

**MINUTES OF COUNCIL**

**MEETING DATE** Tuesday, 19 July 2016

**MEMBERS PRESENT:** Councillor Doreen Dickinson (Mayor), Councillor Mark Perks (Deputy Mayor) and Councillors Aaron Beaver, Martin Boardman, Alistair Bradley, Charlie Bromilow, Terry Brown, Henry Counce, Paul Clark, Alan Cullens, John Dalton, Graham Dunn, Christopher France, Gordon France, Margaret France, Jane Fitzsimons, Tom Gray, Mark Jarnell, Hasina Khan, Zara Khan, Paul Leadbetter, Margaret Lees, Roy Lees, Sheila Long, Adrian Lowe, Marion Lowe, Matthew Lynch, June Molyneaux, Greg Morgan, Alistair Morwood, Mick Muncaster, Beverley Murray, Debra Platt, Joyce Snape, Kim Snape, Ralph Snape, Richard Toon, John Walker, Paul Walmsley, Alan Whittaker and Peter Wilson

**OFFICERS:** Gary Hall (Chief Executive), Jamie Carson (Director (Early Intervention and Support)), Chris Sinnott (Director (Policy and Governance)), Asim Khan (Director (Customer and Digital)), Chris Moister (Head of Legal, Democratic & HR Services) and Carol Russell (Democratic Services Manager)

**APOLOGIES:** Councillors Eric Bell, Jean Cronshaw, Anthony Gee, Danny Gee and Keith Iddon

**16.C.346 Declarations of Any Interests**

There were no declarations of interest received.

**16.C.347 Minutes of the Annual Council meeting held on Tuesday, 17 May 2016**

**RESOLVED – That the minutes of the Annual meeting of the Council held on 17 May 2016 be approved as a correct record for signature by the Mayor.**

Councillor Richard Toon referred to the Annual Meeting and wished to apologise to Members for not following protocol in supporting the election of the new Mayor, by raising a matter regarding the future of Coppull Children's Centre. He had raised the matter of Councillor Paul Leadbetter's response to his invitation to attend an event at the Children's Centre and he now accepted that Councillor Leadbetter hadn't in fact

refused, but had said he would attend if he could get time off work. Councillor Leadbetter acknowledged the correction.

#### **16.C.348 Mayoral Announcements**

The Mayor referred to the recent and very tragic death of Connor Whittingham, son of Paul Whittingham the Council's Planning Manager, in a motorbike accident. On behalf of all Councillors she had sent a card expressing their sincere condolences and deepest sympathy for his loss.

The Mayor reported that in a change to the usual tradition of inviting a small number of councillors to join her for a drink after each Council meeting, she hoped all councillors would join her for drinks after the November Council meeting on 22 November.

The Mayor informed Members about her first fundraising event of the year which was an afternoon Murder Mystery event in the Lancastrian on Sunday 18 September.

#### **16.C.349 Public Questions**

There were no public questions for consideration.

#### **16.C.350 Chorley Council Annual Report 2015/16**

The Executive Leader, Councillor Alistair Bradley presented the Council's Annual Report which had been produced by the Director of Policy and Governance and summarised the Council's achievements during 2015/16.

The report detailed performance against each of the Council's key priority areas, highlighting successful delivery of key projects and also included new investment which had totalled £4.422m in 2015/16.

In response to a request from Councillor Paul Leadbetter for an update on proposals for the Market Walk extension, the Leader reported that Council would be asked to make a final decision in the autumn time. There was a move towards the 75% pre-let target with interest from both retail and entertainment, both key areas identified in the town centre masterplan.

The challenges for the Council for 2016/17 and into the future were an increasing population in Chorley; budget pressures from reduced central government funding; and addressing the level of deprivation which still existed in parts of the Borough.

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

#### **16.C.351 Executive Cabinet**

Members considered a general report of the meeting of Executive Cabinet held on 30 June 2016.

