

Council

Agenda and Reports

For consideration on

Tuesday, 16th April 2013

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.

08 April 2013

Dear Councillor

COUNCIL - TUESDAY, 16TH APRIL 2013

You are invited to attend a meeting of the Chorley Borough Council to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 16th April 2013 commencing at 6.30 pm for the following purposes.

AGENDA

1. **Apologies for absence**
2. **Minutes of the last meeting held on Thursday, 28 February 2013 (Pages 1 - 10)**
3. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

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

4. **Mayoral Announcements**
5. **Public Questions**

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

Mr Rouse of 6 Nightingale Way, Gillibrand South, Chorley would like to ask a question about the pond in Nightingale Way.

6. **Armed Forces Community Covenant**

To consider a report of the Director of People and Places (to follow).

7. **Executive Cabinet (Pages 11 - 18)**

To consider the attached general report of Executive Cabinet meetings held on 17 January, 21 February and 21 March 2013.

8. **Overview and Scrutiny Committee**

- a) General Report of Overview and Scrutiny Committee meeting held on 22 January 2013 (attached) (Pages 19 - 24)
- b) General Report of Overview and Scrutiny Committee meeting held on 8 April 2013 (to follow)

9. **Governance Committee (Pages 25 - 32)**

To consider the attached general report of Governance Committee meetings held on 17 January and 14 March 2013.

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

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

12. **To consider two petitions presented in accordance with Council Procedure Rule 23**

To consider the attached reports of the Director People and Places:

- a) Clayton Brook Pub Car Park: Response to Petition (Pages 33 - 34)
- b) Petition Regarding Condition of a Residential Property at Haigh Close, Chorley (Pages 35 - 38)

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

Yours sincerely



Gary Hall
Chief Executive

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Democratic Services Manager
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Distribution

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

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

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Special Council**Thursday, 28 February 2013**

Present: Councillor June Molyneux (Mayor), Councillor John Walker (Deputy Mayor) and Ken Ball, Eric Bell, Julia Berry, Alistair Bradley, Terry Brown, Jean Cronshaw, Matthew Crow, John Dalton, David Dickinson, Doreen Dickinson, Dennis Edgerley, Robert Finnamore, Christopher France, Anthony Gee, Danny Gee, Peter Goldsworthy, Alison Hansford, Harold Heaton, Steve Holgate, Keith Iddon, Kevin Joyce, Hasina Khan, Paul Leadbetter, Roy Lees, Adrian Lowe, Marion Lowe, Greg Morgan, Steve Murfitt, Beverley Murray, Mark Perks, Alan Platt, Pauline Phipps, Dave Rogerson, Geoffrey Russell, Rosie Russell, Joyce Snape, Kim Snape, Ralph 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.19 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Henry Counce, Magda Cullens, Graham Dunn, Marie Gray and Mick Muncaster.

13.C.20 MINUTES OF MEETING TUESDAY, 8 JANUARY 2013 OF COUNCIL

RESOLVED – That the minutes of the last Council meeting held on 8 January 2013 be confirmed as a correct record for signature by the Mayor.

13.C.21 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

13.C.22 MAYORAL ANNOUNCEMENTS

The Mayor expressed her thanks to all those who had supported the Charity Ball in February which had been a great success and had raised £3809 towards her chosen charities. She also thanked those who had assisted her fundraising activities through sponsored events and through the donation of prizes and gifts.

13.C.23 PUBLIC QUESTIONS

There had been no requests received from members of the public.

13.C.24 GENERAL FUND REVENUE AND CAPITAL BUDGET AND COUNCIL TAX 2013/14

The Executive Member for Resources, Policy and Performance presented the Executive's General Fund Revenue and Capital Budget and Council Tax proposals for 2013/2014.

The report detailed the elements of the proposals which recommended that Council Tax be frozen in 2013/14 at 2012/13 levels.

Resources had been allocated in line with the key priorities of:

- Involving residents in improving their local area and equality of access for all
- Clean, safe and healthy communities
- An ambitious Council that does more to meet the needs of residents and the local area
- A strong local economy.

The key features of the budget being proposed in addition to the zero Council tax increase were:

- A programme of new investment totalling £2.824m
- £0.45m set aside to restructure debt and achieve a saving in the revenue budget of £0.060m.
- Maintaining general balances at a minimum of £2m in line with the requirements of the Medium Term Financial Strategy.

Attached to the main report was a series of appendices providing technical and budgetary information to support the proposals which were either for Members information or approval. These were as follows:

Appendix A1 Formal Council Tax resolution

Appendix A2 Pay policy – a revised pay policy was circulated at the meeting which included some changes to the structure of senior management remuneration.

Appendix A3 Proposed fees and charges for 2013/14

Appendix B1 Capital programme for 2012/13

Appendix B2 Capital programme for 2013/14 to 2015/16

Appendix B3 Capital programme proposed changes 2012/13 to 2015/16

Appendix B4 Section 106 and similar developers' contributions

Appendix C Budget investment package

Appendix C1 Investment project mandates

Appendix D Treasury strategies and prudential indicators 2013/14 to 2015/16

Appendix E Statutory Finance Officer report

Appendix F Medium term financial strategy 2013/14 to 2015/16

Appendix F1 Analysis of budget variations 2013/14 to 2015/16

Appendix G Significant budget movements 2012/13 to 2013/14

Appendix H Special expenses 2013/14

Appendix I Budget consultation 2013/14

Appendix J Equality impact assessment 2013/14 budget proposals

Members debated the Executive's proposed budget.

Councillor Peter Goldsworthy, Leader of the Conservative Group proposed and Councillor Greg Morgan, Deputy Leader seconded, the following amendment:

That Labour's spending plans be curbed and in doing so we propose

- *Council tax be reduced in year by 10%*
- *To reduce not increase, debt*
- *To reduce spending plans but leave spending to rise on those policy areas we find beneficial*
- *Maintain healthy balances*

This would be achieved through the following:

Capital proposals

- *Remove the £1m capital spend for “Regeneration Projects” referred to in the main report.*
- *Offer the former McDonalds site for sale for housing or commercial development – reclaiming the £476,000 purchase price.*
- *Increase debt repayments by £864,000, utilising underspend in 2012/13 of £564,000 and £300,000 from the town centre reserve.*

Consequently, as a result of the proposed changes, total borrowing will fall by £2.114m to £8.490m - a reduction of 20%

Revenue proposals

- *Reducing revenue growth to £463,500 by delivering only on the following items – business rate and refurbishment grants; active generation; street games; Clean up Chorley campaign; street furniture; employee health scheme; support to the VCFS network; 16/17 year old drop in scheme; free swimming; employment initiative with Runshaw.*
- *Use the New Homes Bonus as revenue income of £739,000 in 2013/14 increasing in the next two years to over £2m.*

On being put to the vote, the amendment was LOST

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

- 1. The Council approves the freezing of Council tax in 2013/14 at 2012/13 levels and agrees the budget set out in the report as follows:**
 - 1.1 The Council’s pay policy as circulated at the meeting be approved for publication on the Council’s website from April.**
 - 1.2 The Council’s fees and charges be maintained at 2012/13 levels (Appendix A3).**
 - 1.3 The capital programme to 2015/16 be approved (Appendices B1, B2, B3 and B4).**
 - 1.4 The budget investment package be approved (Appendix C and C1).**
 - 1.5 The Treasury Management Strategy and its core principles be approved (Appendix D).**
 - 1.6 The advice of the Statutory Finance Officer in relation to the robustness of the budget and the risks contained in the budget be noted (Appendix E).**
 - 1.7 The Council’s Medium Term Financial Strategy be approved (Appendices F and F1).**
 - 1.8 Significant budget movements from the 2012/13 budget be noted (Appendix G).**

1.9 The Special Expenses and Parish precepts be noted (Appendix H).

1.10 The Budget consultation 2013/14 report be noted (Appendix I).

1.11 The Equality Impact Assessment of the 2013/14 budget proposals be noted (Appendix J).

2. The formal Council tax resolution be approved (Appendix A1) as follows:

2.1 It be noted that on 8 January 2013 the Chief Executive as Statutory Finance Officer calculated the Council Tax Base 2013/14

(a) for the whole Council area as 32,750.66 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and

(b) for dwellings in those parts of its area to which a Parish precept relates (as in the attached Table 2).

