

Council

Tuesday, 8 January 2013

Present: Councillor June Molyneaux (Mayor), Councillor John Walker (Deputy Mayor) and Ken Ball, Eric Bell, Julia Berry, Alistair Bradley, Terry Brown, Henry Caunce, Jean Cronshaw, Matthew Crow, Magda Cullens, John Dalton, David Dickinson, Doreen Dickinson, Graham Dunn, Dennis Edgerley, Robert Finnamore, Christopher France, Anthony Gee, Danny Gee, Peter Goldsworthy, Marie Gray, Alison Hansford, Harold Heaton, Steve Holgate, Keith Iddon, Kevin Joyce, Hasina Khan, Paul Leadbetter, Adrian Lowe, Marion Lowe, Greg Morgan, Mick Muncaster, Steve Murfitt, Beverley Murray, Alan Platt, Pauline Phipps, Dave Rogerson, Geoffrey Russell, Rosie Russell, Kim Snape, Paul Walmsley and Peter Wilson

Also in attendance

Officers: Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jamie Carson (Director of People and Places), Chris Moister (Head of Governance) and Carol Russell (Democratic Services Manager)

13.C.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Roy Lees, Mark Perks, Joyce Snape, and Ralph Snape.

13.C.2 MINUTES

RESOLVED – that the minutes of the last Council meeting held on 6 November 2012 be confirmed as a correct record and signed by the Mayor.

13.C.3 DECLARATIONS OF ANY INTERESTS

Councillors Hasina Khan, Jean Cronshaw and Alistair Bradley declared non pecuniary interests in agenda item 10 on the Local Council Tax Support Scheme but took full part in the meeting on the basis of guidance provided by the Monitoring Officer.

13.C.4 MAYORAL ANNOUNCEMENTS

The Mayor wished all present a Happy New Year and updated Members on her Charity Appeal fundraising with money raised from a Christmas Raffle and donations instead of Christmas Cards. The Mayor thanked Members and Officers for their support and referred to forthcoming sponsored events, plus a Quiz Night scheduled for 19 January, and her Charity Ball on 15 February 2013.

13.C.5 PUBLIC QUESTIONS

No public questions had been received.

13.C.6 EXECUTIVE CABINET

Members considered a general report of Executive Cabinet meetings held on 18 October, 22 November and 13 December 2013.

Members discussed 98 - 102 Market Street, the former McDonalds Site and the proposals for the future use of the site (considered by Executive Cabinet in November). In particular an early approach from Lancashire County Council to lease part of the building for a Youthzone and why this had not appeared in the report as an option. The matter had been confidential at the time and had not been pursued as an option by Lancashire County Council, beyond initial negotiations. Subsequent press coverage of the matter had implied that the project would not be welcomed by Chorley Council. This was not the case and as no formal response had been received from Lancashire County Council it was unclear as to why the site had not been suitable and whether there remained any possibility of this project still going ahead in Chorley.

Councillor Steve Holgate proposed, Councillor Alistair Bradley seconded and it was **RESOLVED –**

- 1. That the Leader of the Council and the Leader of the Conservative Group write a joint letter to the relevant Executive Member at Lancashire County Council seeking a formal response clarifying their position regarding the Youthzone and the Market Street site; and**
- 2. That the general report of Executive Cabinet meetings be noted.**

13.C.7 CAPITAL PROGRAMME MONITORING 2012/13 - 2014/15

Members considered a report of the Chief Executive updating the capital programme for the financial years 2012/13 and 2014/15 to take account of proposed budget changes and the rephrasing of expenditure to 2013/14. The report had been approved by the Executive Cabinet on 22 November 2013.

Councillor Peter Wilson, Executive Member for Resources, Policy and Performance proposed, Councillor Alistair Bradley, Executive Leader seconded and it was **RESOLVED –**

- 1. That the proposed amendments to the capital programmes for 2012/13, 2013/14 and 2014/15, be approved as presented in columns (3), (7) and (10) of Appendix 1 to the report; and**
- 2. That the Council be recommended to approve the rephrasing of capital budgets between 2012/13 and 2013/14, as presented in columns (2) and (6) of Appendix 1 of the report.**

13.C.8 OVERVIEW AND SCRUTINY COMMITTEE, PERFORMANCE PANEL AND TASK GROUPS

Members considered a general report of the meeting of the Overview and Scrutiny Committee held on 1 October 2012, including a meeting of the Performance Panel on 17 September and an update on the work of the Adoption of Estates Scrutiny Task Group.

