTINY COMMITTEE AND TASK AND FINISH GROUPS

The Council considered a general report which summarised the business of the Overview and Scrutiny Committee at its last two meetings on 9 and 31 August 2010, together with reports on the progress of the respective Task and Finish Groups' inquiries into Asset Management and Allotment provision issues.

It was moved by the Chair of the Overview and Scrutiny Committee (Councillor Adrian Lowe), seconded by the Vice-Chair (Councillor Alan Cullens), and **RESOLVED that the report be noted.**

10.C.129 STANDARDS COMMITTEE - APPOINTMENT OF A PARISH COUNCILLOR REPRESENTATIVE

The Director of Transformation presented a report seeking the Council's endorsement of a recommendation to appoint a new Parish Council representative onto the Standards Committee, following the election of a previous representative, Alan Platt, to the Borough Council.

Town and Parish Councils had been invited to submit nominations for the appointment of a representative member on the Standards Committee, following which an appointment panel of the Committee had interviewed each of the three applicants.

It was moved by Councillor Debra Platt (Vice-Chair of the Standards Committee), seconded by Councillor Stella Walsh, and **RESOLVED that Parish Councillor Eileen McGhee be appointed as a Town/Parish Council representative on the Standards Committee.**

10.C.130 DISCRETIONARY HOUSING PAYMENTS APPEALS PANEL

The Council was requested to appoint a Panel of Members with the delegated authority to hear and determine applications from residents for Discretionary Housing Payments.

RESOLVED – That a Discretionary Housing Payments Appeals Panel, comprising the following three Members, be appointed with authority to hear and determine applications for discretionary housing payments:

**Councillor Peter Goldsworthy (Chair);
Councillor Marie Gray;
Councillor Hasina Khan.**

10.C.131 DEVELOPMENT CONTROL COMMITTEE - REVISION OF MEMBERSHIP

It was moved by Councillor Peter Wilson, seconded by Councillor June Molyneaux, and **RESOLVED that Councillor Alistair Bradley replace Councillor Dennis Edgerley as a Member of the Development Control Committee until 1 January 2011.**

10.C.132 NOTICES OF MOTION GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 10**(a) Alleygates**

The Council considered the following motion submitted by Councillor Peter Wilson:

“This Council recognises that the Alleygate Scheme has brought huge benefits to the people of Chorley in the reduction of anti-social behaviour, crime and the fear of crime, as well as evidenced in numerous past reports submitted to this Council.

Given its proven role in increasing residents belief that they live in the safe and crime-free communities which are a fundamental part of this Council's fully funded strategy, this Council requires the immediate restitution of the scheme that was cancelled at the Executive Cabinet meeting of 12 August 2010 without full and proper consultation with communities and councillors.”

During the debate on the Motion, the following amendment was moved by the Executive Member (Places) (Councillor Eric Bell) and seconded by the Executive Member (Transformation) (Councillor Kevin Joyce):

“This Council endorses the decision taken by the Executive Committee at its meeting on 12 August 2010 to end the Alleygate project on the basis that there is independent evidence available that concludes that alley gating in Chorley has little impact on already low levels of crime. This despite the fact that under the present administration £136,000 has been spent compared with £38,000 under Labour.”

A request was made under Council Procedure Rule 17.2 for a recorded vote on the amendment, which was as follows:

FOR: Councillors Eric Bell, Judith Boothman, Pat Case, Henry Counce, Alan Cullens, Magda Cullens, Michael Devaney, David Dickinson, Doreen Dickinson, Peter Goldsworthy, Marie Gray, Alison Hansford, Harold Heaton, Keith Iddon, Kevin Joyce, Peter Malpas, Greg Morgan, Simon Moulton, Michael Muncaster, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell, Rosemary Russell and John Walker.

AGAINST: Councillors Ken Ball, Nora Ball, Alistair Bradley, Terry Brown, Dennis Edgerley, Christopher France, Anthony Gee, Catherine Hoyle, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, June Molyneaux, Beverley Murray, Joyce Snape, Ralph Snape, Stella Walsh and Peter Wilson.

The Mayor declared the amendment carried and it was **RESOLVED that the amendment be approved accordingly.**

(b) **Police and Community Support Officers**

The Council considered the following motion submitted by Councillor Peter Wilson:

“This Council recognises the invaluable role played by Police and Community Support Officers (PCSOs) within our local community. In light of this, the Council expresses grave concern over any possible reduction in the number of jointly funded PCSOs following the Government's autumn spending review, and would seek to counter any consequent negative impact on its own Borough Strategy and Neighbourhood Plans.

Therefore, in order to help to serve and protect the people of Chorley, this Council hereby undertakes to re-direct its own portion of the funding for each and any jointly funded PCSO position lost, to the budget for Neighbourhood Wardens, thereby defending and maintaining frontline services within our community.”

Following a debate on the motion, a request was made under Council Procedure Rule 17.2 for a recorded vote on the motion, which was as follows:

FOR: Councillors Ken Ball, Nora Ball, Alistair Bradley, Terry Brown, Dennis Edgerley, Christopher France, Anthony Gee, Catherine Hoyle, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, June Molyneaux, Beverley Murray, Joyce Snape, Ralph Snape, Stella Walsh and Peter Wilson.

AGAINST: Councillors Eric Bell, Judith Boothman, Pat Case, Henry Counce, Alan Cullens, Magda Cullens, Michael Devaney, David Dickinson, Doreen Dickinson, Peter Goldsworthy, Marie Gray, Alison Hansford, Harold Heaton, Keith Iddon, Kevin Joyce, Peter Malpas, Greg Morgan, Simon Moulton, Michael Muncaster, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell and John Walker.

ABSTAIN: Councillor Rosemary Russell.

The Mayor declared the motion lost and it was **RESOLVED that the Motion be rejected.**

Mayor

REPORT OF EXECUTIVE CABINET**GENERAL REPORT**

1. The Executive Cabinet has met once on 14 October 2010 since the last ordinary Council meeting in September. This report summarises briefly the principal executive items considered and decisions taken at that meeting.
2. Separate reports on the following items considered initially at the Cabinet meeting and referred on to the Council with recommendations appear elsewhere on the Council agenda:
 - New Sustainable Community Strategy for 2010 – 2020;
 - Central Lancashire Core Strategy – Amendments;
 - Police and Crime Act 2009 – Adoption of Powers to regulate sexual entertainment venues;
 - Capital Programme, 2010/11 to 2012/13 – Monitoring.

'Chorley Smile' – Citizens' Panel Summer Survey

3. One of the Council's Performance Advisors (David Wilkinson) attended the meeting to make a short presentation on the results of the recent place survey of the Citizens' Panel to obtain their perception and satisfaction rating of the Council's delivery of services and value for money performance; and to highlight any issues of general concern.
4. The survey results, compared to the outcome of the 2008 poll, are most pleasing in that the percentage of residents satisfied with the way the Council operates; provides value for money; delivers services; and with the local area generally as a place to live, has risen significantly.
5. The results reveal Chorley Council to be in fourth and seventh place respectively out of 352 authorities nationally in relation to residents' views on the way the authority provides value for money and runs the organisation. Similarly a higher percentage of residents surveyed were satisfied with the Council's performance in respect of a number of key national indicators (eg residents' ability to influence decisions in their locality, regular volunteering; perception of safety).
6. The results of the Citizens' panel poll places Chorley in the top quartile of authorities nationally for its performance on the majority of the measurable targets and residents' perception of our performance and delivery of services. The Executive Cabinet accept that this result is a pleasing reflection of the efforts of all Members and Officers over past years.

Local Development Framework – Site Allocations and Development Management Policies Development Plan Documents – Issues and Options stage

7. The Director of Partnerships, Planning and Policy presented a report which explains the purpose of the Site Allocations and Development Management Policies Development Plan Document (DPD) within the context of the LDF Core Strategy and outlines the envisaged timetable for the key stages of the work.
8. The Site Allocations DPD will ultimately determine the specific sites for development within the Borough in accordance with the policies and general locations set out in the Core Strategy. It will identify local issues and include policies to either protect existing uses on sites or guide the way sites are developed.

9. The Executive Cabinet approved for public consultation purposes, the Issues and Options Discussion Paper attached to the submitted report as the first stage of a lengthy process leading to the approval of the Site Allocations and Development Management Policies DPD. The document seeks to canvass views on the numerous potential development sites that have been put forward. No firm decisions have yet been taken on any of the sites and commitment to the allocation of sites for specific uses and the finalisation of development management policies will come later during the 'Preferred Options' stage of the development plan process. The 'Issues and Options' document does, however, identify those sites which are not considered to be viable for development (eg greenbelt sites) and lists the development management policies intended to be saved, awarded or introduced through the document.
10. Representations received during the consultation period up to January 2011 will be assessed and a preferred approach towards the issues and options will be set out in the 'Preferred Options' document to be produced in the summer of next year. The Publication and Submission stages of the Development Plan Document are envisaged to take place between October 2011 and March 2012, leading to the final adoption of the DPD around December 2012.

Residential Development in Gardens – Outcome of consultation

11. The Executive Cabinet at its meeting on 12 August 2010 endorsed a draft Interim Policy Statement for use as a development control tool when assessing proposals for new developments in residential gardens for the purpose of a 6 weeks consultation period.
12. The draft Interim Policy which contains a general presumption against residential development in private gardens has been compiled with legal advice in order to reflect recent policy changes.
13. The report confirms that, at the expiry of the consultation period, 130 representations have been received, 114 of which support the proposed Policy. Appendices to the report summarise the contents of the representations and the Officers' associated comments.
14. After taking account of the representations received and the officer responses, the Executive Cabinet approved and adopted for development control purposes the Interim Policy on Private Residential Garden Development, as outlined in the appendix to the submitted report.

Alcohol Intervention Programme – Update on work of Chorley Partnership

15. We received and noted a report of the Director of Transformation, Planning and Policy updating Members on the Alcohol Intervention Programme developed by the Chorley Partnership.
16. Alcohol related hospital admissions within the Borough have increased by over one third during the past five years. Consequently, Chorley Partnership agreed to channel a proportion of the Performance Award Grant towards a number of schemes aimed at tackling the issues.
17. A targeted alcohol intervention programme, which comprises the following four elements, has been developed by the LSP. Providers for each project were commissioned before the start of the programme in September, 2010:
 - Free health checks for all Chorley residents;
 - Brief intervention training for front line staff from a variety of Chorley organisations;
 - An alcohol awareness programme for High Schools;
 - Targeted outreach work with young people and families.

Organisational Restructure

18. The Executive Cabinet considered a confidential report of the Chief Executive on proposals to restructure teams within the People and Places Directorate; Strategic Housing section; Policy and Performance section; and Administrative and Transactional Services.
19. The principal focus of the restructure will be to centralise a number of services that are currently undertaken separately across the authority, which will reduce back office costs whilst protecting front line services. The proposals, if realised, will achieve an annual saving of over £470,000.
20. We approved the organisational restructure proposals for consultation purposes with affected staff and trade unions.

Recommendation

21. The Council is recommended to note this report.

COUNCILLOR PETER GOLDSWORTHY
Executive Leader

There are no background papers to this report.

AU

This page is intentionally left blank

Report of	Meeting	Date
Director of Transformation (Introduced by the Executive Member for Transformation)	Executive Cabinet	14 th October 2010

CAPITAL PROGRAMME MONITORING 2010/11 – 2012/13

PURPOSE OF REPORT

1. To update the capital programme to take account of expenditure rephased between financial years.
2. To add new projects that are to be financed by external contributions or virement from other existing capital budgets.
3. To increase or reduce other capital budgets for the specific reasons identified in the report.

RECOMMENDATION(S)

4. That the revised capital programme for 2010/11 presented in Appendix 1 be approved.
5. That the amendments to the provisional capital programme figures for 2011/12 and 2012/13, presented in Appendix 1, be noted.

EXECUTIVE SUMMARY OF REPORT

6. The capital programme for 2010/11 to 2012/13 should be increased from £13,327,540 to £13,760,420 as a result of the changes totalling £432,880 identified in Appendix 2.
7. Though the programme has increased, there is no increase in borrowing. However, to avoid any increase in borrowing, it is important that all budgeted resources are received, in particular VAT Shelter income from Chorley Community Housing and capital receipts from the disposal of surplus assets.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

8. To update the 2010/11 capital programme to take account of the rephasing of expenditure between financial years; and to add and vire budgets to take account of the estimated availability of capital resources.
9. To update the provisional capital programme figures for 2011/12 and 2012/13 to take account of the rephasing of expenditure and changes to the resources estimated to be available to finance the programme.

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. The capital programme for 2010/11 to 2012/13 was approved by Council of 28th September 2010, as follows:

	£
2010/11	10,050,120
2011/12	1,596,310
2012/13	1,681,110
Total 2010/11 – 2012/13	13,327,540

13. It is proposed to increase the three-year programme .by a net total of £432,880, made up as follows:

	£
Chorley Market – Flat Iron Gazebos Phase 3	57,810
Affordable Housing – additional resources	51,850
Buckshaw Railway Station – to be reimbursed	225,000
Alleygates – project terminated	(36,780)
On-line booking system – transfer to revenue	(3,000)
Coppull Leisure Park – S106 contribution	25,000
Play & Recreation Fund – Council projects	113,000
Total	432,880

Further explanation is given below and the analysis of the proposals between virements, rephasing and other changes is presented in Appendix 2.

CAPITAL PROGRAMME 2010/11

14. The Invest to Save budget of £47,990 should be vired to Market Improvements to finance part of the cost of the Flat Iron Gazebos. The budget can then be rephased to 2011/12 (£46,500) and 2012/13 (£1,490).

15. The budget for Affordable Housing can be increased by £12,000 because of a capital receipt earmarked for this purpose. This increases the uncommitted budget in 2010/11 to £976,300. Proposals for use or rephasing of this budget will be presented at a later date.

16. To enable commencement of the Buckshaw Village Railway Station contract, the budget should be increased by an estimated sum of £225,000, which is to be reimbursed by Lancashire County Council once the scheme is underway.
17. Following a review of the project, the Alleygates budget (£36,780) is deleted.
18. Of the £8,130 budget for the On-line Booking System, £3,000 should be deleted to cover costs chargeable to the revenue budget; and the balance of £5,130 should be vired to the Unified Intelligent Desktop project to contribute to an alternative solution.
19. A £25,000 grant towards play facilities for younger children at Coppull Leisure Park would be financed with a S106 contribution received for this purpose. Four Council Play and Recreation Fund projects have been awarded £88,500 S106 resources. The balance of the £113,000 budget would be financed with VAT Shelter income. Play and Recreation Fund grants to outside bodies such as parish councils will be monitored as part of the revenue budget.
20. The Thin Client/Citrix budget should be increased by £30,000, rephased from 2012/13, in order to purchase hardware.
21. In respect of the budget for planned improvements to fixed assets, major commitments this year include the replacement of Tatton Community Centre roof and the upgrade to the ICT network infrastructure. The latter is at an estimated cost of £93,000 and is to replace the 10-year old network that has come to the end of its useful life, in order to increase speed and reliability and to avoid increasing maintenance costs.

CAPITALISATION OF REVENUE EXPENDITURE

22. Guidance in respect of applications to capitalise revenue expenditure such as statutory redundancy payments and related pension fund costs in 2010/11 has now been published. The procedure is broadly the same as in recent years, when applications to capitalise costs arising from restructuring of directorates were successful. However, there is no certainty that future applications would be successful. At present no provision to capitalise restructuring costs is included in the capital programme but in order to achieve revenue budget savings from 2011/12 onwards applications to capitalise redundancy and pension fund costs should be submitted by the deadline of 29th October 2010.

CAPITAL PROGRAMME 2011/12 and 2012/13

23. Phase 2 of the Flat Iron Gazebos in 2011/12 could be financed by the rephasing of £46,500 from 2010/11. In 2012/13, only £1,490 is rephased towards the cost of Phase 3, so a budget increase of £57,810 is required. The aim should be to match this increase with savings in other budgets, but these have not been identified at present.
24. Additional Affordable Housing resources totalling £39,850 are expected to be available in 2011/12. However, a contribution of £90,000 is now expected to be received later than previously estimated and this should be rephased to 2012/13.
25. As mentioned above, £30,000 of the Thin Client/Citrix budget should be rephased from 2012/13 to 2010/11 to finance the purchase of hardware.

CAPITAL RESOURCES

26. Estimated capital receipts have been reduced in 2010/11 to the value already received or expected in the near future. Should further receipts be achieved, these would be available to produce revenue budget savings by financing restructuring costs, or reducing new or existing borrowing.

27. Based on the latest information from Chorley Community Housing, sufficient VAT Shelter Income should be available to make up for the delay in achieving receipts from sale of surplus assets. However, the amount expected each quarter is likely to be around 25% less than previously expected. The same total value should be received, but it will take longer.

IMPLICATIONS OF REPORT

28. 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	

Financial implications are set out in the body of the report.

