

**MINUTES OF COUNCIL**

**MEETING DATE** **Tuesday, 13 January 2015**

**MEMBERS PRESENT:** Councillor Roy Lees (Mayor), Councillor Marion Lowe (Deputy Mayor) and Councillors Eric Bell, Julia Berry, Alistair Bradley, Charlie Bromilow, Terry Brown, Henry Caunce, Jean Cronshaw, Matthew Crow, John Dalton, Doreen Dickinson, Robert Finnamore, Christopher France, Gordon France, Margaret France, Anthony Gee, Danny Gee, Peter Goldsworthy, Steve Holgate, Keith Iddon, Mark Jarnell, Kevin Joyce, Hasina Khan, Paul Leadbetter, Adrian Lowe, Matthew Lynch, June Molyneaux, Greg Morgan, Alistair Morwood, Mick Muncaster, Steve Murfitt, Beverley Murray, Mark Perks, Pauline Phipps, Dave Rogerson, Joyce Snape, Kim Snape, Ralph Snape, Richard Toon, John Walker, Paul Walmsley, Alan Whittaker and Peter Wilson

**OFFICERS:** Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Customer and Advice Services), Jamie Carson (Director of Public Protection, Streetscene and Community), Chris Moister (Head of Governance) and Carol Russell (Democratic Services Manager)

**APOLOGIES:** Councillors David Dickinson, Graham Dunn and Mike Handley

The Mayor asked all those present at the Council meeting to join him in one minutes silence as an act of solidarity in remembering the victims of the recent Paris terror attacks.

**15.C.201 Minutes of meeting Tuesday, 25 November 2014 of Council**

**RESOLVED – that the minutes of the last meeting of the Council held on 25 November 2014 be approved as a correct record for signature by the Mayor.**

**15.C.202 Declarations of Any Interests**

There were no declarations of interest received.

### 15.C.203 Mayoral Announcements

The Mayor congratulated everyone who had been involved in Chorley being awarded Fairtrade Town status.

The Mayor updated on his fundraising activities with the Charity Ball taking place on 6 February; the second Chorley's Got Soul Night on 14 March; and a School's Concert scheduled for 13 March 2015.

### 15.C.204 Public Questions

There were no public questions.

### 15.C.205 Executive Cabinet

Members considered a general report of meetings of the Executive Cabinet held on 23 October, 20 November and 11 December 2014.

Councillor Alistair Bradley, Executive Leader proposed and Councillor Peter Wilson, Executive Member for Resources seconded and it was **RESOLVED – that the report be noted.**

### 15.C.206 Executive Cabinet Response to Overview and Scrutiny Recommendations on CCTV Infrastructure

Members considered a final report of the Overview and Scrutiny Task Group on CCTV Provision which had been chaired by Councillor Robert Finnamore.

The report recommended a significant upgrading of the current CCTV provision and this had been approved in principle by the Executive Cabinet meeting on 23 October. However it was subject to Council approval for a capital budget commitment of £250,000 to fund the capital works over 3 years.

Councillor Paul Walmsley, Executive Member for Public Protection proposed, and Councillor Alistair Bradley, Executive Leader seconded, and it was **RESOLVED – that the report be agreed and a capital budget of £250,000 be established to fund the capital works over a period of three years.**

### 15.C.207 Revenue and Capital Budget Monitoring 2014/15

Members considered the revenue and capital budget monitoring report for the period ending September 2014 which had been agreed by Executive Cabinet on 20 November 2014 and required Council approval to a number of elements.

Members raised concerns about the terms of occupancy of Recycling Lives at Bengal Street depot; the longer term risks in the ownership of Market Walk; and the investment in campaigns and events.

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

1. **Approval is granted to the use of £112,000 from budget savings achieved on the Property Services contract in 2014/15 to contribute a sum of £65,000 towards the Town Hall refurbishment works and £47,000 towards the capital cost of Christmas attractions and events. It is further proposed that any additional saving achieved in 2014/15 against this budget is transferred to the Buildings Maintenance Reserve to fund future asset improvement works.**
2. **Approval is granted to the following additions to the capital budget all externally funded from Section 106 receipts: £120,000 for the programme of improvement works at Ranglett's Recreation Ground; £63,000 for the improvement of the boroughs playing fields; and £2,000 from three small contributions to the Eaves Green development.**
3. **Approval is granted to the transfer of budgets between the capital and revenue budgets to better reflect future delivery of schemes (paragraph 59 of the report refers).**
4. **Approval is granted to the removal of a £80,000 budget in the capital programme originally earmarked to fund the Council's contribution to a future highway improvement scheme which is no longer going ahead.**
5. **Approval is granted to the removal from the capital programme of £25,000 for IT Projects. This element of the project will be funded from in-year revenue savings rather than borrowing, which will save the Council the cost of repayment in future years.**
6. **Approval is granted to the proposed re-profiling of the Capital Programme to better reflect delivery in 2014/15.**