2.2 Calculate that the Council Tax requirement for the Council's own purposes for 2013/14 (excluding Parish precepts) is £5,810,300

2.3. That the following amounts be calculated for the year 2013/14 in accordance with Sections 31 to 36 of the Act:

(a) £57,901,580 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

(b) £51,561,380 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £6,340,200 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d) £193.59 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

(e) £1,152,818 being the aggregate amount of all special items (Special Expenses and Parish precepts) referred to in Section 34(1) of the Act (as in the attached Table 1).

(f) £158.39 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

2.4 To note that the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.

2.5 That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2013/14 for each part of its area and for each of the categories of dwellings.

VALUATION BANDS

CHORLEY BOROUGH COUNCIL

A	B	C	D	E	F	G	H
105.59	123.19	140.79	158.39	193.59	228.79	263.99	316.78

LANCASHIRE COUNTY COUNCIL

A	B	C	D	E	F	G	H
724.09	844.77	965.45	1,086.13	1,327.49	1,568.85	1,810.22	2,172.26

POLICE & CRIME COMMISSIONER FOR LANCASHIRE

A	B	C	D	E	F	G	H
101.95	118.94	135.93	152.92	186.90	220.88	254.87	305.84

LANCASHIRE COMBINED FIRE AUTHORITY

A	B	C	D	E	F	G	H
42.43	49.51	56.58	63.65	77.79	91.94	106.08	127.30

AGGREGATE OF COUNCIL TAX REQUIREMENTS

A	B	C	D	E	F	G	H
974.06	1,136.41	1,298.75	1,461.09	1,785.77	2,110.46	2,435.16	2,922.18

2.6 That the Statutory Finance Officer and his officers be authorised to take any action necessary to ensure collection and recovery of the Council Tax and Non-Domestic Rates.

2.7 As there is no increase in the Council's basic amount of Council Tax for 2013/14 and is therefore below the allowable increase of 2.0%, it is considered not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

Table 1

Chorley Borough Council - Council Tax 2013/14

	Band A		Band B		Band C		Band D		Band E		Band F		Band G		Band H	
	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept
Lancashire County Council		724.09		844.77		985.45		1,086.13		1,327.49		1,585.85		1,810.22		2,172.26
Chorley Borough Council (Excluding Special Expenses)		105.59		123.19		140.79		158.39		193.59		228.79		283.99		316.78
Police & Crime Commissioner for Lancashire		101.95		118.94		135.93		152.92		186.90		220.88		254.87		305.84
Lancashire Fire Authority		42.43		49.51		56.58		63.65		77.79		91.94		105.08		127.30
Sub Total		974.06		1,136.41		1,288.75		1,461.09		1,785.77		2,110.46		2,435.16		2,822.18
Parish and town councils	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept	Special Expenses	Parish Precept
Adlington	3.21	5.97	3.74	6.96	4.28	7.96	4.81	8.95	5.88	10.94	6.95	12.93	8.02	14.92	9.62	17.90
Anderton	1.37	6.35	1.60	7.41	1.83	8.47	2.06	9.53	2.52	11.55	2.98	13.77	3.43	15.88	4.12	19.06
Anglezarke	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Astley Village	18.04	14.11	21.05	16.46	24.05	18.81	27.06	21.16	33.07	25.89	30.56	39.09	45.10	35.27	54.12	42.32
Bretherton	-	23.21	-	27.08	-	30.95	-	34.82	-	42.66	-	50.50	-	58.03	-	69.64
Brindle	3.12	9.81	3.84	11.45	4.16	13.08	4.58	14.72	5.72	17.99	6.76	21.26	7.80	24.53	9.36	29.44
Charnock Richard	2.57	24.18	2.99	28.21	3.42	32.24	3.85	36.27	4.71	44.33	5.56	52.39	6.42	60.45	7.70	72.54
Clayton le Woods	25.09	13.33	29.27	15.58	33.45	17.78	37.63	20.00	45.99	24.44	54.35	23.89	62.72	33.33	75.28	40.00
Copull	5.27	22.50	6.15	26.25	7.03	30.00	7.91	33.75	9.67	41.25	11.43	48.75	13.18	56.25	15.62	67.50
Croston	6.17	13.86	7.19	16.17	8.22	18.48	9.25	20.79	11.31	25.41	13.36	30.03	15.42	34.65	18.50	41.58
Cuerden	7.57	17.13	8.83	19.98	10.09	22.84	11.35	25.69	13.87	31.40	16.39	31.11	18.92	42.82	22.70	51.38
Eccleston	3.22	17.95	3.76	20.49	4.29	23.41	4.83	26.34	5.90	32.19	6.98	35.05	8.05	43.90	9.86	52.68
Euxton	11.31	18.75	13.20	21.87	15.03	25.00	16.97	28.12	20.74	34.37	24.51	40.62	28.28	46.87	33.94	56.24
Hesley	11.56	15.83	13.49	18.46	15.41	21.10	17.34	23.74	21.19	29.02	25.05	34.29	28.90	39.57	34.68	47.46
Heath Charnock	14.06	5.94	16.40	6.93	18.75	7.92	21.09	8.91	25.78	10.89	30.46	12.87	35.15	14.85	42.18	17.82
Heskin	1.44	20.67	1.68	24.12	1.92	27.56	2.16	31.01	2.84	37.90	3.12	44.79	3.60	51.68	4.32	62.02
Houghton	4.55	9.30	5.30	10.85	6.05	12.40	6.82	13.95	8.34	17.05	9.85	20.15	11.37	23.25	13.84	27.90
Mawdesley	0.89	23.03	1.04	26.86	1.19	30.70	1.34	34.54	1.64	42.22	1.94	49.89	2.23	57.57	2.88	69.08
Rivington	-	32.81	-	38.27	-	43.74	-	49.21	-	60.15	-	71.08	-	82.02	-	98.42
Ulmes Walton	-	15.58	-	18.18	-	20.77	-	23.37	-	28.58	-	33.78	-	38.95	-	46.74
Wheaton	-	20.37	-	23.77	-	27.16	-	30.56	-	37.35	-	44.14	-	50.93	-	61.12
Whittle Woods	14.00	9.97	16.33	11.63	18.67	13.29	21.00	14.95	25.67	18.27	30.33	21.59	35.00	34.82	42.00	29.90
Withnell	5.74	15.90	6.70	18.43	7.65	21.07	8.61	23.70	10.52	28.97	12.44	34.23	14.35	39.50	17.22	47.40
All Other parts of the Council's area	17.91	-	20.89	-	23.88	-	26.86	-	32.83	-	38.80	-	44.77	-	53.72	-

Table 2

PARISH COUNCIL PRECEPTS							
Parish Council	2012/13			2013/14			C Tax Increase
	Tax Base	Precepts £	Council Tax Band D (£)	Tax Base	Precepts £	Council Tax Band D (£)	
Adlington	1,955.60	17,500.00	8.95	1,752.44	17,500.00	8.95	0.00
Anderton	494.10	4,600.00	9.31	462.49	4,700.00	9.53	0.22
Anglezarke	17.20	-	0.00	16.60	-	0.00	0.00
Astley Village	1,085.90	22,980.00	21.16	902.60	22,980.00	21.16	0.00
Bretherton	291.50	9,680.00	33.21	279.00	10,130.00	34.82	1.61
Brindle	462.10	6,800.00	14.72	443.38	6,800.00	14.72	0.00
Charnock Richard	689.20	25,000.00	36.27	679.77	25,000.00	36.27	0.00
Clayton le Woods	4,761.80	95,240.00	20.00	4,189.08	95,240.00	20.00	0.00
Coppull	2,356.20	79,750.00	33.85	2,043.55	79,550.00	33.75	-0.10
Croston	1,036.50	21,010.00	20.27	965.49	21,510.00	20.79	0.52
Cuerden	40.10	1,030.00	25.69	40.02	1,030.00	25.69	0.00
Eccleston	1,568.10	41,310.00	26.34	1,506.24	41,310.00	26.34	0.00
Euxton	3,656.90	104,270.00	28.51	3,597.38	102,880.00	28.12	-0.39
Heapey	378.70	8,990.00	23.74	364.93	8,990.00	23.74	0.00
Heath Charnock	791.80	8,250.00	10.42	759.55	7,100.00	8.91	-1.51
Heskin	348.60	10,810.00	31.01	331.05	10,810.00	31.01	0.00
Hoghton	358.30	5,000.00	13.95	346.44	5,000.00	13.95	0.00
Mawdesley	753.70	25,000.00	33.17	729.76	26,000.00	34.54	1.37
Rivington	50.80	2,500.00	49.21	47.36	2,500.00	49.21	0.00
Ulnes Walton	254.80	5,360.00	21.04	245.01	5,930.00	23.37	2.33
Wheilton	393.90	11,130.00	28.26	378.56	12,000.00	30.56	2.30
Whittle Woods	2,123.40	31,740.00	14.95	2,138.14	31,965.00	14.95	0.00
Withnell	1,234.90	29,270.00	23.70	1,172.44	29,270.00	23.70	0.00
All other parts of the Council's area	10,909.70	-	-	9,359.38	-	-	
TOTAL/AVERAGE	36,013.80	567,220.00	15.75	32,750.66	568,195.00	16.18	0.43