GARY HALL
DIRECTOR OF TRANSFORMATION

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Michael L. Jackson	5490	29 th September 2010	Capital Programme 2010-11-2012-13 Monitoring Report Oct 2010.doc

Capital Programme - 2010/11 to 2012/13

Scheme	2010/11 Current Estimate (1) £	Proposed Changes (2) £	2010/11 Revised Estimate (3) £	2011/12 Current Estimate (4) £	Proposed Changes (5) £	2011/12 Revised Estimate (6) £	2012/13 Current Estimate (7) £	Proposed Changes (8) £	2012/13 Revised Estimate (9) £	Total 2010/11 to 2012/13 (10) £
<u>Director of Partnerships, Planning & Policy</u>										
<u>Head of Economic Development</u>										
Chorley Market Improvements	22,290		22,290	0	46,500	46,500	0	59,300	59,300	128,090
Climate Change Pot	89,300		89,300	0		0	0		0	89,300
Project Design Fees	41,440		41,440	41,440		41,440	41,440		41,440	124,320
<u>Head of Economic Development Total</u>	153,030	0	153,030	41,440	46,500	87,940	41,440	59,300	100,740	341,710
<u>Head of Housing</u>										
Choice Based Lettings	20,000		20,000	0		0	0		0	20,000
Affordable Housing New Development Projects	964,300	12,000	976,300	290,000	(50,150)	239,850	0	90,000	90,000	1,306,150
- Crosse Hall Lane	80,000		80,000	0		0	0		0	80,000
- Devonport Way	78,000		78,000	0		0	0		0	78,000
Purchase and Repair	485,230		485,230	0		0	0		0	485,230
Disabled Facilities Grants	508,020		508,020	400,000		400,000	400,000		400,000	1,308,020
Housing Renewal				300,000		300,000	300,000		300,000	600,000
- Home Repair Grants/Decent Homes Assistance	91,790		91,790	0		0	0		0	91,790
- Energy Efficiency Grants	50,000		50,000	0		0	0		0	50,000
- Handyperson Scheme	22,000		22,000	0		0	0		0	22,000
- Landlord Accreditation	5,000		5,000	0		0	0		0	5,000
<u>Head of Housing Total</u>	2,304,340	12,000	2,316,340	990,000	(50,150)	939,850	700,000	90,000	790,000	4,046,190
<u>Head of Planning</u>										
Town Centre Investment	1,060,550		1,060,550	0		0	0		0	1,060,550
Eaves Green Link Road - contribution to LCC scheme	80,000		80,000	0		0	0		0	80,000
Buckshaw Village Railway Station (S106/LCC financed)	3,506,690	225,000	3,731,690	0		0	0		0	3,731,690
Buckshaw Village Cycle Network	77,360		77,360	0		0	0		0	77,360
Chorley Strategic Regional Site	391,200		391,200	0		0	0		0	391,200
<u>Head of Planning Total</u>	5,115,800	225,000	5,340,800	0	0	0	0	0	0	5,340,800
<u>Head of Policy</u>										
Performance Management	10,000		10,000	0		0	0		0	10,000
Performance Reward Grant (PRG) funded schemes	75,500		75,500	0		0	0		0	75,500
<u>Head of Policy Total</u>	85,500	0	85,500	0	0	0	0	0	0	85,500
<u>Director of Partnerships, Planning & Policy Total</u>	7,658,670	237,000	7,895,670	1,031,440	(3,650)	1,027,790	741,440	149,300	890,740	9,814,200

Capital Programme - 2010/11 to 2012/13

Scheme	2010/11 Current Estimate (1) £	Proposed Changes (2) £	2010/11 Revised Estimate (3) £	2011/12 Current Estimate (4) £	Proposed Changes (5) £	2011/12 Revised Estimate (6) £	2012/13 Current Estimate (7) £	Proposed Changes (8) £	2012/13 Revised Estimate (9) £	Total 2010/11 to 2012/13 (10) £
<u>Director of People and Places</u>										
<u>Head of Environment</u>										
Alleygates	36,780	(36,780)	0	0		0	0		0	0
<u>Head of Environment Total</u>	36,780	(36,780)	0	0	0	0	0	0	0	0
<u>Head of Leisure & Neighbourhoods</u>										
Leisure Centres/Swimming Pool Refurbishment	302,980		302,980	230,000		230,000	235,000		235,000	767,980
Duxbury Park Golf Course capital investment	86,560		86,560	0		0	0		0	86,560
Village Hall & Community Centres Projects	13,060		13,060	0		0	0		0	13,060
On-line Booking System	8,130	(8,130)	0	0		0	0		0	0
<u>Head of Leisure & Neighbourhoods Total</u>	410,730	(8,130)	402,600	230,000	0	230,000	235,000	0	235,000	867,600
<u>Head of Streetscene</u>										
Replacement of recycling/litter bins & containers	101,680		101,680	85,000		85,000	85,000		85,000	271,680
Highway improvements - Gillibrand estate/Southlands	44,000		44,000	0		0	0		0	44,000
Improvements to Sports Pitches	0		0	0		0	275,000		275,000	275,000
Astley Park Improvements	27,210		27,210	0		0	0		0	27,210
Eaves Green Play Development (S106 funded)	212,480		212,480	0		0	0		0	212,480
Fairview Farm Play Facilities (S106 funded)	100,000		100,000	0		0	0		0	100,000
Coppull Leisure Park (S106 funded)	0	25,000	25,000	0		0	0		0	25,000
Play and Recreation Fund projects	0	113,000	113,000	0		0	0		0	113,000
Cemetery Development	6,450		6,450	0		0	0		0	6,450
Common Bank - Big Wood Reservoir	11,320		11,320	0		0	0		0	11,320
Project Design Fees	29,870		29,870	29,870		29,870	29,870		29,870	89,610
<u>Head of Streetscene Total</u>	533,010	138,000	671,010	114,870	0	114,870	389,870	0	389,870	1,175,750
<u>Director of People and Places Total</u>	980,520	93,090	1,073,610	344,870	0	344,870	624,870	0	624,870	2,043,350

Capital Programme - 2010/11 to 2012/13

Scheme	2010/11 Current Estimate (1) £	Proposed Changes (2) £	2010/11 Revised Estimate (3) £	2011/12 Current Estimate (4) £	Proposed Changes (5) £	2011/12 Revised Estimate (6) £	2012/13 Current Estimate (7) £	Proposed Changes (8) £	2012/13 Revised Estimate (9) £	Total 2010/11 to 2012/13 (10) £
<u>Director of Transformation</u>										
<u>Head of Customer, ICT & Transactional Services</u>										
Website Development (incl. ICT salary capitalisation)	20,000		20,000	20,000		20,000	20,000		20,000	60,000
Thin Client/Citrix (started 2007/08)	16,490	30,000	46,490	0		0	94,800	(30,000)	64,800	111,290
Server Virtualisation / Data Storage Solution	190,750		190,750	0		0	0		0	190,750
Web Accessibility	10,080		10,080	0		0	0		0	10,080
Astley Hall network link	8,000		8,000	0		0	0		0	8,000
CRM Implementation	91,420		91,420	0		0	0		0	91,420
Unified Intelligent Desktop	285,000	5,130	290,130	0		0	0		0	290,130
Replacement Benefits System	186,000		186,000	0		0	0		0	186,000
<u>Head of Customer, ICT & Transactional Services Total</u>	807,740	35,130	842,870	20,000	0	20,000	114,800	(30,000)	84,800	947,670
<u>Head of Governance</u>										
Legal Case Management System	6,090		6,090	0		0	0		0	6,090
<u>Head of Governance Total</u>	6,090	0	6,090	0	0	0	0	0	0	6,090
<u>Head of Human Resources & Organisational Development</u>										
Integrated HR, Payroll and Training System	30,000		30,000	0		0	0		0	30,000
<u>Head of HR & Organisational Development Total</u>	30,000	0	30,000	0	0	0	0	0	0	30,000
<u>Director</u>										
Matched Funding Pot / Invest To Save	47,990	(47,990)	0	0		0	0		0	0
Planned Improvements to Fixed Assets	519,110		519,110	200,000		200,000	200,000		200,000	919,110
<u>Director Total</u>	567,100	(47,990)	519,110	200,000	0	200,000	200,000	0	200,000	919,110
<u>Director of Transformation Total</u>	1,410,930	(12,860)	1,398,070	220,000	0	220,000	314,800	(30,000)	284,800	1,902,870
<u>Capital Programme Total</u>	10,050,120	317,230	10,367,350	1,596,310	(3,650)	1,592,660	1,681,110	119,300	1,800,410	13,760,420

Capital Programme - 2010/11 to 2012/13

Scheme	2010/11	Proposed	2010/11	2011/12	Proposed	2011/12	2012/13	Proposed	2012/13	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) £	2010/11 to 2012/13 (10) £
<i>Financing the Capital Programme</i>										
Prudential Borrowing	744,560		744,560	506,310		506,310	614,800		614,800	1,865,670
Unrestricted Capital Receipts	444,970	(367,970)	77,000	0		0	100,000		100,000	177,000
Preserved RTB Capital Receipts from CCH	90,000	(90,000)	0	8,690	(8,690)	0	0		0	0
Revenue Budget - VAT Shelter income	1,078,700	436,700	1,515,400	91,310	55,190	146,500	266,310	29,300	325,610	1,957,510
Chorley Council Resources	2,358,230	(21,270)	2,336,960	606,310	46,500	652,810	981,110	29,300	1,010,410	4,000,180
Ext. Contributions - Developers	5,876,060	113,500	5,989,560	290,000	(50,150)	239,850	0	90,000	90,000	6,319,410
Ext. Contributions - Other	360,500	225,000	585,500	0		0	0		0	585,500
Government Grants - Disabled Facilities Grants	235,000		235,000	400,000		400,000	400,000		400,000	1,035,000
Government Grants - Housing Capital Grant	1,220,330		1,220,330	300,000		300,000	300,000		300,000	1,820,330
External Funding	7,691,890	338,500	8,030,390	990,000	(50,150)	939,850	700,000	90,000	790,000	9,760,240
Capital Financing Total	10,050,120	317,230	10,367,350	1,596,310	(3,650)	1,592,660	1,681,110	119,300	1,800,410	13,760,420

**Capital Programme 2010/11 to 2012/13 - Proposed
Changes**

Scheme	2 0 1 0 / 1 1			2 0 1 1 / 1 2		2 0 1 2 / 1 3	
	Virement (1) £	Rephasing (2) £	Other Changes (3) £	Rephasing (4) £	Other Changes (5) £	Rephasing (6) £	Other Changes (7) £
<u>Director of Partnerships, Planning & Policy</u>							
<u>Head of Economic Development</u>							
Chorley Market Improvements	47,990	(47,990)		46,500		1,490	57,810
<u>Head of Economic Development Total</u>	47,990	(47,990)	0	46,500	0	1,490	57,810
<u>Head of Housing</u>							
Affordable Housing New Development Projects			12,000	(90,000)	39,850	90,000	
<u>Head of Housing Total</u>	0	0	12,000	(90,000)	39,850	90,000	0
<u>Head of Planning</u>							
Buckshaw Village Railway Station (LCC financed)			225,000				
<u>Head of Planning Total</u>	0	0	225,000	0	0	0	0
<u>Director of Partnerships, Planning & Policy Total</u>	47,990	(47,990)	237,000	(43,500)	39,850	91,490	57,810
<u>Director of People and Places</u>							
<u>Head of Environment</u>							
Alleygates			(36,780)				
<u>Head of Environment Total</u>	0	0	(36,780)	0	0	0	0

Capital Programme 2010/11 to 2012/13 - Proposed Changes

Scheme	2 0 1 0 / 1 1			2 0 1 1 / 1 2		2 0 1 2 / 1 3	
	Virement (1) £	Rephasing (2) £	Other Changes (3) £	Rephasing (4) £	Other Changes (5) £	Rephasing (6) £	Other Changes (7) £
<u>Head of Leisure & Neighbourhoods</u>							
On-line Booking System	(5,130)		(3,000)				
<u>Head of Leisure & Neighbourhoods Total</u>	(5,130)	0	(3,000)	0	0	0	0
<u>Head of Streetscene</u>							
Coppull Leisure Park (S106 funded) Play and Recreation Fund projects			25,000 113,000				
<u>Head of Streetscene Total</u>	0	0	138,000	0	0	0	0
<u>Director of People and Places Total</u>	(5,130)	0	98,220	0	0	0	0
<u>Director of Transformation</u>							
<u>Head of Customer, ICT & Transactional Services</u>							
Thin Client/Citrix (started 2007/08) Unified Intelligent Desktop	5,130	30,000				(30,000)	
<u>Head of Customer, ICT & Transactional Services Total</u>	5,130	30,000	0	0	0	(30,000)	0
<u>Director</u>							
Matched Funding Pot / Invest To Save	(47,990)						
<u>Director Total</u>	(47,990)	0	0	0	0	0	0
<u>Director of Transformation Total</u>	(42,860)	30,000	0	0	0	(30,000)	0
<u>Capital Programme Total</u>	0	(17,990)	335,220	(43,500)	39,850	61,490	57,810

**Capital Programme 2010/11 to 2012/13 - Proposed
Changes**

Scheme	2 0 1 0 / 1 1			2 0 1 1 / 1 2		2 0 1 2 / 1 3	
	Virement (1) £	Rephasing (2) £	Other Changes (3) £	Rephasing (4) £	Other Changes (5) £	Rephasing (6) £	Other Changes (7) £
<u>Financing the Capital Programme</u>							
Prudential Borrowing		30,000	(30,000)			(30,000)	30,000
Unrestricted Capital Receipts			(367,970)				
Preserved RTB Capital Receipts from CCH			(90,000)				
Revenue Budget - VAT Shelter income		(47,990)	484,690	46,500		1,490	27,810
Chorley Council Resources	0	(17,990)	(3,280)	46,500	0	(28,510)	57,810
Ext. Contributions - Developers			113,500	(90,000)	39,850	90,000	
Ext. Contributions - Other			225,000				
External Funding	0	0	338,500	(90,000)	39,850	90,000	0
Capital Financing Total	0	(17,990)	335,220	(43,500)	39,850	61,490	57,810

This page is intentionally left blank



Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Leader)	Council	2 nd November 2010

SUSTAINABLE COMMUNITY STRATEGY REFRESH

PURPOSE OF REPORT

- To present the refreshed Sustainable Community Strategy 2010 – 2020 for endorsement.

RECOMMENDATION

- That full Council endorses the refreshed Sustainable Community Strategy.

EXECUTIVE SUMMARY OF REPORT

- This report outlines the background to the refresh of the Sustainable Community Strategy, the process undertaken and the next steps for delivery.

REASONS FOR RECOMMENDATION

(If the recommendations are accepted)

The Local Government Act requires local authorities to prepare a Sustainable Community Strategy to promote the well-being of the local area. The Strategy provides a focus and vision for the local area, which all members of the Chorley Partnership support through their own corporate plans. The refreshed Sustainable Community Strategy is based on extensive needs analysis and consultation with partners and residents, and will provide a renewed focus for the Council.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- None

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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

BACKGROUND



6. The current Sustainable Community Strategy was developed in 2005 and refreshed in 2007. It provides a clear vision and priorities for the borough, that are reflected in the Council's Corporate Strategy and Business Planning processes. Much has been achieved since then, and there are different internal and external pressures for the Chorley Partnership to respond to. Therefore, it was an appropriate time for the Strategy to be revised and refreshed.
7. The refresh process began in February 2010, and all organisations involved in the Chorley Partnership were involved in the development of a draft strategy. This was supported by an updated 'State of the Borough' exercise, in which the current needs and performance of Chorley was considered.
8. A draft Strategy then went to a full twelve week consultation. Following this all responses were analysed and a final strategy was developed. This was then presented at the Chorley Partnership Board on 7th September 2010, where it was given full support.

CONSULTATION OF THE STRATEGY

9. An in-depth public consultation was carried out on the draft priorities, to assess if the public considered that the priorities were the correct ones for Chorley. This was undertaken through a variety of means and, overall, over 1,000 people were involved;
 - Face to Face – Consultation Events on the Flat Iron Market
 - Postal Survey – Citizens' Panel
 - Online Survey – Open to all residents
10. A partner consultation was conducted at the same time. This included over 50 organisations through;
 - Drop In sessions for elected Members
 - Interactive presentations with thematic groups
 - Workshops
 - Online Survey
11. Analysis of the results from the feedback enabled us to amend the final vision, priorities and outcomes, to ensure that the final Strategy reflects the needs of residents and partners.

THE SUSTAINABLE COMMUNITY STRATEGY 2010 – 2020 – MAJOR CHANGES

12. The Sustainable Community Strategy 2010 – 2020 has changed considerably from the 2007 version. The main changes are as follows;
 - Focus - The strategy places the individual at the centre of all partnership working, and uses the themes of 'You and Your Family', 'You and Your Community' and 'You and Chorley'.
 - Vision and Priorities - Using these themes, the vision and the priorities have been amended and updated based on needs analysis and the partner and public consultation results.
 - Format - In addition, the format has changed substantially from a detailed 28 page document to a plan on a page. A copy of the Strategy is included at Appendix One.

DELIVERY OF THE STRATEGY

- 13. More detailed delivery plans will now be developed to set key targets and measures for the delivery of these priorities. The delivery plans will be developed with key partners to set out what each organisation will do jointly and individually to work towards the achievement of the vision and priorities. It is intended that the delivery plans will be developed between October and December, for implementation at the beginning of the new financial year.

IMPLICATIONS OF REPORT

- 14. 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	✓

LESLEY-ANN FENTON
 DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Sarah James	5348	15 th October 2010	Sustainable Community Strategy Refresh

This page is intentionally left blank

Sustainable Community Strategy 2010 - 2020

Vision

Chorley will smile as the most attractive and supportive place in the North West to live, work, invest, play and visit. People will be healthy and happy in safe communities where they can achieve their ambitions

Theme	You and Your Family			You and Your Community			You and Chorley		
	Priority	Priority	Priority	Priority	Priority	Priority	Priority	Priority	Priority
Long term outcome	<ul style="list-style-type: none"> • Ensure early intervention and prevention of health and wellbeing problems • Use a whole family approach to address problems and provide support • Support the ageing population to be healthy and independent 	<ul style="list-style-type: none"> • Improve skills across the family • Improve links from good quality education to employment • Promotion and uptake of local job prospects 	<ul style="list-style-type: none"> • Improve the quality of local health services • Reduced Health Inequalities • Families enabled to make healthy lifestyle choices 	<ul style="list-style-type: none"> • Provision of quality affordable housing • Clean streets • Communities that residents actively take care of and improve 	<ul style="list-style-type: none"> • Safe communities • Cohesive communities where people get on well together • Reduce death and injuries from fire 	<ul style="list-style-type: none"> • High quality coordinated public services • Clean, safe and well used open spaces • Empowered local people managing community assets 	<ul style="list-style-type: none"> • Promote knowledge based inward investment • Support a strong, indigenous business base • Ensure families and communities their reach full economic potential 	<ul style="list-style-type: none"> • A Contemporary market town with good quality shops • Places to visit, play, enjoy as a tourist destination • Thriving local villages 	<ul style="list-style-type: none"> • Reduce energy consumption • Ensure sustainable modes of transport
Reducing Public Expenditure by Working Together									

Agenda Page 27
Agenda Item 8

This page is intentionally left blank

Report of	Meeting	Date
Director of Partnerships, Planning & Policy Introduced by the Executive Member for Planning & Partnerships	Council	November 2010

CENTRAL LANCASHIRE CORE STRATEGY – AMENDMENTS TO MAKE FOR PUBLICATION STAGE

PURPOSE OF REPORT

1. To inform Members and seek approval of the amendments proposed to the Core Strategy for its publication stage following announcements by central government on the revocation of the Regional Spatial Strategies (RSS), changes to Planning Policy Statement 3 (PPS3) on Housing and other matters.