#### **15.C.208 Lancashire County Council Recommissioning of Integrated Home Improvement Services (IHIS)**

The Executive Leader presented a report on LCC's intention to recommission its Home Improvement Services and to seek approval for the Council's Home Improvement Agency (HIA) to accept LCC's invitation to enter into a partnership arrangement to deliver this service. The IHIS service elements are the healthy homes assessments; handyperson service; core HIA service; minor adaptations service; and retailing small items of equipment.

Accepting the contract, would allow the Council through the HIA to continue to directly deliver a holistic service to some of the most vulnerable members of the community.

Councillor Alistair Bradley, Executive Leader proposed, Councillor Peter Wilson, Executive Member Resources seconded and it was **RESOLVED – that the Council should accept LCC's offer of a partnership arrangement to deliver the IHIS service in Chorley from April 2015 on an initial 3 year term to 31 March 2018 with an option to extend for an additional 2 years to 31 March 2020.**

### 15.C.209 Fleet Street Master Plan - Extra Care Scheme

Councillor Alistair Bradley, Executive Leader presented a report which had been agreed at Executive Cabinet on 20 November 2014, on the outcome of the Fleet Street Master Plan consultation exercise.

The area had been identified for potential housing development and consultation had demonstrated public support for older persons accommodation with extra care identified as a suitable option to help provide independent living for those whose only other option would be residential care.

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

1. **That the Council proceeds with developing the business case and design for an extra care scheme on Fleet Street.**
2. **That an options appraisal is incorporated into the project which includes exploring the option for a Council owned and managed Extra Care Scheme.**
3. **That the Council authorises site accumulation works.**
4. **That the Council agrees to allocate sufficient resources in order to proceed with the project, which will enable the commission of an architect and if necessary, professional fees to assist in the modelling of the scheme finances, including capital costs and income and expenditure.**

### 15.C.210 Overview and Scrutiny Committee and Task and Finish Groups

Members considered a general report of the work of the Overview and Scrutiny Committee, the Performance Panel and the work of the two scrutiny task groups currently undertaking reviews of neighbourhood working and public transport.

Councillor John Walker, Chair of the Committee proposed, Councillor June Molyneaux, Vice Chair seconded and it was **RESOLVED – that the report be noted.**

### 15.C.211 Council Tax Base and Local Council Tax Support Scheme 2015-16

The Executive Member for Resources, Councillor Peter Wilson presented a report on the Council tax base for 2015/16 and local Council tax support scheme for 2015/16.

Chorley's Council tax support scheme had been reviewed for compliance with statutory and regulatory requirements and performance compared to the budget.

- The revised support scheme for 2015/16 had been updated to reflect changes under Universal Credit.
- A change in the Council Tax discounts and exemptions policy was recommended to allow an exception to the charge of a 25% premium for

properties empty and substantially unfurnished for more than 24 months in specific circumstances.

- The Council Tax base had been calculated based on these proposed changes but also reflecting growth and improved collection rates and the reduced costs of the Council tax support discounts.

The proposals would mean that without any increase in Council tax, income from Council tax in 2015/16 would be £1.917m greater than in the current year, of which the Council would receive £0.223m.

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

- 1. That the Council Tax Support Scheme for 2015/16 be approved.**
- 2. Approval be granted to an exception to the charge of a 25% premium for properties empty and substantially unfurnished for more than 24 months in the circumstances described in paragraph 35 of the report.**
- 3. The Council Tax Base for 2015/16 be approved as £34,504.22 (as contained in Appendix A of the report for calculation and Appendix B for split by parish).**
- 4. The estimated Council Tax Surplus for 2014/15 (as contained in Appendix C of the report) be noted.**
- 5. The provisional Council Tax referendum principles for 2015/16, and indicative Council Tax Freeze Grant be noted.**
- 6. The process for certifying and submitting the National Non-Domestic Rates Return 1 (NNDR1 2015/16), which is used to calculate the Council's business rates-related resources for 2015/16 be noted.**

#### **15.C.212 Anti Social Behaviour Crime and Police Act 2014**

Members considered a report presented by Councillor Paul Walmsley, Executive Member for Public Protection on Constitutional changes required under the Anti-Social Behaviour Crime and Policing Act 2014, in order that the authority can take the necessary enforcement action.