Councillor Steve Holgate, Chair of the Committee proposed, Councillor Hasina Khan seconded and it was **RESOLVED – that the report be noted.**

13.C.9 GOVERNANCE COMMITTEE

Members considered a general report of the Governance Committee held on 27 September 2012.

Councillor Paul Leadbetter, Chair of the Governance Committee proposed, Councillor Alison Hansford, Vice Chair of the Committee seconded and it was **RESOLVED – that the report be noted and as requested, future reports be forwarded to the Chair in advance of agenda publication.**

13.C.10 LOCAL COUNCIL TAX SUPPORT SCHEME AND CHANGES TO COUNCIL TAX DISCOUNT AND EXEMPTION SCHEME

The Chief Executive submitted a report proposing a scheme for localised council tax support and also a proposed scheme for council tax discounts and exemption both of which would be in place for 1 April 2013.

The Local Government Finance Act 2012 requires local authorities to design and implement a local scheme to administer council tax support. Localised schemes need to be agreed by 31 January and implemented by 1 April 2013 and will replace the current scheme of council tax benefit. In addition the Spending Review of 2010 indicated that Councils would have their funding to support such schemes, cut by 10%.

In September 2012, full Council considered the issues and indicated that they wished consultation to take place on a new scheme including asking for views on the Council's preferred option of retaining the current scheme but introducing a reduction of 7.5% for all claimants of working age. In addition the scheme of exemptions and discounts available for certain categories of empty property and second homes would be changed.

Since that decision, extensive consultation with those most likely to be impacted had taken place and a detailed breakdown of consultation results was contained within the report, showing general support for the proposals. In addition integrated impact assessments had been undertaken on both proposed schemes to try and identify the potential impact of introducing them.

The financial implications of the proposals were detailed in the report indicating that the final cost of the scheme would depend on the number of claims made. Taking into account the Local Government Finance Settlement recently announced, this would permit claims in the Chorley Borough area totalling up to £6.6m. Beyond this amount would result in the Council incurring costs of around £13,000 for every £100,000 claimed. The volume of claims would be monitored during this first year from 1 April 2013 to try and assess the financial impact for the Council, including the number of applications received for the hardship fund.

Members spoke generally in support of the schemes being proposed as the fairest and most equitable way forward.

Councillor Peter Wilson, Executive Member for Resources, Policy and Performance proposed, Councillor Alistair Bradley, Executive Leader seconded and it was **RESOLVED –**

- 1. That following consideration of the results of the consultation and impact assessment, the local council tax support scheme as**

summarised at Appendix C of the report, be approved for implementation from 1 April 2013;

2. That following consideration of the results of the consultation and impact assessment, the scheme for council tax discounts and exemptions as summarised at Appendix E of the report, be approved for implementation from 1 April 2013; and
3. That the debt recovery policy as set out at Appendix F of the report be adopted for implementation from 1 April 2013.

13.C.11 CALCULATION OF THE COUNCIL TAX BASE 2013/14

Members considered a report of the Chief Executive as Statutory Finance Officer on the determination of the Council tax base for 2013/2014.

The Council tax base must be determined and notified to major preceptors and parishes before 31 January and the report contained details of how this was calculated including the impact of the Council tax reforms for 2013/14. The key financial implications were that Council tax income would be lower, although more than offset by the new Council tax support grant, but that Parish and Town Council income may be affected.

Member queries regarding the Council's commitment to maintaining parish income levels were raised and the Executive Member indicated that whilst this was a decision to be made as part of the budget process, the intention was to support parishes.

Councillor Peter Wilson, Executive Member for Resources, Policy and Performance proposed, Councillor Alistair Bradley, Executive Leader seconded and it was **RESOLVED – that in accordance with the calculations set out in the revised report circulated at the meeting, the tax base for the whole area for 2013/14 be determined as 32,750.66 and the tax base for individual parishes be as set out in Appendix A to the report.**

13.C.12 ADOPTION OF THE LIVING WAGE FOR CHORLEY COUNCIL EMPLOYEES

The Chief Executive submitted a report recommending the adoption of the living wage as a minimum rate of pay for all Chorley Council employees.