RECOMMENDATION(S)

2. Members are recommended to:
 - (a) Approve amendments to the version of the Core Strategy previously approved by Members in March/April 2010 so that it can be formally published to allow for representations to be made.
 - (b) Delegate approval of any further minor clarifications and/or corrections to the document prior to formal publication or submission be delegated to the Director of Partnerships, Planning and Policy, in consultation with the Executive Leader and the Executive Member (Business).
 - (c) Allow the Core Strategy to be submitted to the Secretary of State for examination, subject to there being no significant/fundamental issues raised as a result of representations received at publication,
2. Where issues arise following publication which require significant change(s), then the Core Strategy will be taken to a future meeting of the Council to approve the changes in advance of it being submitted to the Secretary of State.

EXECUTIVE SUMMARY OF REPORT

3. The decision of central government to revoke Regional Spatial Strategies and allow councils more discretion to decide local planning requirements has implications for our LDF preparations, particularly the Core Strategy. This report explains the current situation in the light of recent announcements, and recommends a way forward to help progress the Core Strategy and respond to the current economic circumstances and uncertainties in the housing market after considering the following alternative options:
 - a) Option 1: Stop work on the Core Strategy and start again later
 - b) Option 2: Progress with approved Core Strategy using the former RSS figures
 - c) Option 3 :Progress with approved Core Strategy based on lower housing requirements than the RSS

4. The housing requirements in the former RSS were informed by a detailed preparation process. The Central Lancashire authorities influenced and agreed with the final figures for our respective Districts. Our approach and that of 4NW was driven by the desire to facilitate growth and prosperity in the area. That remains our long term aspiration however in the short term given the current economic difficulties, which were not envisaged when the RSS was prepared, a lower level of housing requirement is considered prudent (Option 3). This approach is envisaged as a short term precautionary measure, pending the adoption of Site Allocations, and so help control residential development that may prejudice decisions on where new housing should be located.
5. Such an approach is not without risks. There are also many current uncertainties concerning economic recovery, future funding streams and the precise outcomes of the government's planning reforms. However housing development activity has reduced across Central Lancashire overall, particularly so in Preston and especially in the last year. A reduction in housing provision of 20% per annum would still be within the tolerance considered acceptable by national planning policy as set out in Planning Policy Statement 3 (PPS3). However because of the changed situation and uncertainties it is appropriate to commission research into the robustness of the former RSS housing requirement figures for our area given the current economic circumstances. The intention is that this new evidence would be available to inform the final content of the Core Strategy on its passage through to adoption.
6. The government has changed other parts of PPS3 by reclassifying housing development in residential gardens 'garden grabbing' as greenfield development and removing the national minimum density for new housing. These changes need to be reflected in the Core Strategy, minor policy and other text alterations are appropriate. The former RSS covered other topic areas relevant to the Core Strategy. However the RSS evidence informing these other provisions remains sound and up to date so no alternative approach is considered necessary in these respects for the Core Strategy. Neither are there considered to be gaps in the Core Strategy as a result of revocation. The Core Strategy text only needs to be changed slightly to reflect the deleted status of the RSS. This is also an opportunity to make other small amendments to the Core Strategy to reflect other national government, legislative and evidence updates.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To agree an appropriate way forward for advancing the Core Strategy.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. These are referred to in paragraph 24.

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	

BACKGROUND

10. Members will recall that the Core Strategy was presented to a joint meeting of the Cabinets on 31 March 2010 and was subsequently approved for publication at Chorley's Council meeting on 13 April. Later, in June, it was decided that the progress of the Core Strategy be held in abeyance for a short time pending consideration of the new coalition government's changes to planning powers and the issuing of any further guidance for local planning authorities.
11. The coalition government has made two related announcements which have an impact on the LDF preparation. On 9 June the government amended Planning Policy Statement 3: Housing (PPS3) on the subjects of 'garden grabbing' and housing density. On 6 July the Secretary of State for Communities and Local Government revoked Regional Spatial Strategies (RSS), a key element of the development plan and hitherto an important driver of the form and content of the Central Lancashire Core Strategy. At the same time the Chief Planner at CLG issued some new guidance.
12. This report was presented and agreed at Chorley's LDF Members Working Group (13th September), a Joint Advisory Committee (21st September) and Chorley Exec Cabinet (14th October). It focuses on the impact that the RSS revocation will have on housing requirements in Central Lancashire. Accurate and agreed housing land requirements are crucially important to the legitimacy of the Core Strategy. They give direction to the Councils, residents and potential developers on the amount, timing and location of housing development in Central Lancashire. The report will also briefly examine connections with areas of policy related to housing requirements, to show the importance of using housing evidence carefully in response to broader economic circumstances.

PLANNING FOR LOCALISM

13. The government has stated its intention to "*make it easier for local councils to agree and amend local plans with their local community, in a way that maximises the involvement of neighbourhoods.*" This is an empowering and a considerable responsibility, but it does not mean that the work undertaken to date on the Core Strategy is cast aside. Although the RSS is revoked, the engagement and much of the evidence base that underpinned it is still valid and available to inform the Core Strategy.

THE VISION FOR CENTRAL LANCASHIRE IN 2026

14. The short term economic situation and the immediate challenge of the revocation of RSS should be balanced against the longer term vision for Central Lancashire as set out in the Core Strategy and the Central Lancashire Economic Strategy (2010).
15. Our vision is optimistic and challenging. It looks beyond the current difficulties of financial restraint and is consistent with the authorities' successful bid for Growth Point Funding to help sustain investment and development. The Core Strategy has been written in its entirety to respond to the vision for all aspects of spatial planning and economic development. Our immediate challenge with the Core Strategy is that we do not lose this sustainable vision, but at the same time understand the current circumstances and appropriately modify our short-term approach.

GUIDANCE FOLLOWING REVOCATION OF RSS

16. Guidance provided by the government's Chief Planner clearly states that despite the revocation of RSSs, local planning authorities should continue to develop LDF Core Strategies and other related documents, reflecting local people's aspirations and decisions on important issues such as climate change, housing and economic development. The extent to which authorities might revisit their Core Strategy will depend on the stage reached in the planning process, the extent of work already undertaken and the scope of

policy changes envisaged: any changes will need to meet the requirements of soundness including the use of robust and transparent evidence.

17. Local planning authorities will in future be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land in the absence of regional housing targets. Some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies. Others may decide to review their housing targets. The government expects that those authorities will quickly signal their intention to undertake an early review so that communities and land owners know where they stand.

HOUSING REQUIREMENTS

18. The housing requirement figures contained in the Core Strategy were derived through a series of exchanges between the Central Lancashire authorities and 4NW (previously the North West Regional Assembly), informed by research including government household projections, economic growth forecasts and engagement with key stakeholders such as housing developers. The key stages in arriving at the final RSS figures are summarised in Appendix 1. The important point here is that the RSS was prepared prior to the recession and the housing requirement figures were based on growth assumptions that currently look highly optimistic.

CAPACITY AND DELIVERY

19. Housing land availability is carefully monitored by the Central Lancashire authorities. Each Council produces annual housing monitoring updates, and periodically the three councils prepare a Strategic Housing Land Availability Assessment (SHLAA). It provides an evidence base on the potential housing land supply and it includes the views of developers concerning the deliverability of the agreed sites. The SHLAA data available at the time the Core Strategy was previously approved for publication (March) was 2009 based. The 2010 based information is now known and reveals severe delivery problems in Preston and significant low performance in South Ribble. This removes the justification for the short term 5% housing delivery performance uplift above SHLAA levels proposed in the March version of the Core Strategy.
20. Although overall the evidence from the 2010 assessment is that there is a five year supply (using RSS levels) of deliverable housing land in Central Lancashire as a whole: within the area the supply is lower than five years in Preston and higher than five years in Chorley and South Ribble. More recent information, including the results of appeal decisions, confirms this view, although developers are signalling their intention to develop (on average) fewer houses per annum on each site. This affects adversely the deliverability of housing and in many cases is a reflection of the current economic circumstances. Appendix 2 sets out house building trends since 2003.

CHANGED CIRCUMSTANCES

21. The March Core Strategy adopted a cautiously optimistic approach for future housing development prospects, taking account of the following assumptions:
 - The Homes and Communities Agency (HCA) will use both its general financial resources and local land ownership assets to bring forward unimplemented sites.
 - Loan finance for both developers and mortgages will become more readily available.
 - Rapid progress will be made on identifying future land for housing development in suitable locations (including fully recognising the potential of appropriate re-use of former employment land) in forthcoming Site Allocations documents to accompany the Core Strategy and so reduce uncertainty, release more land and engender developer confidence.

22. Although only a short time has elapsed circumstances have changed:
- HCA funding is being cut back and how their land will be released is being reviewed
 - Loan finance availability remains low
 - Growth Point funding is having to be re-justified
 - Overall public sector funding is being cut severely
 - Inflation has risen
23. In addition there are a number of significant uncertainties concerning:
- Further Growth Point funding
 - Extent of further cuts in public sector funding
 - Financial incentives for house building and government planning policy generally such as developer contributions
 - Infrastructure funding
 - Possibility of a 'double dip' recession
24. These changed circumstances and significant uncertainties justify a precautionary approach to setting housing requirement levels at least in the short term pending progress on Site Allocations and whilst further research is done on the appropriateness of applying the RSS housing figures. Setting the requirement figures too high could undermine the sustainable locational approach of the Core Strategy by attracting planning applications on peripheral greenfield sites, particularly in the more viable locations in Chorley and South Ribble that would further undermine the ability to secure development on inner brownfield sites especially in Preston. This is especially likely in the next 2 years pending the adoption of Site Allocations.

ALTERNATIVE OPTIONS

25. There are three options for the Core Strategy in terms of housing requirement figures:
- a) **Option 1: Stop work on the Core Strategy and start again later**
 - i Negatives – delays all plan making leading to uncertainty for developers and the community, housing requirements not met sooner, slower recovery from recession, could miss out on public and private investment, evidence base will become out of date, huge financial costs of updating evidence and resisting appeals for unwelcome applications for development in unsustainable locations
 - ii Positive – would allow time for new housing figures to be worked up
 - b) **Option 2: Progress with approved Core Strategy using former RSS figures**
 - i Negatives – suspicion that RSS figures are out of date and unnecessarily high, may result in more peripheral greenfield sites being identified for housing than necessary and diverting investment from inner brownfield sites
 - ii Positive – RSS is most up-to-date examined evidence available
 - c) **Option 3: Progress with approved Core Strategy based on lower housing requirement figures than the RSS**
 - i Negatives – departs from the latest tested evidence base, housing requirements may not be fully met, likely to result in major objections from developers
 - ii Positives – reflects current economic situation and uncertainty, allows the Core Strategy and Site Allocations to proceed, gives time before examination to commission research into the robustness of the RSS figures which should assist in revealing how real these negatives are and providing evidence to deal with the situations that may arise

RECOMMENDED APPROACH FOR HOUSING PROVISION IN CENTRAL LANCASHIRE

26. Option 3 is the recommended alternative with the proviso that pending the outcome of the research referred to above a short term 20% reduction in the former RSS housing requirement figures is considered appropriate given what we know at the moment about the local economic situation and recent experience of housing delivery. This Option was supported by the Joint Advisory Committee at its meeting on 21 September. On the assumption that the RSS correctly identified the level of housing required, such a reduction is also sufficiently close to the former RSS figures to largely meet that level of housing required; Appendix 3 refers to this in detail. There is a relationship between housing requirements and economic circumstances, the proposed research can investigate the current position on this. Appendix 4 includes the proposed revised Core Strategy text on housing delivery.

OTHER TOPIC AREAS OF THE FORMER RSS

27. The former RSS covered other topic areas relevant to the Core Strategy. However the RSS evidence informing these other provisions remains sound and up to date so no alternative approach is considered necessary in these respects for the Core Strategy (except as referred to in the next paragraph). Neither are there considered to be gaps in the Core Strategy as a result of revocation. The Core Strategy text only needs to be changed slightly to reflect the deleted status of the RSS.
28. Two additional RSS matters in North West were being reviewed at the time of revocation. This Partial Review was looking at car parking standards, and accommodation requirements for Gypsies, Travellers and Travelling Showpeople. An Examination in Public was held and the Panel's Report on this has been published recently. However this document has little weight and in any event these detailed matters can be considered separately from the Core Strategy. However the Core Strategy does need to be amended to indicate that local parking standards will be produced and reflect government policy changes on Traveller accommodation. These changes are referred in Appendix 5.

'GARDEN GRABBING', HOUSING DENSITIES AND BROWNFIELD DEVELOPMENT

29. Garden grabbing is housing development on residential gardens, so called because it has led on occasion to some high density, inappropriate development. It is a significant issue for parts of Central Lancashire. The coalition government has attempted to reduce the problems caused by this form of development by re-classifying residential gardens from brownfield, with its greater presumption in favour of development, to greenfield land. This change has been set out in an amendment to Planning Policy Statement 3 (PPS3), and whilst it does not mean that no development can take place on gardens, it does make it easier for authorities to refuse applications on such sites. PPS3 states that applications will be determined on a site by site basis taking into account development management policies such as amenity, local character and local housing density. Beyond this, it is open to authorities to adopt their own policies on garden development, and these are currently under consideration.
30. The same document (PPS3) has also been amended to remove the indicative minimum density requirement of 30 dwellings per hectare. There is now no minimum density requirement and applications will be decided on a site by site basis. The density policy (5) and supporting text in the Core Strategy need to be changed to reflect these amendments – see Appendix 4. However, the remainder of PPS3 is unchanged, including the requirement for local authorities to maintain a five year supply of housing land. This requirement is closely linked to the overall housing requirements and the validity of the RSS housing calculations.

31. Evidence collected for the Strategic Housing Land Availability Assessment (SHLAA) indicates that over 70% of all sites available for housing in Central Lancashire is on brownfield land: this assessment takes into account of the re-designation of garden sites with planning consent. As the evidence supports the 70% figure contained in Policy 4 in the Core Strategy, the policy does not require amendment in this respect and is not affected by the revocation of RSS.

OTHER MATTERS

- 32 Should Members agree with the recommendations of this report, then the following 'revised' timetable for the Core Strategy will be put in place.

Stage	Core Strategy
Publication	Nov 10 – Jan 11
Submission	Mar 11
Pre – Examination Meeting	May 11
Examination Hearing	June 11
Receipt of Inspector's Report	Sept 11
Adoption	Nov 11

32. The Core Strategy has also been updated to reflect the latest aspects of Mid Lancashire joint working, the focus of proposed development in the Cottam area, changes in school improvements funding streams and new legislation for dealing with flooding and adoption of sustainable drainage systems. These changes are all referred to in Appendix 5

IMPLICATIONS OF REPORT

33. 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	✓

LESLEY-ANN FENTON

Director of Partnerships, Planning and Policy

There are no background papers to this report.

Report Author	Tel	Email	Doc ID
David Porter Julian Jackson	01257 515283 01772 536774	david.porter@chroley.gov.uk julian.jackson@lancashire.gov.uk	JAC Report – Core Strategy Sept 10

Appendix1: Evolution of the RSS housing requirement figures for Central Lancashire

The Table below shows how the figures evolved.

Authority	1. NWRA 1st proposals 2005	2. CLCSRS Study 2005	3. Interim Draft RSS 2005	4. Response to ID RSS 2005	5. Draft RSS 2006	6. Adopted RSS 2008
Preston	N/A	470-620	400	620	507	507
S. Ribble	N/A	360-480	360	480	478	417
Chorley	N/A	340-450	340	450	361	417
Total	1061	1170-1550	1100	1550	1346	1341

All the figures in the table are forecasts of annual house completions for the period 2003 - 2021. The figures in the un-shaded columns were produced by 4NW, informed by the Experian forecasting model. The shaded columns represent submissions made by the Central Lancashire authorities. The first of these (column 2) was the *Central Lancashire City Sub Regional Strategy* work undertaken by Grimleys in 2005. It set out two main forecasts for housing needs and was based on the Cambridge forecasting model. The Interim Draft RSS forecasts (column 3) were not supported by the Central Lancashire authorities, who considered them too low, and not taking into account the area's growth potential in 2005. In response the Central Lancashire authorities proposed higher figures (column 4), based on the calculations of the CLCSRS report. 4NW accommodated some of this uplift in their Draft RSS submissions to government in January 2006 (column 5).

In June 2006, the Central Lancashire authorities produced a joint response to the Draft RSS. In this, they supported the Draft RSS figures and agreed to adopt a cross-district, managed and monitored, phased approach to meeting the three figures. The report also said that housing provision should be phased across housing market areas, and anticipated that an over-supply of land in the early years would be 'corrected' by the managed release of future sites. By the above resolution, the figure of 1346 (as sub-divided in column 5 above) became the so called 'Option 1' submission of the Central Lancashire authorities, as considered and published in the Examination in Public (EiP) Panel Report in March 2007. The final column shows the figure adopted by RSS in September 2008 of 1341 dwellings per annum, cited in the publication Core Strategy.

Appendix 2: Housing performance for Preston, South Ribble and Chorley (2003-2010)

Trends across Central Lancashire as a whole show that 8685 dwellings were built in the seven years from 2003 to 2010, as set out in the table below.