EXPLANATION OF COUNCIL TAX SETTING RESOLUTION

RESOLUTION 1

(a) Before we can calculate the Council Tax to be charged, we first have to calculate the Council Tax base. The Council Tax base is the amount which a Band D Council Tax of £1.00 would raise. For 2013/14 we estimate that a £1.00 Council Tax at Band D would raise £32,750.66 in the Chorley area.

(b) This shows the “base” figure for each Parish in the area. For example, a £1.00 Band D Council Tax in Adlington would raise £1,752.44.

RESOLUTION 2

This shows the Council’s net spending for 2013/14 excluding the cost of Parish precepts.

RESOLUTION 3

(a) This is the grand total of money which the Council estimates it will spend on all services in 2013/14. It also includes £568,200 which Parish Councils need to run their services.

(b) This is the grand total of money which the Council estimates it will receive from various sources in the year. This includes Central Government and business rates, car park charges, investment income, government grants in respect of benefits, etc.

(c) This is the difference between 2(a) and 2(b) and is in effect the Council’s and Parishes net spending on services.

(d) The difference between 2(a) and 2(b) is £6,340,200 and this is the amount we need to charge Council Taxpayers. This is divided by the base (see 1(a) above) and the resulting figure of £193.59 is the average Band D Council Tax for all Borough and Parish services.

(e) The total of all the amounts needed from Council Taxpayers by the Parish Councils in the area and for Chorley Borough Special Expenses.

(f) This is the Band D Council Tax for Chorley Borough Council’s own services, ie excluding Parish Council spending and Special Expenses

RESOLUTION 4

Lancashire County Council, Lancashire Fire Authority and the Police & Crime Commissioner for Lancashire are separate bodies who have worked out their own estimates of spending and income for 2013/14 and have set taxes in a similar way to Chorley Borough Council. This resolution notes their final decision.

1:

RESOLUTION 5

This pulls together the Council Taxes for Chorley Borough Council, Lancashire County Council, the Police & Crime Commissioner for Lancashire and Lancashire Fire Authority. For example, the aggregate amount for Band D is £1,461.09 made up as follows:

	£
Chorley Borough Council	158.39
Lancashire County Council	1,086.13
Lancashire Police Authority	152.92
Lancashire Fire Authority	63.65

The rate for each property Band is calculated by reference to the Band D charge. The following ratios apply:

Band A	$\frac{6}{9}$ ths of Band D
Band B	$\frac{7}{9}$ ths of Band D
Band C	$\frac{8}{9}$ ths of Band D
Band D	$\frac{9}{9}$ ths of Band D
Band E	$\frac{11}{9}$ ths of Band D
Band F	$\frac{13}{9}$ ths of Band D
Band G	$\frac{15}{9}$ ths of Band D
Band H	$\frac{18}{9}$ ths of Band D

The aggregate charge for Band A, for example, the charge is $\text{£}1,461.09 \times \frac{6}{9} = \text{£}974.06$; for Band B it is $\text{£}1,461.09 \times \frac{7}{9} = \text{£}1,136.41$.

RESOLUTION 6

Formally authorise the necessary staff to take legal action to collect arrears as and when this is necessary. **For the vast majority of taxpayers, this is not needed**

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EXECUTIVE CABINET - GENERAL REPORT

1. Any Cabinet recommendations on the reports that require Council decisions appear as separate items on the agenda.

MEETING HELD ON 17 JANUARY 2013**Consultation on delivering the Government's policies to cut alcohol fuelled crime and anti-social behaviour**

2. We received a report from the Executive Member (Places) outlining the Council's draft response to the Government's consultation exercise on their proposals to cut alcohol fuelled crime and anti-social behaviour.
3. The consultation applies to England and Wales and the consultation runs for 10 weeks until 6 February 2013. The consultation covers:
 - A minimum unit price for alcohol.
 - A ban on multi-buy promotions in the off-trade.
 - Reviewing the mandatory licensing conditions
 - Health as a licensing objective for cumulative impact policies
 - Freeing up responsible businesses
4. We noted that alcohol fuelled crime and anti-social behaviour is a big problem and that any measures that will have a positive impact should be welcomed. However, information on how any measures will be administered and enforced will be required from the Government. These issues will be taken up by the Lancashire Licensing Officers group in their response to the Consultation.
5. We approved the Council's response to the consultation as set out in the report.

Changes to the Lancashire Waste Management cost share agreement

6. The Executive Member (Places) presented a report informing us that Lancashire County Council (LCC) are seeking to reduce the waste management cost share payment the Council receives. The report sets out other alternatives the Council has considered to reduce the financial impact of this.
7. Chorley Council is a waste collection authority whilst Lancashire County Council is a waste disposal authority. To encourage waste collection authorities to adopt the Lancashire Waste Strategy and provide kerbside recycling collection services LCC has offered a funding stream known as cost share. The agreement is for ten years and ends in March 2014.
8. The current cost share payment is based on property numbers, provided the property has access to a fortnightly kerbside collection service for recyclable material, garden waste if the property has a garden and residual waste. The payment is uplifted each year by RPIX and grows in accordance with the number of new properties, typically 500 to 600 per year in Chorley. As part of the cost share agreement the Council also receives a loss of income payment each year as material is now delivered direct to Farington Waste Technology Park for processing. This payment is also subject to an annual uplift. The Council would receive a total of £ 1.02m in 2012/13 through cost share.
9. The cost share option offers greater financial certainty to the Council compared to recycling credits which are subject to fluctuation as they are calculated using the weight of recyclable waste collected.

10. We expressed concern that Chorley appears to be in a detrimental position because of the higher number of new homes being built in the Borough compared with other local authorities. There is concern that authorities are being treated differently and that the distribution mechanism is flawed as Chorley has excellent recycling rates where other authorities, receiving the same payment, do not. Negotiations on this matter will continue.
11. We agreed to accept the Lancashire County Council's cost share proposal as set out in the report, subject to the outcome of the recycling credit review LCC have indicated will take place after May 2013. The Council will continue to press for an increase in payment related to annual property growth

Approval for the contract award procedure and evaluation criteria for all seasons leisure centre resealing of roof beams

12. We received a confidential report from the Executive Member (Resources, Policy and Performance) seeking approval for the award procedure and evaluation criteria for the contract for resealing the roof beams in the swimming pool hall at All Seasons leisure centre.
13. We noted this is specialised work and approved the procurement approach of advertising tenders through the Chest e-tendering system using an open invitation. Tenders will be evaluated using a pre-qualification questionnaire (PQQ) and then all bids that pass this stage will be evaluated to establish the most economically advantageous tender based on 70% cost, 30% quality.

Governance business transformation

14. The Executive Member (Resources, Policy and Performance) presented a confidential report updating us on a business transformation review of Governance being undertaken by the Head of Service.
15. We approved the proposed changes to the Governance base budget to be implemented in 2013/14 and approved consultation on the staff structure proposed in the report. We granted delegated authority to the Executive Member (Resources, Policy and Performance) to approve implementation of the structure following the consultation responses being received.

