

MINUTES OF COUNCIL

MEETING DATE Tuesday, 24 July 2018

MEMBERS PRESENT: Councillor Margaret Lees (Mayor), Councillor Greg Morgan (Deputy Mayor) and Councillors Aaron Beaver, Martin Boardman, Alistair Bradley, Terry Brown, Jean Cronshaw, Alan Cullens, John Dalton, Doreen Dickinson, Graham Dunn, Christopher France, Gordon France, Margaret France, Jane Fitzsimons, Anthony Gee, Danny Gee, Tom Gray, Keith Iddon, Yvonne Hargreaves, Steve Holgate, Hasina Khan, Zara Khan, Paul Leadbetter, Roy Lees, Sheila Long, Adrian Lowe, Marion Lowe, Matthew Lynch, June Molyneaux, Alistair Morwood, Steve Murfitt, Beverley Murray, Gillian Sharples, Joyce Snape, Kim Snape, Ralph Snape, John Walker, Paul Walmsley, Neville Whitham, Alan Whittaker and Peter Wilson

OFFICERS: Gary Hall (Chief Executive), Asim Khan (Director (Customer and Digital)), Mark Lester (Director (Business, Development and Growth)), Rebecca Huddleston (Director (Policy and Governance)), Chris Moister (Head of Legal, Democratic & HR Services) and Ruth Rimmington (Democratic and Member Services Team Leader)

APOLOGIES: Councillors Eric Bell, Henry Counce, Paul Clark, Mark Perks and Debra Platt

17.C.15 Minutes of meeting Tuesday, 15 May 2018 of Council

Decision: That the minutes of the last Council meeting held on 15 May 2018 be approved as a correct record for signature by the Mayor.

17.C.16 Declarations of Any Interests

There were no declarations of interests received.

17.C.17 Mayoral Announcements

The Mayor thanked the emergency services and all the other support organisations for their efforts in dealing with the fire on Winter Hill.

The Mayor congratulated Mawdesley Cricket Club on their receipt of the Queen's Award for Voluntary Service the previous week.

The Mayor thanked Members for their support for her Charity Golf Day and Gin Tasting evenings. Her next charity event is a Woodland Walk on 2 September followed by a Lancashire Night on 15 September. She will also be undertaking a sponsored microlight flight.

17.C.18 Public Questions

There were no public questions for consideration.

17.C.19 Chorley Council Annual Report 2017/18

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 2017/18.

The report detailed performance against each of the Council's key priority areas, highlighting successful delivery of key projects and also included new investment totalling £12.43m.

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

17.C.20 Executive Cabinet

Members considered a general report of the meeting of Executive Cabinet held on 21 June.

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

17.C.21 Provisional Revenue and Capital Outturn 2017/18

The Executive Member (Resources), Councillor Peter Wilson, presented the Provisional Revenue and Capital Outturn for 2017/18 which had been agreed by the Executive Cabinet on 21 June. The report requires full Council approval for a number of recommendations.

Members considered the recommendations in relation to in-year revenue underspends to the Change Management Reserve, the Asset Maintenance Reserve and the Business Rates Retention Equalisation Reserve. The financing of the 2017/18 capital programme to maximise the use of funding resources available to the Council was highlighted.

Councillor Bradley noted that in the 2017/18 budget the expected net income from Market Walk, after deducting financing costs, is £0.998m.

The Executive Member (Resources), Councillor Peter Wilson proposed and the Executive Leader, Councillor Alistair Bradley seconded the **Decision – that approval be given to the following:**

- 1. To note the full year outturn position for the 2017/18 revenue budget and capital investment programme.**
- 2. To note the use of the £2.2m Southport Road capital receipt, as outlined in paragraph 34, to pay off the borrowing used to fund assets with short**

- useful lives and instead use prudential borrowing to fund the purchase of the Oak House. The outcome being a £176k saving to the council's revenue budget.
3. To note Executive Cabinet approval for slippage requests outlined in Appendix 2 of the report to finance expenditure on specific items or projects in 2018/19.
 4. For the contribution of £300,000 from in-year revenue underspends to the Change Management Reserve to finance one-off redundancy and pension strain costs arising from transformation and shared service strategies.
 5. For the contribution of £100,000 from in-year revenue underspends to the Asset Maintenance Reserve to finance one-off costs relating to the Council's maintenance of offices and buildings.
 6. For the contribution of £156,835 from in-year revenue underspends to the Business Rates Retention Equalisation Reserve.
 7. To note the 2017/18 outturn position on the Council's reserves outlined in Appendix 4.
 8. To note the impact of the final capital expenditure outturn and the re-phasing of capital budgets to 2018/19 and approve the additions to the capital programme outlined in paragraph 72.
 9. For the financing of the 2017/18 capital programme to maximise the use of funding resources available to the Council.

