

## **ANNUAL COUNCIL**

TUESDAY, 17TH MAY 2016, 6.30 PM  
COUNCIL CHAMBER, TOWN HALL, CHORLEY

### **AGENDA**

#### **APOLOGIES**

##### **1 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.

##### **2 MINUTES OF THE COUNCIL MEETING HELD ON TUESDAY, 12 APRIL 2016**

(Pages 5 - 10)

##### **3 MINUTES OF AN EXTRAORDINARY MEETING OF THE COUNCIL HELD ON FRIDAY, 22 APRIL**

(Pages 11 - 14)

##### **4 RETURNING OFFICER'S REPORT**

The Chief Executive as Returning Officer will report that the following persons were duly elected as councillors for the wards stated at the Borough elections on 5 May 2016:

<b>Ward</b>	<b>Councillor</b>
<b>Adlington and Anderton</b>	Peter Wilson
<b>Brindle and Hoghton</b>	Sheila Long
<b>Chorley East</b>	Zara Khan
<b>Chorley North East</b>	Adrian Lowe
<b>Chorley North West</b>	Joyce Snape
<b>Chorley South East</b>	Alistair Bradley
<b>Chorley South West</b>	Anthony Gee
<b>Clayton-le-Woods and Whittle-le-Woods</b>	John Walker
<b>Clayton-le-Woods North</b>	Jean Cronshaw
<b>Coppull</b>	Jane Fitzsimons
<b>Heath Charnock and Rivington</b>	Kim Snape
<b>Eccleston and Mawdesley</b>	Henry Counce
<b>Euxton North</b>	Danny Gee
<b>Lostock</b>	John Dalton
<b>Wheelton and Withnell</b>	Chris France

5 **ELECTION OF THE MAYOR FOR THE COUNCIL YEAR 2016/17**

To formally elect the Mayor of the Borough for 2016/17.

6 **ELECTION OF THE DEPUTY MAYOR FOR THE COUNCIL YEAR 2016/17**

To formally elect the Deputy Mayor of the Borough for 2016/17.

**THERE WILL BE A SHORT ADJOURNMENT WHILST THE MAYORAL PARTY EXCHANGE ROBES AND BADGES OF OFFICE.**

7 **VOTE OF THANKS TO THE RETIRING MAYOR**

The Retiring Mayor will receive a vote of thanks for her year in office.

8 **APPOINTMENT OF THE EXECUTIVE LEADER OF THE COUNCIL**

To elect an Executive Leader for the Council. This is a four year appointment, last elected in 2012.

9 **EXECUTIVE CABINET APPOINTMENTS FOR 2016/17**

To receive a report of the Executive Leader (to follow).

10 **APPOINTMENTS TO COMMITTEES, PANELS AND WORKING GROUPS FOR 2016/17**

To approve the appointment of Members of the Council to Committees, Working Groups, etc and to note shadow appointments for 2016/17 (information to follow).

11 **APPOINTMENTS TO OUTSIDE BODIES FOR 2016/17**

To appoint Members of the Council to represent the Authority on outside bodies in 2016/17 (information to follow).

12 **COUNCIL MEETINGS IN 2016/17**

The note the programme of Council Meetings for 2016/17:

- Tuesday 19 July 2016 at 6.30pm
- Tuesday 20 September 2016 at 6.30pm
- Tuesday 22 November 2016 at 6.30pm
- Tuesday 24 January 2017 at 6.30pm
- Tuesday 28 February 2017
- Tuesday 11 April 2017
- Tuesday 16 May 2017

13 **ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE MAYOR**

**GARY HALL  
CHIEF EXECUTIVE**

Electronic agendas sent to Members of the Council.

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**MINUTES OF COUNCIL**

**MEETING DATE** Tuesday, 12 April 2016

**MEMBERS PRESENT:** Councillor Marion Lowe (Mayor), Councillor Doreen Dickinson (Deputy Mayor) and Councillors Aaron Beaver, Eric Bell, Julia Berry, Martin Boardman, Alistair Bradley, Charlie Bromilow, Terry Brown, Henry Counce, Paul Clark, Jean Cronshaw, Alan Cullens, John Dalton, David Dickinson, Graham Dunn, Robert Finnamore, Christopher France, Gordon France, Margaret France, Anthony Gee, Danny Gee, Tom Gray, Keith Iddon, Mark Jarnell, Hasina Khan, Paul Leadbetter, Margaret Lees, Roy Lees, Adrian Lowe, Matthew Lynch, June Molyneaux, Greg Morgan, Alistair Morwood, Mick Muncaster, Steve Murfitt, Beverley Murray, Debra Platt, Joyce Snape, Kim Snape, Ralph Snape, Richard Toon, John Walker, Paul Walmsley, Alan Whittaker and Peter Wilson

**OFFICERS:** Jamie Carson (Director of Public Protection, Streetscene and Community), Chris Moister (Head of Governance and Property Services) and Carol Russell (Democratic Services Manager)

**APOLOGIES:** Councillors Mark Perks and Gary Hall

**16.C.319 Declarations of Any Interests**

There were no declarations of interest received.