MEETING HELD ON 21 FEBRUARY 2013

Chorley Council Performance Monitoring - Third Quarter 2012/13

16. We noted a report from the Executive Member for Resources, Policy and Performance setting out the performance against the delivery of the Corporate Strategy and key performance indicators during the third quarter of 2012/13.
17. Although the report relates to the third quarter this is the first report on the new Corporate Strategy. Performance of new key projects is excellent, with all of the projects on track or scheduled to start later in the year. Performance on the Corporate Strategy measures and key service delivery indicators is good with 88% of the Corporate Strategy measures performing above target or within the 5% tolerance. 80% of key service measures are performing above target or within the 5% tolerance.
18. The Corporate Strategy measure performing below target is the percentage of customers dissatisfied with the way they had been treated by the Council. This is a new target and the new questions provide a greater opportunity for users to express dissatisfaction. An email survey has also replaced the previous face to face or telephone survey.

19. The key service delivery measure performing below target is the processing of minor planning applications. The issues that have affected performance, as reported in quarter one, have continued to impact on the performance of this indicator, which is likely to remain below target for the rest of the financial year. The issues include a significant increase in the volume of minor applications and problems with printing and indexing.
20. In both cases an action plan has been developed to outline what action will be taken to improve performance.

Chorley Partnership Performance Monitoring - Third Quarter 2012/13

21. We noted a report from the Executive Member for Resources, Policy and Performance updating us on the performance of the Chorley Partnership during the third quarter of 2012/2013.
22. Performance in achieving the key performance targets remains good. Latest figures available for alcohol related hospital admissions show a reduction of 5.4% at quarter one 2012/13 compared to quarter one 2011/12. Primary fires in Chorley are lower than anticipated although crime overall has increased by 3.0% in quarter three compared to the same period last year. There has however been a significant decrease in anti-social behaviour and robbery. Domestic abuse detections are performing above target.
23. We noted that several figures are missing within the All Crime table. This is due to the way figures have been provided by the Police, although the Police have since committed to provide the information as requested by the Council to enable effective reporting. There has been a geographical spike in crime which the Police are investigating.
24. Discussions are ongoing with the Police in relation to cross border crime. There is a need for agencies to work together to tackle this.

Revenue Budget Monitoring 2012/13 Report 3 (end of December 2012)

25. We received a report from the Executive Member for Resources, Policy and Performance setting out the current financial position of the Council as compared against the budgets and efficiency savings targets it set itself for the financial year 2012/13.
26. The Council expected to make overall target savings of £200,000 in 2012/13 from management of the establishment. Excellent progress has been made in this area and the full savings target for 2012/13 has been achieved. The projected revenue outturn shows a forecast underspend of around £564,000 against the budget.
27. In response to a query we discussed the different mechanisms to measure the impact of the schemes introduced to increase the number of people in the Town Centre, including numbers of people parking and for how long, and footfall surveys as part of a wider piece of work in this area.

Lancashire Single Homelessness Initiative

28. The Executive Member for Homes and Business presented a report updating us on the Lancashire Single Homelessness Initiative, including the funding methodology to be applied, and the measures to be funded using the grant.
29. In 2012, £20 million funding had been made available by the DCLG to be targeted for services for single homeless people. It intends to mitigate the impact of a series of welfare reform measures, including the extension of the single room rent to those aged 25 to 35 years of age.
30. The DCLG has selected lead authorities to act as coordinators within specific regions and Chorley Council has been selected to coordinate the Lancashire programme, with grant allocation of £504,000. Chorley Council will act as the accounting body. This will cover the 14 authorities across Lancashire.
31. We approved the funding methodology which uses population to determine how the main pot of funding will be distributed. The key purpose of the grant is to ensure single people (to whom the Council does not owe a statutory duty to) are provided with a service to enable them to access accommodation either in the private rented sector or the social sector, which is affordable to them and therefore prevents the need to sleep rough.

Draft Central Lancashire Highways and Transport Masterplan January 2013

32. The Executive Member for LDF and Planning introduced a report informing us about the content of the draft Central Lancashire Highways and Transport Masterplan.
33. The Council supports Option 3, "improve and extend Central Lancashire's highway and transport network". However, we expressed concerns about the limited schemes identified for Chorley, the funding expectations through CIL and omission of proposals from the masterplan.
34. We supported the draft response and echoed concerns raised, particularly relating to the lack of proposals to deal with areas on congestion, parking at Chorley railway station, infrastructure to support employment centres or to re-open Coppull railway station.
35. We noted the report and the consultation response to be sent to Lancashire County Council.

Outcome for procurement of Hybrid Mail

36. The Executive Member for Resources, Policy and Performance presented a confidential report updating us with the outcome of the Councils procurement of the hybrid mail service.
37. We approved the appointment of UK Mail who achieved the highest scoring tender as the preferred supplier of the Councils outbound mail service for a term of three years. We also approved UK Mail to initially undertake the printing, packaging and posting of the annual council tax bills for 2013/14 before extending to incorporate other Council services.

Proposed disposal of Council land at Hodder Avenue, Chorley

38. We received a confidential report seeking approval to the disposal of council owned land to an approved Registered Provider for the construction and letting of affordable rented housing.
39. We approved the transfer of the above site on the terms proposed for the provision of affordable rented homes.

Restructuring of Shared Assurance Services

40. The Executive Member for Resources, Policy and Performance presented a confidential report seeking approval for proposed staffing changes in Shared Assurance Services .
41. The proposals were considered by the Shared Services Joint Committee on 24 January 2013 and were now recommended for approval by both host authorities.

MEETING HELD ON 21 MARCH 2013

I submitted my apologies for this meeting and in my absence Councillor Peter Wilson, Deputy Leader of the Council took the Chair and therefore reports on the following items of business that were considered at this meeting.

Chorley Council Young People Engagement Programme

42. This item was brought forward as it related to a question raised by a member of the public.
43. The Executive Member for People introduced a report on the proposals to roll out an innovative programme of work to enhance the engagement of young people in the workings of Chorley Council, to include a programme of meetings, the launching of an ambassador scheme and an Annual Chorley Council Young People's conference.
44. The approved programme was intended to work alongside, and compliment, other forms of engagement with young people in Chorley and the use of social media would help to engage young people in the rural areas of the borough.

Introduction of a capital grant scheme for existing businesses - Chorley Business Investment for Growth

45. The Executive Member for Resources, Policy and Performance presented a report that detailed the introduction of a new capital grant scheme for existing businesses in Chorley.
46. We approved the grant scheme as it will provide financial support towards capital investments for businesses with a vision for growth and job creation by complementing existing Council and partners grant schemes.

Exceptional Hardship Policy (outside the Council Tax Support Scheme)

47. We received a report of the Executive Member for Resources, Policy and Performance presented a report informing us about an Exceptional Hardship Policy that set out the way in which the Council would deal with requests for a reduction in Council Tax liability under Section 13A (1)(C) of the Local Government Finance Act 1992.
48. The granting of the hardship relief is wholly discretionary and we considered that a reduction or remission of council tax on grounds of hardship would be by exception rather than the rule.
49. We approved the implementation of the Exceptional Hardship Policy and noted that the full cost of granting relief in such cases would be borne wholly by the Council.

Adoption of a Discretionary Housing Payments Policy

50. The Executive Member for Resources, Policy and Performance presented a report on the revised Discretionary Housing Payment Policy which had been amended to meet the requirements of new Department for Work and Pensions guidance.
51. The Council receives an amount of money each year from the Government to award Discretionary Housing Benefit to residents who are in receipt of Housing Benefit to meet additional housing costs that they may have so the approval of the revised policy was granted.

Core Funding 2013/14

52. The Executive Member for People presented a report outlining the Core Funding allocations for 2013/14. Although there were no direct allocations for rural based organisations, many of the groups we are supporting provide services all across the borough.
53. We approved the recommendations outlined in Appendix A of the report subject to the agreement and signing contracts and or grants with the organisations.

Contract for provision of generalist debt advice and support services in Chorley

54. We received a report of the Executive Member for People for the granting of a contract for the provision of generalist advice and support services in Chorley by Lancashire West Citizens Advice Bureaux (CAB).
55. We awarded the contract which will commence on 1 April 2013 in line with specified monitoring requirements, ensuring that this service is maintained for the residents of Chorley and delivered by an organisation which evidences good value for money.

