



Council

Agenda and Reports

For consideration on

Tuesday, 31st October 2006

In the Council Chamber, Town Hall, Chorley



www.chorley.gov.uk

Chief Executive's Office

Please ask for: Gordon Banks
Direct Dial: (01257) 515123
E-mail address: gordon.banks@chorley.gov.uk
Date: 20 October 2006

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

COUNCIL - TUESDAY, 31ST OCTOBER 2006

You are invited to attend a meeting of the Chorley Borough Council to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 31st October 2006 commencing at 6.30 pm for the following purposes.

AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members of the Council are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 14)**

To confirm the minutes of the Ordinary Council meeting held on 19 September 2006 and the Extraordinary Council meeting held on 11 October 2006 as a correct record for signature by the Mayor (Copies enclosed)

4. **Mayoral Announcements**

5. **Executive Cabinet**

- a) **Public Questions/Speaking at Council Meetings - Recommendations**
(Pages 15 - 20)

Report enclosed

- b) **General Report** (Pages 21 - 24)

Copy enclosed

Continued....

6. **Development Control Committee**
- a) **Planning Application 06/00850/CB3 - Land South Of Vertex Training And Conference Centre, Little Carr Lane, Chorley** (Pages 25 - 32)
- Report enclosed
- b) **Planning Application 06/00851/CB3 - Creation of Access Junction off the Proposed Eaves Green Link Road on land 20m South of 24-26 The Bowers, Chorley** (Pages 33 - 40)
- Report enclosed
- c) **General Report** (Pages 41 - 44)
- Copy enclosed
7. **Overview and Scrutiny Committee and Panels** (Pages 45 - 50)
- General Report (Copy enclosed)
8. **Licensing and Safety Committee and the Statutory Licensing Committee** (Pages 51 - 54)
- General Report (Copy enclosed)
9. **Audit Committee** (Pages 55 - 58)
- General Report (Copy enclosed)
10. **General Purposes Committee** (Pages 59 - 60)
- General Report (Copy enclosed)
11. **Appointments to Executive Cabinet and Environment and Community Overview and Scrutiny Panel/Chorley Community Safety Partnership (Chairman)**
- The Council is requested to approve the following changes to the membership of the Executive Cabinet and the Environment and Community Overview and Scrutiny Panel.
- Councillor Alan Cullens be appointed Executive Member for Resources replacing Councillor Greg Morgan on the Executive Cabinet.
 - Councillor Greg Morgan be appointed Chairman of the Environment and Community Overview and Scrutiny Panel, replacing Councillor Alan Cullens
 - To replace Councillor Alan Cullens with Councillor Eric Bell as Chairman of the Chorley Community Safety Partnership
12. **Questions Asked under Council Procedure Rule 7 (if any)**
13. **To consider the following Notice of Motion given in accordance with Council Procedure Rule 8**

Sustainable Communities Bill

The Sustainable Communities Bill aims to empower communities and local councils to decide how to make their local areas sustainable. It covers four main areas;

- (a) Protecting or renewing local economic activity including shops, services, facilities and jobs and locally based industry;
- (b) Protecting the local environment;
- (c) Increasing social inclusion and decreasing social exclusion;
- (d) Increasing participation in democratic, civic and political activity.

The Bill sets a duty on the Secretary of State to promote the sustainability of local communities and it establishes a 'bottom-up' procedure whereby local authorities (and through them citizens and local groups) define how this should be carried out in their own area. Over 300 MP's from all political parties support the introduction of the Bill. Chorley Borough Council expresses its support for the measures within this Bill as a means of empowering local communities and allowing local authorities to influence government policy and actions and urges the government to find time within the legislative calendar to introduce this Bill.

To be proposed by Councillor Cath Hoyle.

14. **Any other item(s) the Mayor decides is/are urgent**

15. **Exclusion of the Press and Public**

To consider the exclusion of the press and public for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 and 4 of Schedule 12 A to the Local Government Act 1972

16. **Housing Transfer Committee (Pages 61 - 62)**

General Report (Copy enclosed)

Yours sincerely



Chief Executive

Distribution

To all Members of the Council and Chief Officers.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

COUNCIL**Tuesday, 19 September 2006**

Present: Councillor Mary Wilson (Mayor), Councillor Adrian Lowe (Deputy Mayor), Councillors Peter Baker, Thomas Bedford, Eric Bell, Andrew Birchall, Terry Brown, Alan Cain, Mrs Pat Case, Henry Caunce, Magda Cullens, Francis Culshaw, Michael Davies, Doreen Dickinson, Dennis Edgerley, Daniel Gee, Peter Goldsworthy, Mrs Marie Gray, Harold Heaton, Catherine Hoyle, Keith Iddon, Miss Margaret Iddon, Hasina Khan, Margaret Lees, Roy Lees, Marion Lowe, Peter Malpas, Thomas McGowan, Miss June Molyneaux, Greg Morgan, Michael Muncaster, Mark Perks, Geoffrey Russell, Rosemary Russell, Edward Smith, Mrs Iris Smith, Shaun Smith, Mrs Joyce Snape, Ralph Snape, Christopher Snow, John Walker, Mrs Stella Walsh and John Wilson

06.C.85 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Kenneth Ball, Alan Cullens, David Dickinson, Anthony Gee.