17.C.22 Scrutiny Reporting Back: Chorley Council's Annual Report on Overview and Scrutiny in 2017/18

The Chair of the Overview and Scrutiny Committee, Councillor John Walker, presented Scrutiny Reporting Back, a summary of the work of the Committee in 2017/18.

The Performance Panel have received an update and challenged performance for each Directorate and a number of Executive Members.

A number of Task and Finish Groups have undertaken inquiries; including the Council's Leisure Management Contract, the Council's Waste Management Contract and the Quality of housing provided by social landlords.

Other areas of work included Counter Terrorism (Crime and Disorder Scrutiny), financial scrutiny with the Executive Member (Resources), the Integrated Community Wellbeing service and the council's Flood Relief Scheme.

The Chair thanked Members and Officers for their contributions to the work of the Committee.

The Chair of the Overview and Scrutiny Committee, Councillor John Walker, proposed, and Vice Chair, Councillor Alistair Morwood, seconded the **Decision – that the report be noted.**

17.C.23 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 28 June, the Overview and Scrutiny Performance Panel held on 14 June and Task Group update.

At the recent Committee Janine Blythe, Chief Executive of Inspire, gave an update on the first few weeks that the Youth Zone has been open. The Committee had congratulated her on the achievements of the Youth Zone so far.

The Chair of the Overview and Scrutiny Committee, Councillor John Walker, proposed and Vice Chair, Councillor Alistair Morwood, seconded, the **Decision – that the report be noted.**

17.C.24 Governance Committee

Members considered a general report of the work of the Governance Committee held on 30 May.

Councillor Anthony Gee, Vice-Chair of the Governance Committee proposed and Councillor Alan Cullens seconded the **Decision – that the report be noted.**

17.C.25 Market Walk Update

The Executive Leader, Councillor Alistair Bradley presented the report of the Director (Business, Development and Growth) which updates Members update on the current status of the project and proposed phasing. The report also outlines the status of associated parking, public realm and enablement projects which are linked to the delivery of the project.

On 23 January 2018 Council resolved to proceed without further delay, with the Market Walk Extension development based upon Option 2. A major concern for existing businesses within the town centre has been the impact of lost parking spaces in close proximity to the retail core during phase 2 works. The impact to parking across the town centre of the proposed phasing plan is detailed in the report.

The current development and parking costs are set out in the report, along with the estimated net distributable income on a fully let scheme. Marks & Spencer had, that evening, signed the contract.

The Leader of the Opposition, Councillor Alan Cullens, congratulated the Leader on this news and requested more frequent meetings of the Market Walk Steering Group.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision – to note the progress of the scheme in line with the programme proposed in Appendix A to enable trading to commence for Christmas 2019.**

17.C.26 To consider the Notice of Motion given in accordance with Council procedure Rule 10

The Mayor agreed to consider this item next as it relates to the Market Walk update item.

The Leader of the Opposition, Councillor Alan Cullens, presented the following Notice of Motion.

“Following the 2018 Report, Living with the Normal, produced by Deloitte Hoskins in which they give a stark warning of significant reductions in the valuation of shopping

centre assets and a bleak outlook for those owning these assets. It is requested that the Council write to Deloitte's, as our original advisors on the scheme, requesting the following:

1 That the Council be provided with an up to date valuation of the current Market Walk.

2 That the Council are provided with forecasted projected income levels and property valuation for the existing Market Walk development based on 2020 and 2024.

3 That the Council are given similar projections and a comprehensive viability report before any decision to progress further with the development of phase 2 is considered".

Councillor Cullens explained that there is a need to ensure value for money and to guarantee this for the future with the potential for rising interest rates. Nationally retailers are struggling with shoppers using the internet instead of the high street and a general reduction in casual dining and visits to the cinema.

The Deputy Leader of the Opposition, Councillor Martin Boardman, seconded the motion.