Update - Chorley Remembers HLF Project

56. We received an update from the Executive Member for Places on the Chorley Remembers Heritage Lottery Funding (HLF) project. We have been working closely with Chorley Remembers to deliver the works contained within the project and we noted the progress to date.
57. The Chorley Remembers exhibition is nearing completion and will open to the public shortly, visitor attendance will be monitored closely and reviewed after two years following its location to ensure that the exhibition is correctly sited and still attracting business.
58. We approved that £36,082.77 be allocated from the £250K 2013-13 capital budget for Astley Park to fund remedial work to the arch including the repair and restoration of the main gates, side gates and cobbled area.

Neighbourhood Priorities

59. The Executive Member for Places presented a report outlining the 24 neighbourhood priorities that had been put forward at the recent neighbourhood area meetings and to agree a budget where appropriate.
60. There is a diverse range of priorities and some will require further consultation to fully understand and determine community needs. Some priorities had similarities across the neighbourhoods and some will fall within programmes of work already planned for 2013/14.

61. We approved the 24 priorities and actions for 2013/14 outlined in the report.

Draft Select Move Common Allocations Policy

62. We received a report from the Executive Member for Homes and Business seeking permission to consult on the new Select Move Commons Allocation Policy following a review that had recently taken place by the Select Move Steering Group.
63. The policy has been re-written in response to the Localism Act 2011 and to meet the aims of our partners. Localism allows more freedom to determine which group of people don't qualify to join the housing register and the changes made reflected this.
64. We granted approval for the Select Move partnership to consult on the draft Select Move Common Allocations Policy and that any minor changes to the policy prior to the consultation be delegated to the Executive Member for Homes and Business.

Home Energy Conservation Act (HECA) Report 2013

65. The Executive Member for Homes and Business updated us on the Council's requirements in respect of the Home Energy Conservation Act (HECA), to advise us on the HECA related activity carried out to date and that activity proposed the next two years.
66. The report had already been approved by the Executive Leader, Executive Member for Economic Development and Governance and been effective from 23 February 2013, so we noted the report for information.

Bengal Street Depot: Proposed Sharing of Site

67. The Executive Member for Resources, Policy and Performance presented a confidential report on the proposed sharing of the Bengal Street Depot by a registered charity Recycling Lives.
68. We approved in principal to share the Bengal Street Depot site and to pursue negotiations and to enter into appropriate legal agreements with Recycling Lives to lease the agreed areas of the site.
69. We also granted delegated authority to the Executive Member for Resources, Policy and Performance to approve the terms for the letting of part of the depot and offices in line with figures in the report.

98 - 102 Market Street: Refurbishment

70. We received a confidential report from the Executive Member for Resources, Policy and Performance that sought to proceed to tender for works to renovate 98-102 Market Street, Chorley for the creation of three retail units with frontage on to Market Street, Chorley and for the creation of a statutory car park area to the rear of the premises.
71. We approved the refurbishment of 98-102 Market Street into three retail units in accordance with the proposals set out in the report and granted delegated authority to the Executive Member for Resources, Policy and Performance to agree the suggested scoring matrix in the procurement exercise and agree the award of works to the successful tenderer.

72. We also approved the creation of a statutory car park to the rear of the premises, to have free, 30 minutes parking bays adjacent to Gillibrand Street, Chorley, with delegated authority given to the Executive Member for Resources, Policy and Performance to approve the final scheme.

Capital contribution towards the costs of the conversion for affordable housing of 12-14 St George's St Chorley

73. The Executive Member for Homes and Business introduced a confidential report requesting a capital contribution towards the costs of the conversion for affordable housing of 12-14 St George's Street, Chorley (formerly Harry's Bar) into 8 x 1 bedroomed flats for rent.
74. This development will help to improve and regenerate an area of the town centre and will provide eight much needed affordable homes for single persons and couples. The units will also assist us in meeting our affordable housing target of 100 new homes per annum.
75. Approval was granted for a capital contribution towards the cost of Progress Housing Group providing the 8 x1 bedroomed flats for affordable rent.

Capital contribution for the provision of affordable housing (6 x 1bed flats at Halliwell St Chorley)

76. The Executive Member for Homes and Business presented a confidential report requesting a capital contribution towards the costs for affordable housing of 12-16 Halliwell Street, Chorley into 6 x 1 bedroomed flats for rent.
77. The development of this site and payment of the grant will be on the condition of Adactus's bid for Empty Homes funding from the Homes and Communities Agency being successful. The approved capital contribution assists in making the bid attractive in terms of value for money.

Recommendation

78. That the report be noted.

COUNCILLOR ALISTAIR BRADLEY
Executive Leader

COUNCILLOR PETER WILSON
Deputy Executive Leader

RR/DS

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

1. This report summarises the business transacted at the meetings of the Overview and Scrutiny Committee on 22 January 2013 and the Overview and Scrutiny Performance Panel on 17 December 2012.
2. The business transacted at the meetings of the Overview and Scrutiny Committee on 8 April 2013 and Overview and Scrutiny Performance Panels on 11 March 2013 and 20 March 2013 and the work of the Task Group on the Adoption of Estates Review will be reported separately (to follow)

OVERVIEW AND SCRUTINY COMMITTEE – 22 JANUARY 2013**Consideration of Call-in request: Chorley Remembers – Astley Coach House Gallery**

3. We were advised of the request submitted by Councillor Paul Leadbetter for the call in of an Executive Member decision on 15 December on Chorley Remembers – Coach House Gallery.
4. The Committee heard representations from both Councillor Paul Leadbetter and a member of the public who was speaking on behalf of a number of voluntary organisations who had made use of the gallery in the recent past. Two questions were also received in relation to this item and included the consultative processes that were undertaken by the Council about the use of the Coach House Gallery.
5. The Executive Leader explained that the Chorley Remembers exhibition had been gifted to Chorley Council and the Council would be responsible for managing the exhibition. The Heritage Lottery funding for the Coach House included the use as a museum / exhibition space, they had visited the Coach House and were supportive of the proposed changes.
6. Approval had been given to use part of the Coach House to accommodate the Chorley Remembers project. This decision was based in part upon the accessibility of the Coach House that would enhance the overall offer to visitors as it provides disabled access. There is no disabled access in Astley Hall, but two alternative rooms in the Coach House had disabled access. The proposed changes to the Farmhouse to provide additional exhibition space would also include disabled access.
7. We sought to establish the timeline of consultation that had taken place before the decision had been made by the Leader and asked for an officer of the Council to clarify this for the Committee.
8. We then asked further questions of the Leader and the Executive Member (People) around the consultation processes that had taken place, who had been consulted and why. The Committee expressed some concerns about the consultation that had been undertaken and felt that lessons could be learnt for the future. However, whilst it was acknowledged that there could have been some improvement on the consulting process, the request to call in the decision of the Executive Leader on Chorley Remembers – Coach House Gallery was refused.

Budget and Medium Term Financial Strategy

9. We received a report of the Chief Executive that had been presented to Executive Cabinet on 17 January 2013 setting out the budget position for 2013/14 and forecast for the following two years to 2015/16. The report also presented relevant proposals in respect of potential investment in the Council's Corporate Strategy priorities in 2013/14, increasing budget resilience in the longer term and budget Consultation.
10. The Medium Term Financial Strategy (MTFS) had been updated as there had been a number of significant changes locally and also within the public sector nationally during 2012/13. The main changes had been the election of a new administration in May 2012 and the first updated Local Government Finance Settlement since the Comprehensive Spending Review 2010 which published confirmation of actual core funding levels for 2013/14 and 2014/15. In addition there had been wide ranging changes to fundamental public finance funding regimes, namely Council Tax Support and Business Rates Retention.
11. It was clarified that the future years New Homes Bonus had not been included in the base budget. This income was dependant on the number of houses built each year and it was not possible to forecast this. It was also not known how long the New Homes Bonus would remain as a funding stream. The New Homes Bonus was a one off payment per property but resulted in year on year service delivery financial implications for the Council.
12. The Executive Leader stressed the importance of generating funding streams independently of grants from the Government, given the uncertainty regarding the future of local government finance. Other local authorities had become reliant on funding streams and were now struggling as the Government had withdrawn these streams. It was also important to create job opportunities for people and enable them to be financially independent and contribute to the local economy.