06.C.86 DECLARATIONS OF ANY INTERESTS

The following Members of the Council each declared a prejudicial interest in the item indicated.

Councillor Dennis Edgerley – Agenda Item 6a) Housing Stock Transfer Update
Councillor Peter Malpas – Agenda Item 6a) Housing Stock Transfer Update
Councillor Christopher Snow – Agenda Item 6a) Housing Stock Transfer Update

06.C.87 MINUTES

RESOLVED – That the Minutes of the meeting of the Council held on 18 July 2006 be confirmed as a correct record.

06.C.88 MAYORAL ANNOUNCEMENTS

The Mayor informed Members that owing to bad weather conditions the Morecambe Bay sponsored walk for her Charities on Saturday, 2 September had to be abandoned. All the people who had already donated sponsorship money were thanked and the walk would be re-arranged to take place in late April or early May 2007.

The Mayor reminded Members of the meal booked at Sharju's Restaurant, Adlington later that evening.

The Mayor welcomed two new officers to the Authority, Lesley-Ann Fenton the Director of Policy and Performance and Andy Docherty the Director of Customer, Democratic and Legal Services.

The Executive Leader took the opportunity to thank those who contributed to the North West in Bloom in which Chorley received the The Environment Award for Local Authorities, Best Newcomer Award and 2nd runner up in the Best Large Town Category.

06.C.89 TOWN HALL PROJECT - EXPENDITURE

The Executive Leader read out a statement relating to work that he commissioned on the investigation into the overspend on expenditure on the Town Hall Project. It was important to brief all Members with an understanding and the way to proceed with the investigation. Legal proceedings were pending limiting what could be said at the time.

Members received the background to the project along with the expenditure that had been approved by the General Purposes Committee and Executive Cabinet.

There had been an 18 week delay in the contract with claims submitted against the contractor for this and for increase in the costs.

Building and financial advice had still to be received and by mid-November a final account was likely to be received, with Members receiving an updated report about the same time.

EXECUTIVE CABINET

(Councillors Dennis Edgerley, Peter Malpas and Christopher Snow each declared a prejudicial interest in the following item of business and left the meeting during the consideration of and voting on the item).

06.C.90 HOUSING STOCK TRANSFER UPDATE

The Executive Leader presented an update report on the results of the ballot of secure and introductory tenants on the transfer of the Council's housing stock to Chorley Community Housing Limited (CCH) and seeking approval to a number of recommendations to progress and effect the transfer.

The report confirmed that there had been a 69.6% turnout and that 63.1% of the tenants had voted in favour of the stock transfer. Only 36.9% voted no. Consequently the report sought Council's acceptance of the ballot result and recommended changes to the membership of the Board of Chorley Community Housing Limited and a revised post-ballot budget.

RESOLVED – 1) That the tenant's ballot result be accepted and that the Council proceeds with its transfer of its housing stock to Chorley Community Housing Limited, subject to the Council agreeing a satisfactory Transfer Contract and obtaining the Secretary of State's consent under the Housing Act 1985.

2) That Councillors A Cain and Mrs M Gray be nominated to replace Councillors F Culshaw and P Malpas as the Council's representative on the Board of Chorley Community Housing Limited.

3) That the revised post ballot budget set out in Appendix 2 in the submitted report, be approved.

06.C.91 CAPITAL PROGRAMME 2006/07 - MONITORING REPORT

The Executive Member for Resources presented a report on the progress of the 2006/07 Capital Programme through the monitoring and performance contact mechanisms in place.

The report recommended an increase of the 2006/07 programme by £1,921,100 to £14,081,420 and contained a number of recommendations of the Capital Programme

Board to revise the capital budget allocation for a number of proposals and to initiate a new Category 'C' scheme on the programme's reserve list.

RESOLVED - 1) That the revised increased Capital programme for 2006/07 totalling £14,081,420 as presented in Appendix 1 of the submitted report, be approved.

2) That the following recommendations of the Capital Programme Board be approved.

Exception Reports

- (a) an increase of £14,254 in the 2005/06 Access to Home Working budget to be financed from Local Government On-Line (LGOL) grant funding;
- (b) a reduction of the current Chorley Cemetery Extension budget by £5,380 to cover the overspend in 2005/06;
- (c) a reduction of the current Litter/Dog Waste/On-street recycling bins budget by £2,766 to take account of the overspend in 2005/06;

New Capital Schemes and Projects

- (d) the inclusion of the Planned Investment Maintenance Strategy Systems (PIMSS) Asset Management scheme on the Capital Programme reserve list (Category C) for future consideration when resources become available;
- (e) the utilisation of £150,000 of the regional housing capital grant to replace the Housing Revenue Account revenue contribution to capital.

