



**Minutes of Council**

**Meeting Date** Tuesday, 26 January 2021

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

**Officers:** Gary Hall (Chief Executive), Chris Sinnott (Deputy Chief Executive), Asim Khan (Director of Customer and Digital), Mark Lester (Director of Commercial Services), Jonathan Noad (Director of Planning and Development), Dave Whelan (Shared Service Lead - Legal) and Ruth Rimmington (Democratic and Member Services Team Leader)

**Apologies:** Councillors Jean Cronshaw, Alex Hilton and Sheila Long

### **21.C.1 Minutes of meeting Tuesday, 17 November 2020 of Council**

**Decision that the minutes of the Council meeting held on 17 November 2020 be approved as a correct record for signature by the Mayor.**

### **21.C.2 Declarations of Any Interests**

Following a short adjournment to receive legal advice all members and reserves on the Planning Committee declared their intention to leave the call for item 9. Planning Matters to avoid any future allegations of predetermination or bias.

This included Councillors June Molyneaux, Christopher France, Aaron Beaver, Martin Boardman, John Dalton, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alistair Morwood, Neville Whitham, Alan Whittaker. As reserves Councillors Julia Berry, Val Counce, Anthony Gee, Keith Iddon, Paul Walmsley.

### 21.C.3 Mayoral Announcements

The Mayor offered his congratulations to Chorley FC for their FA Cup run this season. At a very difficult time for all it has brought a ray of sunshine for the town and given many people something to look forward to over the last few months.

On occasions like this the council would normally do something to mark the achievement, which will be a part of Chorley's history, and when circumstances allow it will be marked in an appropriate way.

### 21.C.4 Public Questions

One public question was received from Andy Hunter-Rossall.

Glyphosate use

In 2019 almost 1000 people signed a position to Chorley Council on Change.org calling for them to stop spraying Glyphosates in public spaces.

In March 2020 Chorley Council introduced thermal weeding equipment to reduce the use of herbicides.

In response to a complaint that glyphosates were still being used on Eaves Green Road in October 2020, I received a response that included the following:

"The council restricts [glyphosate's] use to highway weeds and invasive species."

"Due to health and safety concerns when working adjacent to the highway, all routes with high volume or speed are treated with glyphosate so that we can remove the need for someone walking in the highway."

"This year the use of glyphosate across the borough has reduced by 35% compared to 2019."

I have questioned this justification but received no further response. Can the council confirm that they don't think walking down the pavement of Eaves Green Road is safe? And can they please tell me what they are doing to make it safe for residents. Or if it is safe, can the council assure me that these subjective statements about volume and speed will not continue inappropriately in perfectly safe working environments to undermine efforts to eliminate the use of herbicides?

Given that only a 35% reduction has been achieved this year, can the council please let me know what they are doing to further reduce the use of glyphosates?

Further, glyphosates are still being used in the borough by the County Council, housing associations and various other landowners and grounds maintenance contractors. Can the council confirm that their commitment to reducing the use of glyphosates extends to promoting the use of alternatives with partners and contractors, and does the council have any measure of the total quantities of the herbicide still being used in the borough?

In response, the Executive Member (Customer, Advice and Streetscene Services) Councillor Adrian Lowe advised that Chorley Council is required to control weeds within the highways on behalf of Lancashire County Council which historically has

been entirely achieved using glyphosate-based herbicides applied using a specially adapted quad bike.

The council has recently committed to reducing its glyphosate usage for weed control following concerns raised by residents and more widely. This has been through both the use of thermic hot air blowers and restricting use of glyphosate in our parks and open spaces.

In 2020 the thermic hot air kits were introduced as a way of reducing our glyphosate usage. The main shortcoming of this method of application is that a fully mobile solution is not yet available. It is unsafe to use on roads with high traffic volume or speed as it is necessary to walk in the highway to treat weeds in the kerb side.

When working within 0.5 m of the highway traffic management safety measures need to be in place, this includes working on the pavements. Unfortunately, these considerations have meant that the council has so far been unable to commit to ceasing herbicide application completely.

A quad bike will continue to be used which allows for the safe application of herbicide as efficiently as possible. This reduces the amount of time spent working in the road and keeps our staff safe. For practical reasons, where a quad bike is deployed to treat the roads it will also be used to treat the pavements.

On quieter roads, where it is safe to do so, the hot air blowers are used and this has resulted in a 35% reduction in glyphosate usage.

We continue to look for alternative methods of weed control but will continue to use glyphosate to treat invasive non-native species such as Japanese Knotweed and Himalayan Balsam until effective, alternative methods are available.

Glyphosate is still a fully licensed product within the UK, however the council is committed to continue to work towards reducing its own usage.

Whilst the council does not hold information about the quantity of herbicide being used in the borough, officers will reach out to partners and other organisations working in the borough to gain a better understanding of this and to promote and encourage the use of alternative methods of weed control where possible.

