

# COUNCIL

**Tuesday, 11 April 2006**

**Present:** Councillor Mrs M Gray (Mayor), Councillor M Wilson (Deputy Mayor), Councillors K Ball, T Bedford, E Bell, A Birchall, T Brown, Brownlee, Mrs P Case, H Caunce, A Cullens, F Culshaw, M Davies, D Dickinson, Mrs D Dickinson, D Edgerley, A Gee, D Gee, T Gray, H Heaton, C Hoyle, Miss M Iddon, M Lees, R Lees, L Lennox, M Lowe, A Lowe, P Malpas, T McGowan, G Morgan, R Parr, G Russell, Mrs I Smith, S Smith, Mrs J Snape, R Snape, C Snow, J Walker, Mrs S Walsh, A Whittaker and J Wilson.

## **06.C.31 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Buckley, Goldsworthy, Miss Molyneaux, Perks and E Smith.

## **06.C.32 DECLARATIONS OF ANY INTERESTS**

Councillor Edgerley, Lennox and Snow each declared a personal interest in relation to Minute 06.C.49, item 17(a) on the agenda relating to Housing Stock Transfer Offer Document.

## **06.C.33 MINUTES**

**RESOLVED – That the Minutes of the Council meeting held on 7 March 2006 be confirmed as a correct and signed by the Mayor, subject to the inclusion of Councillor Mrs I Smith in the list of Councillors present at the meeting.**

## **06.C.34 COUNCILLOR R W LIVESEY - RESIGNATION**

The Mayor advised Members of the resignation of Councillor Roger W Livesey (Councillor for Clayton-le-Woods North West Ward) with effect from 14 March 2006. Ex-Councillor Livesey had served on the Council for almost 3 years, having been elected in May 2003.

## **06.C.35 MAYORAL ANNOUNCEMENTS**

The Mayor informed Members of the following:

- (a) That Councillors Brownlee, Buckley and Parr were not seeking re-election and that this was their last Council meeting. The Mayor along with the Executive Leader, Deputy Leader of the Conservative Group, Leader of the Liberal Democrat Group as well as Councillors R Snape and Bell, each spoke of their appreciation of the work of the three Members as well as Ex Councillor Livesey. Councillors Brownlee and Parr thanked Members and Officers for their help and assistance over the years.
- (b) A Fashion Show to be held at St Joseph's parish Centre by Cameo on Wednesday, 26 April 2006. Tickets were £4.00 including a 10% discount from any purchase at Cameo during May.

- (c) That Hoghton Parish Council were about to hold their 1000<sup>th</sup> meeting of the Council.

**06.C.36 ANNUAL AUDIT AND INSPECTION LETTER, 2004/05**

The Council received from the Audit Committee their Annual Audit and Inspection Letter for 2004/05 which summarised the conclusions on significant issues arising from the Commission's audit and inspection of the Council.

The Audit Commission District Audit or Relationship Manager attended the meeting and assisted Members consideration of the letter. Members views and comments on the Audit and Inspection letter were received.

**RESOLVED – That the Annual Audit and Inspection Letter for 2005/06 be noted.**

**06.C.37 DEVELOPMENT CONTROL COMMITTEE**

The Chair of the Development Control Committee presented a report which summarised the more significant proposals that had been considered at meetings of the Committee held on 6 March 2006 and 27 March 2006.

**RESOLVED – That the report be noted.**

**06.C.38 STATUTORY LICENSING COMMITTEE AND LICENSING AND SAFETY COMMITTEE**

The Chair of the Statutory Licensing Committee and the Licensing and Safety Committee presented a report which summarised the principal matters which had been considered at meetings of the Committee held on 8 March 2006.

**RESOLVED – That the report be noted.**

**06.C.39 AUDIT COMMITTEE**

The Chair of the Audit Committee presented a report which summarised briefly the principal matters that had been considered at a meeting of the Committee held on 27 March 2006.

**RESOLVED – That the report be noted.**

**06.C.40 OVERVIEW AND SCRUTINY COMMITTEE AND PANELS**

The Chair of the Overview and Scrutiny Committee presented a report which summarised briefly the principal matters that had been considered at a meeting of Committee held on 2 March 2006 as well as the ongoing work of the Community, Customer and Environment Overview and Scrutiny Panels.

**RESOLVED – That the report be noted.**

**06.C.41 GENERAL PURPOSES COMMITTEE**

The Chairman of the General Purposes Committee presented a report which summarised the business transacted at a meeting of the General Purposes Committee held on 8 March 2006.

**RESOLVED – That the report be noted.**

#### **06.C.42 CAPITAL PROGRAMME MONITORING 2005/06 AND 2006/07**

The Executive Leader presented a report on the progress of the 2005/06 Capital Programme and also seeking approval of a number of recommendations from the Capital Programme Board.

**RESOLVED – (1) That the following recommendations of the Capital Programme Board be approved:**

##### **Exception Reports**

- (a) approval to a £6,500 increase to the Fleet Management System project budget to be funded from savings in other schemes;
- (b) approval to the revised Housing Revenue Account programme as outlined in Appendix 1 to the submitted report with the inclusion of Cotswold House CCTV scheme within the 2005/06 Capital Programme, to be funded from restricted housing receipts;
- (c) to defer consideration of the start of Phase 3 of the Chapel Street Enhancement Scheme, together with proposals for Phase 4 of the scheme, until a feasible Business Plan has been produced.