06.C.92 CLEAN NEIGHBOURHOODS AND ENVIRONMENTAL ACT 2005 - ADOPTION OF POWERS

The Executive Member for Streetscene, Neighbourhoods and Environment submitted a report on the implications of the Clean Neighbourhoods and Environment Act 2005.

The Act, which had received Royal Assent on 7 April 2005, had emerged from the Government's review of the legislative framework for providing and maintaining a clean and safe environment.

A number of sections of the Act provided new and extended powers to local authorities had already become effective, including a discretionary power to agree the amount of certain fixed penalties.

RESOLVED – 1) That the following Executive Functions be allocated to the Director of Streetscene, Neighbourhoods and Environment under Executive Arrangements made pursuant to Section 15 of the Local Government Act 2000 and be discharged by the Director under that Section:

The functions of:

- a) authorising the service of notices and the taking of consequential action, including carrying out work in default and the recovery of costs;
- b) issuing formal cautions;
- c) recommending to the Director of Legal Services the institution of legal proceedings; and
- d) authorising officers to exercise statutory powers of entry (including obtaining warrants)..

i) Pursuant to Sections 77 to 79 of the Clean Neighbourhoods and Environment Act 2005 (silencing intruder alarms) Section 7 of the Clean Neighbourhoods and Environment Act 2005 (Power to require name and address – nuisance vehicle fixed penalty) and Pursuant to Section 10 of The Clean Neighbourhoods and Environment Act 2005 (Power to require name and address – abandoned vehicle fixed penalty) and:

ii) That the following fixed penalty notice default and early payment charges be adopted:

Section and legislation	Description of Offence	Recommended amount
S6(1) Clean Neighbourhoods and Environment Act 2005	Selling vehicles on a road	Fixed £100, early payment £60
S6(1) Clean Neighbourhoods and Environment Act 2005	Repairing vehicles on a road	Fixed £100, early payment £60
S2A Refuse Disposal (Amenity) Act 1978	Abandoning a vehicle	Fixed £200, early payment £120
S88(1) Environmental Protection Act 1990	Litter	Default £75, early payment £50
S94A(2) Environmental Protection Act 1990	Street litter control notices and litter clearing notices	Default £100, early payment £60
S43 Anti-Social Behaviour Act 2003	Graffiti and flyposting	Default £75, early payment £50
S34A(2) Environmental Protection Act 1990	Failure to furnish documentation (waste carriers licence)	Fixed £300, early payment £180
S47ZA(2) Environmental Protection Act 1990	Offences in relation to waste receptacles	Default £100, early payment £60
S5B(2) Control of Pollution (Amendment) Act 1989	Failure to produce authority (waste transfer notes)	Fixed £300, early payment £180
S34A2 Environmental Protection Act 1990	Failure to furnish documentation (waste transfer notes)	Fixed £300, early payment £180

06.C.93 PUBLIC QUESTIONS/SPEAKING AT COUNCIL MEETINGS - RECOMMENDATIONS

The Executive Member for Customer, Democratic and Legal Services presented a report putting forward proposals to allow the public to speak and/or ask questions at meetings of the Council, Executive Cabinet, Development Control Committee and the Overview and Scrutiny bodies within defined criteria.

The proposals had evolved from the research work undertaken by the former Community Overview and Scrutiny Panel as part of its scrutiny inquiry into public participation in the Council's decision making process. The plans to allow public speaking at Development Control Committees had, in fact, been supported by the Committee, subject to the preparation and implementation of appropriate procedure rules.

RESOLVED – 1) That in accordance with Paragraph 27.2 of the Council's Procedure Rules the following recommendation be adjourned without further discussion to the next Ordinary Council meeting on 31 October 2006:

“To approve the principle of allowing a regulated scheme for public speaking at meetings of the Council, Executive Cabinet, Development Control Committee and the Overview and Scrutiny bodies in accordance with the criteria set out below, and, accordingly, to authorise the addition of the following text to the Council Procedure Rules, as set out in Part A of Appendix 3 of the Council’s Constitution.

PUBLIC QUESTIONS/SPEAKING

1) Council and Executive Cabinet Meetings

- A maximum period of three minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each ordinary Council meeting (ie excluding the Annual Meeting).
- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Council meeting to allow time to prepare appropriate responses and investigate the issue if necessary.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.
- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated three minutes.