**16.C.320 Minutes of meeting Tuesday, 1 March 2016 of Council**

**RESOLVED – That the minutes of the last meeting of the Council held on 1 March 2016 be approved as a correct record for signature by the Mayor.**

**16.C.321 Mayoral Announcements**

The Mayor reported the amounts raised by the two final fundraising events of her Mayoral year and thanked all councillors for supporting her charitable events throughout her term of office.

The Mayor referred to the forthcoming elections, wishing all Members well in contesting their councillor seats. In particular she referred to Councillors David

Dickinson and Robert Finnamore who were not seeking re-election and she wished them well for the future.

Councillors Alistair Bradley, John Walker and Ralph Snape paid tribute to the work of the retiring Councillors, particularly David Dickinson who had served as Ward Councillor for Brindle and Houghton for 16 years. They wished him well for the future and the Councillors responded accordingly.

#### **16.C.322 Public Questions**

There were no public questions for consideration.

#### **16.C.323 Executive Cabinet**

Members considered a general report of meetings of the Executive Cabinet held on 21 January, 18 February and 17 March 2016.

Councillor Paul Leadbetter raised questions relating to the Council funding of a number of bus routes following budget cuts announced by Lancashire County Council, in particular how those bus routes had been chosen. In response, the Leader referred to routes where people had come forward with major concerns about the loss of bus services and where the loss of routes directly impacted on Council key objectives, like preventing social exclusion. There was still an opportunity to support other routes and proposals were welcome.

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

#### **16.C.324 Overview and Scrutiny Committee and Task and Finish Groups**

Members considered a general report of meetings of the Overview and Scrutiny Committee held on 28 January and 31 March and also meetings of the Performance Panel and an update on Task Groups.

Councillor John Walker, Chair of the Overview and Scrutiny Committee proposed, Councillor Hasina Khan, Vice Chair, seconded and it was **RESOLVED – that the report be noted.**

#### **16.C.325 Governance Committee**

Members considered a general report of the Governance Committee meeting held on 9 March 2016.

Councillor Paul Leadbetter, Chair of Governance Committee proposed, Councillor Anthony Gee, Vice Chair, seconded and it was **RESOLVED – that the report be noted.**

#### **16.C.326 Contract Procedure Rules and the 2015 Public Contracts Regulations**

The Chief Executive submitted a report updating the Council's Contract Procedure Rules in line with new requirements under the 2015 Public Contracts Regulations, plus

new EU thresholds which became effective on 1 January 2016 and introduced a number of practical updates.

The revised Contract Procedure Rules had been considered and approved by Governance Committee in January but also required full Council approval as they formed part of the Council's Constitution.

Councillor Paul Leadbetter, Chair of Governance Committee proposed, Councillor Anthony Gee, Vice Chair, seconded and it was **RESOLVED – that the Council approves the revised Contract Procedure Rules as set out in the appendix to the report, for inclusion in the Council's Constitution.**

#### 16.C.327 Lancashire Combined Authority

The Executive Leader presented a report which updated Members on progress in the development of proposals for a Combined Authority for Lancashire and seeking formal agreement from Chorley Council to become a constituent member.

The Council had considered initial proposals in November 2015 to form part of the Combined Authority and following further development work, including a governance review and a period of public consultation, more detailed proposals were before Councillors for consideration. In summary:

- The Lancashire Combined Authority would provide a legally constituted body operating across Lancashire to take strategic decisions on transport, economic development, and regeneration and strengthen the relationship with the LEP and local authorities;
- A range of ambitions had been developed for Lancashire, with the key themes of Prosperous Lancashire; Connected Lancashire; Skilled Lancashire; Better Homes for Lancashire; and Public Services Working Together for Lancashire;
- All the district councils in Lancashire (except Wyre); the two unitary authorities; and the County Council were expecting to become constituent members;
- The scheme of governance provided one vote per local authority (excluding transport matters); each local authority to be represented by their Leader; there would also be scrutiny arrangements; and Councils would meet core costs, which would be kept to a minimum.