### **21.C.5 Executive Cabinet**

Members considered a general report of the meetings of Executive Cabinet held on 15 October, 12 November and 10 December 2020.

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

### **21.C.6 Revenue and Capital Budget Monitoring 2020-21**

The Deputy Leader, Councillor Peter Wilson, presented the report of the Chief Finance Officer.

The projected revenue outturn currently shows a forecast in line with the budget for 2020/21. The forecast of capital expenditure in 2020/21 is £21.713m.

The Council's budget for 2020/21 included a savings target of £150k from management of the staffing establishment. The full savings of £150k has been achieved.

The budgeted net rental income from Market Walk and Market Walk Extension after taking account of financing costs in 2020/21 is £1.373m. Tenants which have agreed contract extensions and renewals, even with rent free periods, continue to pay business rates liabilities and the service charges.

Strawberry Fields was budgeted to break-even in 20/21 with income covering the running and borrowing costs of the facility. Income is expected to be £433k short of the budget in 2020/21 due to the number of vacant units and reduced take up during the Covid-19 period. It was confirmed in August 2020 that the eligibility criteria for the units can be widened until August 2022 resulting in a significant increase in interest in the offices and flexible working spaces.

Primrose Gardens continues to perform well with occupancy now at 97% that is higher than budgeted for. As such the project is forecast to underspend by £28k in 2020/21.

The impact of Covid-19 on the council's budgets is varied and includes delays to recruitment and restructuring, reduction in income and additional expenditure. Two areas this may significantly affect the council's finances is the impact on its business rates and council tax collection funds.

There are a number of different Covid-19 Grant Funding Support which the council administers on behalf of the Government. Councillor Wilson thanked the staff engaged in administering the wide range of grants at this time and this was supported by members.

Councillor Martin Boardman queried the lengths of time the different types of businesses can sign up for at Strawberry Fields and the measure the council is taking to promote the facility. This information will be confirmed by email following the meeting.

It was noted that the Market Walk tenant that fallen into administration had been located in the original section of Market Walk, rather than the new extension.

Members discussed the recent flooding at Ackhurst Lodge and expressed their sadness at the situation. A resolution will be found in partnership with Lancashire County Council. Members thanked the officers who have been working to resolve the issues.

In response to a query regarding Buckshaw Parkway the Executive Leader, Councillor Alistair Bradley, advised that the council are actively pursuing this project with partners, including Northern Rail.

The Deputy Leader, Councillor Peter Wilson proposed and the Executive Leader, Councillor Alistair Bradley seconded the **unanimous Decision that approval be given to the following:**

1. **To note the full year forecast position for the 2020/21 revenue budget and capital investment programme**
2. **To note the forecast position on the council's reserves**
3. **To approve the capital programme to be delivered in 2020/21 to 2022/23.**

#### **21.C.7 Overview and Scrutiny Committee and Task and Finish Groups**

Members considered a general report of the meetings of the Overview and Scrutiny Committee held on 1 October 2020, the Overview and Scrutiny Performance Panel meetings held on 8 October and 19 November 2020 and Task Group update.

The Chair of the Overview and Scrutiny Committee, Councillor John Walker proposed and the Vice-Chair, Councillor Roy Lees seconded the **Decision that the report be noted.**

#### **21.C.8 Governance Committee**

Members considered a general report of the meeting of the Governance Committee held on 25 November 2020 and 20 January 2021.

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.**

#### **21.C.9 Planning Matters**

All members and reserves on the Planning Committee left the call to avoid any future allegations of predetermination or bias.

This included Councillors June Molyneaux, Christopher France, Aaron Beaver, Martin Boardman, John Dalton, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alistair Morwood, Neville Whitham, Alan Whittaker. As reserves Councillors Julia Berry, Val Counce, Anthony Gee, Keith Iddon, Paul Walmsley.

The Executive Leader, Councillor Alistair Bradley, presented the report of the Director of Planning and Development which outlines the immediate challenges facing the council with regards to speculative applications seeking outline planning permission for housing development on sites which are not allocated for current housing development in the existing local plan.

The Chorley Local Plan designates 11 sites as safeguarded for future development needs, with one of those sites, Pear Tree Lane, Euxton the subject of a successful planning appeal in Summer 2020. Of the remaining 10 sites, the council have received and validated applications for housing on 5 of those. These will be determined in accordance with statutory requirements.

Following the outcome of the Pear Tree Lane appeal the Planning Inspector instructs the council to make use of the Government Standard Method of 569 homes per annum. The council does not agree with this outcome nor the methodology behind the standard method and it leaves Chorley in a position that a 5 year supply of deliverable housing sites cannot be demonstrated on that basis.