2) Development Control Committee

- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer’s recommendations.
- Persons must give notice of their wish to address the Committee to the Democratic Services Section by no later than midday, two working days before the day of the meeting.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group(s) be requested to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person be allowed to address the Committee.
- Each person/group addressing the Committee be allowed a maximum of three minutes to speak.
- The Committee debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

3) Overview and Scrutiny Committee/Panels

- A maximum period of three minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allowed for public questions if necessary at each meeting of the Overview and Scrutiny Committee and its appropriate panels. This will provide an opportunity for members of the public to raise and ask questions on any issue falling within the remit of the Committee or Panel.

- **Questions must be submitted to the Democratic Services Section by no later than midday, two working days before the day of the meeting to allow time to prepare appropriate responses and investigate issues if necessary.’ “**

06.C.94 GENERAL REPORT

The Executive Leader presented a report summarising the more significant items of business dealt with at meetings of the Executive Cabinet held on 24 August 2006.

RESOLVED – That the report be noted.

06.C.95 DEVELOPMENT CONTROL COMMITTEE

The Chair of the Development Control Committee presented a report which summarised the more significant proposals that had been considered at meetings of the Committee held on 25 July 2006 and 22 August 2006.

RESOLVED – That the report be noted.

06.C.96 LICENSING AND SAFETY COMMITTEE AND STATUTORY LICENSING COMMITTEE

The Chair of the Licensing and Safety Committee and Statutory Licensing Committee presented a report which summarised the principal matters which had been considered at meetings of the Committees held on 19 July 2006.

RESOLVED – That the report be noted.

06.C.97 OVERVIEW AND SCRUTINY COMMITTEE AND PANELS

The Chair of the Overview and Scrutiny Committee presented a report which summarised briefly the principal matters that had been considered at a meeting of the Overview and Scrutiny Committee held on 5 September 2006.

RESOLVED – That the report be noted.

06.C.98 APPOINTMENTS TO COMMITTEES

RESOLVED – That Councillor Henry Counce replaces Councillor Shaun Smith on the Licensing and Safety Committee and Statutory Licensing Committee following the resignation of Councillor Smith from the membership of these two Committees

06.C.99 APPOINTMENT TO OUTSIDE BODIES

RESOLVED – 1) That Councillor Eric Bell, the Executive Member for Streetscene, Neighbourhood and Environment, be appointed this Council's representative for Chorley and District Neighbourhood Watch Association.

2) That the Executive Leader, Councillor Peter Goldsworthy, be appointed to represent the Council on the Lancashire Economic Partnership Forum.

Mayor

This page is intentionally left blank

EXTRAORDINARY COUNCIL MEETING**Wednesday, 11 October 2006**

Present: Councillor Mary Wilson (Mayor), Councillor Adrian Lowe (Deputy Mayor), Councillors Peter Baker, Kenneth Ball, Thomas Bedford, Eric Bell, Andrew Birchall, Terry Brown, Alan Cain, Mrs Pat Case, Henry Caunce, Alan Cullens, Magda Cullens, Francis Culshaw, Michael Davies, David Dickinson, Doreen Dickinson, Dennis Edgerley, Anthony Gee, Daniel Gee, Peter Goldsworthy, Mrs Marie Gray, Catherine Hoyle, Keith Iddon, Miss Margaret Iddon, Hasina Khan, Margaret Lees, Roy Lees, Marion Lowe, Peter Malpas, Thomas McGowan, Miss June Molyneaux, Greg Morgan, Michael Muncaster, Geoffrey Russell, Rosemary Russell, Edward Smith, Mrs Iris Smith, Shaun Smith, Christopher Snow, John Walker, Mrs Stella Walsh and John Wilson

06.C.100 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Harold Heaton, Mark Perks, Joyce Snape and Ralph Snape.

06.C.101 DECLARATIONS OF ANY INTERESTS

No Members of the Council declared a prejudicial interest in the item on the agenda.

06.C.102 CHORLEY'S LOGO

At the request of 15 Councillors of the Labour Group and following the approval of the Mayor, the Extraordinary Meeting of the Council was convened in accordance with Paragraphs 1.4 and 1.5 of the Council Procedure Rules set out in the Council Constitution. The business transacted was follows:

"To consider all aspects of the change in Chorley's logo including reverting to the traditional logo and all aspects of the banners, carrying the new logo, on Market Street and elsewhere.

Specifically but not exclusively the members want to know:

- When was the design brief drawn up?
- Who produced the brief?
- How was the design firm selected?
- Who are they?
- Where are they from?
- What date was the order given?
- How much did the design work cost?
- Who authorised the design work?
- How was the firm that manufactured the banners carrying the new logo selected?
- What is the name of the company?
- Where is it from?
- What date was the order placed?
- What was the cost?
- Who erected the banners carrying the new logo?
- At what cost?
- How was the firm selected to carry out the work?
- Which financial standing orders apply to these transactions?
- Have they been fully complied with?

Have the County Council contacted the Borough Council about the banners carrying the new logo?

What is the content of this letter?

If the banners have to be replaced on safety grounds what will the additional cost be?

