

MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING DATE Thursday, 5 March 2015

MEMBERS PRESENT: Councillor John Walker (Chair), and Councillors Eric Bell, Margaret France, Mike Handley, Mark Jarnell, Matthew Lynch, Greg Morgan, Alistair Morwood and Kim Snape

OFFICERS: Chris Moister (Head of Governance) and Dianne Scambler (Democratic and Member Services Officer)

APOLOGIES: Councillor June Molyneaux (Vice Chair), Julia Berry, Charlie Bromilow, Doreen Dickinson and Robert Fynamore

OTHER MEMBERS: Councillor Peter Wilson (Executive Member (Resources))

15.OS.31 Declarations of Any Interests

There were no declarations of any interest.

15.OS.32 Consideration of Call-in Request: Proposed Sale of Land to the rear of 18A The Farthings, Astley Village, Chorley

Members were advised of the request submitted by Councillor Mark Perks for the call-in of an Executive Member decision of 5 February by the Executive Member for Resources on the proposed sale of land to the rear of 18A, The Farthings, Astley Village. The call-in request was on the grounds that the land is open space and forms a protective barrier. It was also stated that the sale of this land had been previously rejected on the grounds that the land formed a formal land barrier from the properties in Astley Village and that the Parish Council and both borough Councillors had objected.

The Chair advised that the panel should consider the report in light of the objection submitted by Councillor Mark Perks and consider his alternative proposal "that if the sale is approved on the current footprint the funding received is allocated to S106 funding for provision in Astley Village". Councillor Peter Wilson, Executive Member for Resources and Chris Moister, Head of Governance were present to outline the report and answer any questions.

The decision taken by the Executive Member (Resources) had approved the sale of the land in line with the recommendation to impose restriction on its use to garden land (but permitting sheds, greenhouses, gazebos etc.)

Executive Member Approval had been granted on 13 December 2013 declaring land rear to the rear of 18A The Farthings surplus to Council requirements and authorising the sale to the resident for garden and garage/parking use. Approval was granted to declare the land surplus to Council requirements to enable a sale, authority was also granted for the negotiation of the terms of sale of the land and placing of advertisements/notices in accordance with provisions of the Local Government Act 1972, Section 123(2A).

Terms were agreed and the intention to be disposed published in the local press and on site in accordance with the 1972 Act, with a closing date for objections or representations set for 13 August 2014. The Council received one objection from Councillor Perks and although it was 5 days after the objection period had expired, the Council accepted his objection in the interest of reflecting his views about the proposed disposal as borough Councillor for that ward.

Councillor Perk's objection stated that the land was a wooded copse that lies between the properties and Westway/Southport area and was concerned that if sold, issues would arise from trees being cleared, becoming more open in aspect and altering the general appearance of the open/green space/wooded area of the residential area. Councillor Perk's also stated that the sale of this land was connected to a planning application on the site that was causing concerns in that part of the village.

Councillor Peter Wilson explained that as part of the original request to purchase the land, the intended area had included an area of the existing shelter belt, but that this had been reduced to exclude existing trees and shrubs from the sale. The area did form part of the larger open space provision in that area but was not openly accessible to members of the public and the existing trees and shrubs forming the shelter belt between the land and adjoining road (West Way) would still serve as a buffer for the estate and would be retained in Council ownership if the sale were to proceed.

It was noted that the residents at 18A The Farthings, Astley Village had submitted a planning application to the Council that included use of this land but that this had not been a consideration by the Executive Member when he had made his decision.

There did appear to be some confusion as to whether or not the Parish Council had objected to the sale of the land separately to their objections raised through the planning processes as the proposed sale of land formed part of the planning application and Members of the Committee thought that procedures could be changed to make the objection process clearer for any proposed sale of land in the future and the Executive Member (Resources) agreed to look into this.

Members of the Committee reported that the Parish Council were worried in case the sale of the land set a precedent across the estate and sought assurances from the Executive Member that the bigger picture would be looked at if other applications were to come forward.

Councillor Wilson also stated in the meeting that the administration were committed to ensuring that they invested any S106 money back into the area via projects like the £14,000 invested into improving Astley Village Community Centre through the Neighbourhood

After a thorough discussion on all the points raised the Committee **RESOLVED - That the request to call in the decision be rejected but asked that consideration be**

given to improving procedures in relation to informing Members and stakeholders on the future sale of land.

Chair

Date