The new legislation contained a number of new and replacement powers for dealing with anti-social behaviour which were detailed in the report and had been the subject of a separate report to Executive Cabinet in October 2104.

Councillor Paul Walmsley, Executive Member for Public Protection proposed, Councillor Alistair Bradley, Executive Leader seconded and it was **RESOLVED – that the Council's Constitution be amended to include the relevant authorisations to implement the provisions of the Anti-Social Behaviour Crime and Police Act 2014.**

### 15.C.213 Polling Station Review

Consideration was given to a report of the Chief Executive as the Council's Returning Officer on the results of a polling places review which had generated 5 potential issues with current or required polling stations. These were detailed in the report and related to premises in the wards of Euxton North and South; Coppull; Clayton le Woods and Whittle le Woods; Heath Charnock and Rivington. No action was proposed before the Parliamentary and Local Elections scheduled for May 2015 but where alternative suitable premises existed, this would be investigated at a later date.

Councillor Alistair Bradley, Executive Leader, proposed, Councillor Peter Wilson, Executive Member Resources seconded, and it was **RESOLVED – that the report be noted.**

### 15.C.214 Council Appointments

Members considered a number of requests for changes to Council appointments.

**RESOLVED-** that the following changes be approved

1. Councillor Mick Muncaster to replace Councillor Keith Iddon on the LDF Working Group and LDF Joint Advisory Committee;
2. Councillor John Walker to replace Councillor Kevin Joyce on the Market Walk Steering Committee; and
3. Councillor Gordon France to replace Councillor Matt Crow on the Lancashire West Citizens Advice Bureaux.

### 15.C.215 Questions Asked under Council Procedure Rule 8

There were no questions under procedure rule 8.

### 15.C.216 To consider the Notices of Motion given in accordance with Council procedure Rule 10

The Mayor reported that he had agreed that Councillor Alistair Bradley, Executive Leader of the Council could submit a late notice of motion on the basis of urgency. The Council had only just received advice on the matter and it required consideration by councillors in advance of the next Development Control Committee which was on 20 January 2015.

The following motion (revised from that issued prior to the meeting) was circulated at the meeting, proposed by Councillor Alistair Bradley and seconded by Councillor Paul Walmsley:

*"The Council believes that some of the changes to the National Planning Policy Guidance (NPPG) announced in a Ministerial Statement on 28 November 2014 are unreasonable in that they fail to take account of local variations in housing supply.*

*The amendments purport to encourage house building where it is inadequate yet Chorley has a seven year supply which does not suggest an undue financial burden on developers.*

*The Council supports discussions with other local authorities and/or the Local Government Association about launching a challenge by way of judicial review against the Ministerial Statement, in particular the amendment of NPPG against affordable housing and tariff style obligations when the development not in designated rural areas is for 10 units or less and the maximum combined gross floor space is no more than 1000 square metres. The Council would support a suitable agreement to share the legal and other costs of mounting such a challenge with other local authorities.*

*The Council requests that this motion to explore a judicial review challenge is formally brought to the attention of Development Control Committee. The Council further supports attempts by Chorley Council or in concert with other authorities to persuade Central Government to make the amendments to NPPG more flexible to resolve this issue."*

The Executive Leader said that he had spoken to the other party leaders prior to the meeting because he was hoping to achieve cross party support for this motion. The implications for this new guidance were significant in Chorley. The new guidance would cost the authority a minimum of £250,000 a year in Section 106 contributions. The guidance was not necessary in Chorley as there was no shortage of housing development. Judicial review of this guidance however, remained very much a last resort. There were a number of applications on the Development Control Committee on 20 January which were impacted by this guidance and it was important that Members decided on an appropriate course of action before considering those planning applications.

In debating the matter, the motion received cross party support and Councillor Mark Perks, Leader of the Opposition asked to be kept informed of the outcome of lobbying.

**RESOLVED - that the motion be supported.**

Mayor

Date