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	Total
Preston	308	544	627	565	609	468	5	3126
Chorley	585	479	489	121	288	355	440	2757
S. Ribble	538	657	520	284	320	312	171	2802
Total	1431	1680	1636	970	1217	1135	616	8685

Housing development in Central Lancashire was above the overall annual requirement of RSS between 2003 and 2006 but below in the years since 2006. Since 2009 the cumulative average for the seven years 2003-2010 has dropped below the annual RSS requirement (1241 average dwellings pa built, compared with 1341 dwellings pa as set out by RSS: a reduction of 7.5%). Within these overall figures are certain notable variations: for instance the latest low level of completions in Preston is net of 85 demolitions, and the Preston figure also reflects the recent collapse of the market for apartments in and around the city centre. In contrast, the level of completions in Chorley remains buoyant, largely because of the delivery of new house building at Buckshaw village. Finally, the level of building on previously developed (brownfield) land is above the RSS figure of 70% for all three authorities.

1a. Preston: year by year

	03/04	04/05	05/06	06/07	07/08	08/09	09/10	Total
RSS figures	507	507	507	507	507	507	507	3549
Completions	308	544	627	565	609	468	5	3126
% difference	-39%	+7%	+24%	+11%	+20%	-8%	-99%	-12%

2a. South Ribble: year by year

	03/04	04/05	05/06	06/07	07/08	08/09	09/10	Total
RSS figures	417	417	417	417	417	417	417	2919
Completions	538	657	520	284	320	312	171	2802
% difference	+29%	+58%	+25%	-32%	-23%	-25%	-59%	-4%

3a. Chorley: year by year

	03/04	04/05	05/06	06/07	07/08	08/09	09/10	Total
RSS figures	417	417	417	417	417	417	417	2919
Completions	585	479	489	121	288	355	440	2757
% difference	+40%	+15%	+17%	-71%	-31%	-15%	+5%	-6%

1b. Preston: cumulative

	03/04	04/05	05/06	06/07	07/08	08/09	09/10	
Cumulative RSS figures	507	1014	1521	2028	2535	3042	3549	
Cumulative completions	308	852	1479	2044	2653	3121	3126	
% difference	-39%	-16%	-3%	+1%	+5%	+3%	-12%	

2b. South Ribble: cumulative

	03/04	04/05	05/06	06/07	07/08	08/09	09/10
Cumulative RSS figures	417	834	1251	1668	2085	2502	2919
Cumulative completions	538	1195	1715	1999	2319	2631	2802
% difference	+29%	+43%	+37%	+20%	+11%	+5%	-4%

3b. Chorley: cumulative

	03/04	04/05	05/06	06/07	07/08	08/09	09/10
Cumulative RSS figures	417	834	1251	1668	2085	2502	2919
Cumulative completions	585	1064	1553	1674	1962	2317	2757
% difference	+40%	+36%	+24%	0%	-6%	-7%	-6%

Appendix 3: Rationale for and implications of a 20% reduction in housing requirement figures

PPS3 provides relevant guidance to local authorities in this situation:

“Local Planning Authorities should set out the circumstances in which action will be needed to ensure performance is achieved in line with the housing and previously developed land trajectories. Local Planning Authorities should indicate what ranges of housing delivery and previously developed land performance are acceptable and what action may be taken in what circumstances, so that there are clear and transparent points that will trigger management action.

“Where actual performance, compared with the trajectories, is within the acceptable ranges (for example within 10-20 per cent), and future performance is still expected to achieve the rates set out in the trajectories, there may be no need for specific management actions at that time. In such circumstances, Local Planning Authorities will wish to continue to monitor and review performance closely and consider the need to update the five year supply of deliverable sites where appropriate.

“If at any time, actual performance is outside the acceptable ranges or is at risk of not being met in future.....Local Planning Authorities will need to establish the reason for these performance issues and take appropriate management action. In circumstances where market conditions have changed, it may also be necessary to re-assess need and demand.....”

The current cumulative housing performance level for the Central Lancashire authorities is as follows (and more detail for the trends in each district is shown in Appendix 2):

Authority	Completions 2003-2010	RSS trajectory 2003-2010	Difference	Percentage difference
Preston	3126	3549	- 423	- 12%
Chorley	2757	2919	- 162	- 6%
South Ribble	2802	2919	- 117	- 4%
Total	8685	9387	- 702	- 7%

The current cumulative performance is within the maximum tolerance level of 20% as set in PPS3, but is a concern and the Central Lancashire authorities will continue regular monitoring and analysis of data to understand trends and predict future outcomes. However if over the next two years the rate of delivery is within 80% of the RSS level the overall performance since 2003 will not fall outside the 20% tolerance for any of the Districts – see Appendix 2 for details. There is therefore no need to actively boost housing land supply by permitting significant housing proposals, in advance of new Site Allocations being adopted, as this would risk undermining the efficient and effective use of land. However by the same token an 80% [-20%] target would not necessarily be a tool that could successfully resist such schemes say on appeal.

Appendix 4 - Extract Of Core Strategy - Proposed Housing Delivery and Density Text

Housing Delivery

- 8.1 The former Regional Spatial Strategy (RSS) set out housing requirements for each authority, informed partly by future household projections as well as optimistic future economic growth assumptions. Being derived from preparatory work done before the recession, the RSS housing requirement figures did not take account of the economic downturn that started at the end of 2007 and the severe effect it had on the delivery of new housing. The revocation of the RSS and the Coalition Government's associated 'localism' agenda has given local authorities the scope to produce locally derived housing requirement figures.
- 8.2 The Central Lancashire authorities are committed to fostering economic growth and the related economic prosperity. Housing delivery is a component of economic growth however it is important that the supply of housing land does not excessively exceed demand. Such an imbalance could lead house builders to pursue only the easiest to develop sites. This would risk undermining the spatial focus of the Core Strategy of directing development to the more sustainable urban locations. It is also imperative that housing development is well served by timely delivered infrastructure so that services are not overloaded. The authorities' pursuit of the Central Lancashire and Blackpool Growth Point was influenced by a desire to secure funding for infrastructure.
- 8.3 The Growth Point aimed to uplift the rate of house building to a level of over 30% above RSS levels for the period to 2017. However, the recession and reduced Growth Point funding has made such an uplift unlikely. In any event there was no intention to exceed the RSS total requirement to 2021 or beyond.
- 8.4 The number of new households forming is partly influenced by economic circumstances which in turn also affect the financial ability of households to live in separate dwellings. The latest household projections (by the Office of National Statistics: 2006) predict that there will be 30,000 more households in Central Lancashire in the 20 years up to 2026 - the end of the Core Strategy plan period. The ONS projections are higher than those used to determine the RSS housing requirements. However they are not formal policy figures and may prove to be too high because (amongst other things) household formation is both deferred and concealed during times of recession. A survey of local households undertaken for the Strategic Housing Market Assessment suggests that about 7.5% of them are made up of 3 or more person 25 years of age or older. This would equate to over 10,000 households across Central Lancashire.
- 8.5 Building trends across Central Lancashire as a whole show that RSS targets have not been met in the past four years (see table below). There are a number of contributory reasons including: the economic recession, lack of availability of finance for developers and prospective home owners, and an undermining of investment confidence. House building rates in the most recent year (2009/10) are a particular concern. They appear to show the housing market performing differently across Central Lancashire with high dwelling completions in Chorley, much lower levels of construction in South Ribble and very few new homes built in Preston.

Table 4: Housing completions in Central Lancashire 2003/04 to 2009/10 (after demolitions)

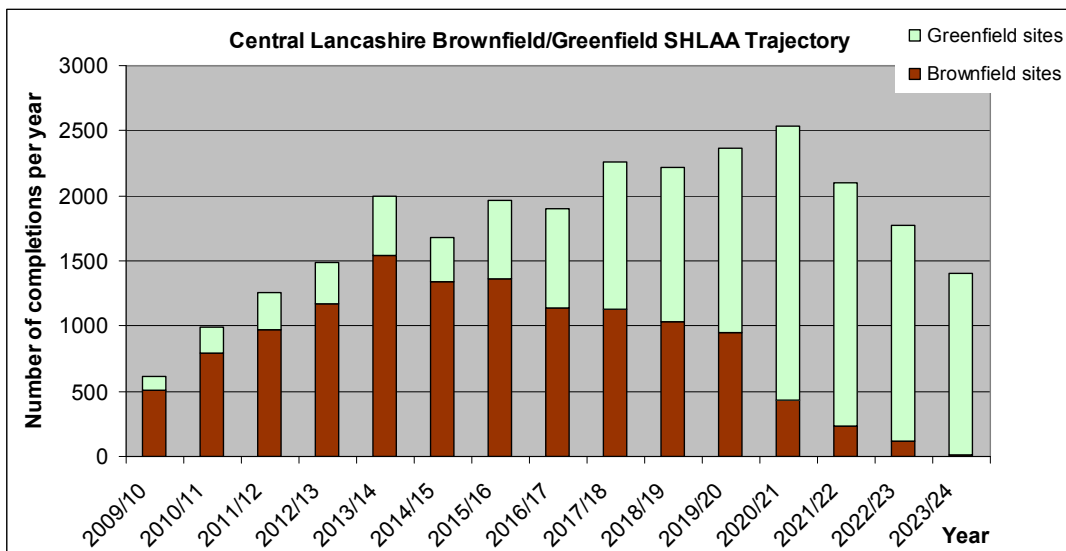
	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	Total
Preston	308	544	627	565	609	468	5	3126
Chorley	585	479	489	121	288	355	440	2757
S Ribble	538	657	520	284	320	312	171	2802
Total	1431	1680	1636	970	1217	1135	616	8685

Source:

Housing Land Availability

8.6 A Strategic Housing Land Availability Assessment (SHLAA) for Central Lancashire has been carried out and kept under review. This requires the local authorities to reach agreement with representatives of the local house building industry on what amount of land is likely to be developed over the next 15 years based on sites with development potential. Developers were pessimistic about future housing delivery prospects during 2008/09 and remained so in 2009/10, expecting the recovery from recession to be slow with restrictions on the availability of loan finance to remain for several years. The forward looking SHLAA trajectory of envisaged house building levels from potential development sites is reproduced below; it shows an increasing reliance on greenfield sites over the 15 year period.

Figure 10 Housing Trajectory



8.7 This short-term pessimism is compounded by a number of factors which came to the fore in the summer of 2010:

- The Homes and Communities Agency's funding was being cut back and how their local land assets are to be released was being reviewed.

- Loan finance remained low for both developers and prospective house owners.
- Growth Point funding had to be re-justified.
- Overall public sector funding was being reduced severely
- Inflation had risen

8.8 In addition there are a number of significant short and medium term uncertainties concerning:

- Further Growth Point funding
- Extent of further cuts in public sector funding
- Financial incentives for house building and government planning policy generally such as in respect of developer contributions
- Infrastructure funding
- Possibility of a 'double dip' recession

8.9 It is appropriate for local planning authorities to be flexible in providing for the delivery of new housing especially given the vagaries of the economy and the housing market. National policy allows a 'tolerance' for construction rates to be within plus or minus 20% of the provision requirement figure. However given the current economic circumstances and considerable uncertainties it is prudent to apply requirement figures that are 20% below those in the former RSS as an interim measure. This reduction would align closely with the Interim Draft RSS figures produced in 2005, which were not favoured at the time because of the strength of the local economy.

8.10 A 20% reduction in the housing requirement is a measure which will apply for two years (2010-2012) pending the adoption of Site Allocations and Policies Development Plan Documents by the three authorities. This will also allow time for a full review of housing requirements in Central Lancashire to be carried out. The interim 20% reduction is apply as a capping measure not to be exceeded. It is a precautionary approach to help avoid undermining the sustainable locational basis of the Core Strategy's Policy 1. It will also restrict the granting of planning permissions on less appropriate greenfield sites which may otherwise be permitted, in an attempt to meet inflated five year land requirements. The table below reproduces the former RSS housing land requirements for the three Central Lancashire Districts and shows what 80% of those figures amount to.

Table 3

Authority	RSS Annual Requirement (dwellings)	80% RSS Annual Requirement 2010-2012 (dwellings)
Preston	507	406
Chorley	417	334
South Ribble	417	334
Central Lancashire (total)	1,341	1,074

Source:

8.14 Beyond 2012 the intention is to apply long term housing land provision figures arising out of the full review of housing requirements.

8.15 The former RSS set a target of at least 70% of new housing being provided on previously developed (brownfield) land. National planning policy has now

reclassified residential gardens as greenfield land. However even after taking account of this change in respect of housing development of such land both in terms of past performance and likely future trends, the 70% target is still achievable. In the event that an upturn in the house building market takes longer than expected, authorities will need to be flexible in their approach to meet the housing delivery requirements but there will be no compromise on overall design standards. Regular monitoring will be undertaken and analysis of data to understand trends and predict future outcomes.

- 8.16 The likely distribution of housing development is set out in table x in Chapter 5.

Policy 4: Housing Delivery

Provide for and manage the delivery of new housing by:

- (a) **Setting and applying short-term maximum requirements at 80% of the former RSS figures for the period 2010-2012 (or until such time as new local housing requirements are produced) as follows:**
- **Preston 406 dwellings pa**
 - **South Ribble 334 dwellings pa**
 - **Chorley 334 dwellings pa**
- (b) **In the longer term keep under review housing delivery performance on the basis of rolling 3 year construction levels. If, over the latest 3 year review period, any targets relating to housing completions or the use of brownfield are missed by +/-20%, the phasing of uncommitted sites will be adjusted as appropriate to achieve a better match; provided this would not adversely impact on existing housing or markets within or outside the Plan area.**
- (c) **Ensuring there is enough deliverable land suitable for house building capable of providing a continuous forward looking 5 year supply in each district from the start of each annual monitoring period and in locations that are in line with the Policy 1, the brownfield target (of at least 70% of all new housing) and suitable for developments that will provide the house types necessary to meet the requirements of the Plan area.**
- (d) **Ensuring that sufficient housing land is identified for the medium term by identifying in Site Allocations Documents a further supply of specific, developable sites for housing and in the longer term by identifying specific developable sites or broad locations for future growth.**

Housing Density

- 8.17 Another aspect of housing quality is the density at which housing is built. Central Lancashire covers a variety of places with different characteristics, including a mix of inner urban typically built at 80-90 dwellings per hectare (dph), suburban and rural 25-35 dph and therefore different densities will be appropriate across different areas.
- 8.18 Density is an important consideration in any proposed housing scheme, however the key objective is to achieve high quality design that responds to the character of the area in terms of existing density, siting, layout, massing, scale, design and landscaping etc. The appearance of a scheme is as much to do with the scale and volume of the buildings as it is with the actual numbers of dwellings on a site.
- 8.19 The importance of high quality design for all types of new buildings is emphasised in Chapter 10 of this Core Strategy.
- 8.20 High density does not imply poor design quality, overcrowding and reduced space standards nor does it necessarily mean forcing high quantities of buildings in small spaces. Conversely, applying high density standards can lead to 'standardised developments' with little or no local character and identity.

Equally, low density does not imply good design quality or respect of local character if the scale of development or size of buildings is out of context.

- 8.21 National policy no longer sets out an indicative minimum density of 30 dph but making efficient use of land is a consideration especially in the most sustainable locations, such as urban centres like Preston City Centre, where higher densities will be appropriate. Conversely, there may be other situations such as in rural settings where the site's context and the character of the surrounding area would justify a development with a lower density. Site specific guidance on density will be provided through the Site Allocations DPD.

Policy 5: Housing Density

The authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land.

Appendix 5

SUMMARY OF MAIN CHANGES TO CORE STRATEGY

Para/ Policy	Content Revised	Reason
2.4 & 4 etc	RSS references - explanation that RSS has been revoked and now referred to as the 'former RSS' where mention of it is necessary, all other unnecessary references to regional planning/policies have been removed	Revocation of RSS
2.8 & 14	RS2010 - deleted mention of this previously intended replacement Regional Strategy and the associated Single Integrated Lancashire Strategy as these post-RSS documents are of little weight/not being pursued	Revocation of RSS and abolition of regional planning
2.16	Mid-Lancashire working – replaced mention of MAA with more general statement of scope of collaborative working	Government changes
1.19 & 20, 5.37 & 39 Policy 1	North West Preston Strategic Location – renamed Cottam Strategic Location	Reflect focus of housing proposals in this area
Figure 8	The influence of the Sustainable Community Strategies on the Core Strategy – reflect new Chorley Strategy	Revised Chorley Sustainable Community Strategy
7.16 Policy 3	Car parking standards – states intention to set these locally	Revocation of RSS
5.8 -18 8.4 – 16 Policy 4	Housing requirement figures – explanation of level of locally set figures and reasoning – see Appendix 4 for full text	Revocation of RSS and opportunity to reflect local circumstances
8.17 – 21 Policy 5	Housing density – deleted minimum density	Change to national policy and opportunity to reflect local circumstances
8.44 & 45	Gypsies and Travellers – deleted references to national and regional approaches, added a reference to a need for pitches in Preston arising from existing traveller community	Revocation of RSS and Government Circulars
9.45 & 46	School improvements – deleted references to specific national funding schemes	Government changes
12.18	Sustainable Drainage Systems – explanation that a new Act will put onus on Lancashire County Council to adopt SuDS	New legislation

This page is intentionally left blank

Report of	Meeting	Date
Director People and Places introduced by Executive Member for Places	Council	2 November 2010

POLICE AND CRIME ACT 2009 – ADOPTION OF POWERS

PURPOSE OF REPORT

1. To consider the adoption of the provisions for sexual entertainment venues introduced into the Local Government (Miscellaneous Provisions) Act 1982 by the Police and Crime Act 2009.