The Living Wage Foundation annually updates what is considered to be a "living wage" which is an hourly rate based on the basic cost of living to provide a minimum income standard. The current level for outside London is £7.45 compared to the national minimum wage which is currently £6.19. The recommendation was that the living wage should be adopted for Chorley Council employees, increasing the level of spinal column point 10 to £7.45. Across the Council this would affect 4 contracted employees at an annual total cost of £2,600 plus a number of casual employees.

Councillor Peter Wilson, Executive Member for Resources, Policy and Performance proposed, Councillor Alistair Bradley, Executive Leader seconded and it was **RESOLVED – that Chorley Council adopts the living wage as a minimum rate for all Council employees.**

13.C.13 FAIRTRADE : PROPOSED RESOLUTION

Members considered a report of the Chief Executive seeking the Council's commitment to becoming a Fairtrade Town. Fairtrade is a trading partnership which seeks greater equity in international trade with better prices, decent working conditions, local sustainability and fair terms of trade for farmers and workers in the developing world. Seeking Fairtrade Town status is a commitment to these principles and an intention to:

- Support Fairtrade and deepen understanding of the benefits Fairtrade brings;
- Take action by choosing Fairtrade products whenever possible and encourage others to do likewise; and
- Achieve and continue to take action on the 5 Fairtrade goals set by the Fairtrade Foundation which include the serving of Fairtrade products; promotion and awareness raising about Fairtrade in local workplaces and community organisations.

Whilst generally in support of the proposal, Members queried the cost implications of becoming a Fairtrade organisation. It was indicated that there were no cost implications at this stage, but if this changed in the future, Members would be kept informed.

Councillor Peter Wilson, Executive Member for Resources, Policy and Performance proposed, Councillor Kim Snape seconded and it was **RESOLVED – that the following resolution be adopted:**

CHORLEY COUNCIL is striving to become a Fairtrade Town. As an important consumer and opinion leader, Chorley Council should research, develop, and support a strategy to facilitate the promotion and purchase of foods with the FAIRTRADE Mark as part of its commitment to becoming a Fairtrade Town and in pursuit of sustainable development and to give marginalised producers a fair deal.

Our aim is to be recognised by the residents and business community of CHORLEY, suppliers, employees and other local authorities, as a town that actively supports and promotes Fairtrade and to increase the sale of products with the FAIRTRADE Mark.

CHORLEY COUNCIL resolves to contribute to the campaign to increase sales of products with the FAIRTRADE Mark by striving to achieve Fairtrade status for CHORLEY as detailed Fairtrade Foundation's Fairtrade Towns Initiative.

The initiative involves a commitment to:

- **Widely offer FAIRTRADE Marked food and drink options internally and make them available for internal meetings.**
- **Promote the FAIRTRADE Mark using Fairtrade Foundation materials in refreshment areas and promoting the Fairtrade Towns initiative in internal and communications and external newsletters.**
- **Use influence to urge local retailers to provide Fairtrade options for residents.**

- **Use influence to urge local business to offer Fairtrade options to their staff and promote the FAIRTRADE Mark internally.**
- **Engage in a media campaign to publicise the Fairtrade Towns initiative.**
- **Allocate responsibility for progression of the Fairtrade Town initiative to a member or group of staff.**
- **Organise events and publicity during national Fairtrade Fortnight - the annual national campaign to promote sales of products with the FAIRTRADE Mark.**

13.C.14 LUCAS LANE, WHITTLE LE WOODS : RESIDENT ACTION GROUP PETITION

Members considered a report of the Chief Executive on a petition received from residents of Whittle le Woods relating to a permitted development at Lucas Lane. Over 200 standard letters had been received from residents who opposed the development which had been refused planning permission by the Council but had subsequently been granted by the Planning Inspector on appeal.

In accordance with the Council's petitions policy, the matter had been referred to the Executive Member for Planning and LDF who had sent a letter of response to the Chair of the Residents Group, confirming that the Council would not be pursuing a judicial review of this case and explaining the reasons why.