Community Safety Performance Report

13. The Committee received a report of the Chair of the Safer Chorley and South Ribble Partnership that gave an update on performance for the Community Safety Partnership (CSP) for quarter 3 and year to date 2012/13 at the request of the Overview and Scrutiny Performance Panel. The report focused on the main crime categories of All Crime, Serious Acquisitive Crime, Violent Crime (including domestic abuse), Criminal Damage (including Arson) and Anti-Social Behaviour.
14. Whilst the CSP had recorded an increase in the All Crime category, upon review of the IQuanta data which made comparisons against other Partnerships, Chorley's All Crime figure is lower than the comparative group mean average with the Chorley and South Ribble partnership being 7th out of the cohort of 15.

15. These were the first increases experienced over a three year period. All crime and Serious Acquisitive Crime had both seen cumulative reduction since 2009/10. Violence had shown an increase over this period which was largely accounted for by a significant increase in the reporting of Domestic Violence, which was welcomed by the Partnership.
16. In addition to the core activity of the Partnership which included enforcement/prevention and the delivery of the Community Safety action plan. A number of multi-agency operations and initiatives had been conducted throughout the year which had contributed to the effective tackling of crime and anti-social behaviour across the borough.

PCSO Role, Duties and Productivity Report

17. We also received a report of the Chair of the Safer Chorley and South Ribble Partnership informing us of the role, duties and the productivity of Police Community Support Officers (PCSO's) deployed in the Chorley Borough area and part funded by the Council. We were informed that day to day, Lancashire Constabulary PCSO's carry out a number of varied duties aimed at reducing crime, disorder and ASB along with helping to reduce reoffending, and work to improve community confidence and reassurance.
18. The Committee were informed that the roll and function of the PCSO's supported a number of Council, Community Safety Partnership and wider policing issues. They contributed to the priorities of the Community Safety Strategy including domestic abuse, child sexual exploitation, night time economy, crime and anti-social behaviour. They also carry out a number of other functions that are integral to the delivery of the wider community and neighbourhood policing issues.
19. Members were encouraged by the number of Fixed Penalty Notices now being issued by the PCSO's compared to previous years as they felt that this was a good deterrent measure to others. We asked if more could be done around managing traffic related issues in the Town Centre. Presently the PCSO's did not have these powers, but we were informed that some Partnerships had recently applied to the Police and Crime Commissioner's to have their powers widened to include road related issues. Members asked if the Chair of the Partnership would pursue this initiative.
20. Some concerns were voiced that a repeated answer for the lack of Speed Indicator Devices (SPID's) was that PCSO's were not trained. As the Council were looking to train Neighbourhood Officers to carry out this process, the Committee felt that this was also a duty that the PCSO's could undertake and asked for this training issue to be addressed.

Independent Domestic Violence Advocacy Service Funding Update

21. In response to a request by the Overview and Scrutiny Performance Panel the Chair of Safer Chorley and South Ribble Partnership presented an update report of the

funding arrangements sought for the Independent Domestic Violence Advocate (IDVA) service in 2013/14 and beyond. The required funding for the service will have to be completely sourced from its constituent partner agencies. As a number of these agencies cover the wider Lancashire footprint, as with the previous 2012 consultation, discussions at county level are underway to ensure these agencies make the necessary budget provision on a countywide scale to include the portion necessary for the Chorley and South Ribble service to continue.

22. The Council's contribution would be £9,000 pa (subject to cost increases in line with inflation and any service level increases based on service demand). This requested contribution is £5,000 below the Council agreed maximum recurrent growth budget for IDVA support. The Director of People and Places reported that officers had recently met with victims of domestic violence to talk through their journey and identify what improvements could be made to the service, particularly around suitable interventions and preventive measures.
23. There were concerns that some agencies would not contribute, in particular the Chorley and South Ribble Clinical Commissioning Group had not yet made a commitment. It was extremely important to the success of the service that all the partner agencies contributed their allocated amounts as the Safer Lancashire Board would not be able to fill the gap in budget provision going forwards.

Monitoring of Receipt and Use of S106 Contributions

24. The Committee received a report of the Chief Executive that gave an update on the progress made in implementing the projects included in the revenue budget and capital programme that are to be funded with developers Section 106 contributions from 2011/12 onwards. The actual receipt and use of contributions in 2011/12 and budget receipt and use from 2012/13 to 2015/16 was confirmed with the largest scheme to be funded in this period being the Buckshaw Parkway railway station for £3.325m in total.
25. A new officer Task Group had now been established that would continue to meet quarterly to monitor the receipt and use of the contributions and we were made aware that changes to existing planning obligations could arise as a result of the Growth and Infrastructure Bill 2012/13, and that proposed regulations would require renegotiation of planning obligations agreed up to 6 April 2010. This could have an impact on the Buckshaw Group 1 and Group 4 North agreements.

OVERVIEW AND SCRUTINY PERFORMANCE PANEL – 17 DECEMBER 2013

Chorley Partnership Performance Monitoring – Second Quarter 2012/13

26. We received a report of the Chief Executive that set out performance against the Chorley Partnership delivery plan and key performance indicators for the second quarter of 2012/13. 1 July to 30 September 2012. The performance of the key priorities in the delivery of the plan was good with 74% rated either green or

completed. The performance of the key projects remained excellent with all four projects currently rated 'green'.

27. Latest figures available for the alcohol related admissions showed a year to date reduction of 11% at quarter four in 2011/12 compared to quarter four in 2010/11. However we asked if a more detailed breakdown could be provided on the different categories that were reported against and how these compared to other authorities within Lancashire.
28. Crime had increased by 6.7% in quarters one and two compared to the same period last year, although there had been a significant decrease in anti-social behaviour, and domestic abuse detections were performing above target.

Chorley Council Performance Monitoring – Second quarter 2012/13

29. We received a report of the Chief Executive setting out performance against the delivery of the Corporate Strategy and key performance indicators during the second quarter of 2012/13, 1 July to 30 September 2012.
30. Overall performance remained excellent, with the majority of projects on track or completed. Only two projects were rated 'amber' and an explanation of the reasons and actions being taken to bring them back on track was provided:
 - Explore the development of a service package for 16/17 year olds
 - Implementation of a framework for strategic partners
31. Following the refresh of the Corporate Strategy, measures and key service delivery indicators remained good with 67% of the measures and 80% of the key performance indicators performing above target or within the 5% tolerance.
32. The Council's new website had recently been launched and had received good feedback. The website would increase self-service functionality and encourage customers to transact with the Council online. The new my account facility was still in the process of being developed to ensure that the product was not only fit for purpose for Chorley residents, but was a secure platform for the Council. The Panel recognised that this was a fantastic application for residents and we asked to be kept informed of progress.
33. The Panel were informed that the percentage of 16-18 years olds not in NEETS had improved and as at 31 October 2012 the NEET figure was 5.2% young people against a Lancashire target of 6.2% and a Chorley target of 5.1%. College enrolment figures were now residency based which helps Chorley who has no 16-19 provision within the borough.
34. The new Customer Satisfaction survey had not been particularly well answered in terms of quality but the Council had been able to act upon the information received. One of the main areas for concern had been officers not getting back to people about more detailed services issues and we were assured that steps had been taken to address this.

Scrutiny Focus – Streetscene Modernisation

35. The Panel received a report informing them that performance against the key indicators for the streetscene service was excellent when compared against the targets set, with all being achieved.
36. The service had recently undertaken a modernisation project over the last year, to review working practice and ensure they were fit for purpose. A strategy had been developed and the Panel was provided with an action plan that provided details on the development action taking place within the service under four main headings of Leadership Development, Modern Working Arrangements, Service Delivery and Support Services and Business Development Opportunities.
37. The Head of Streetscene attended the meeting and explained that the service was currently undertaking a benchmarking exercise that would provide them with appropriate data from which to develop a set of relevant performance indicators to further develop the service and we asked if a performance indicator could be implemented around grass cutting measures.
38. A customer satisfaction survey was now undertaken each month against a sample of customers who had been in contact with the service the previous month and a new structure had been implemented that brought all the teams together under one overarching Manager and two team leaders. The result had been that the service now had a multi skilled pool of staff that could better respond to the needs of the service. The service were also working more closely with the Customer Services Team to ensure that staff in Contact Chorley were adequately trained and informed on how to deal with the different services within Streetscene to enhance the customer experience.
39. The Council had invested in 300 (25% of total stock) new bins across the borough in 2012/13. The new bins had an increased capacity (20%) for the same price and can also accept dog waste. The Clean Up Chorley campaign that included the Dirty Dog campaign had been well received with more skip days and increased patrols planned for the New Year, the service had also rolled out a bus shelter improvement programme across the borough.