RECOMMENDATION(S)

2. That Council adopt the provisions for Sexual Entertainment Venues that were approved by the Licensing and Public Safety Committee, under section 2 of the Local Government (Miscellaneous Provisions) Act 1982, of the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 Police and Crime Act 2009 and endorsed by Executive Cabinet.
3. That Council approve the 'first appointed day' or the day on which adoption becomes effective as 1 January 2011
4. That Council approve the decision of the Licensing and Public Safety Committee to adopt the policy framework and fee structure within which applications for Sexual Entertainment Venue licenses are considered. (Appendix 1 and 2)

EXECUTIVE SUMMARY OF REPORT

5. New legislative provisions exist under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to licence premises that provide entertainment defined as sexual entertainment. This includes entertainment such as that provided by lap dancing and pole dancing where the intention is to provide sexual stimulation for an audience and where the organiser or entertainer gains financially from such entertainment.
6. These new provisions are introduced by section 27 of the Police and Crime Act 2009 and require local authorities who wish to adopt the provisions to pass a resolution to that effect.
7. Members should note that the Council has previously adopted provisions of Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 that relate to sex shops and sex cinemas. A new resolution does not have any effect on existing adoption of powers under Schedule 3.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

8. To enable the Council to determine applications for sexual entertainment venues using the wider consideration criteria that the adoptive powers of the amended Schedule 3 allow.
9. To ensure that the adoptive powers are introduced in accordance with the legislative requirements and Home Office guidance.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. To delay consideration of adoption of these powers until after 6 April 2011 when consideration of adoption, together with public consultation is compulsory. This alternative was rejected on the grounds that a decision on adoption of the powers should not be delayed.

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	x
Involving people in their communities	x	Ensure Chorley Borough Council is a performing organization	

BACKGROUND

12. In April 2010 a change in the law was introduced by the Policing and Crime Act 2009 to give local communities a stronger say over the establishment and location of lap dancing clubs and similar establishments in their area. In addition the change in legislation gives Local Authorities greater power to determine applications for lap dancing clubs and similar types of entertainment or impose conditions on such licensed premises.
13. The Local Government (Miscellaneous Provisions) Act 1982 is amended by an insertion into Schedule 3 which defines a sexual entertainment venue (SEV) and makes such premises licensable as a separate entity to other licensable activities. The effect of this is that certain premises may well have several licences dependant on the licensable activities they wish to offer. Hence a business with a Premises Licence issued under the Licensing Act 2003 to sell alcohol may also apply and be granted licence to operate as a sexual entertainment venue.
14. The transitional arrangements permit local authorities to adopt these new provisions prior to 6 April 2011, after which time any such adoption would need to be subject to widespread consultation. It is believed that adoption of these powers at this time will avoid the need for costly consultation for a provision which is believed to be widely supported by the community at large.
15. In addition the transitional arrangements allow any existing providers of sexual entertainment that comes within the scope of the legislation sufficient time in which to make application without them providing such entertainment unlawfully.
16. It is believed that no such entertainment which would fall within the scope of the adoptive provisions is currently provided in the Chorley Council area.
17. Members should note that the legislation does provide exemptions to this new licensing provision for ‘infrequent entertainment’ i.e. where premises undertake 11 occasional SEV events separated by 28 days within a twelve month period, then no licence is required. In

addition the Secretary of State may prescribe other types of sexual entertainment as falling outside the definition.

18. Following adoption of the provisions the Council will require a policy and procedure to administer any applications. A policy and procedure document around which decisions on the determination of applications for a SEV Licence can be made was approved by the Licensing and Public Safety Committee on 15 September 2010 and Executive Cabinet on 14 October 2010 and is attached to this report as Appendix 1 and 2.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE DIRECTOR OF TRANSFORMATION

20. The provisions in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 are adoptable and it is necessary for the Council to pass a resolution in order to adopt. Should such a resolution be passed it will need to be advertised in a newspaper circulated in the local area on 2 consecutive weeks the first such advertisement should not be placed later than 28 days before the date on which the resolution comes into force.

COMMENTS OF THE DIRECTOR PLANNING POLICY AND PERFORMANCE

21. The policy approved by the Licensing and Public Safety Committee for the licensing of Sexual Entertainment Venues has been subject to an Equality Impact Assessment in accordance with the Councils Equality Policy. An action plan has been put in place to respond to any issues raised.

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	18 October 2010	SEV/adoption

This page is intentionally left blank



**Statement of
Licensing Policy
Sexual Entertainment
Venues**

(UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982)



CONTENTS

Paragraph

- Introduction
- 1. Executive Summary
- 2. Grounds for Granting or Refusing an Application
- 3. Standard Conditions

APPENDICES

- Appendix 1 Licence Fees
- Appendix 2 Application Procedure

The Borough of Chorley

The Borough of Chorley is set in attractive countryside between the West Pennine Moors and the Lancashire Plain. It has been an important market and trading centre since medieval times. Its location at the centre of the North West and its excellent road and rail links has meant that we have been able to develop a thriving economic base without sacrificing the appeal of rural life.

The Borough has a population of just over 105,000 and extends over an area of 80 square miles. It has a workforce of around 49,000 and attracts some three million visitors a year. Two wards are eligible for Transitional Area funding. Independent research has shown that the general quality of life in Chorley is 20% better than the average for the UK. As such Chorley stands out as one of the top 15 districts to live in the whole of the North of England, with low unemployment, high owner-occupancy, and academic achievement above average. Property prices in many parts of the Borough are very reasonable.

Because of its position on the edge of the West Pennine Moors, the informal leisure and recreation opportunities in Chorley are superb and England's longest canal, the Leeds and Liverpool, winds its way through the Borough, with facilities for boating and other activities along the route. The Borough also has four leisure centres and four golf courses, not to mention numerous public parks and open spaces. Other attractions include Hoghton Tower, a historic fortified hill top mansion, and Camelot Theme Park, where Arthurian jousting tournaments are held alongside thrilling white knuckle rides.

Chorley is just a short distance from the coast and within easy reach of the Lake District and Yorkshire Dales. The commercial, shopping, cultural and sporting attractions of the regional capital of Manchester are close by and there is a frequent direct train service to the city and also to Manchester International Airport.

The town of Chorley itself is famous locally for its "Flat Iron" and covered markets. The weekly Flat Iron market, originating from 1498, developed from an agricultural produce market into one of the best open-air markets in the North West. Throughout the Borough, several craft galleries and antiques markets can be found and in the Town Centre there is the Market Walk shopping complex which features many high street names.

There are approximately 377 premises licensed to sell alcohol ranging from off licences to public houses, members only clubs, restaurants and nightclubs.

The Council's vision in its cultural strategy is to improve the economic viability for performing artists and local creative industries. The Council aims to extend and develop opportunities for the culture and leisure sectors that will help sustain regular employment. The Council aims to assist through helping promote and market creative events locally, regionally and nationally, by working with cultural and leisure employers to raise the profile of the sector, assisting with the training needs of artists and developing a festival programme to celebrate local talent. The Council recognises that local pubs and clubs provide a valuable training ground for musicians and performers as well as providing a support network for young artists.

The Council wishes for this to continue and develop. The challenge for the future is to find more creative and innovative ways to develop partnership working to produce more exciting and dynamic cultural experiences for customers and visitors alike.

The Council seeks to maintain a balance between the business operating in its area, the residents living within its area and cultural, entertainment and tourist interests. Full consideration has been given to all these issues in formulating this Policy Statement.

1. EXECUTIVE SUMMARY

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 provides a licensing system for the provision of entertainment of a sexual nature. Applications for such licences will be considered by the Licensing and Public Safety Committee.
- 1.2 In drafting this policy consideration of current Home Office Guidance on Sexual Entertainment Venues has been taken.
- 1.3 In determining applications for sexual entertainment venue licenses the Licensing Committee shall treat each application on an individual basis, on its own merits, in accordance with the Local Government (Miscellaneous Provisions) Act 1982 (as amended) and having regard to the matters detailed in this policy.

2. GROUNDS FOR GRANTING OR REFUSING THE APPLICATION

- 2.1 A decision to refuse the licence may not be made solely on the ground that the establishment may cause offence. A licence must be refused on any of the grounds listed in paragraph 12(1) of Schedule 3 of the Local Government (Miscellaneous provisions) Act 1982, that is to say:-
- (a) to a person under the age of 18;
 - (b) to a person who is for the time being disqualified as being a licence holder whose licence has been revoked within the previous 12 months;
 - (c) to a person, other than a body corporate, who is not resident in the United Kingdom or who was not so resident throughout the period of six months immediately preceding the date when the application was made; or
 - (d) to a body corporate that was not incorporated in the United Kingdom; or
 - (e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.
- 2.2 A licence may be refused where any of the following matters mentioned in paragraph 12(2) and (3) applies:
- (a) The applicant is unsuitable to hold a licence by reason of having been convicted of any offence or for any other reason
 - (b) That if the licence were to be granted, renewed, varied or transferred the business to which it relates would be managed by or carried on for the benefit of a person other than the applicant, who would be refused the grant, renewal, variation or transfer of such a licence if he made the application himself.
- With regard to the unsuitability of an applicant to hold a licence (see a above), officers will make diligent enquiries with the applicant to establish:-
- That the operator is honest
 - That the operator is qualified by experience to run the type of sex establishment in question
 - That the operator understands the general conditions
 - That the operator is proposing a management structure which delivers compliance with the operating conditions, eg through:- managerial competence, presence, a credible management structure, enforcement of rules internally, a viable business plan and policies for welfare of performers
 - That the operator can be relied upon to act in the best interests of performers, e.g. in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored
 - That the operator can be relied upon to protect the public, e.g. transparent charging, freedom from solicitation.

- That the operator can show a track record of management of compliant premises, or that s/he will employ individuals who have such a track record.

With regard to (b) above by interviewing the applicant and the questions asked in the application form officers will try to establish that there would be no third party beneficiary.

(c) That the number of sexual entertainment venues in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality. Consideration will be given to the relevant locality, and to the number of sexual entertainment venues suitable for it. The locality cannot include for example the whole of the administrative area or an entire town. The relevant locality might cover the area of a ward, specific estates, shopping areas or areas bounded by rivers and major roads or the Committee may wish to consider a distance 1,000 metres from the applicant premises or some other nearby landmark as comprising the relevant locality. When considering the number of premises that is appropriate for the locality, the following factors will be taken into account:-

- The suitability of the applicant.
- The character of the locality - e.g. family residential / family leisure / educational.
- Presence of sensitive uses - e.g. places of worship, schools, youth clubs, community centre, library, park, swimming pool.
- Gender equality - will this use deter female users of the locality?
- Fear of crime, as well as actual crime.
- Regeneration / tourism efforts and the effect of sex-related uses.
- Views of other authorities e.g. police, environmental health, planning.
- Level of genuine demand - excess supply may drive down standards and encourage non-compliant conduct.

The number can be nil, but this decision needs to be rationally underpinned.

(d) That the grant or renewal of the licence would be inappropriate, having regard to the :

- (i) character of the relevant location; or
- (ii) use to which any premises in the vicinity are put; or
- (iii) layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Consideration will be given to the following in this regard:

- (i) the character of the relevant locality:

Regard will be given to the following points when addressing relevant locality:-

- Uses of the area e.g. commercial, industrial, mixed commercial, residential?
- Users of the area e.g. adults, children, shoppers?
- How the area is perceived e.g. tourist attraction, shopping centre?
- Is there a local vision/plan for the area ?
- What type of area would not be acceptable in character terms e.g. predominantly residential areas and small communities with little commercial activity?
- What areas might be acceptable e.g. In the larger towns on commercial streets later at night when other commercial activities have closed, or on mixed commercial sites out of towns ?

- (ii) the use to which any premises in the vicinity are put.

Regard will be given to the proximity of the proposed establishment to schools, places of worship and premises such as nurseries, playgroups, village halls and playgrounds.

(iii) The layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. The premises should meet or can be made to meet the layout and structural requirements set out in the “standard conditions applicable to licenses for sexual entertainment venues” contained in this document.

3. STANDARD CONDITIONS APPLICABLE TO LICENCES FOR SEXUAL ENTERTAINMENT VENUES

3.1 Definitions

- i. ‘The Council’ shall mean Chorley Council.
- ii. ‘Sexual Entertainment Venue’ means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser (i.e. a person who is responsible for organisation of management of the entertainment or the premises).
- iii. ‘Authorised officer’ means an officer employed by Chorley Council and authorised by Council to act in accordance with provisions of the Local Government (Miscellaneous Provisions) Act 1982.
- iv. ‘Premises’ includes any vehicle, vessel, or stall but does not include any private dwelling to which the public is not admitted.
- v. ‘Special Conditions’ shall mean any terms, conditions or restrictions contained or referred to in the Schedule to a licence granted under Schedule 3 aforesaid, but does not include any private dwelling to which the public is not admitted.
- vi. ‘Licence’ means any sexual entertainment venue licence that the Council can grant under this Act. This includes any associated consent or permission.
- vii. ‘Licensee’ means the holder of a sexual entertainment venue licence.
- viii. These conditions may be dispensed with, added to or modified by the Council in any special case.
- ix. Where in these rules there is any reference to the consent of the Council being required, such consent may be given on such terms and conditions and subject to such restrictions as may be so specified.
- x. If the licensee wishes any of the terms of the licence to be varied, an application must be made to the Council.
- xi. Relevant entertainment means any live performance; or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

The following are not sexual entertainment venues for the purpose of this Schedule

- sex cinemas and sex shops
- premises at which the provision of relevant entertainment is such that, at the time in question and including any relevant entertainment which is being so provided at that time there have not been more than eleven occasions on which relevant entertainment has been so provided which fall(wholly or partly) within the period of 12 months ending with that time; no such occasion has lasted more than 24 hours; and no such occasion has begun within the period of one month beginning with the end of any previous occasion on which relevant entertainment has been so provided(whether or not that previous occasion falls within the 12 month period mentioned above)
- premises specified or described in an order made by the relevant national authority.

xii Display of nudity means (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and (b) in the case of a man, exposure of his pubic area, genitals or anus.

3.2 Exhibition of the Licence

The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the Council. A copy of the Conditions attached to the Licence shall be kept on the premises and be available for inspection by an Authorised Officer of the Council, or the Police or Fire Authority.

3.3 Hours of Opening

Except with the written consent of the Council, the premises shall not remain open to the public outside the hours specified in the license.

3.4 Conduct on the Premises

- a) The licensee or any other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting from the premises.
- b) Relevant entertainment shall only be performed by the entertainer there must be no audience participation.
- c) Entertainers shall be aged not less than 18 years and be accompanied and monitored by a member of security staff licensed by the Security Industry Authority to protect the entertainer from harm.
- d) Entertainers shall only perform on the stage area, to seated and segregated customers or in such other areas of the licensed premises as may be agreed with the Licensing Authority.
- e) The licensee shall not permit the display outside the premises of photographs or other images that indicate or suggest the striptease or similar entertainment takes place on the premises to be offensive.
- f) There must be no physical contact between performers and no photography on the premises.
- g) There must be no physical contact between performers and customers before, during or after the performance, (other than the transfer of money or tokens to the hands of the entertainer at the beginning or conclusion of the performance). Notices to this effect shall be clearly displayed at each table and at each entrance to the premises.
- h) Whilst dancers are performing there shall be a minimum distance of one metre between the dancer and the audience.
- i) Any performance will be restricted to dancing and the removal of clothes. There must not be any other form of sexual activity or stimulation.
- j) No performance shall be visible to any person outside the premises (e.g. through windows or open doors).
- k) Sex toys must not be used and penetration of the genital area by any means must not take place.
- l) Podium dancers must not entice other dancers onto the podium;
- m) Patrons shall not be permitted to throw money at the performers.
- n) Patrons will not be permitted to arrange contacts or liaisons with the dancers whilst on the licensed premises or exchange telephone numbers or other means of making future contact with each other.

3.5 External Appearance

a) There shall be displayed in each entrance or doorway to the premises a notice which states the following ; -

“WARNING”

“STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE. THIS PREMISES OPERATES A CHALLENGE 21 POLICY AND PERSONS UNDER THE AGE OF 21 SHALL BE REQUIRED TO SHOW PROOF OF THEIR AGE”

The word “WARNING” must appear as a heading and no pictures or other matter shall appear on the notice.

b) No other words or signs, or any displays or advertisements, shall be displayed on the outside or in the vicinity of the premises except those mentioned in conditions 3.5(a) above or otherwise approved by the Council in writing. Leafleting is not permitted

c) The licensee shall ensure that no form of loudspeaker or sound amplification equipment is sited on or near the exterior of the licensed premises or in or near any foyer, doorway, window or opening to those premises.

d) The entrance to the premises shall be of a material or covered with a material which will render the interior of the premises invisible to passers by whilst “relevant entertainment” is being performed.

e) Windows and any form of openings to the premises other than entrances shall either be obscured by blinds, or a material approved by the Council. Door entrances shall also be obscured by blinds or material approved by the Council so as to prevent any member of the public from seeing through to the premises whilst “relevant entertainment” is being performed.

3.6 State, Condition and Layout of the Premises

a) External doors shall be closed at all times other than when persons are entering or leaving the premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

b) No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of an emergency.

c) No alterations (including temporary alterations) shall be made to the structure and installations of the premises, without the prior written consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee shall seek advice from the Council.

d) Where works necessitate the premises being closed for a long period of time, the premises shall not reopen for the purpose of the licence, until the licensee has been notified in writing by the Council of the satisfactory completion of the work.

3.7 Management of the Premises

a) The licensee, or a responsible person nominated by him for the purpose of managing the sexual entertainment venue (‘the Manager’) shall have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination shall be produced on demand to an authorised officer of the Council or police.

The licence holder shall ensure that any person nominated by him under the above: -

(i) Has been provided with a copy of the conditions relating to the premises and is fully conversant with them;

(ii) Is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.

- b) Where the licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such details as the Council may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
- c) The name of the person responsible for the management of the premises, whether the licensee or manager, shall be displayed in a conspicuous position within the premises throughout the period during which he is responsible for the conduct of the premises.
- d) The licensee shall retain control over all parts of the premises and shall not let, licence or part with possession of any part of the premises. The Council must be immediately notified in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.
- e) The licensee shall ensure that the public is not admitted to any part or parts of the premises that has not been approved by the Council.
- f) No person under the age of 18 shall be admitted to the premises and a Notice to this effect, in accordance with condition 3.5a shall be displayed on the outside of the premises.
- g) The licensee shall operate a Challenge 21 Policy and persons under the age of 21 shall be required to show proof of ID. A notice to this effect, in accordance with Condition 3.5a shall be displayed on the premises.
- h) The licensee shall not employ any person under 18 years of age in the business of the establishment.
- i) The licensee shall be responsible for ensuring compliance with these and any special conditions of the licence and shall be held responsible for any breach thereof.
- j) The licensee shall comply with all statutory provisions and any regulations made thereunder.