The Mayor agreed to waive procedure rules to permit Councillor Morgan as a ward councillor to speak in support of the residents on this matter and Councillor Edgerley as Executive Member responded, reaffirming the Council's position as set out in the letter to residents which was appended to the report.

Councillor Alistair Bradley, Executive Leader proposed, Councillor Paul Walmsley, Chair of Development Control Committee seconded and it was **RESOLVED – that the report and action on the petition be noted.**

13.C.15 QUESTIONS ASKED UNDER COUNCIL PROCEDURE RULE 8

There were no questions from Members under procedure rule 8.

13.C.16 TO CONSIDER TWO MOTIONS SUBMITTED BY MEMBERS IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 10

- 1. The following notice of motion was submitted by Councillor Greg Morgan and seconded by Councillor Paul Leadbetter:**

"This Council recognises the importance of the development of a health centre at Friday Street and consequently proposes that this issue be included as a project within the Council's Corporate Strategy. This project should be included under the Council's strategic objective of clean, safe and healthy communities and should be considered as an addition to the Corporate Strategy.

The issue of the development of a health centre on the Friday Street site has been under consideration for some time. This Council believes that it is appropriate to

recognise the importance of this health provision enhancement by introducing it as a corporate strategy project to encourage all partners to work together to see this achieved as soon as possible.”

Councillor Alistair Bradley, Executive Leader responded that whilst he felt the Council may be unable to take the lead on the implementation of this project, he agreed it could be incorporated into the Council’s Corporate Strategy.

RESOLVED – that the motion be accepted and the development of a health centre on the Friday Street Site be incorporated into the Council’s Corporate Strategy.

2. The following motion was submitted by Councillor Kim Snape and seconded by Councillor Chris France:

“Chorley Borough Council notes and welcomes the UK-wide campaign to end ‘legal loan sharking’.

We also believe that the lack of access to affordable credit is socially and economically damaging.

Unaffordable credit is causing a myriad of unwanted effects such as poorer diets, colder homes, rent, council tax and utility arrears, depression (which impacts on job seeking behaviour) and poor health.

Chorley Borough Council further notes that unaffordable credit is extracting wealth from the most deprived communities.

We believe that it is the responsibility of all levels of government to try and ensure affordable credit for all, and therefore pledges to use best practice to promote financial literacy and affordable lending. This will help to ensure that wealth stays in the local economy. We also pledge to promote our new credit union in the area.

We call on the government to introduce caps on the total lending rates that can be charged for providing credit.

We also call up on the government to give local authorities the power to veto licences for high street credit agencies where they could have a negative economic or social impact on the community.”

During debate, Members expressed support for the motion but concern about the wording of the last paragraph and Councillor Peter Goldsworthy, Leader of the Conservative Group proposed and Councillor Greg Morgan seconded, an alternative paragraph as follows:

“We also ask that the Government look to introduce legislation to control such credit agencies through an appropriate licensing regime including giving local authorities the power to veto licences for high street credit agencies in appropriate circumstances.”

RESOLVED – that the motion, as amended by the last paragraph, be supported.

13.C.17 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – that the press and public be excluded from the meeting during the following item of business as it involves the disclosure of exempt information under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

13.C.18 PLANNING BREACH: LAND AT HEATH PADDOCK, HUT LANE, HEATH CHARNOCK

Members considered a report of the Director of Partnerships, Planning and Policy on progress and expenditure to date relating to legal proceedings against a planning breach at land at Hut Lane, Heath Charnock (known as Heath Paddock).

Councillor Dennis Edgerley, Executive Member for Planning and LDF proposed, Councillor Peter Wilson, Executive Member for Resources, Policy and Performance seconded, and it was

RESOLVED –

- 1. That the progress and expenditure to date in instigating prosecution of the land owners for breach of the enforcement notices and for seeking injunctive relief be noted;**
- 2. That it be re-affirmed that the £115k (net of expenditure to date) and the provision of £30k for any operational necessity (as approved by Cabinet on 18 August 2011) is set aside from balances from the general revenue fund to cover the cost of this enforcement action; and**
- 3. That approval be given to increasing the budgetary provision by a further £40k from balances to fund a re-run of the Public Enquiry given the successful High Court Challenge and for continuing enforcement action as detailed in the report.**

Chair