##### **New Capital Schemes and Projects**

- (d) that a new scheme for “Pitch Drainage at Bishop Rawsthorne School” be placed in Category B of the 2006/07 Capital Programme, and that £19,944 from Section 106 funding (from the Fairclough Homes, Jubilee Mill, Croston Agreement) be used as match funding for this project.
- (2) to add the Job Evaluation system to the 2005/06 Capital Programme at a cost of £10,550, to be financed from the existing Job Evaluation Reserve.
  - (3) to agree the reduction of the 2005/06 Capital Programme to £10,541,950 as outlined in Appendix 1 to the submitted report.
  - (4) to approve the addition of £112,490 for kerbside recycling expenditure to the 2006/07 Capital Programme.
  - (5) to amend the 2006/07 Capital Programme by the slippage of £4,609,600 from 2005/06 and the net reduction of £6,050 in the Other Changes column of Appendix 3 to the submitted report.
  - (6) to approve the Reserve List of Capital Schemes to be considered for implementation in 2006/07 being increased by £1,216,580 as presented in Appendix 4 to the submitted report.

#### **06.C.43 ROLE AND MEMBERSHIP OF THE AUDIT COMMITTEE**

The Executive Leader presented a report reviewing the role and membership of the Audit Committee in the light of new CIPFA guidance and recommendations contained within the Audit Commission’s Use of Resources assessment.

The new CIPFA guidance points to the Audit Committee’s role in monitoring the organisation’s overall guidance arrangements, including risk management and tracking the implementation of recommendations. In addition, the Audit Commission

has suggested that Audit Committees should be independent of both Executive and Scrutiny functions.

As a consequence the Council had been advised to review the remit, composition, membership, training and reporting lines of its Audit Committee.

**RESOLVED – (1) That the Council adopts the new CIPFA model terms of reference for the Audit Committee.**

**(2) That the respective terms of reference of the Audit Committee and the Overview and Scrutiny Committee be aligned to provide greater clarity of remit and avoidance of overlap.**

**(3) That the Council implements the action necessary to ensure compliance with the new CIPFA guidance on Audit Committee.**

**(4) That the Council consults the Audit Commission to determine the flexibilities that may exist in terms of the composition and membership of the Audit Committee.**

#### **06.C.44 CONSTITUTION OF THE CHIEF EXECUTIVE'S PERFORMANCE REVIEW PANEL**

The Executive Leader submitted a report recommending the appointment of a Member Panel to be responsible for undertaking the performance reviews of the Chief Executive, as there was currently no formal performance review system in place for the Council's Head of Paid Services.

**RESOLVED – That the constitution of a Chief Executive is Performance Review Panel be approved, comprising the following cross-party Members: Councillor J Wilson (Chairman) and Councillors K Ball, Mrs Case, D Edgerley, P Goldsworthy, C Hoyle and R Snape.**

#### **06.C.45 REVISED LOCAL DEVELOPMENT SCHEME 2006-2009**

The Executive Member for Development and Planning submitted a report seeking the endorsement of the revised Local Development Scheme (LDS) for the Local Development Framework (LDF) to run from 2006-2009.

Local Authorities were statutorily required to produce annual Local Development Schemes, which set out the planning documents to form the LDF and include a timetable of significant dates (ie 'milestones') to which the Council would be committed.

The report pointed out the most significant change to the current LDS was the introduction in the proposed revised LDS of the new Householder Supplementary Planning Document, together with alterations to the order of a number of the other listed documents.

**RESOLVED – That the draft revised Local Development Scheme for 2006-2009 for submission to the Government Office for the North West be approved.**

#### **06.C.46 EXECUTIVE CABINET GENERAL REPORT**

The Executive Leader presented a report summarising the more significant items of business dealt with at meetings of the Executive Cabinet held on 9 and 30 March 2006.

**RESOLVED – That the report be noted.**

**06.C.47 AREA FORUM PILOTS - UPDATE REPORT**

The Chief Executive submitted a report on the feedback from the public at all three meetings of the pilot area forums. The three sessions had been very positive and there was a good attendance overall.

The report identified the key issues that had been raised by members of the public at all three meetings.

**RESOLVED – That the report be noted.**

**06.C.48 HOUSING SHADOW BOARD - REPLACEMENT MEMBER**

As a consequence of the resignation of Ex-Councillor R Livesey a replacement Council representative was required on the Housing Shadow Board.

**RESOLVED – That Councillor P Goldsworthy be appointed to the Housing Shadow Board.**

**06.C.49 HOUSING STOCK TRANSFER OFFER DOCUMENT**

The Executive Leader presented a report seeking approval to the Housing Stock Transfer Offer Document.

The Council were statutorily required to consult with all secure and introductory tenants whose homes would be transferred to the new landlord. The offer document, which represented the Stage 1 Notice of the formal consultation process, set out the Council's promise to tenants of the consequences of transfer, and would form the basis of the legal agreement between the Council and Chorley Community Housing, the proposed new landlord.

The subsequent ballot of tenants was expected to commence immediately after the issue of the Stage 2 Notice, and to run concurrently with that Notice.

**RESOLVED – (1) That the Housing Stock Transfer Offer Document, be approved.**

**(2) That delegated authority be granted to the Head of Housing Services to make amendments to the text of the document which do not affect the substance of the offer, together with any factual corrections to the document arising from any changes to the composition of the Chorley Community Housing Shadow Board that may occur prior to publication.**

**(Councillors D Edgerley, L Lennox and Snow each declared an interest in the above item and left the room during the discussion and voting).**

Mayor