3.8 Safety and Security

- a) The licensee shall install a CCTV system covering all of the licensed area. This system shall be linked to a date and time recording facility and the system shall provide a high standard recording facility that will be admissible in court. This CCTV system shall be maintained in good working order and shall operate at all time when the premises are open.
- b) The licensee shall comply with fire prevention and safety measures that the Council may require.
- c) The licensee shall maintain good order in the premises at all times and shall ensure that persons entering or leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and persons passing by.

3.9 Vessels, Stalls and Vehicles

- a) In the case of licensed premises that are a vessel, vehicle or stall, the licensee shall not move the vessel or stall from the location specified in the licence unless 28 days' written notice is given to the Council of such intended removal. The Council may require the licensee to lodge such written application as it may deem appropriate and pay such a fee as it may deem reasonable in respect of such application. This requirement shall not apply to a vessel, vehicle or stall, habitually operating from a fixed location, which is regularly moved (whether under its own propulsion or otherwise) from another place for storage purposes. This place must be specified in the licence and must not be used for the purposes for which the licence is granted and any other location than that which is specified in the licence.

3.10 Variation of Conditions

- a) The Council may at any time waive, modify or vary these conditions or impose additional conditions in any particular case as it thinks fit.
- b) Applications to vary conditions of the Licence shall be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.

3.11 Change of Licensee Name

An application in respect of a change of licensee name shall be made to the Council in writing not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to permit or refuse such change.

3.12 General

- a) The licence granted shall operate for one year from the date on the Licence, after which it will cease to be in effect unless an application for renewal is submitted in accordance with the Schedule of the Act, in the manner prescribed by the Council.
- b) The licence may be revoked by the Council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in Paragraph 1 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(as amended).
- c) The licensee shall afford all reasonable assistance to authorised officers in connection with these conditions and other licensing requirements.
- d) In the event of a conflict between these conditions and any special conditions contained in a licence relating to a sexual entertainment venue, the special conditions shall prevail.
- e) The grant of a Licence for a Sexual entertainment venue should not be deemed to convey any approval or consent which may be required under any enactment, bye-law, Order or Regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982 as amended.
- f) The Licensee shall provide (subject to the approval of both the Police and Licensing Authority) a code of conduct for dancers and rules of conduct for customers.
- g) Licensees shall ensure performers have secure dressing rooms and proper sanitation facilities available to them.
- h) Suitable numbers of SIA licensed doorstaff (numbers to be subject to police and licensing Authority approval) will be present on the premises during the performance of relevant entertainment.
- i) Suitable and sufficient training to be provided to all staff including the Licensee. The training of all staff to be recorded and these documents to be made available upon request to both the police and authorised Council Officers.
- j) All club rules (customer conduct, dispersal policies, etc) to be prominently displayed on the premises.

APPENDIX 1**SEXUAL ENTERTAINMENT VENUE LICENCE FEES**

Sexual entertainment venue licences will be issued for a maximum period of 12 months following payment of the full fee and will be renewable on the date specified in the Licence. Cheques should be made payable to 'Council Borough Council'.

Fees

Licence Fee (grant new licence)	£8,000
Licence Variation	£4,000
Renewal Fee	£8,000
Transfer Fee	£177
Change of Name	£177

A fee of £10.50 will be made for replacement of documentation, dealing with dishonoured cheques and refunding fees for surrendered or revoked licences. If a cheque is dishonoured by a bank this will result in the revocation of the Sexual entertainment venue licence issued by the Council unless satisfactory arrangements are made for payment of the outstanding fees is made within 5 working days of the initial contact with the Council.

This page is intentionally left blank



Sexual Entertainment Venues

Licence Application Procedure & Application Form

SEXUAL ENTERTAINMENT VENUES – LICENCE APPLICATION PROCEDURES

INTRODUCTION

These procedures set out the Council's standards for determining applications for, and enforcement of, sexual entertainment venues in the Council district.

Chorley Borough Council has adopted Section 27 of the Policing and Crime Act 2009 which amends Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to allow the Licensing Authority to licence sexual entertainment venues, where relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer. The Council will apply these guidelines to sexual entertainment venues in its area to ensure consistency of decision making, however, each application or contravention will be considered on its own merits so that individual circumstances, where appropriate, are taken into consideration.

Section 1 Interpretation

In this procedure:

The Act means the Local Government (Miscellaneous Provisions) Act 1982

Applicant means the applicant for the grant, variation, renewal or transfer of a licence as appropriate

Application means an application for one or more of the following, as the case may be:

- a) grant of a licence;
- b) transfer of a licence;
- c) renewal of a licence;
- d) variation of a licence

Audience includes an audience of one

Authorised Officer means an officer employed by Chorley Borough Council and authorised by Council to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.

Display of nudity means (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and (b) in the case of a man, exposure of his pubic area genitals or anus.

Financial gain for the purposes of the meaning of sexual entertainment venue and relevant entertainment it does not matter whether the financial gain arises directly or indirectly from the performance or display of nudity.

Licence means any sexual entertainment venue licence that the Council can grant under the Act. This includes any associated consent or permission.

Licensee means the holder of such a sexual entertainment venue licence.

Objector means any person who has given Notice of Objection in accordance with Paragraph 10 (15) of the Schedule.

Observations means the giving of views by the statutory authorities such as the Police Authority.

The Organiser in relation to the provision of relevant entertainment at premises, means any person who is responsible for the organisation or management of (a) the relevant entertainment ; or (b) the premises

Parties means the applicant(s) and any objector(s) to the grant of the application. In the case of revocation proceedings it means the licensee and the persons seeking revocation.

Premises includes any vehicle, vessel or stall but does not include any private dwelling to which the public is not admitted.

Relevant entertainment means any live performance; or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). The following are not sexual entertainment venues for the purpose of this Schedule

- sex cinemas and sex shops
- premises at which the provision of relevant entertainment is such that, at the time in question and including any relevant entertainment which is being so provided at that time:

there have not been more than eleven occasions on which relevant entertainment has been so provided which fall(wholly or partly) within the period of 12 months ending with that time;

no such occasion has lasted more than 24 hours; and

no such occasion has begun within the period of one month beginning with the end of any previous occasion on which relevant entertainment has been so provided(whether or not that previous occasion falls within the 12 month period mentioned above)

- premises specified or described in an order made by the relevant national authority.

Relevant National Authority means in relation to England, the Secretary of State

Revocation means the revocation of a licence under Paragraph 17 of the Schedule or a proposal to revoke the licence.

Sexual Entertainment Venue means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser (ie a person who is responsible for organisation of management of the entertainment or the premises).

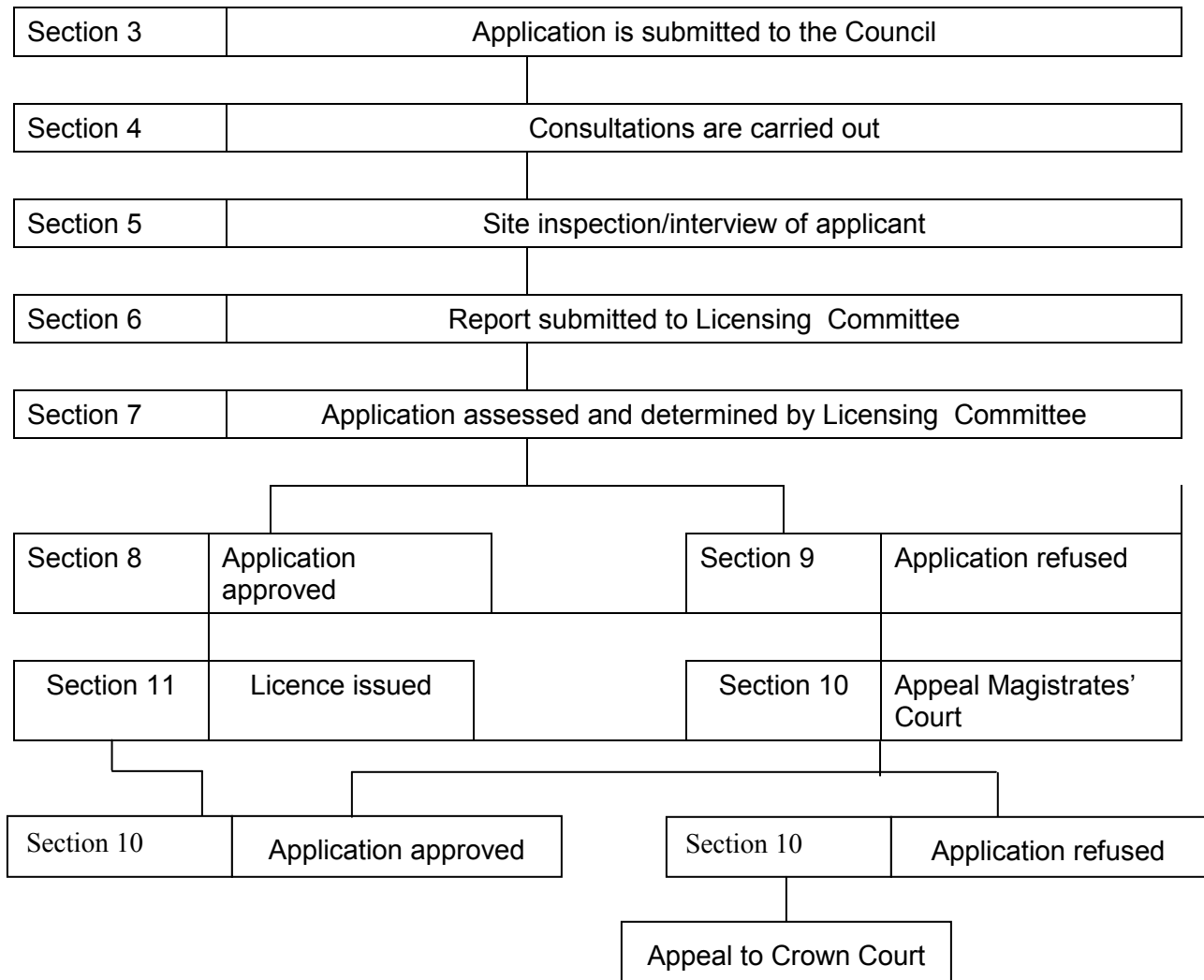
The Council means Chorley Borough Council.

The Committee means Chorley Borough Council's Licensing Committee.

The Schedule means Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.

Section 2 Procedure for Determining Sexual Entertainment Venue Licence Applications

The application and approval procedure comprises of the following stages. The descriptions on the side of the boxes refer to the explanatory notes in the sequent sections of this guide:



Section 3 mission of the Application

An application for a sexual entertainment venue licence must be made to Chorley Borough Council on the form shown in **Appendix 1** and include:

- A site plan (scale 1:500) clearly outlining the locality in which the proposed sexual entertainment venue will be situated. The plan should clearly identify the proposed sexual entertainment venue by marking the site/premises boundary with a red line.
- A plan of the premises (scale 1:100) showing the part(s) of the premises that it is proposed to license as a sexual entertainment venue. All areas requiring to be licensed should be outlined in red on the plan.
- Full Licence Fee and completed application form. This will be rejected and returned to the applicant if all the relevant boxes are incomplete or additional documentation not enclosed.

The application must be complete and all information provided otherwise it will be rejected.

Additionally, public notice of the application shall be given by:

- Displaying a prescribed notice in, on or near the premises, in a place where it can be conveniently read by the public, continuously for 21 days beginning with the date of the application. The Notice shall be of a size equal or larger than A4, of a Yellow colour and printed legibly in black ink or typed in a font of a size equal to or larger than 16. The format of the approved notice is given in **Appendix 2(a)**.
- By publishing an advertisement detailing the above notice in a local newspaper circulating in the area not later than 7 days after the date of the application, see **Appendix 2(b)**.
- By sending Chorley Borough Council one complete copy of the newspaper containing the Advertisement to the Council as soon as is reasonably practicable.

NB Templates of both Notice and advert are available from the authority upon request.

As well as sending a complete copy of the application together with the appropriate fee to Chorley Borough Council, the applicant must also send a copy of the completed application form to the Chief Officer of Police at Lancashire Constabulary within 7 days of the application being made.

Help in completing the application form can be obtained from the Council on 01257 515151 or by email: contact@chorley.gov.uk

Section 4 Consultations on Applications Made

Before a sexual entertainment venue licence is granted or renewed the applicant has to serve a copy of the application on the Chief Officer of Police at Chorley Police Station. Further, a Notice of the application has to be displayed on the premises for 21 days and another Notice advertised in a local newspaper, this forms the necessary consultation required (see Section 3 above). Details of all such applications will be posted on the Councils website at www.chorley.gov.uk for residents and local people to comment on.

Objections to the application must be made in writing and be received by the licensing authority within 28 days of the application being made. The objection should state in general terms the grounds of objection

Section 5 Inspection and interview of Sexual Entertainment Venue / applicant

On receipt of an application the premises will be visited and inspected by an Authorised Officer of the Council to determine compliance with the sexual entertainment venue licence conditions.. In addition, the applicant will be invited to attend an interview with the authorised officer to fully discuss the applicants proposals. Following on from both of these the authorised officer will prepare a report for submission to a hearing of the Councils Licensing Committee. The applicant will be notified in writing of the date and time of the hearing when their application is to be considered. The date of this hearing will be within 30 working days from the day following the end of the consultation period. One extension, for a limited period of time can be made to this timescale but notice will be given to the applicant with reasons for the extension before the expiry of the original time period.

NB please note that tacit consent will not apply for public interest reasons.

Section 6 Report Submitted to the Licensing Committee

Following inspection of the proposed establishment and interview of the applicant, a report will be prepared by the authorised officer for consideration by the Council's Licensing Committee. **NB All new and variation applications shall be referred to the Council's Licensing Committee.**

If objections are received against the granting of a sexual entertainment venue licence, copies of such objections will be included in the authorised officers report to the Licensing Committee for consideration when determining the application.

Persons making written objections will also be informed of the date and time of the Licensing Committee hearing where they will be invited to address the Committee and ask questions relating to the application. The Council shall not, without the written consent of the person making the objection, reveal his name or address to the applicant.

Sections 7 & 8 Determining and Granting an Application

In determining applications for sexual entertainment venues, the Licensing Committee shall have regard to the relevant matters of the relevant policy and licence conditions contained in the **Statement of Licencing Policy** document relating to sexual entertainment venues. Each case though will be assessed on its merits and individual circumstances where appropriate, may be taken into consideration.

The Licensing Committee has been established to consider applications, hear objections and appeals in relation to licensing matters. The Licensing Committee consists of elected members of Chorley Borough Council and is supported by the Council's Legal Officer and Licensing Officer. Licensing Committee meetings are normally held in public unless there are matters to be considered that are of a confidential nature.

The role of the Licensing Committee is to:

- Determine applications, or
- Hear appeals from applicants against the imposition of a condition (see Section 9)

As stated above once arrangements have been made for the application to be heard by the Licensing Committee, the applicant will be advised, in writing, of the date, time and place where the application will be heard.

The applicant will be expected to attend the hearing and can be accompanied by a solicitor, or supported by a friend or colleague. The Licensing Committee hearing will follow the same procedure that currently applies to applications under the Licensing Act 2003. Copies of this procedure will be sent to the applicant in advance of the meeting, along with the officer reports that will be presented at the hearing.

In determining an application the Licensing Committee will consider the applicants presentation and the Council's authorised Officers report. Either side may use witnesses and supporting documentation may be mitted to the Licensing Committee for consideration.

The Licensing Committee will consider all the evidence presented to it during the hearing and members may ask questions of officers and the applicant. After hearing the evidence presented to it, the Licensing Committee will retire and come to a decision on the application. When a decision has been reached the Licensing Committee will inform the applicant of their decision and the reasons for coming to that particular decision. The decision of the Licensing Committee will be confirmed, in writing, to the applicant within 5 working days of the meeting at which the application was considered giving reasons for the decision.

Where objections have been raised to the granting of a sexual entertainment venue licence the Licensing Committee will consider the objections made. Persons who have raised objections to the application will be allowed the opportunity to address the Licensing Committee and ask questions relating to the application. Letters of objection that have been received by the Council will be circulated to members of the Licensing Committee (contained in the authorised officers report) in advance of a meeting where a contested application is being considered. The letters of objection will also be sent to the applicant but without any information that would identify the person submitting the objection. The applicant will be given a broad indication of the proximity of the objector's property in relation to the proposed Sexual Entertainment venue.

The Licensing Committee will always strive to ensure that when it is considering an application that all persons get a proper and fair hearing through:

1. Considering each case on its merits.
2. Using these guidelines to assess applications where it is felt appropriate.
3. Dealing with the application in a balanced and impartial manner.
4. Ensuring that the rules of natural justice are applied in any hearings held.
5. Giving a person making an application or an objection sufficient opportunity to present their case, ask questions of officers and members of the Panel and present information for consideration in support of their appeal or objection.

When a sexual entertainment venue licence is granted by the Licensing Committee, the Licence will be provided to the applicant as soon as possible.

Section 9 Criteria for Refusal of an Application

The grounds for refusal are given in the **Statement of Licensing Policy** document relating to sexual entertainment venues; The Council will consider its own policy when determining any application.

Section 10 Appeals Against Decisions

The Local Government (Miscellaneous Provisions) Act 1982, Section 27 permits appeals against the decisions of the Council in relation to sexual entertainment venues. Appeals will be heard in the first instance by the Magistrates' Court. An appeal should be made within 21 days of the decision to the Magistrates Courts'.