In response to a question from Councillor John Walker, Chair of the Overview and Scrutiny Committee, regarding the task group review into staff sickness absence, Councillor Peter Wilson said he would ensure the recommendations which had now been agreed by the Executive were implemented as soon as possible.

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

#### **16.C.352 Revenue and Capital Budget Monitoring - Provisional Outturn 2015-16**

Councillor Peter Wilson, Executive Member for Resources, presented the Provisional Revenue and Capital Outturn for 2015/16 which had been agreed by the Executive Cabinet on 30 June 2016. The report required full Council approval to a number of recommendations.

Councillor Bradley raised an issue relating to the payment of grant packages to businesses in the Borough following a discussion which had been held on social media about the closure of the Dukpond Restaurant in Cleveland Street, Chorley and whether or not they had received a business grant from the Council. The debate stemmed from a post on the Chorley Conservative Councillors facebook page.

Councillor Bradley confirmed that no grant money had been given to the business concerned and expressed his disappointment that rather than seeking to find out the truth, there had been a highly political debate on social media which did not help the Council's genuine efforts to promote economic prosperity in the Borough. He invited the Leader of the Conservative Group to apologise.

In response Councillor Paul Leadbetter said that comments were in relation to if the business had received a grant. The business in question had not been in receipt of a grant and as a result the correct position had been posted on the facebook page.

The Executive Member for Resources, Councillor Peter Wilson proposed and the Executive Leader, Councillor Alistair Bradley seconded and it was

**RESOLVED – that approval be given to the following:**

- 1. Slippage requests and other transfers to reserves as outlined in Appendix 2 of the report to finance expenditure on specific items or projects in 2016/17.**
- 2. The set aside of £80,000 from the 2015/16 surplus on Market Walk and £70,000 from other in-year revenue underspends to fund the additional one-off costs of the new Management Structure.**
- 3. The transfer of £50,000 from in-year revenue underspends to the Buildings Maintenance Fund to finance asset improvements in 2016/17.**
- 4. The transfer of £0.415m underspend in respect of the Central Government Business Rates Retention (BRR) Levy Budget to the BRR Equalisation Reserve.**

5. **The financing of the 2015/16 Capital Programme to maximise the use of funding resources available to the Council.**

**16.C.353 Scrutiny Reporting Back: Annual Report of the Overview and Scrutiny Committee**

The Chair of the Overview and Scrutiny Committee, Councillor John Walker presented Scrutiny Reporting Back, a summary of the work of the Committee in 2016/17.

The report contained information on the key areas of work undertaken by the Committee including:

- Challenging performance, inviting Executive Members to the Committee to talk about their portfolio performance;
- Task Group Reviews on the Single Front Office and Staff Sickness Absence;
- Crime and Disorder Scrutiny on PCSO deployment in neighbourhood policing;
- The call in of an Executive Member decision on Community Action Plans; and
- Financial scrutiny of the draft budget proposals for 2016/17.

The Chair thanked Members and Officers for their contributions to the work of the Committee in 2015/16, in particular Councillor Murray who had attended the Performance Panel on a number of occasions. He referred to recent correspondence received from the police regarding the future of PACT meetings following the scrutiny of PCSO deployment, and said he would circulate the information to all councillors.

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

**16.C.354 Overview and Scrutiny Committee and Task and Finish Groups**

Members considered a general report of the meeting of the Overview and Scrutiny Committee held on 7 July 2016, including business considered by the Performance Panel on 16 June and an update on Task Group reviews.

Councillor Walker thanked both County Councillor Steve Holgate and Councillor Hasina Khan for attending the meeting on 7 July to talk about the work of the LCC Health Scrutiny Committee on the closure of accident and emergency services at Chorley Hospital.

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

**16.C.355 Governance Committee**

Members considered a general report of the work of the Governance Committee held on 22 June 2016.