The Executive Leader, Councillor Alistair Bradley, noted that Chorley Town Centre is performing well and that in the 2017/18 budget the expected net income from Market Walk after deducting financing costs is £0.998m.

The Deputy Leader, Councillor Peter Wilson, advised that the final accounts are due to be signed off by the external auditor at the Governance Committee the following day. This includes the valuation of Market Walk and the income generated to date. It is not possible to forecast projected income levels and property valuation beyond the estimated modelling.

Councillor Alan Cullens withdrew the Notice of Motion as he will seek assurances from Governance Committee.

17.C.27 Council Appointments

Agreement was sought to a number of changes in committee and outside body appointments.

The Executive Leader, Councillor Alistair Bradley, proposed, the Deputy Leader, Councillor Peter Wilson, seconded the **Decision - that the following appointments be approved:**

Committees	Labour Group	Conservative Group	Independent Group
Digital Office Park Steering Group (7 Members) (5:2:0)	Alistair Bradley (Chair) Jane Fitzsimons Chris France Danny Gee Alistair Morwood	Alan Cullens Greg Morgan	

Councillor Paul Walmsley to replace Councillor Jane Ftizsimons on the Electoral Review of Chorley Council Committee. Councillor Matthew Lynch to become a reserve member in place of Councillor Paul Walmsley.

Councillor Aaron Beaver to be appointed as an additional reserve for the Electoral Review of Chorley Council Committee. The Conservative Group do not wish to appoint another reserve.

Councillor Aaron Beaver to be appointed a member of the Development Control Committee with Councillor Gordon France to be a reserve.

Councillor Yvonne Hargreaves to be appointed as an additional member to the Overview and Scrutiny Task Group - Quality of housing provided by social landlords

Councillor Terry Brown Councillor John Dalton to be appointed as an additional member to the Equality Forum.

Councillor Alistair Morwood to replace Councillor Margaret France as the Council's representative on the Lancashire County Council Health Scrutiny Committee.

Councillor Sheila Long to be appointed to the Brindle Village Hall Management Committee (Observer position).

17.C.28 To consider the Notice of Motion given in accordance with Council procedure Rule 10

The Mayor advised that she had accepted, as a late item, a motion presented by Councillor Alistair Bradley concerning the Magistrates Court. The issue has arisen as a result of correspondence received today from Her Majesties Courts and Tribunal Service.

"We have today received notification from HM Courts and Tribunals Services that the Lord Chancellor and Secretary of State for Justice, David Gauke MP is closing Chorley Magistrates Court together with six other courts in England. This follows public consultation about the future on HM Courts and Tribunal Services estate, to which we responded to object to in March 2018.

For Chorley this means a reallocation of a local service to Preston courts.

The council's response to the consultation in March was clear, we did not support the proposal to close Chorley Magistrates Court, we did not support the move the work to Preston courts and we do not believe that this proposal is in the interests of the users of the court or the local economy. It should be noted that this proposal requires incurring costs to support enabling works to Preston Magistrates court will need to be undertaken to accommodate the additional work load.

This change will adversely impact on Chorley residents in terms of the distance, time and cost to travel to Preston and that the consultation document and analysis carried

out by HM Courts and Tribunals services only considered the impact of residents in the north of the borough and therefore nearer to Preston.

The consultation also did not consider the impact of closing the Magistrates Court on the local economy of Chorley. Removing the court will directly reduce the number of people working in the town centre and will almost certainly impact on the significant number of solicitors practices close by as well as other businesses who rely on the presence of workers and service sector businesses.

Chorley Council fundamentally objects to the closure and undertakes to write back to the Secretary of State for Justice to ask him to urgently reconsider the decision to close Chorley Magistrates Court”.

Following debate, Members unanimously made the **Decision - that the motion be supported.**

17.C.29 Exclusion of the Public and Press

The Executive Leader Councillor Alistair Bradley, proposed, the Deputy Leader, Councillor Peter Wilson, seconded the **Decision – that the press and public be excluded from the meeting for the following item of business on the grounds that it involves the disclosure of exempt information as defined by paragraphs 1 of Part 1 of schedule 12A to the Local Government Act.**

17.C.30 Nomination

The Executive Leader, Councillor Alistair Bradley presented the confidential report of the Chief Executive seeking Council support to recommend a Chorley resident for a Queens Honour.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision – to endorse the request for support and agree the letter of support contained at Appendix A.**

Mayor

Date