Recommendation

40. That the report be noted.

COUNCILLOR STEVE HOLGATE**Chair of Overview and Scrutiny Committee**

DS

REPORT OF GOVERNANCE COMMITTEE

1. This report summarises the business transacted at the meetings of the Governance Committee on 17 January and 14 March 2013.

GOVERNANCE COMMITTEE – 17 JANUARY 2013**Independent Person**

2. We welcomed Peter Ripley who was attending his first meeting of the Committee. Mr Ripley had recently been appointed as our Independent Person who would assist in assessing any complaints received against Elected Members under the new standards regime.
3. We were also introduced to Gareth Winstanley from the Council's new external auditor, Grant Thornton UK Ltd.

Standards Regime – Six Months Review

4. The Committee received a report of the Monitoring Officer that provided an update for Members in relation to complaints received under the new Code of Conduct regime. To date there had been one complaint received against two Chorley Councillors that had been resolved to the complainant's satisfaction by the Monitoring Officer and one complaint received as a standards complaint concerning a Parish Council. This complaint was not accepted as it related to the conduct of the Parish Clerk and did not therefore fall within the scope of the Code of Conduct.
5. There had been no adverse comment concerning either the procedure adopted nor the complexity of the new Code. All Members had now been offered training and the new regime had been well received. We asked if more information could be provided to help Members with the registering of any interests. The Monitoring Officer advised us that additional guidance had been given previously but that the new arrangements had moved away from the previous prescriptive process.

Granting of a dispensation

6. The Monitoring Officer submitted a report requesting authorisation from the Committee for the granting of a dispensation to all Chorley Councillors to allow them to participate in setting the rate of Council Tax by the Council for 2013/14. Under the previous standards regime, the legislation granted to members an exemption from the requirement to declare a prejudicial interest and leave the meeting when the council tax rate was set. This was to reflect the fact that all members would be financially affected by the decision.
7. The new standards regime no longer refers to prejudicial interests but instead talks in terms of pecuniary interests. The regime has been localised and there is no longer any blanket exemptions to allow members to participate in a decision when they have a pecuniary interest.

8. The Localism Act does provide for the granting of a dispensation when sufficient numbers of members would be prevented from participating in a decision so as to affect the ability of the Council to properly reach that decision and as all Members of Chorley Council are financially affected by the setting of the council tax rate, it was considered appropriate to grant a dispensation to all members to enable them to participate and vote on the setting of the Council Tax for the borough.
9. We had a discussion about those Councillors who had an interest in more than one property/business within the Borough and some members felt that the granting of a dispensation could be advantageous in such cases. The Monitoring Officer commented that Business Rates would be treated differently as they would not affect all Councillors ability to make an unbiased decision so therefore a dispensation would not be granted in this case.

Planned Audit Fee for 2012/13

10. I welcomed Gareth Winstanley to the meeting of the Committee, Mr Winstanley is the Engagement Manager for Grant Thornton and he explained that his company were delighted to have been appointed by the Audit Commission as auditors for Chorley Council and were looking forward to providing a high quality service for at least the next five years.
11. The Audit Commission had set its proposed work programme and scales of fees for 2012/13 and a letter detailing the audit fees for the Council along with the scope and timing of the works was presented to the Committee.
12. The Commission has independently set the scale of fee for all bodies and for 2012/13; the fee for Chorley Council will be £59,440, which was a comparative reduction of 40% on fees for 2011/12. This reduction was mainly around there no longer being the need to contribute to the central administration costs of the now disbanded Audit Commission.
13. It was explained that the fee was based on a risk based approach to audit planning as set out in the Code of Audit Practice and work mandated by the Audit Commission for 2012/13 and covered, the audit of the financial statements, the conclusion on the economy, efficiency and effectiveness of our resources (the value for money conclusion) and work on the whole of government accounts return.
14. The Audit Commission has replaced the previous schedule of hourly rates for certification work with a composite indicative fee. This fee has been adjusted to reflect a reduction in the number of schemes which required auditor certification and also incorporated a 40% fee reduction, resulting in a fee of £12,350 for the grant certification of the authority.

Internal Audit Update

15. We received a report of the Head of Shared Assurance Services advising the Committee of the work undertaken in respect of the Internal Audit Plans for Chorley and Shared Services for 1 April to 30 November 2012. We were provided with a snapshot of the overall progress made in relation to the 2012/13 Internal Audit Plans, indicating which audits had been completed and their control rating, those that were in progress or yet to start. We also received information on the time planned and actually spent on each audit. Members asked questions in relation to the secure storage of personal data and lone working arrangements for staff.
16. Members noted that all the plans were on target to be achieved and of the eight reviews completed to date, 6 had been given a substantial or adequate assurance rating. However, two reviews, Disaster Recovery and Penetration Testing had been given limited assurance ratings.
17. The Head of Shared Assurance Services gave a detailed explanation as to why the two reviews had received this rating and what action had been taken to make improvements. The Chief Executive reported that all the agreed management actions would be completed by the end of the financial year.

Annual Governance Statement

18. The Committee received a report of the Head of Shared Assurance Services that gave an update on the progress made to implement several enhancements to the council's system of governance as identified in the 2012 Annual Governance Statement (AGS).
19. At the June meeting of the Governance Committee, we had been asked to review the draft AGS for 2012 which had been produced in accordance with CIPFA/SOLACE guidelines. The AGS had been subsequently signed by the Leader and Chief Executive before being submitted for external audit alongside the 2011/12 financial statements. The Audit Commission had since issued an unqualified opinion on those statements.
20. The corporate self-assessment had identified several opportunities to enhance the Council's governance arrangements that were outlined in the report and Members were provide with an Action Plan of the agreed improvements and action to date.

GOVERNANCE COMMITTEE – 14 MARCH 2013**Treasury Management – Counterparty Limits**

21. The Committee received a report of the Chief Executive that sought approval for the removal of the three month restriction that currently applied to investments with all counterparties other than the part nationalised banks. In September 2011 the Council's treasury advisor, 'Sector' had recommended that a temporary limit of three

months be placed on all investments with financial institutions other than the part nationalised banks in response to rising concern about financial markets particularly in Eurozone.

22. 'Sector' was now recommending that this limit be lifted as excess market fears had since subsided and liquidity had improved. Three factors had contributed to this, the ECB announcement of unlimited support to sovereigns, UK initiatives that had given banks access to cheaper funding and the avoidance in the USA of the "fiscal cliff".
23. We were informed that the removal of the limit was unlikely to have an immediate effect as very few UK banks had a credit rating that would justify an investment for more than three months, and those that did usually only dealt with larger sums, or in different markets than the Council, so we granted approval of the restriction.
24. We were also informed that the UK's sovereign rating had been downgraded by one notch to AA1 with reasons cited as weak prospects for growth, expectations of higher public debt levels and the consequential reduction in the ability of the economy to absorb unexpected economic shocks. These concerns ultimately had the potential to result in higher borrowing cost, but the downgrade itself was not expected to have any immediate effect since it had been expected and already factored into market reasoning.

Update of the Code of Corporate Governance

25. The Head of Governance submitted a report on the updates to the Code of Corporate Governance to reflect a change to the regulations in 2012. The Council are required to adopt a Code of Governance demonstrating how the authority complies with legislative requirements, the principles of good governance and management processes.
26. The most significant amendment to the Code was to reflect the changes imposed by the Accounts and Audit Regulations 2011. Fundamentally, this change replaced the need to produce a Statement of Internal Control with the Annual Governance Statement.
27. The other significant change was the removal from the Control Measures to have meetings in public unless absolutely necessary. This is now a legal requirement and processes had been adopted to ensure that this is the case in any event including the incorporation of confidential items on the Notice of Key Decisions.
28. Assurance was given that training would be offered to all Members on the Code of Conduct on an annual basis and the Committee approved that the update to the Code be adopted by the Council.

Standards Update

29. We received a report of the Monitoring Officer updating us on two standards complaints that had been concluded in the preceding three months and details of the issues were outlined in the report. One of the complaints had included the use of twitter and the Independent Person had made some recommendations regarding guidance on the use of twitter for Members in the future.
30. Chorley Council had not issued a protocol on the use of twitter but had issued a brief guide and in line with the advice given it was proposed to make some amendments around the use of twitter. Members also considered that there should be clarity as to when a Councillor was acting in that capacity and requested that training be provided.