An appeal can be made in the following circumstances:

1. Refusal of an application for the grant, renewal or transfer of a licence.
2. Refusal of an application to vary terms, conditions or restrictions on or subject to which any licence is held.
3. A grievance relating to any term, condition or restriction on or subject to which a licence is held.
4. Revocation of a licence.
5. There is no right of appeal for objectors

There is a right of appeal against refusal on mandatory grounds, only where appellant alleges ground did not apply to them. There is no right of appeal against refusal on the grounds that there are sufficient sex establishments in the locality or that to grant would be inappropriate having regard to the character of the locality, use of premises in the vicinity and the layout, character, condition and location of the premises. A person wishing to appeal against a Council decision on a sexual entertainment venue licence is strongly advised to seek assistance from a solicitor, prior to commencing action in a Court of Law.

Section 11 Issue of Sexual Entertainment Venue Licences

Sexual entertainment venue licences will be issued for a maximum period of 12 months following payment of the full fee and will be renewable on the date specified in the Licence. Cheques should be made payable to 'Council Borough Council'.

Fees

Licence Fee (grant new licence)	£8,000
Licence Variation	£4,000
Renewal Fee	£8,000
Transfer Fee	£177
Change of Name	£177

A charge of £10.50 will be made for replacement of documentation, dealing with dishonoured cheques and refunding fees for surrendered or revoked licences. If a cheque is dishonoured by a bank this will result in the revocation of the Sexual entertainment venue licence issued by the Council unless satisfactory arrangements are made for payment of the outstanding fees is made within 5 working days of the initial contact with the Council.

APPENDIX 1

For Office Use

Licence Ref. No.	
Visited	
Officer Licence Issued	

People and Places Directorate
 Chorley Borough Council
 Civic Offices
 Union Street
 CHORLEY
 PR7 1AL

Local Government (Miscellaneous Provisions) Act 1982

Please complete in **BLOCK CAPITALS** and **BLACK INK**

Form of Application for a Sex Establishment Licence

Is the applicant:	a) An individual <input type="checkbox"/> b) A partnership or other unincorporated body <input type="checkbox"/> c) A body corporate <input type="checkbox"/>
Give the full name of the applicant(s,) or body applying for the licence. If an individual or partnership, please state any previous name(s), date name changed together with date and place of birth.	
Telephone number on which the applicant can be contacted during office hours	
Address to which any communications for the applicant are to be sent	
Applicants permanent address. If a company, please give the registered or principal address	
If the applicant is a company, please supply the following information on a separate sheet in respect of each Director and persons who will manage or otherwise be involved in running the establishment or who have an interest/will benefit	Forename, Surname, Former Names (and date name changed), Permanent Address, Date of Birth, Place of Birth.
What is the nature of the applicant's interest in the premises? Please state whether it is:	Freehold <input type="checkbox"/> Leasehold <input type="checkbox"/>
If the applicant's interest in the premises is leasehold, please supply the following information:	a) Is the lease headlease <input type="checkbox"/> underlease? <input type="checkbox"/> b) Landlord's name and address:

Cautions						
Forenames	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence

SECTION B – ABOUT THE PREMISES	
<p>Trading name, address, telephone number and internet address (where applicable) of premises to be licensed</p>	<p>Name:</p> <p>Address:</p> <p>Tel: e-mail/website:</p>
<p>Part of premises to be licensed (e.g. ground floor, first floor etc)</p>	
<p>Please provide details of what form of relevant entertainment will be performed on the premises</p>	
<p>If only part of the premises are to be used, to what use are the other parts of the premises put?</p>	
<p>Please state the name(s) of the person(s) responsible for running the part(s) of the premises that are not to be used as a sexual entertainment venue.</p>	

<p>If the premises are already used as a sexual entertainment venue, please give the name and address of the persons or body who now operate the business, and the date on which the premises were first used as a sexual entertainment venue</p>	
<p>Is the application in respect of a premises, vehicle or vessel?</p>	<p>Premises <input type="checkbox"/></p>
	<p>Vehicle <input type="checkbox"/></p>
	<p>Vessel/Stall <input type="checkbox"/></p>
<p>If the application is in respect of a vehicle, stall or vessel , please state where it is to be used as a sexual entertainment venue</p>	
<p>Are the premises fitted with a CCTV system</p>	
<p>Please confirm the number of SIA doorstaff to be present on the premises whilst relevant entertainment is being performed</p>	

SECTION C – ABOUT THE LICENCE

<p>FIRST APPLICATION Choose this option if this is the first time this premises has been licensed or if the previous licence held by the premises has lapsed. You MUST provide a copy of a plan of the premises with the application to enable it to be processed</p>	
<p>RENEWAL APPLICATION Choose this option if you already hold a licence for the premises that is due to expire shortly</p>	
<p>VARIATION APPLICATION Choose this option if you are proposing to change the hours of operation, or the premises layout (new plans may be required depending on the scale of alterations) etc</p>	
<p>TRANSFER APPLICATION Choose this option to transfer the licence from one licence holder to another</p>	

SECTION D – ABOUT THE BUSINESS	
Under what name is or will the business be known?	
What means are to be taken to prevent the interior of the premises being viewed by passers by?	
State which days and hours you intend to open the premises	Monday
	Tuesday
	Wednesday
	Thursday
	Friday
	Saturday
	Sunday

SECTION E – OTHER PARTICULARS TO BE PROVIDED	
A site plan, with the premises outlined in red – Scale 1:500	<input type="checkbox"/>
Scale plan of the premises (1:50) in respect of which the licence is sought including all means of ingress and egress to and from the premises, parts used in common with any other building, and details of how the premises lie in relation to the street.	<input type="checkbox"/>
A complete copy of the newspaper in which the notice of the application has been published (this must be sent within seven working days of making the application)	<input type="checkbox"/>

SECTION F – DECLARATION	
I/We enclose the requisite fee	<input type="checkbox"/>
I/We confirm that a copy of this application has been served on the Chief Officer of Police at Harrogate Police Station within 7 days of the application being submitted	<input type="checkbox"/>
I/We confirm that a notice publicising this application will be displayed for 21 days beginning with the date of the application on or near the premises and in a place where it can conveniently be read by the public	<input type="checkbox"/>
I/We confirm that a Notice of application has been given by publishing an advertisement in a Local Newspaper circulating in the local area. The publication of the notice shall not be later than seven days after the date of application	<input type="checkbox"/>

DECLARATION BY APPLICANT FOR LICENCE

I understand that any person who, in connection with an application for the grant, renewal or transfer of a licence makes a false statement which he knows to be false in any material respect, or which he does not believe to be true, shall be guilty of an offence punishable on summary conviction by a fine not exceeding £20,000.

I declare that the information I have given in this form is true and complete in every respect.

Where the application is made on the behalf of a Limited Company, the Company Secretary or Director(s) should sign this form, In the case of a Partnership each Partner should sign.

Signed		Signed	
Name		Name	
Capacity		Capacity	
Date		Date	

Appendix 2(a)

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1982 (as amended)

**SCHEDULE 3-CONTROL OF SEXUAL
ENTERTAINMENT VENUES**

**APPLICATION NOTICE FOR THE GRANT OF A
SEXUAL ENTERTAINMENT VENUE LICENCE**

Application has today been made to Council Borough Council in accordance with Section 2 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) for a sexual entertainment venue licence in respect of the premises named below.

Address of Premises

Signature of Applicant

Name of Applicant

Date

Any objections to this application should be made not later than 28 days after the date hereon in writing stating in general terms the grounds for objection to:

**People & Places Directorate
Council Borough Council
Civic Offices
Union Street
CHORLEY
PR7 1AL**

PLEASE NOTE: Objections will be sent to the applicant and will become public documents. However, personal details such as name, address and telephone number will be removed.

This notice to be prominently displayed on the outside of the premises for a period of twenty-one days after the date hereon.

Appendix 2(b)
Press Notice

SEXUAL ENTERTAINMENT VENUE LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (as amended)

APPLICATION FOR GRANT OF A LICENCE

Take notice that on

I/We

Of

Made application to Council Borough Council for the grant of a sexual entertainment venue Licence at (address of proposed premises):

Any objections to this application should be made to :

People & Places Directorate, Chorley Borough Council, Civic Offices, Union Street, Chorley, PR7 1AL

PLEASE NOTE: Objections will be sent to the applicant and will become public documents. However, personal details such as name, address and telephone number will be removed.

Within 28 days from the date of this advertisement stating in general terms the grounds of objection.

REPORT OF AUDIT COMMITTEE

GENERAL REPORT

1. This report summarises briefly the items considered and decisions taken by the Audit Committee at its meeting on 30 September 2010.

Statement of Account for 2009/10

2. The Committee considered a report of the Director of Transformation seeking our approval of the Audited Statement of Accounts for 2009/10, following the Committee's initial endorsement at its meeting on 30 June 2010.
3. Only a few minor adjustments and corrections have been made to the Accounts at the instigation of the Audit Commission, none of which will affect the level of reserves and balances available to the Council.
4. We commended the Director and his staff in the production of the Statement of Accounts for the past financial year ahead of the target date, and approve the accounts for signature by myself, the Executive Leader and the Director of Transformation.

Annual Governance Report for 2009/10

5. The Committee received the Audit Commission's Annual Governance Report which summarised the Commission's substantially complete audit of the Council's 2009/10 Statement of Accounts and the authority's value for money arrangements.
6. The issues identified by the Commission during its audit of the Accounts relate mainly to classification issues and disclosure notes. A number of minor alterations and corrections to the Accounts have been suggested by the auditors, none of which impact on the overall financial position of the Council.
7. The Audit Commission is also required to assess the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources. Whilst the auditors are now no longer allowed to issue a "value for money" scoring, the Audit Commission commended the authority's continued strong performance in this field in that significant efficiencies have been achieved alongside increases in customer satisfaction scores.
8. We acknowledged the Commission's reference to the challenges facing the Council, and the public sector as a whole, in the light of the comprehensive spending review.
9. In conclusion, the Audit Commission's report indicated its expectation to issue both an unqualified opinion on its audit of the Council's Statement of Accounts for 2009/10 and an unqualified conclusion on the authority's value for money arrangements.
10. We welcomed the Governance Report for 2009/10 and approved the letter of management representation, which confirms the validity of information supplied to the Auditors, for signature by myself and the Director of Transformation.

National Fraud Initiative

11. The Committee was presented with a report of the Head of Shared Assurance Services which demonstrates the authority's compliance with and effective contribution to the 2008/09 National Fraud Initiative (NFI).

12. The NFI is being co-ordinated by the Audit Commission as a mechanism to assist the detection of fraud, overpayments and arrears. Over 1300 public and private organisations are participating in the initiative, which compares and matches relevant data within and between organisations within a robust legal framework.
13. The report is supported by a Members' Briefing note which provides an overview and examples of the key aspects of the initiative, together with a checklist developed and compiled by the Internal Audit Section to help Members understand and assess the Council's approach to NFI.
14. We appreciate that the detection of any fraudulent practices occurs only rarely, but we asked that Members' be advised that the initiative will encompass Councillors' data.

Internal Audit Plan for 2010/11 – Interim Report

15. The Committee received and noted the Head of Shared Assurance Services' interim report on the progress of the work undertaken in respect of the 2010/11 Annual Audit Plan up to 31 July 2010.
16. Appendices to the report provide both a general summary of the overall progress made in relation to the Internal Audit Plan, and a more detailed analysis of the projects undertaken to date. A separate appendix gives information on the performance of the Internal Audit Section during the same period, and confirms the action required in instances where targets have not been met.
17. The report also refers to the potential impact on the Internal Audit function of the Coalition Government's recent announcements to abolish Comprehensive Area Assessments (CAA), Use of Resources assessments and the Audit Commission from 2012.

Recommendation

18. The Council is recommended to note this report.

COUNCILLOR ANTHONY GEE
Chair of Audit Committee

There are no background papers to this report.

AU

Report of	Meeting	Date
The Executive Leader	Council	2 nd November 2010

ESTABLISHING A SHARED CHIEF EXECUTIVE ARRANGEMENT WITH WYRE BOROUGH COUNCIL

PURPOSE OF REPORT

1. To seek the approval of Council to the establishment of a shared chief executive arrangement with Wyre Borough Council.

RECOMMENDATION(S)

2. That members approve the sharing of the post of Chief Executive with Wyre Borough Council subject to the management arrangements set out in the report.
3. That authority be delegated to the Director of Transformation in consultation with The Leader to complete a legal agreement with Wyre to establish a shared chief executive arrangement under section 113 of the Local Government Act 1972.
4. That authority be delegated to The Director of Transformation in consultation with The Leader to agree any consequential changes to the Chief Executive's terms and conditions in line with the contents of this report.

EXECUTIVE SUMMARY OF REPORT

5. Chorley Council has been approached by Wyre Borough Council to establish a shared chief executive arrangement whereby Chorley's Chief Executive would cover both councils as head of the paid service. This is possible under Sections 112 and 113 of the Local Government Act 1972.
6. The decision to enter into this arrangement rests with the full Council.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. The arrangement would secure over £85,000 pa in income to Chorley Council.
8. The Chief Executive's 2010/11 performance review targets (attached) will remain unaffected by the arrangement.
9. The Chief Executive will be contactable at either location by members and officers from either council.
10. Should the Council wish to terminate the arrangement this is possible subject to six months notice.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11. The option not to enter into a shared management arrangement was considered carefully and rejected.

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. I have been approached by The Leader of Wyre Borough Council to consider a Shared Chief Executive arrangement. I have spent some time undertaking a careful evaluation and consideration of the potential advantages and disadvantages of this for Chorley.

KEY ISSUES AND WAY FORWARD:

- 14. Nationally there are a number of shared chief executives operating across two councils. Given the Comprehensive Spending Review announcements of 20th October and the urgent requirement to dramatically reduce public expenditure more councils are now actively considering going down this route to delivery efficiencies. As a forward-thinking modern council I think we owe it to the people of the Borough to explore shared services, ways of reducing our costs and learning from other organisations.
- 15. Like Chorley, Wyre is a high-performing organisation with ambitious plans for the future and I think we have very similar aims and objectives for our communities.
- 16. Evaluation of the experiences of shared chief executives has been undertaken nationally by the IDeA and locally by North West Employers. Both reports point to lessons learned from pilot areas and guidance on establishing new arrangements. I am very keen to take these on board. The Chief Executive is in dialogue with others who have tried this approach and is keen to make it work successfully for both Chorley and Wyre elected members and communities.
- 17. Both reports explain that the role of a shared chief executive is a very different to that of a traditional district chief executive. It is more strategic and transformational and focuses on the culture and reputation of the organisation. It is Chorley’s strengths in this area that have attracted Wyre Borough Council to enter into discussions with us.
- 18. A more strategic and transformational role will require Corporate Directors and Service Heads to deal with day to day service issues (as reflected in their job descriptions) rather than an immediate escalation to the Chief Executive.
- 19. The Chief Executive’s Chorley Council performance targets set for 2010/11 (attached) will remain as set by the performance review panel and will be reviewed on a regular basis.
- 20. The Chief Executive will spend equal amounts of time at both councils and will be contactable at both locations and outside of office hours by Members and Officers of either council.

- 21. She will be employed by Chorley Borough Council and will remain on the same salary. Wyre Borough Council will make monthly payments to Chorley covering 50% of the cost of the Chief Executive’s salary, on costs, pension, lease car etc.
- 22. Either Council may terminate the agreement subject to six months notice of their intention.
- 23. The arrangement is subject to the approval of Full Council at both Chorley and Wyre.
- 24. The arrangement will have no impact on Chorley’s or Wyre’s abilities to determine their own corporate strategy, budget, staffing arrangements etc and the intention is not to merge the councils’ management teams.

IMPLICATIONS OF REPORT

- 25. 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	

COMMENTS OF THE DIRECTOR OF TRANSFORMATION

- 26. Section 113 of the Local Government Act 1972 enables one local authority to place at the disposal of a different authority the services of an employed officer. The provision extends to the head of paid service.
- 27. If the Council were minded to agree to the sharing of Chorley Councils Chief Executive with Wyre Borough Council, an agreement in writing pursuant to this section will be required. Further, the Chief Executive’s terms and conditions will need to be amended to reflect any change in those conditions required by the proposed arrangement.
- 28. The Council’s agreement to this arrangement will be an agreement to enable the Chief Executive to take up the post of Head of Paid Service at a different Council concurrently with her role at Chorley.

COUNCILLOR PETER GOLDSWORTHY
EXECUTIVE LEADER

Report Author	Ext	Date	Doc ID
Donna Hall	5104	19/10/10	

Background Papers			
Document	Date	File	Place of Inspection
An Exploration of Shared Chief Executives and Joint Management Arrangements – North West Employers	October 2010		Members' Room
Shared Chief Executives – The Lessons IDeA	2010		Members' Room

PERFORMANCE REVIEW PROGRAMME OF PRIORITY ACTIVITIES (year) – October 2010 – October 2011

NAME: Donna Hall

POSITION: CHIEF EXECUTIVE

KEY ACCOUNTABILITY	OBJECTIVES	PERFORMANCE MEASURE	OBJECTIVE ACHIEVED YES/NO	COMMENTS
<p>1. Managing the political interface</p>	<p>1. Build and Maintain strong relationships of trust and confidence between officers and each party to promote good and open relationships between political parties.</p> <p>2. All members well informed about what is happening in the council and key national issues.</p>	<p>Weekly meeting with Leader. All Party Leaders Meetings – Review the agenda items for all party meetings Attendance at Political Group Meetings to discuss key issues.</p> <p>Improved flow of communications to all members e.g. revamp members digest, provide more local information for all members.</p> <ul style="list-style-type: none"> - Maintain and Develop ‘In the Know’ - Ensure member Learning Hours address key issues 		
<p>2. Managing the Council’s resources</p>	<p>1. Deliver revenue, capital, trading and staffing budgets within targets with options presented following the Spending Review.</p>	<p>(a) Monitoring reports to be produced on a monthly basis with corrective action taken as necessary.</p> <p>(b) Outturn expenditure to be within 1% of budgeted revenue expenditure.</p> <p>(c) To set target “bandwidth” for income on trading budget.</p>		



PERFORMANCE REVIEW PROGRAMME OF PRIORITY ACTIVITIES (year) – October 2010 – October 2011

NAME: Donna Hall

POSITION: CHIEF EXECUTIVE

KEY ACCOUNTABILITY	OBJECTIVES	PERFORMANCE MEASURE	OBJECTIVE ACHIEVED YES/NO	COMMENTS
	2. Improve the process for managing capital programme.	(d) Develop a 3-year capital programme. (e) Staffing expenditure target to be within budget. (a) Ensure the capital projects are delivered on time and within budget and that a robust project planning process is adopted. (b) Ensure completion of a VFM review across the whole organisation.		
	3. Maintain good industrial relations and retain IIP 4. Secure Top Scores on the replacement for CAA/Core Audit	Staff satisfaction scores to continue to rise year on year Independent assessment to be determined.		
3. Providing corporate leadership	1. Ensure delivery of Corporate Strategy and all associated projects.	Corporate Strategy formally adopted by Council. Review progress on projects throughout the year.		