If there is a failure of the lamp posts or the banner hangings that results in damage or injury, will this be covered by our public liability insurance?

Will this be exacerbated if we have been warned of the potential hazard and ignored it?

Overview and Scrutiny were told that the decision to change the logo was taken in consultation with the Executive Leader during the summer recess. This was reported to Council on 19 September 2006.

How can this be reconciled with the erection of the banners during June?

Since this is the first opportunity for the Council to debate this important constitutional issue and as it is also a non political matter we call upon all groups to allow a free vote on a resolution to return to our well established logo of 'Chorley Borough Council'.

It is not too late for members to assert their authority especially as there is no extra cost. The final decision is yours".

The Executive Leader responded to the submitted questions with the following answers.

- 1) **When was the design brief drawn up?**
There was no formal design brief – potential designers were asked to pitch ideas for a sharper, more modern logo in May of this year.
- 2) **Who produced the brief?**
The Chief Executive working in conjunction with Directors and the Executive Leader asked the Communications Manager to consider variants of the logo in a bid to market the Council more effectively.
- 3) **How was the design firm selected?**
A number of marketing and design agencies were invited into the Council to discuss marketing and communications support including a refresh of the logo and erection of banners. Ideas were judged on the basis of price and quality.
- 4) **Who are they?**
Synergy Creative Design and Marketing Limited.
- 5) **Where are they from?**
Bolton.
- 6) **What date was the order given?**
Synergy were formally asked to look at refreshing the logo and erecting banners during a second meeting with them in late May. The order to include banners was made some weeks earlier but initial designs included the former logo. The banners were then erected mid July.
- 7) **How much did the design work cost?**
The refresh of the logo cost around £2,000 funded from a grant allocation we have prioritised for marketing the borough. There has therefore been no cost to Council Tax payers. I have also asked officers that the logo modernisation does not incur any additional costs by only applying it to new initiatives and not replacing existing branding.
- 8) **Who authorised the design work?**
Chief Executive/Executive Leader/Communications Manager.

- 9) **How was the firm that manufactured the banners carrying the new logo selected?**
By Synergy Creative following a costing exercise and credentials presentation which showed them to be an experienced, local firm with good credentials, willing to demonstrate 'added value' and with all relevant liabilities in place.
- 10) **What is the name of the company?**
Bolton Sign Contractors.
- 11) **Where are they from?**
Bolton.
- 12) **What date was the order placed?**
We formally asked Synergy to look at this project on 23 May 2006.
- 13) **What was the cost?**
The cost has not yet been borne by the Council but is estimated in the region of £13,000. It was less initially – but new banner bearing lampposts were erected within the timeframe and the decision made to include them in the project. This cost to be paid will not come from the Council Tax but from a government grant specifically to promote economic regeneration. To clarify, the project for both the Logo change and the banners has not impacted on the Revenue Account.
- 14) **Who erected the banners carrying the new logo?**
Bolton Sign Contractors.
- 15) **At what cost?**
The cost as detailed above includes erection and 'snagging'. There is no additional installation cost.
- 16) **How was the firm selected?**
As detailed above, the banner firm was recommended and selected through Synergy who handled this project on the Council's behalf. I understand this was carried out through competitive quote and included two site visits and the erection of a test banner by the contractor. This contractor was happy to supply a written twelve month guarantee to cover the banner installation and was covered by public liability insurance.
- 17) **Which financial standing orders apply to these transactions?**
This expenditure was reported to Executive Cabinet in a revenue monitoring statement.
- 18) **Have they been fully complied with?**
Yes.
- 19) **Have LCC contacted CBC about the banners carrying the new logo?**
A letter was received on Tuesday, 19 September – dated from LCC Monday, 18 September.
- 20) **What was the content of this letter?**
The County requested CBC to remove the banners as they believe they should be made of mesh. The specification LCC have sent back to us was commissioned by Chorley Borough Council. We are working closely with the County as safety of the public is paramount and have agreed to resume discussions after the Xmas lights have been removed when the banners will go back up.

- 21) **If the banners have to be replaced on safety grounds what will be the additional costs?**
We have not yet paid for the banners and will not pay any monies until they are fully compliant with the original specification. The banner manufacturers are in full agreement with this approach and there should be no additional cost.
- 22) **If there is a failure of the lampposts resulting in damage or injury will this be covered by public liability insurance?**
Yes, as health and safety implications have been considered in full.
- 23) **Will this be exacerbated if we have been warned of the potential hazard and ignored it?**
The Council has responded to the letter from LCC and is involved in further discussion on the topic.
- 24) **Overview and Scrutiny were told the decision to change the logo was taken in consultation with the Leader during the summer recess. This was reported to Council on 19 September 2006. How can this be reconciled with the erection of the banners in June?**
The banners started to be put up on 13 July and took over one week to complete installation. The Council's logo has been changed on many occasions and has not been agreed at full Council. It is a decision that either the Chief Executive or I as Executive Leader can take.