The public consultation exercise conducted during January and February 2016 showed that 70% of those who responded, were strongly or generally in agreement, with the establishment of a Combined Authority. The Shadow Authority would start to meet after the election period starting in July and at a later stage, a Parliamentary Order would be required to formally create the Lancashire Combined Authority.

Lancashire Leaders had been working together on the Combined Authority plans over many months and had also considered devolution proposals to give greater control and influence over for example, strategic transport and development, employment and skills programmes, housing, growth funding and investment. Devolution proposals were subject to separate discussion and negotiation and would come back to the Council for a further decision in due course.

In discussion, Members raised questions regarding the Council's position in relation to seeking unitary status; the link between devolution proposals and elected mayors; and the position of those authorities who didn't join the Combined Authority or withdrew at

a later stage. The Leader assured members that any devolution discussions would be subject to a further decision by full Council.

Councillor Paul Leadbetter, Leader of the Conservative Group thanked Councillor Bradley for taking a leading role in Lancashire on the Combined Authority work and gave his full support to the report.

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

1. **The contents of the report be noted;**
2. **The response to the public consultation on the Combined Authority proposals, as appended to the report, be also noted;**
3. **The Council agrees to become a constituent member of a Lancashire Combined Authority and submit proposals to do so to the Secretary of State;**
4. **In the interim period, the Council agrees to form a Shadow Lancashire Combined Authority; and**
5. **Any future proposals for a devolution deal with the Government be brought back to Council for agreement.**

#### **16.C.328 Land and Infrastructure Payment Policy: Community Infrastructure Levy**

The Chief Executive submitted a draft Land and Infrastructure Payment Policy which it was proposed be approved and adopted with immediate effect. Community Infrastructure Levy (CIL) is a charge on some forms of development which allows local authorities to raise funds from developers to pay for strategic and local infrastructure needed as a result of development.

The Land and Infrastructure Payment Policy sets out the circumstances and conditions for paying a part or the entire CIL amount in the form of land and/or one or more items of infrastructure. It is at the Council's discretion whether to accept payments in kind for CIL rather than money. To permit this the Council needs to adopt and publish a Land and Infrastructure Payment Policy, a draft of which was included in the report.

Members raised questions regarding who would approve CIL payments of this nature; how valuations would be undertaken; and whether Parish Councils would still receive financial payments for CIL. In response, the Leader of the Council advised that valuations would be taken independently; CIL levels are set in conjunction with South Ribble and Preston Councils; and decisions would be taken by a combination of officers and Members. Parish Councils would still receive any CIL payments as direct funding.

Councillor Alistair Bradley, Executive Leader proposed, Councillor Paul Walmsley, Executive Member for Public Protection, seconded and it was



**RESOLVED – that the Land and Infrastructure Payment Policy appended to the report be approved for adoption.**

**16.C.329 Licensing and Public Safety Committee: Public Questions**

Members considered a report of the Chief Executive requesting that Council Procedure Rules be amended to introduce a public questions provision at the Licensing and Public Safety Committee in line with those at Council, Executive Cabinet and Overview and Scrutiny Committee. This would allow a more structured approach to public involvement at meetings and by providing questions on notice, would allow a full answer to be provided to issues raised.

Councillor Roy Lees, Chair of Licensing and Public Safety Committee proposed, Councillor Anthony Gee, Vice Chair, seconded and it was **RESOLVED –**

1. **That speaking rights for members of the public attending the Licensing and Public Safety Committee be established and the procedures for speaking be approved as follows:**
  - a. **A maximum period of three minutes will be allowed for a question from a member of the public on an item on the agenda, including one supplementary question. A maximum period of up to 30 minutes to be allocated for public questions if necessary at each Licensing and Public Safety Committee meeting;**
  - b. **Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Licensing and Public Safety Committee meeting to allow time to prepare appropriate responses and investigate the issue if necessary;**
  - c. **The question to be answered by the Chair or whoever is most appropriate as directed by the Chair.**
2. **The Council's Standing Orders (Appendix 3 of the Constitution) be revised to reflect the above.**

**16.C.330 Questions Asked under Council Procedure Rule 8**

There were no questions received under Procedure Rule 8.

**16.C.331 To consider the Notices of Motion given in accordance with Council procedure Rule 10**

There were no notices of motion received under Procedure Rule 10.