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

#### **16.C.356 Questions Asked under Council Procedure Rule 8**

Councillor John Walker submitted the following question under Procedure Rule 8:

*“At the Council meeting on the 1st March it was unanimously agreed by the Council that the Chief Executive write to the Chair of United Utilities, the water regulator, Members of Parliament and other bodies to express our complete dismay at the disadvantage being placed on children in the Borough because public funds aimed at children's education are being diverted to United Utilities balance sheet. Have we had any responses from the relative parties? If so what is the outcome?”*

As a response to the question, a letter from the Chairman of United Utilities had been circulated which indicated that the company had met with local authorities in the region to explain the basis of their charging scheme which was detailed in the letter. They were unable to offer a discount to schools but were keen to work with schools on reducing their consumption. There was also a Government review underway in relation to concessionary schemes for water and drainage charges which could revise the position.

Councillor Walker expressed concern that OFWAT had not responded to the Council's original letter and the Executive Leader confirmed that Lindsay Hoyle MP had now referred this issue to the Secretary of State for Education.

**RESOLVED – that the question and response be noted.**

#### **16.C.357 To consider the Notices of Motion (if any) given in accordance with Council procedure Rule 10**

There were no motions for consideration under Procedure Rule 10.

#### **16.C.358 Membership of Committees**

Members were asked to agree changes in the membership of two Committees.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded and it was **RESOLVED – that the membership of Committees be revised as follows:**

- **Councillors Adrian Lowe and Roy Lees to replace Councillors Aaron Beaver and Charlie Bromilow as substitute members on the Licensing and Public Safety Committee.**
- **Councillor Charlie Bromilow to replace Councillor Aaron Beaver on the Overview and Scrutiny Committee.**

### 16.C.359 Exclusion of the Public and Press

**RESOLVED - that the press and public be excluded for the remaining items of business on the grounds that it involves the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act.**

### 16.C.360 Proposals for an Integrated Community Wellbeing Service

Councillor Alistair Bradley, Executive Leader presented a report of the Director of Policy and Governance on the proposals for the creation of an Integrated Community Wellbeing service by the Council and Lancashire Care NHS Foundation Trust (LCFT).

A business case for the development of the service had been agreed at the Council meeting in November 2015 and the Public Services Transformation Working Group had been tasked with developing proposals and had agreed outline arrangements in June 2016.

Members were asked to agree the scope of the service which would include 45 FTE posts from across the current early intervention and support directorate, and the phased establishment of the new service in three stages:

- An enabling phase, in the first year - to develop agreements, governance, policies and protocols.
- Phase 1, April 2017 to October 2018 – to establish and develop the service; and
- Phase 2, from October 2018 - to make decisions for the longer term based on evaluation to date.

The majority of staff would be seconded to the new business partnership with the LCFT, with joint appointments being made to the senior management team. A joint Executive Group would be established to make strategic decisions which would include two representatives from the Council's Executive Cabinet. LCFT's Board would be considering these proposals and their commitment to the development of the joint service at a Board meeting later in July 2016.

In debating the proposals, Members raised the issue of the risk of losing some direct control of services, but the benefits of the new service were felt to outweigh the risks involved. Councillors Leadbetter and Boardman raised the issue of phasing and the business partnership model. The development of the foundations of the service was essential, timescale being less important. Questions around bearing any losses incurred by the new service as well as any profit would need to be addressed in the governance arrangements. LCFT as an organisation was constituted differently to local authorities.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded and it was **RESOLVED –**

- 1. That the Council approves the creation of an Integrated Community Wellbeing Service in line with the proposals contained within the report.**

2. That the Executive Leader be authorised to appoint two members of the Executive Cabinet to the joint the Executive Group.
3. That the Public Service Transformation Working Group monitor and review progress in implementing the programme plan and report to Executive Cabinet and Council as necessary.
4. That the Chief Executive be authorised to identify budget needed for the enabling phase of the project from underspends or reserves.

#### **16.C.361 Digital Health Village, Euxton Lane**

Councillor Alistair Bradley, Executive Leader presented a report of the Chief Executive on progress in bringing forward land allocated for the development of a Digital Health Village at Euxton Lane.