Supplementary questions were submitted from Members which were answered by the Executive Leader.

It was moved by Councillor John Wilson and seconded by Councillor Dennis Edgerley:

"That the Council calls upon the Chief Executive to reconsider her decision to change the Council logo and to revert to the traditional logo of Chorley Borough Council".

A request was made under the Council Procedure Rules 17(2) for a recorded vote.

FOR : Councillors K Ball, A Birchall, T Brown, M Davies, D Edgerley, A Gee, D Gee, C Hoyle, H Khan, Miss M Iddon, M Lees, R Lees, A Lowe, M Lowe, T McGowan, Miss Molyneaux, C Snow, Mrs S Walsh, Mrs M Wilson and J Wilson. (20).

AGAINST: Councillors P Baker, T Bedford, E Bell, A Cain, Mrs P Case, H Counce, A Cullens, Mrs M Cullens, F Culshaw, D Dickinson, Mrs D Dickinson, P Goldsworthy, Mrs M Gray, K Iddon, P Malpas, G Morgan, M Muncaster, G Russell, R Russell, E Smith, Mrs I Smith, S Smith and J Walker. (23)

ABSTENTIONS: None.

The motion was put to the vote and the Mayor declared it lost.

It was moved by Councillor Mrs Pat Case and seconded by Councillor Peter Goldsworthy:

"That this Council supports the continued efforts to promote the Council and publicise our achievements through modernising the logo, erection of banners and other initiatives in order to improve public perception and enhance the Council's rating through the CPA process".

An amendment was moved by Councillor Dennis Edgerley and seconded by Councillor John Wilson:

“That the Council supports the continued efforts to promote the Council and publicise our achievements through erection of banners and other initiatives in order to improve public perception and enhance the Council’s rating through the CPA process”.

The amendment was put to the vote and the Mayor declared it lost.

The Motion that was moved by Councillor Mrs Pat Case and seconded by Councillor Peter Goldsworthy was put to the vote and the Mayor declared it carried.

RESOLVED – That this Council supports the continued efforts to promote the Council and publicise our achievements through modernising the logo, erection of banners and other initiatives in order to improve public perception and enhance the Council’s rating through the CPA process.

Mayor

This page is intentionally left blank

REPORT OF EXECUTIVE CABINET**PUBLIC QUESTIONS/SPEAKING AT COUNCIL/COMMITTEE MEETINGS**

1. The Executive Cabinet considered a report of the Chief Executive at its meeting on 24 August 2006 which put forward proposals to allow the public to speak and/or ask questions at meetings of the Council, Executive Cabinet, Development Control Committee and the Overview and Scrutiny bodies within defined criteria.
2. The proposals have evolved from the research work undertaken by the former Community Overview and Scrutiny Panel as part of its scrutiny inquiry into public participation in the Council's decision making process. The plans to allow public speaking at Development Control Committees have, in fact, been supported by the Committee, subject to the preparation and implementation of appropriate procedure rules.
3. A copy of the Chief Executive's report which sets out in more detail the background and implications of the proposals is attached for information.
4. The Executive Cabinet supports the plans to improve the level of public participation in the Council's democratic decision making processes and commends the following recommendations to the Council. We accept that there will be a number of issues, particularly in terms of the suitability of meeting rooms and the possible need for public address/loop systems, that will need to be addressed if the proposals are implemented.
5. A report on the provision of a PA/loop system in the Council Chamber/Committee Room in the Town Hall to meet disability discrimination requirements will be submitted to the Executive Cabinet on 9 November for consideration.
6. The proposals were submitted to the Council meeting held on 19 September 2006 and in accordance with Paragraph 27.2 of the Council Procedure Rules, the recommendation was adjourned without further discussion to the next Ordinary Council meeting to be held on 31 October 2006.

Recommendations

7. The Council is recommended to give approval to the introduction of a regulated scheme for public speaking at meetings of the Council, Executive Cabinet, Development Control Committee and the Overview and Scrutiny bodies in accordance with the criteria set out below and, accordingly, to authorise the addition of the following text to the Council Procedure Rules, as set out in Part A of Appendix 3 of the Council's Constitution:

'PUBLIC QUESTIONS/SPEAKING**1) Council and Executive Cabinet Meetings**

- A maximum period of three minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each ordinary Council meeting (ie excluding the Annual Meeting).
- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Council meeting to allow time to prepare appropriate responses and investigate the issue if necessary.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.

- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated three minutes.