External Audit Plan as at 31 March 2013

31. We received the External Audit Plan for the Council as at 31 March 2013 that had been submitted by Grant Thornton, the authority's external audit providers.
32. A risk based audit of the Council had been undertaken that focused on those areas where there was a potential risk of material misstatement in the accounts and no specific risks had been identified for Chorley. The two risks that were listed in the report were generic to other Local Authorities and we were assured that the necessary controls for Chorley already existed.
33. Interim audit work was currently being undertaken in advance of the final accounts audit fieldwork and at this stage there were no significant issues to report and it was explained to the Committee that the Value for Money (VfM) conclusion was a requirement to ensure that the Council has put in place proper arrangements for securing economy, efficiency and effectiveness in the use of its resources and focuses on securing financial resilience.

Audit Committee Update

34. The External Auditors provided the Committee with a report on the progress made in delivering their responsibilities to the Council. It also included a summary of the relevant emerging national issues and developments and included a number of challenge questions for us to consider.

Certification Work Report

35. The Committee received a report detailing the certification work that had been carried out for the authority during the period 2011/12. The Council's external auditors and acting as agents of the Audit Commission are required to certify claims submitted by the Council and we were informed that two claims and returns, the housing and council tax benefit scheme and National non-domestic rates return, had been certified for the 2011/12 financial year relating to expenditure of £55.6 million.

36. The report also summarise the overall assessment of the Council's management arrangements in respect of the certification process and drew attention to significant matters in relation to individual claims.

Internal Audit Plan 2013/14

37. The Head of Shared Assurance Services submitted a report on the Internal Audit Plan for 2013/14. The report reminded Members of the respective roles of managers and Internal Audit to maintain a sound system of governance and internal control within the Council, summarised and explained the basis of the Plan and sought its approval.
37. We approved the 2013/14 Internal Audit Plan contained the programme of reviews for the next financial year and had been constructed following a risk assessment which contained a range of risk factors, such as the Corporate Risk Register, significant changes in staffing, systems and procedures and the length of time an area was last audited. There had also been extensive consultation within each service and by Strategy Group which had taken an overview of audit requirements.
38. In addition to the work programme for Chorley Council and Shared Services, we were reminded about the provision of Internal Audit services to St Catherine's Hospice and given assurances that this work had been built in the programme. It was further explained that management layers had been removed to secure efficiencies from within the service.

Update on Strategic Risk Register

39. We received a report of the Chief Executive that provided updates to the Strategic Risk Register for 2013/14. This register is the vehicle by which the Council aims to identify and address any potential risks to the organisation and the delivery of its functions which need to be managed strategically.
40. The updated Strategic Risk Register included twelve strategic risks to the Council and included actions in progress as well as new actions planned to mitigate identified risks. Five scores had increased primarily due to climate changes and two scores, failure to realise the benefits of new technology and related impact on driving organisational change and incidents affecting service delivery/business continuity or even wide widespread damage, injury or risk to the public had decreased as they had improved since the last report.
41. Some of the risks were linked with each other and we asked what would happen if the decreased performance of one risk caused a knock-on effect to others. It was explained that each risk would be assessed accordingly in response to any changes and that the relevant controls would be implemented to address any changes.

Independent Person

42. Since the Independent Person has been appointed to support the new standards regime he has been called upon to give advice on a number of standards issues and

as the position was not remunerated the Monitoring Officer asked the Committee to consider if this was still deemed appropriate even though, as pointed out, the Independent Person had taken up the post willingly without pay.

43. In advance of the meeting the Monitoring Officer had contacted neighbouring authorities who have indicated that they attach an allowance to the post as a way of retaining staff and experience.
44. Under the previous Standards arrangements the Standards Committee was chaired by an Independent Member and an annual allowance was paid. Although the situation has since changed, the Committee considered that the position was still of great importance to the Council and as such should be recognised, so we recommended for the position be assessed by the Independent Remuneration Panel.

Recommendation

45. That the report be noted.

COUNCILLOR PAUL LEADBETTER

Chair of Governance Committee

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Report of	Meeting	Date
Director of People & Places	Council	16 April 2013

CLAYTON BROOK PUB CAR PARK – RESPONSE TO PETITION

PURPOSE OF REPORT

- To inform Members of the Council’s response to a petition calling for the removal of fencing that prevented use of the car park by the former pub in Clayton Brook.

RECOMMENDATION(S)

- That Members note the action taken to resolve the issue.

EXECUTIVE SUMMARY OF REPORT

- The Council received a petition calling for the car park by the former pub in Clayton Brook to be brought back into public use.
- The Leaseholders of the pub, which included the part of the car park that was fenced off, took the car park out of public use on the grounds of health and safety.
- The Council negotiated an early surrender of the lease of the pub and car park. Temporary repairs have been completed to the car park. The pub is being demolished. This will be followed by a more permanent repair of the car park.

Confidential report Please bold as appropriate	Yes	No

REASONS FOR RECOMMENDATION

- To inform Members what action has been taken to address the concerns of the petitioners.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- To do nothing. This would not have addressed the concerns of the petitioners. It would not have helped resolve a long standing eyesore and magnet for anti-social behaviour.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	X	A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

9. The Leaseholders of the pub, Trust Inns, put fencing up around the car park to restrict use of it. Their reasons for doing this were to mitigate the risk of people and vehicles being damaged given the poor condition of the car park.
10. The Council received a petition from local people calling for the Council to take appropriate action to bring the car park back into public use.
11. The Council, as landlord, negotiated a surrender of the lease. This was subject to an Executive Member decision.
12. Immediately following the surrender, a temporary repair of the car park took place. This brought the car park back into safe use by the public.
13. The public house is currently being demolished. There are also plans to extend the village hall. When these works have been completed there will be a permanent repair of the car park. Discussions are on-going with other stakeholders who have an interest in the car park.

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		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

15. The Council received an early surrender fee from the Trust Inns of £82.5k. This sum will be used to make good the site as outlined in the paper.

COMMENTS OF THE MONITORING OFFICER

16. The Monitoring Officer has no comments on this report.

JAMIE CARSON
DIRECTOR OF PEOPLE & PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Jamie Carson	5185	04/04/13	EXECREP



Report of	Meeting	Date
Director of People and Places	Council	16 April 2013

PETITION REGARDING CONDITION OF A RESIDENTIAL PROPERTY AT HAIGH CLOSE CHORLEY

PURPOSE OF REPORT

1. To inform Members of a petition received by the Council regarding the condition of a property on Haigh Close, Chorley and the apparent lack of response from the Council.

RECOMMENDATION(S)

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

EXECUTIVE SUMMARY OF REPORT

3. The petition, signed by 33 residents of Haigh Close, Haigh Crescent, Lindsay Drive and Hurn Grove Chorley was received by the Council on 15th March 2013 and concerns the condition of a property on Haigh Close Chorley.
4. As the petition contains allegations which are personal to the occupants of the property, it is not reproduced as part of this report.
5. Council officers have investigated the concerns of the petitioners and are taking appropriate action to ensure no statutory nuisance arises due to the property or its occupants
6. The Council has engaged with the occupants at the property on Haigh Close and the principal petitioner who is a neighbour.
7. Appendix A is the Councils response to the principal petitioner

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

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

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9. None

CORPORATE PRIORITIES

10. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	X	Policy and Communications	

There are no Statutory Finance Officer or Monitoring Officer comments.

JAMIE CARSON
DIRECTOR OF PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Stuart Oakley	5727	3 April 2013	13/00661/RHC

Date: 2nd April 2013
Our Ref: 13/00661/RHC
Doc Type:
Please ask for: Mr Simon Clark

PO Box 612
Chorley
PR6 6LF

Dear

PETITION REGARDING HAIGH CLOSE, CHORLEY

Thank you for the petition you submitted on behalf of yourself and residents in the area of Haigh Close Chorley.

I can advise you that the Council has and continues to respond to the concerns you raise regarding the property and can confirm that correspondence sent to you under separate cover explains fully the actions that the Council have taken to address your concerns.

If you require any further information or assistance please contact me on 01257 515151.

Yours sincerely

Chorley Council



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