Mayor

Date

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**MINUTES OF EXTRAORDINARY COUNCIL MEETING**

**MEETING DATE** Friday, 22 April 2016

**MEMBERS PRESENT:** Councillor Marion Lowe (Mayor), Councillor Doreen Dickinson (Deputy Mayor) and Councillors Eric Bell, Julia Berry, Martin Boardman, Alistair Bradley, Charlie Bromilow, Henry Caunce, Jean Cronshaw, Alan Cullens, John Dalton, David Dickinson, Graham Dunn, Christopher France, Anthony Gee, Danny Gee, Tom Gray, Mark Jarnell, Hasina Khan, Margaret Lees, Roy Lees, Adrian Lowe, Matthew Lynch, June Molyneaux, Greg Morgan, Alistair Morwood, Steve Murfitt, Beverley Murray, Mark Perks, Debra Platt, Kim Snape, John Walker, Paul Walmsley, Alan Whittaker and Peter Wilson

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

**APOLOGIES:** Councillors Terry Brown, Gordon France, Margaret France, Keith Iddon, Paul Leadbetter, Mick Muncaster, Joyce Snape, Ralph Snape and Richard Toon

**16.C.332 Declarations of Any Interests**

There were no declarations of interest received.

**INTRODUCTION AND WELCOME**

The Mayor welcomed everyone to the meeting and thanked them for attending this Extraordinary Council Meeting, called to consider the important local issue of the closure of the Accident and Emergency Department at Chorley and South Ribble Hospital. She particularly welcomed the two MPs, Lindsay Hoyle MP for Chorley and Seema Kennedy, MP for South Ribble.

The Mayor sought approval from Members of the Council to the waiving of Standing Orders to allow both MPs to speak during the debate on the closure of the Accident and Emergency Department at Chorley and South Ribble Hospital.

**RESOLVED – that the MPs be invited to speak during the Council meeting.**

**16.C.333 Temporary Closure of the Accident and Emergency Department at Chorley and South Ribble Hospital.**

Councillor Alistair Bradley, Executive Leader proposed the motion to which an amendment had been included since the publication of the agenda. The revised motion was as follows:

***“Chorley Council expresses its alarm at the decision taken by Lancashire Teaching Hospitals Trust to close the Accident & Emergency Department at Chorley & South Ribble Hospital. The Council recognises the importance of the A&E service here in Chorley and is deeply concerned about the impact its closure will have on our residents, in particular the additional burden that will be placed on Preston Hospital and the capacity to deal with all emergency cases in an appropriate manner. The Council recognises the financial pressures faced by the NHS and the national shortage of doctors, but is deeply concerned that the problem at Chorley & South Ribble appears to be more acute than anywhere else and therefore asks the Trust for an explanation as to why this is the case and what efforts have been made to recruit staff and avoid closure. Given the concerns about treatment and quality of care for Chorley residents, and the potential uncertainty and impact this could have on staff with regard to jobs, we ask that the A&E department at Chorley Hospital is re-opened as a matter of urgency.”***

In addition to the motion, information had been circulated from Lancashire Teaching Hospitals NHS Foundation Trust which responded to the motion from the Council and included a briefing paper which provided some background to the emergency care crisis which was as a result of a major staffing problem. There was a shortage of staff for the rota and it was an unacceptable risk to patient safety to attempt to provide an emergency department service with insufficient doctors. The measures were temporary and the Trust stated that they would continue to do everything possible to secure the staff needed and reinstate the emergency department service at Chorley and South Ribble Hospital.

In addition to the briefing paper, a presentation which had been provided by Lancashire Teaching Hospitals as part of their stakeholder involvement earlier in the day, was circulated to Members. This provided a more detailed and up to date account of the staffing problems; measures undertaken to try and manage those problems including a timeline of actions; issues in relation to ensuring patient safety; detailed recruitment actions; and activity and performance information for the emergency service at the Hospital.

In opening the debate and presenting the motion, Councillor Bradley referred to first becoming aware informally of staffing problems at the hospital at the end of March but that it wasn't until 12 April that the full extent of the problems and the possibility of the closure of A & E was announced. When the closure was announced it took place very quickly with no real notice or discussion with local residents. All political parties on the Council had worked together and with the Hospital Trust to try and ensure that A & E services at Chorley Hospital were re-instated as quickly as possible.

The timeline and problems with staffing as explained by the Hospital Trust were:

- There is a shortage of mid grade doctors (those with at least 4 years experience) at the hospital and the Trust had been in consultation with the Clinical Commissioning Group, the Lancashire Care Foundation Trust and

Lancashire County Council over a number of months to manage the recruitment problems.

