

MINUTES OF COUNCIL

MEETING DATE Tuesday, 23 July 2019

MEMBERS PRESENT: Councillor Hasina Khan (Mayor), Councillor Steve Holgate (Deputy Mayor) and Councillors Aaron Beaver, Martin Boardman, Alistair Bradley, Terry Brown, Val Counce, Mark Clifford, Jean Cronshaw, John Dalton, Christopher France, Gordon France, Margaret France, Peter Gabbott, Anthony Gee, Danny Gee, Tom Gray, Yvonne Hargreaves, Alex Hilton, Keith Iddon, Margaret Lees, Roy Lees, Laura Lennox, Sheila Long, Adrian Lowe, Marion Lowe, Matthew Lynch, June Molyneaux, Alistair Morwood, Steve Murfitt, Beverley Murray, Debra Platt, Gillian Sharples, Paul Sloan, Kim Snape, John Walker, Paul Walmsley, Neville Whitham, Alan Whittaker and Peter Wilson

OFFICERS: Gary Hall (Chief Executive), Chris Sinnott (Director (Early Intervention and Support)), 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, Julia Berry, Graham Dunn, Jane Fitzsimons, Zara Khan, Joyce Snape and Ralph Snape

Two members of the public attended.

19.C.45 Minutes of meeting Tuesday, 14 May 2019 of Council

Decision: That the minutes of the Council meeting held on 14 May 2019 be approved as a correct record for signature by the Mayor.

19.C.46 Declarations of Any Interests

There were no declarations of interests received.

19.C.47 Returning Officer's Report

The Mayor welcomed Councillor Val Counce following her election to the Eccleston and Mawdesley Ward at the by-election on 4 July 2019.

Decision: that the report be noted.

19.C.48 Mayoral Announcements

The Mayor thanked all those who had attended the Civic Dinner, Civic Sunday and the Ramadan event. The Mayor invited all Members to a multicultural Eid event on 8 September.

The Mayor advised that she had been named Woman of the year at the Fusion awards on 6 July.

19.C.49 Public Questions

There were no public questions for consideration.

19.C.50 Annual Report 2018/19

The Executive Leader, Councillor Alistair Bradley presented the Council's Annual Report which had been produced by the Director (Policy and Governance) and summarised the Council's achievements during 2018/19.

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

Councillor Peter Wilson advised that this was the last Council meeting for Rebecca Huddleston (Director of Policy and Governance) and thanked her for her work and support during her time at Chorley. This was supported by the Executive Leader, Councillor Alistair Bradley and the Leader of the Opposition, Councillor Martin Boardman and all Members of the Council.

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

19.C.51 Executive Cabinet

Members considered a general report of the meeting of Executive Cabinet held on 20 June 2019.

The Leader of the Opposition, Councillor Martin Boardman, extended the support of the Conservative Group in funding outreach work at Inspire Youth Zone.

It was confirmed that the Clinical Commissioning Group (CCG) are in discussions with the Council about the proposed development of a GP Surgery in Whittle.

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

19.C.52 Provisional Revenue and Capital Outturn 2018/19

The Executive Member (Resources), Councillor Peter Wilson, presented the Provisional Revenue and Capital Outturn for 2018/19 which had been agreed by the Executive Cabinet on 20 June. The report requires full Council approval for a number of recommendations.

The Leader of the Opposition, Councillor Martin Boardman, queried the budget for the events programme. Councillor Peter Wilson explained that there was an overspend last year as the bonfire and Picnic in the Park had been provisionally removed from the programme. Events, such as the Flower Show, are expected to make a profit going forward, as infrastructure is reused and there are more attendees. It is not expected that events will be cost neutral, but there are benefits as events bring people into Chorley.

The Leader of the Opposition, Councillor Martin Boardman, noted the Council paid a sum of £30,000 to Coppull Primary School and Nursery to support the provision of universal services following reductions in funding from Lancashire County Council. It was clarified that this was in relation to the Children's Centre.

Members discussed income levels in relation to income levels from planning applications. This will be kept under review.

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 2018/19 revenue budget and capital investment programme.**
2. **To note Executive Cabinet approval for slippage requests outlined in Appendix 2 of the report to finance expenditure on specific items or projects in 2019/20.**
3. **To approve the contribution of £162,000 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.**
4. **To approve the contribution of £71,000 from in-year revenue underspends to finance the National Graduate Development Programme (NGDP) in 2019/20 and 2020/21.**
5. **To approve £55,000 to fund architect fees relating to requests from tenant liaison meetings requests and the costs of clerk of works at Market Walk Extension.**
6. **To note the 2018/19 outturn position on the Council's reserves outlined in Appendix 4.**
7. **To note the impact of the final capital expenditure outturn and the re-phasing of capital budgets to 2019/20 and approve the additions to the capital programme outlined in paragraph 70.**
8. **To approve the financing of the 2018/19 capital programme to maximise the use of funding resources available to the Council.**

19.C.53 Governance Committee

Members considered a general report of the meeting of the Governance Committee held on 5 June 2019.

The Chair of the Governance Committee, Councillor Debra Platt proposed and the Vice-Chair, Councillor Anthony Gee seconded the **DECISION – that the report be noted.**

19.C.54 Constitution review

The Executive Leader, Councillor Alistair Bradley presented the review of the Constitution which had been produced by the Monitoring Officer.

Members noted the updates to Appendix 2 - Responsibility for Functions, Appendix 4 - Financial Regulations and Procedure Rules, and Appendix 6 - Members Code of Conduct.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision – that the Constitution document as amended be approved.**

19.C.55 Development Control Committee - Change of Committee Name

The Chair of the Development Control Committee, Councillor June Molyneux presented the review of the Constitution which had been endorsed by the Committee on 16 July.