2) Development Control Committee

- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- Persons must give notice of their wish to address the Committee to the Democratic Services Section by no later than midday, two working days before the day of the meeting.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group(s) be requested to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person be allowed to address the Committee.
- Each person/group addressing the Committee be allowed a maximum of three minutes to speak.
- The Committee debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

(3) Overview and Scrutiny Committee/Panels

- A maximum period of three minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allowed for public questions if necessary at each meeting of the Overview and Scrutiny Committee and its appropriate panels. This will provide an opportunity for members of the public to raise and ask questions on any issue falling within the remit of the Committee or Panel.
- Questions must be submitted to the Democratic Services Section by no later than midday, two working days before the day of the meeting to allow time to prepare appropriate responses and investigate issues if necessary. ' ”

COUNCILLOR J WALKER

Executive Member for Customer, Democratic and Legal Services

There are no background papers to this report.

AU

Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Customer, Democratic and Legal Services, Councillor J Walker)	Executive Cabinet	24/08/06

PUBLIC QUESTIONS/SPEAKING AT COUNCIL MEETINGS - RECOMMENDATIONS

PURPOSE OF REPORT

- To set out recommendations for public speaking at Council meetings.

CORPORATE PRIORITIES

- Opening up Council meetings to public speaking will help to address the Council's corporate priority of 'Ensuring Chorley Borough Council is a performing organisation'.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	4	Information	4
Reputation	4	Regulatory/Legal	
Financial		Operational	
People	4	Other	

Risks have been evaluated in full.

BACKGROUND

- At its meeting on 14 March 2006 the Community Overview and Scrutiny Panel put forward a number of recommendations in relation to public questions/speaking at Council meetings. Considerable research went into these recommendations including visits to a number of other councils to observe how public speaking works in practice.
- In addition the Development Control Committee has considered the recommendations in full at its meeting on 23 May 2006. The Committee supported the recommendations subject to the preparation and implementation of appropriate procedure rules to regulate the public participation in meetings.
- This report builds on work on this subject that has been undertaken to date and sets out the recommendations in detail.



PUBLICITY

7. Leaflets will be produced to publicise the opportunity for members of the public to submit questions/speak at appropriate meetings and general publicity will be given through the local media and the Council's newspaper. An on-line form will also be provided on the Council's web-site to enable members of the public to submit questions electronically if they so wish.

PUBLIC ADDRESS/LOOP SYSTEM

8. The provision of a PA/loop system in the Council Chamber/Committee Room in the Town Hall to meet disability discrimination requirements will need to be investigated by Officers and a further report submitted to the Executive Cabinet.

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

9. We will need to take into consideration any training needs required by elected members, or officers who may face questions from either members of the public or elected members.

COMMENTS OF THE DIRECTOR OF FINANCE

10. There are two aspects of potential cost associated with the report. The first relates to the provision of the Loop system which will have both capital and revenue implications. The Council's budget includes provision for capital works to its buildings and I would look initially to fund any scheme from this allocation once the costs are known, but it would mean another potential scheme being deferred. Virement would be sought from current cash budgets for any ongoing costs of the Loop system so that there is no net increase in the Council's budget. The other revenue costs associated with the implementation are for publicity costs which will be funded from current cash budgets.

RECOMMENDATION(S)

11. That the Executive Cabinet be requested to submit a recommendation to the next meeting of the Council on 19 September 2006 that the following text be added to the Council Procedure Rules set out in Part A, Appendix 3 of the Council's Constitution, to allow public questions/speaking at the appropriate meetings. In accordance with Paragraph 27.2 of the Council Procedure Rules, the recommendation will stand adjourned without further discussion to the next Ordinary Council meeting to be held on 31 October 2006.

PUBLIC QUESTIONS/SPEAKING**(1) Council and Executive Cabinet Meetings**

- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each ordinary Council meeting (ie excluding the Annual Meeting).
- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Council meeting to allow time to prepare appropriate responses and investigate the issue if necessary.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.

- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated 3 minutes.

(2) Development Control Committee

- One person to be allowed to address the Committee in favour of the officers recommendations on respective planning applications and one person to be allowed to speak against the officer's recommendations.
- Persons must give notice of their wish to address the Committee, to the Democratic Services Section by no later than midday, two working days before the day of the meeting.
- In the event of several people wishing to speak either in favour or against the recommendation, the respective group/s be requested to select one spokesperson to address the Committee.
- If a person wishes to speak either in favour or against an application without anyone wishing to present an opposing argument that person be allowed to address the Committee.
- Each person/group addressing the Committee be allowed a maximum of three minutes to speak.
- The Committees debate and consideration of the planning applications awaiting decision will only commence after all of the public addresses.

(3) Overview and Scrutiny Committee/Panels

- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each meeting of the Overview and Scrutiny Committee and its appropriate panels. This will provide an opportunity for members of the public to raise and ask questions on any issue falling within the remit of the Committee or panel.
- Questions must be submitted to the Democratic Services Section by no later than midday, two working days before the day of the meeting to allow time to prepare appropriate responses and investigate issues if necessary.