Following on from consideration of this issue at Executive Cabinet in June 2016, the report gave the detailed background to the proposals which were in line with the Council's economic development strategy of inward investment in the Borough to increase sites for employment use, create jobs and to generate income from business rates.

The development of a Digital Health Village in partnership with the current landowner at Euxton Lane would focus on the business sectors of health and digital. The development of a Digital Office Park within that scheme would to be led by this Council as a commercial venture, subject to a successful ERDF bid for £4.1m.

The report detailed the partnership arrangements in place to deliver the project; the detailed proposals for the digital health village and digital office park in terms of land usage; and the financial implications for both this Council and the wider project.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded and it was **RESOLVED –**

1. That the positive progress in bringing forward the Euxton Lane site for development is noted and approval is given to proceeding with the Digital Office Park as a commercial venture;
2. That approval is given to the use of prudential borrowing to fund the Council's £4.05m contribution to the Digital Office Park;
3. That it is recognised that there is a risk that the Digital Office Park could generate revenue deficits in the initial years of occupancy;
4. That delegated authority for the sign-off of the appointment of the main contractor and project delivery related contracts being given to the Executive Member for Economic Development and Public Service Reform; and

- 5. As recommended by Executive Cabinet at its meeting of 30 June 2016, approval be given to the purchase of the site notionally allocated for the Digital Office Park as a commercial transaction and for revenue generating employment uses, in the event that Members decide not to proceed with the Digital Office Park. Approval is given to the use of prudential borrowing to fund this purchase.**

#### **16.C.362 Land Swap with the HCA**

The Executive Member for Resources Councillor Peter Wilson submitted a report of the Chief Executive seeking approval for a land swap, along with a balancing payment between the Council and the Homes and Communities Agency (HCA).

The HCA is a government agency tasked with bringing forward sites for residential development. It holds land within the Borough which is not suitable for residential development but may be suitable for employment use. Similarly the Council holds land which is suitable for residential development but wishes to expand employment sites in order to attract new businesses, create job opportunities and increase income from business rates.

The Council and HCA had worked together on a land exchange agreement, using the District Valuer to value all sites concerned. The proposals would transfer 3 sites from the Council to the HCA and 3 sites from the HCA to the Council. It also included some very minor (slips and slivers) pieces of land which on their own had no value.

The Executive Member for Resources, Councillor Peter Wilson proposed and the Executive Leader, Councillor Alistair Bradley seconded and it was

#### **RESOLVED –**

- 1. That approval be given to the proposed land swap of parcels of land detailed within the report of the Chief Executive; and**
- 2. The Chief Executive be given authority to negotiate the terms of the transfer of the land indicated, in line with the appropriate valuation methodologies and to reach agreement on the issues raised in paragraphs 28 to 38 of the report.**

#### **16.C.363 Acquisition of Land, Group 1 Buckshaw Village, Chorley**

The Executive Member for Resources, Councillor Peter Wilson submitted a report of the Chief Executive seeking approval to the acquisition of land at Group 1, Buckshaw Village in line with the Council's strategy of increasing available employment sites to attract new business, create jobs and increase income from business rates.

The current owner of the land had an outstanding S106 contribution of around £1m, due to the Council towards infrastructure costs. Therefore the acquisition of this site would be in part settlement of this, along with a contribution from the Council of around £400k. The report detailed the Council's intention for the site which was to develop office and other units for rental.



The Executive Member for Resources, Councillor Peter Wilson proposed and the Executive Leader, Councillor Alistair Bradley seconded and it was

**RESOLVED –**

1. **That the terms of the acquisition provisionally agreed, be approved and authority granted to the Head of Legal Democratic and HR Services to complete the acquisition of the freehold title to the land at Buckshaw Village for the sum £1,400,000 plus £73,500 VAT and Stamp Duty Land Tax contributions; and**
2. **That approval be given to prudential borrowing to fund the £393,000 funding gap.**

Mayor

Date