PERFORMANCE REVIEW PROGRAMME OF PRIORITY ACTIVITIES (year) – October 2010 – October 2011

NAME: Donna Hall

POSITION: CHIEF EXECUTIVE

KEY ACCOUNTABILITY	OBJECTIVES	PERFORMANCE MEASURE	OBJECTIVE ACHIEVED YES/NO	COMMENTS
	2. To ensure the Council has the capacity to deliver the Corporate Strategy. 3. Review the Council's Planning service with The Director	Delivery of the workforce plan that delivers the right people with the right skills to deliver the corporate strategy Ensure the delivery of short medium and long-term actions.		
	4. Continue to engage staff and increase awareness of the Council's Key Priorities and aware of their contribution.	(a) Undertake staff Listening Days to work with staff to improve services and maintain morale.		
4. Developing external links/ partnerships	1. Sustain the effectiveness of the LSP. 2. Continue to engage members in the LSP process.	(a) Ensure that all members are made aware of the significance of the LSP (link to improved flow of communication in objective 1) Increase level of engagement of members. (b) Presentation at full Council to explain/debate the differences and links between Council strategy and community strategy.		

PERFORMANCE REVIEW PROGRAMME OF PRIORITY ACTIVITIES (year) – October 2010 – October 2011

NAME: Donna Hall

POSITION: CHIEF EXECUTIVE

KEY ACCOUNTABILITY	OBJECTIVES	PERFORMANCE MEASURE	OBJECTIVE ACHIEVED YES/NO	COMMENTS
	<p>3. Improve council's performance through collaborative working and achieve better value for money through shared services projects.</p> <p>4. Progress Team Lancashire</p> <p>Develop effective links work with other partner organisations</p>	<p>(a) Monitor and ensure the joint LDF approach with Preston and South Ribble runs smoothly"</p> <p>(b) Consider opportunities for the potential expansion of the partnership.</p> <p>(c) Determine the effectiveness of the Joint Community Safety partnership with South Ribble.</p> <p>Manage Team Lancashire ensuring all projects and programmes are delivered</p> <p>Ensure that the council actively supports the Children's Trust arrangements in Chorley</p> <p>Develop proposals for consideration by the council to ensure a successful LEP for Lancs with tangible gains for Chorley</p>		
	<p>5. Review and evaluate current processes for engaging with the public.</p>	<p>Evaluate the effectiveness of neighbourhood working restructures</p>		

PERFORMANCE REVIEW PROGRAMME OF PRIORITY ACTIVITIES (year) – October 2010 – October 2011

NAME: Donna Hall

POSITION: CHIEF EXECUTIVE

KEY ACCOUNTABILITY	OBJECTIVES	PERFORMANCE MEASURE	OBJECTIVE ACHIEVED YES/NO	COMMENTS
5. Promoting the Council	<p>1. Promote Chorley Borough Council initiatives to improve our reputation and raise funding for Chorley.</p> <p>2. Host regular meetings with community and voluntary groups.</p> <p>4. Promote the Council's interest in relation to Regional issues</p>	<p>Address key audiences as and when appropriate – inside and outside the Borough.</p> <p>Meet with community and voluntary groups 10 times a year.</p> <p>Develop a more innovative Locality Plan for Chorley with LCC including key improvements to the way the public realm is managed.</p>		
	<p>5. Secure regional and national recognition for significant achievements.</p> <p>5. Raise income from consultancy work to support reward and recognition for staff for CE Awards and to close budget gap in CE directorate.</p>	<p>Submit 2 applications per annum for national awards, e.g. LGC, MJ. Ensure at least 3 national articles a year in relevant publications.</p> <p>Secure £10,000 of external income pa</p>		

PERFORMANCE REVIEW PROGRAMME OF PRIORITY ACTIVITIES (year) – October 2010 – October 2011

NAME: Donna Hall

POSITION: CHIEF EXECUTIVE

KEY ACCOUNTABILITY	OBJECTIVES	PERFORMANCE MEASURE	OBJECTIVE ACHIEVED YES/NO	COMMENTS
	7. Restructure Communications to deliver a saving whilst improving the effectiveness of the service through a revised Communications Strategy	Saving secured – increase in customer satisfaction levels.		

Report of	Meeting	Date
Chief Executive as Returning Officer (Introduced by the Executive Leader)	Council	2 November 2010

PROPOSED CHANGES TO POLLING STATIONS

PURPOSE OF REPORT

- To gain approval from Members for proposed changes to Polling Stations.

RECOMMENDATION(S)

- That a decision is made regarding the adoption of the new polling stations

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 organisation	✓

BACKGROUND

- The Electoral Services Office has received three requests for changes to polling stations. In addition the service has identified a further two possible changes which it is felt will be of benefit to the electorate.

PROPOSALS

- LOSTOCK WARD

Within the Lostock Ward in Croston (Polling District 18B) the current polling station is at Trinity and St. Michael's Primary School. A request was received asking if we would consider an alternative to this and the Church Hall at the Trinity Methodist Church was suggested.

The Church Hall has been visited and this would be a suitable alternative having the additional benefits of a suitable car park and as such it is recommended that this venue be used as a polling station in future.

6. CLAYTON-LE-WOODS AND WHITTLE-LE-WOODS WARD

Currently for those properties that are on Buckshaw Village (Polling District 10C) a mobile station has been used as a polling station. This is not ideal and as the number of properties increase it is likely that the mobile will not be a large enough venue. It is proposed therefore that the new Buckshaw Community Centre is used instead. This location has already been identified as for use as a polling station for the 02C Polling District of the Astley and Buckshaw Ward but the premises is sufficiently large enough to accommodate both polling districts. Whilst the premises is not actually within the Clayton-Le-Woods and Whittle-Le-Woods Ward, legislation does allow for such a situation should there be no other suitable alternative.

In addition to the above, in our considerations we have taken into account disabled access. Whilst we do provide ramps for the mobile stations disabled access is still not ideal and this change would provide for improved access.

7. ASTLEY AND BUCKSHAW WARD

As mentioned above, Polling District 02C of the Astley and Buckshaw Ward has been allocated Buckshaw Community Centre as a polling station. This was agreed by Council on 15 December 2009 pending the availability and suitability of the premises. The Centre is now open and available and is a suitable location and will therefore be used for future elections for this polling district.

8. PENNINE WARD

In the Pennine Ward, for Polling Districts 19A and 19B the current polling station is White Coppice Nursery. The owners of this have contacted us with a request that an alternative venue is considered in order to avoid disruption to the business on polling days.

We have considered this request and the only suitable alternative we can find is to use the Church Hall of Saint Barnabas Church on Chapel Lane, Heapey. The Church is a more suitable venue having a car park nearby and being easier to get to rather than the unmade road near the nursery.

Polling districts 19A and 19B would therefore transfer in full to this station and those properties on Chapel Lane and Trigg Lane who currently use Saint Chad's School will also transfer to Saint Barnabas.

Part of our proposal here is also centred around access for the disabled. The current polling station has got disabled access but in some respects this is negated due to the station being positioned on what is an unmade and uneven road. The use of the Church will improve this situation and although there is currently no level access we will be providing a ramp for polling day.

9. CLAYTON-LE WOODS WEST AND CUERDEN WARD

For Polling Districts 12B and 12C of the Clayton-Le-Woods West and Cuerden Ward a mobile station is currently used on Cuerden Residential Park, situated to the rear of the site's social club.

The use of mobiles has never been ideal and as such we have reached agreement with the site owners that we can now use the club house itself as a polling station. The club will obviously be closed for other purposes and under these circumstances it is a much more

suitable venue than the previous mobile and the recommendation is that the club house is used in future.

As in our other proposals we have again taken disabled access facilities into our considerations. Again whilst we do provide ramps for the mobile stations disabled access is still not ideal and this change would also facilitate improved access.

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	✓

COMMENTS OF THE DIRECTOR OF TRANSFORMATION (HEAD OF GOVERNANCE)

- 11. It is the reasonable practice of this Authority to review the provision of Polling Stations after each election. The recommendations within this report are made after the consideration of proper assessment criteria.

**DONNA HALL
RETURNING OFFICER**

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Phil Davies	5131	19/10/10	***

This page is intentionally left blank



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Leader)	Council	2 November 2010

COMMUNITY GOVERNANCE REVIEW FOR THE BUCKSHAW AREA

PURPOSE OF REPORT

1. To consider whether to undertake a Community Governance Review of the Buckshaw area following a request received to create a Parish Council for the Buckshaw area of Chorley Borough.

RECOMMENDATION(S)

2. That Members determine whether a Community Governance Review should be undertaken of the Buckshaw area.
3. That, if a Community Governance Review is agreed, then a Committee of seven Members be appointed and given delegated authority to oversee the process up to the final recommendation stage when full Council would be required to make a decision.

EXECUTIVE SUMMARY OF REPORT

4. The Local Government and Involvement in Health Act 2007 gave local Councils power to undertake Community Governance Reviews of parish boundaries and to introduce changes without requiring approval from the Boundary Committee for England.
5. A request has been received for the Council to undertake such a review of the Buckshaw area with a view to potentially creating a Buckshaw Parish Council, rather than Buckshaw being served by Euxton and Whittle le Woods Parish Councils as at present.
6. The report outlines the processes which make up a Community Governance Review including consultation, resources and officer support and also some potential outcomes of a Review.

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

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

CURRENT PARISH ARRANGEMENTS IN THE BUCKSHAW AREA



8. At present the Chorley Council part of Buckshaw is served by two Parish Councils – Euxton Parish Council and Whittle le Woods Parish Council (see attached map). The area of Buckshaw which lies in South Ribble Borough Council area is not parished.

THE COMMUNITY GOVERNANCE PROCESS

9. The Community Governance Review process looks at whether the current parishing arrangements best serve the local community. This includes whether they achieve community engagement, better local democracy and more convenient and effective delivery of local services. Reviews can take some time to complete, although they must be concluded with 12 months.
10. The Community Governance Review process cannot look at Borough ward boundaries, Borough boundaries or Parliamentary constituency boundaries. Changes to these require a full Boundary Committee Review. Whilst the Boundary Committee have been asked to look at the Council boundary around the Buckshaw area, they have informed us that it will be some years before this can be scheduled and the forthcoming Parliamentary boundary review will receive priority.
11. The process to be adopted in undertaking a Community Governance Review is set out in Government guidance and is summarised as follows:
- Once a decision is made to undertake a review, terms of reference are drawn up for approval by either full Council or a committee appointed to oversee the review. The terms of reference set out the drivers to a review; current arrangements; what is being investigated; the process – including consultation plans and timetables; they would also include maps and Council tax/precept information. It does not include recommendations at this stage.
 - There can then be a short period to receive submissions from interested parties.
 - Draft recommendations are then drawn up and published for consultation.
 - Following consultation, final recommendations are drawn up for approval by full Council and then published.
 - Assuming a change to current arrangements is agreed, then a Reorganisation Order is drawn up which includes a timetable for implementation. This includes the impact on the Electoral Register and the Elections process.

CONSULTATION

12. Consultation arrangements must be robust. At the preliminary stage submissions could be invited from those directly affected – the Parish Councils and local residents and residents groups.

However the consultation process on the draft recommendations should involve all those affected:

- County Council, Borough Council, Parish Council
- Residents of those areas
- Partners with an interest in the area
- Those involved in the wider picture of community governance for the area eg the management agreement operated by Red Row

POTENTIAL OUTCOMES AND IMPLEMENTATION

13. We cannot anticipate what the outcome of a review might be but the request received is for a review to amalgamate the current parished areas within Buckshaw into one new Parish Council for Buckshaw Village, with the other parishes being adjusted accordingly. In effect, this could mean, for example, that:

- The existing Whittle-Le-Woods Parish Ward of Whittle-Le-Woods West would lose approximately 512 electors (within polling district 10C) to the new parish.
- The existing Euxton Parish Ward of Euxton North East would lose approximately 457 electors (within polling district 02C) again to the new parish.
- The number of seats within the existing parishes would be reviewed with regard to the change in the electorate.
- A new parish would be formed consisting of polling districts 10C and 02C with a current electorate in the region of 969. An appropriate number of parish council seats would need to be determined, although the legislation stipulates that the minimum number of seats in a Parish Council is 5.

14. A Community Governance Review would look at this option along with any other option which came out of the review process and the consultation. It would also look at the potential to unparish the area – particularly in light of the South Ribble part of Buckshaw being unparished. The purpose of such a review is to look at all options.

15. The timescale for implementation of new arrangements is 1 April following the publication of the Reorganisation Order. If a Review was to be undertaken this is likely to be April 2012.

IMPLICATIONS OF REPORT

16. 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	

COMMENTS OF THE DIRECTOR OF TRANSFORMATION (HEAD OF GOVERNANCE)

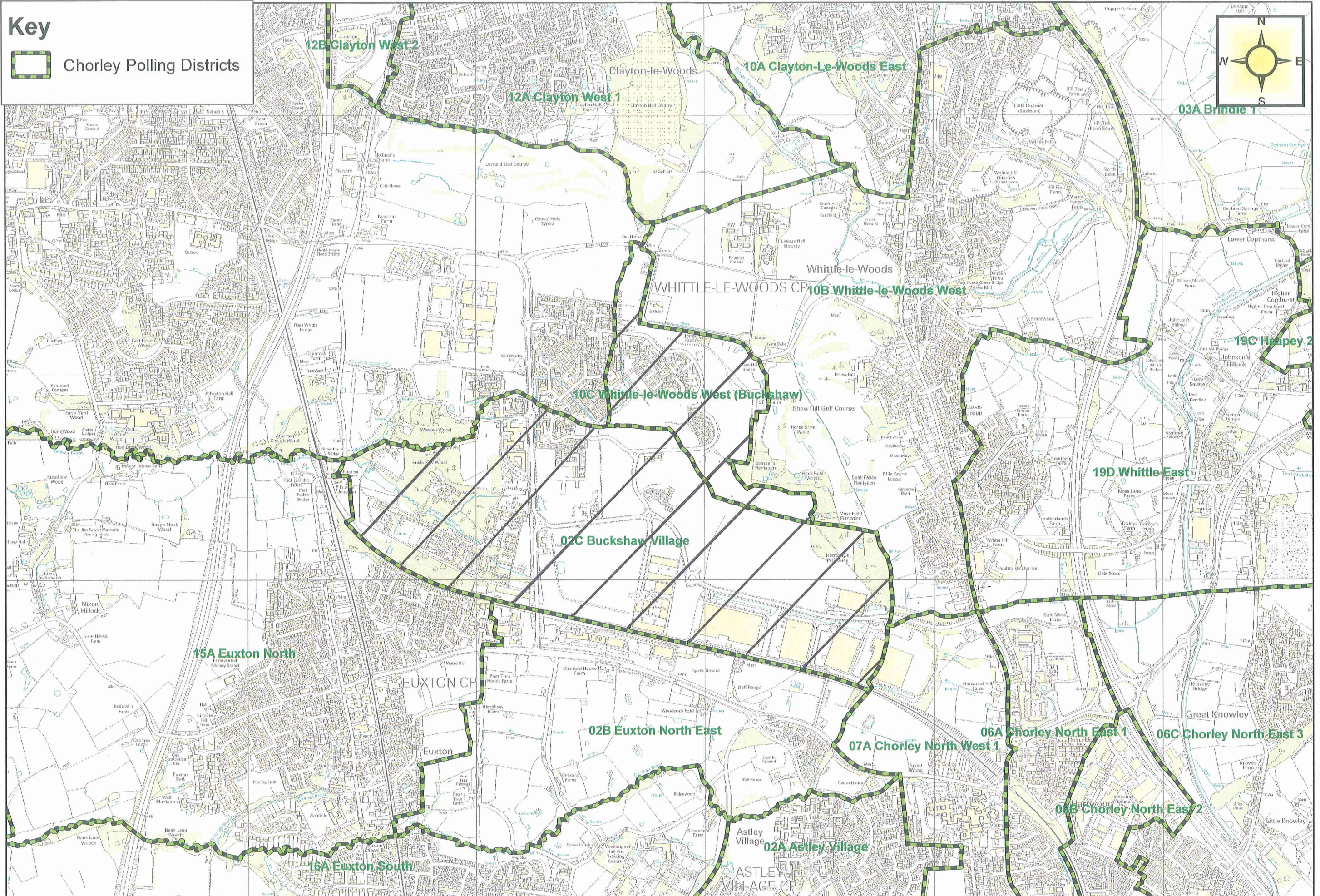
17. The legislative framework for the undertaking of Community Governance Reviews is contained within the Local Government and Public Involvement in Health Act 2007. This provides an opportunity for Councils to consider parishing arrangements within their borough. Although no petition from the public has been received to undertake this review, the proposal requires consideration due to the particular characteristics of this area.

**DONNA HALL
CHIEF EXECUTIVE**

Report Author	Ext	Date	Doc ID
Carol Russell/Phil Davies	5196	11 October 2010	***

Background Papers			
Document	Date	File	Place of Inspection
DCLG Guidance on conducting Community Governance Reviews	April 2008		

This page is intentionally left blank



This page is intentionally left blank