- There is a national shortage of doctors but the problem appears more acute in Chorley and by late February, despite recruitment efforts, the lifting of the salary cap and use of locum staff there was a perceived risk to patient safety and the closure was announced in April.
- Whether the situation had been avoidable when there had been long term staffing shortages was of concern, however the key issue now was to get the service back up and running as soon as possible to avoid a long term, potentially permanent loss of A & E services in Chorley.
- Since the closure on Monday 18 April there had been no information on how many people were going to Blackburn, Wigan and Bolton Hospitals for emergency services, in addition to those going to Preston Hospital. Regular updates had been requested from the Hospital Trust on proposals for reopening and Councillor Bradley reported that he had offered every assistance from the Council.

The Mayor read out a statement from Councillors Ralph and Joyce Snape who were unable to attend the meeting due to medical treatment. They gave their support in strongly opposing the closure of A & E services at Chorley Hospital and the lives it endangered in having to travel to Preston. They also referred to their membership of the Hospital Trust, their disappointment at not receiving any notification about the situation as Trust members, and their subsequent resignation from that body.

Councillor Greg Morgan, on behalf of the Conservative Group reported that his group were wholly in support of the motion and welcomed the involvement of the MPs in this serious issue for the Borough. The focus must be on getting A & E services re-instated as soon as possible for the residents of Chorley and South Ribble.

During the debate Members raised the following issues:

- The lack of information and consultation with local residents was of concern. There had been a long term staffing issue which was either financially driven or had not been properly managed.
- The longer travel time could have a serious impact on the recovery chances for victims of serious illnesses and injuries including road traffic accidents. Many residents would go to Wigan, Bolton or Blackburn rather than Preston, adding pressure to those hospital emergency services.
- The misinformation about current service availability meant that residents were going elsewhere for minor injuries which could still be dealt with at Chorley Hospital through the Urgent Care provision which was open 8.00am to 8.00pm.
- Why if there was difficulty in attracting staff, had the Hospital Trust got rid of onsite housing accommodation which could help attract staff especially those on a short term/locum basis.
- The growing population in Chorley and South Ribble demonstrates a need for improved hospital services and emergency services.
- Concerns that the closure was financially motivated and that if A & E did not reopen in the next few weeks, then it was unlikely to reopen at all.

Lindsay Hoyle, MP for Chorley, thanked Councillors for inviting him to attend this Extraordinary Council meeting and allowing him to speak on this important local issue. He gave his whole hearted support to the motion proposed, expressing concern that

he and the Council had not been informed sooner of the crisis in staffing the A & E service at Chorley and South Ribble Hospital which threatened closure. Notification had first come via staff being informed that their jobs were at risk. The CCG claimed to be pulling out all the stops to re-instate A & E services but there were some major concerns and questions to be answered, in particular:

- Why had the Armed Forces not been contacted to provide some capacity and resilience in service provision?
- If there had been a long term staffing issue why had the salary cap not been lifted sooner and job adverts been placed nationally?
- There appeared to be barriers to recruitment to the extent that the NHS Inspectorate had asked to see those CVs which the Trust had turned down as unsuitable.
- Why was the recruitment problem so acute in Chorley? Hard to believe that Chorley would not be seen as an attractive place to live and work compared to many others.
- Evidence shows that Urgent Care Centre provision does work well but alongside an A & E services, not on its own.
- If patient safety was the reason for closure, isn't patient safety being compromised by a longer journey to A & E services at Preston?

Seema Kennedy, MP for South Ribble, also thanked Members for the invitation to attend and speak at the Meeting. Both MPs had been working closely on this important local issue and it was crucial to get A & E services back up and running for Chorley and South Ribble residents. Re-instatement was categorically what the Trust claimed to be working towards but there had been serious concerns about the lack of notice and information about the closure.

Councillor Peter Wilson in seconding the motion, thanked everyone for their support, in particular the MPs. The information provided by Lancashire Teaching Hospitals NHS Foundation Trust provided a detailed explanation of the staffing and recruitment problems leading to closure, but no reassurance that services could or would be restored quickly. This had to be the key focus, to make sure reopening took place in the next few weeks and didn't become a longer term issue attributable to the financial crisis in the NHS.

The Mayor thanked everyone for their contributions and put the motion (as amended and set out in bold italics above) to the vote and it was **RESOLVED that there be unanimous support for the motion.**

Mayor

Date