It is the view of the council that it is for the local plan process to review strategically the cumulative impact of the future development of the borough as part of a comprehensive assessment. Given that Chorley has now delivered the bulk of the existing local plan allocations, a thorough review of the impact on infrastructure taking account of matters such as school places, transport, flooding and health is crucial. National policy is very clear that all development should be sustainable, and that green belt must be protected.

LCC Schools Planning Team are engaged in reviewing the data they use to plan for additional school places and other consultants are also engaged. Information considered at a recent meeting regarding school places will be emailed following the meeting.

The Leader of the Opposition, Councillor John Walker, reminded Councillor Bradley of comments by the Conservative Group made when the Local Plan was approved highlighting this issue and this was acknowledged.

Councillor Bradley noted that, in principle, applications for housing not in accordance with the existing local plan, are considered to be premature. These additional homes have not been accounted for in terms of plans for infrastructure needs such as schools, transport, and health services.

Chorley Council is of the view that the standard method is flawed, and it is for the local plan process to address longer term distribution and allocation of land for housing needs. The council strongly encourage our partners; land owners, agents, and developers to get involved in that process and talk to us about their future aspirations.

The council remain committed to a plan-led approach, to providing certainty to local communities as to the location of where new housing will be and that land designated as safeguarded is not intended to meet housing need now, it is for future generations. There is finite land available in Chorley and it must be used carefully.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision to note the update**.

Councillors June Molyneaux, Christopher France, Aaron Beaver, Martin Boardman, John Dalton, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alistair Morwood, Neville Whitham, Alan Whittaker. As reserves Councillors Julia Berry, Val Counce, Anthony Gee, Keith Iddon, Paul Walmsley were invited to rejoin the call.

## **21.C.10 Establishment of a Climate Change Working Group**

The Deputy Leader, Councillor Peter Wilson, presented the report of the Deputy Chief Executive which outlines the proposal to establish a member-led Climate Change Working Group.

Cross party support was indicated for the establishment of this group.

Councillor Martin Boardman queried the proposals regarding BREEAM for the new Tatton Gardens development. This information will be confirmed by email following the meeting. Councillor Bradley advised there have been some relaxations regarding this, but that the council strives to deliver a high standard regarding BREEAM.

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

1. **A Climate Change Working Group is established which is a member led, non-decision-making body which will provide strategic leadership to the Council on climate change matters, monitoring performance to achieve climate change targets and informing policy decisions.**
2. **The Terms of Reference (appendix one) are adopted to inform the governance and structure of the group.**
3. **The membership of the group to be (5:2:0)**
  1. **Councillor Peter Wilson (Chair)**
  2. **Councillor Alistair Bradley**
  3. **Councillor Bev Murray**
  4. **Councillor Steve Holgate**
  5. **Councillor Mark Clifford**
  6. **Councillor Martin Boardman**
  7. **Councillor Val Counce****Two reserves from each group will be confirmed at the next meeting**

#### **21.C.11 Questions Asked under Council Procedure Rule 8**

No questions were asked under Council Procedure Rule 8.

#### **21.C.12 To consider the Notices of Motion given in accordance with Council procedure Rule 10**

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

#### **21.C.13 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 paragraph 3 of Part 1 of schedule 12A to the Local Government Act.**

#### **21.C.14 Cowling Farm Update**

The Executive Leader, Councillor Alistair Bradley, presented the confidential report of the Director of Commercial. The purpose of the report is to update members on the progress and next steps of delivering the Gypsy & Travellers site at Cowling Farm and to update on the discussions with Homes England to progress a joint planning application to deliver housing across the Council and Homes England sites.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the unanimous **Decisions**

1. **Approval to progress a full planning application for the delivery of a Gypsy and Traveller site on the CBC Cowling Farm Site.**
2. **Approval to progress discussions with the Gypsy and Traveller Family on a shared ownership or affordable homes tenure basis for delivery of the gypsy and traveller site at Cowling Farm.**
3. **Acknowledge that the development platform and infrastructure for the Gypsy and Traveller site will be designed to allow for anticipated future**

**gypsy and traveller need. Detailed development will be limited to current assessed need.**

- 4. Acknowledge that an application to extend the temporary planning consent currently held by the Gypsy and Traveller family (expiring July 2021) is likely to be submitted.**
- 5. Approval for initial expenditure to prepare the full and outline planning applications and a further amount for the tendering exercise to procure a consultant team.**
- 6. To acknowledge the future cost of delivering the Gypsy and Traveller site. An update of the delivery cost will be brought back to Members for approval.**
- 7. Approval to progress an application for Homes England funding to deliver the gypsy and traveller site.**
- 8. Approval to enter into an agreement with Homes England to progress a joint outline planning application for delivery of residential of the remainder of the CBC land.**
- 9. Approval for the delegation of agreeing terms with Homes England to Director of Governance.**

Mayor

Date