The Executive Member (Public Protection) Councillor Alistair Morwood proposed and the Chair of the Development Control Committee, Councillor June Molyneux seconded the **Decision – to change the name of the Development Control Committee to Planning Committee.**

19.C.56 Council appointments

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

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

- 1. Councillor Yvonne Hargreaves to replace Councillor Julia Berry on Governance Committee.**
- 2. Councillor Steve Holgate to replace Councillor Gillian Sharples on Overview and Scrutiny Committee.**
- 3. Councillor Val Counce to the Member Support Working Group.**
- 4. Councillor Val Counce to replace Councillor Eric Bell as a substitute on Licensing and Public Safety Committee.**
- 5. Councillor Val Counce to replace Councillor John Walker as a substitute on Planning Committee.**
- 6. To appoint Charlotte Fitch as an Independent Person on Governance Committee as a two year appointment.**
- 7. To appoint Councillor Mark Clifford as Council Champion for Environment and Green Space.**

19.C.57 Questions Asked under Council Procedure Rule 8 (if any)

No questions were asked under Council Procedure Rule 8.

19.C.58 To consider the Notices of Motion (if any) given in accordance with Council procedure Rule 10

No Notices of Motion were given in accordance with Council Procedure Rule 10.

19.C.59 Exclusion of the Public and Press

The Executive Leader Councillor Alistair Bradley, proposed and 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 and 3 of Part 1 of schedule 12A to the Local Government Act.**

19.C.60 Market Walk Update

The Executive Leader, Councillor Alistair Bradley presented the confidential report of the Director (Business, Development and Growth).

Members discussed the progress of the project and noted the improved offer for the evening economy. The complexities of securing high quality tenants on long term leases were noted.

The Leader of the Opposition, Councillor Martin Boardman, requested real time figures on the cost of the project and this will be provided outside the meeting.

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

1. **To approve increasing the incentive budget to secure the tenure of high quality tenants on long (15-20yr) leases.**
2. **To approve the adjustment to the capital programme by:**
 - a. **removing the £400k budget for Adventure Golf at Astley Park as this will be provided in the extension to Market Walk**
 - b. **creating a £100k budget to fund investment in outdoor activities at Astley Park**

19.C.61 Creation of a Wholly Owned Company

The Executive Leader, Councillor Alistair Bradley presented the confidential report of the Director (Early Intervention and Support).

Members noted the complexities of the wholly owned company and that other Local Authorities are also establishing companies.

The Leader of the Opposition, Councillor Martin Boardman, queried how it was determined which assets would go into the company. Councillor Peter Wilson advised that when an asset is owned purely for commercial reasons it needs to be held by a company. It was suggested that a cross party working group be set up to consider the wholly owned company going forwards. A query was raised in relation to whether the company will be limited by guarantee and this will be confirmed outside the meeting.

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

1. **To approve the proposal to establish a wholly owned company to hold and manage the assets identified in the business case.**
2. **To grant delegated authority to the Head of Legal, Democratic and HR in consultation with the Statutory Finance Officer, to establish the company**

and associated governance documents subject to them reflecting the proposals in the business case.

3. To appoint the following council officer posts (or their future replacement posts) to be directors of the company: Director (Commercial Services), Chief Legal Officer, Chief Finance Officer, Director (Policy and Governance).
4. That the proposals in this paper replace those proposals to create a Housing Company as outlined in the report to Full Council in September 2018. As a result, that the capital budget of £13.8m to deliver the housing company be removed from the capital programme.

19.C.62 Site acquisition

It was agreed that Standing Orders be suspended to allow the Chief Executive to speak on the report and clarify any queries.

The Executive Leader, Councillor Alistair Bradley presented the confidential report of the Director (Business, Development and Growth).

The Council has sought external advice on the acquisition of the site and the risks have been fully explored.

The Leader of the Opposition, Councillor Martin Boardman, raised a number of queries, including relating to the lease, the timing of the acquisition, the parent company guarantee and the valuation of the asset. The lease will be guaranteed by the parent company and they have a very low risk rating. The suggestion of a cross party working group be set up to consider the wholly owned company as part of the previous agenda item was noted as this asset will be held by the company.

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

1. To approve the purchase of the property for the sum set out in the report.
2. To approve additional PWLB borrowing to fund the total purchase costs including stamp duty/land tax and fees.
3. To agree to the lease back of the premises to the company named in the report for a term of 15 years with an initial rent as set out in the report.
4. To note the establishment of a wholly owned commercial property management company, earlier on the agenda, which will operate hold the asset.
5. To approve temporary increases to the council's approved investment counterparty limits so that any potential surplus cash can be invested temporarily if required.
6. To approve changes to the approved treasury management indicators that have resulted from the proposed large investment.

19.C.63 Shady Lane Procurement

This item was withdrawn from the agenda.

19.C.64 Shared Services Update Report

The Executive Leader, Councillor Alistair Bradley presented the confidential report of the Director (Policy and Governance).

Gary Hall, Chief Executive, advised that an update will be provided to the Council meeting in September following the completion of work to progress an extension of shared services.

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

- 1. To note the update on shared services**
- 2. To approve an extension of the current C.Co contract for a further 18 days. The cost to be shared equally between Chorley and South Ribble Council.**

19.C.65 Senior Management Review

The Executive Leader, Councillor Alistair Bradley presented the confidential report of the Chief Executive.

The proposals for the review were presented in February. Following this there has been a period of informal and extended formal consultation. Discussions have been ongoing with the unions. The Council has followed due process and the amended proposals will now be implemented.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision – To approve the restructuring proposals as set out in this report and move to the implementation phase.**

Mayor

Date