REASONS FOR RECOMMENDATIONS

12. The introduction of Public Speaking/Questions at various Council meetings will improve the level of public participation in the Council's decision making process.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

13. None.

DONNA HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Donna Hall	5104	8 August 2006	ADMINREP/93113LK

REPORT OF EXECUTIVE CABINET

GENERAL REPORT

1. The Executive Cabinet has met once on 5 October 2006 since the last ordinary meeting and this report summarises briefly the principal matters considered at the meeting. A separate report has been prepared in respect of the item which requires a Council decision.

Concessionary Travel – Use of Smart Cards

2. The Overview and Scrutiny Committee had, at its meeting on 5 September 2006, recommended the Executive Cabinet to support the abandonment of the use of smart cards in relation to concessionary travel passes. We were told by the Chair of the Committee, Councillor D Edgerley, however, that the Committee had, at its subsequent meeting on 4 October, requested the preparation of a report on the operation and likely financial implications of the concessionary travel scheme in the light of the planned revision to the scheme on 1 April 2007.
3. In the circumstances, we agreed that it would be prudent to defer the discussions on the future use of smart cards pending the submission of the further report by the Director of Finance to both the Overview and Scrutiny Committee and the Executive Cabinet. We will be better able to make an informal decision on smart cards when the anticipated costs of the scheme are known.

Revenue Budget, 2006/07 – Monitoring Report

4. We received and considered a report of the Director of Finance monitoring the current financial position of the Council in comparison with the budgetary and efficiency saving targets for 2006/07 in respect of the General Fund and the Housing Revenue Account.
5. The report explained the significant budget variations that had occurred since the last monitoring report, which had effectively increased the projected overspend of the General Fund from £66,000 to £170,000. A number of budget areas will need to be monitored closely over the remaining year and each Service Director has been instructed to review their respective budgets to identify cost reductions and potential savings that will enable our savings targets for 2006/07 to be met.
6. The Housing Revenue Account balances are expected to increase to £837,000 as a result of the Executive Cabinet's authorisation at its meeting on 24 August 2006 of the use of £150,000 of the regional Housing Capital Grant to replace the HRA contribution to capital.
7. The Director of Finance currently presents revenue budget monitoring reports regularly to our monthly Executive Cabinet and Overview and Scrutiny Committee meetings. The frequency of the financial monitoring report was raised at the last Overview and Scrutiny Committee meeting and the Executive Member for Resources, Councillor G Morgan, has agreed to examine the frequency of the reporting procedures with the Chair of the Overview and Scrutiny Committee.

Quarterly Best Value Performance Indicators, 2006/07 – Monitoring Report as at 30 June 2006

8. We received and considered a report prepared by the Director of Policy and Performance monitoring the Council's performance during the first quarter period of 2006/07 against the

Best Value key Performance Indicators, which are national indicators defined by the Department for Communities and Local Government.

9. The report indicates a positive and improving position so far as the Authority's performance during the quarter period is concerned. There are, however, a number of areas where the identified targets have not been reached by a margin of 5% or more and action plans have been drawn up to enhance the performance of these areas.
10. The Director also advised the Members of plans to strengthen the Authority's performance management arrangements through the introduction of quarterly "Round Table" meetings between herself and the Executive Member for Corporate Policy and Performance and with each Executive Member and their respective Directors. The purpose of these meetings will be to enable poor or deteriorating areas of performance to be highlighted and measures agreed to resolve identified issues.

Chorley Town Centre Strategy

11. The Executive Cabinet received a report of the Director of Development and Regeneration on the draft Chorley Town Centre Strategy and the Director gave a short presentation on the Strategy being presented for approval.
12. The Director explained how the Town Centre Strategy had evolved from the Economic Development Strategy and the study undertaken by White Young Green in May 2005 into the town centre and the wider retail and leisure needs of the Borough. A draft strategy for the town centre had subsequently been compiled after a wide and thorough consultation process.
13. The principal objectives of the 10-year strategy are to realise the potential of the town centre and improve its vitality and viability. The strategy aims to provide a co-ordinated framework for policy and actions that will build on the town's strengths and attract investment through a greater range of quality outlets. The strategy is divided into the following four key elements, under each of which initial targets and action plans to implement the strategy have been drawn up:
 - Town Centre Diversification, which plans to broaden the town centre's economic base by encouraging new small and middle-range outlets and stimulating the expansion of the evening economy.
 - Town Centre Environment with plans to maintain and enhance the town's physical fabric through, for example, improvements to the town's gateway areas and design guides for shop fronts.
 - Accessibility and Movement, which aims to build upon the current high levels of accessibility by reviewing existing car parking provision and pedestrian linkages within the town centre.
 - Business Promotion and Support which will aim to market and promote Chorley as a "Contemporary Market Town" and develop effective partnership working as a crucial tool in the delivery of the strategy.
14. In response to queries raised at the meeting, we were told that town centre management issues will be examined as part of the review of the planned measures through which the strategy will be implemented, as requested by the Overview and Scrutiny Committee. In addition, we were assured that community safety issues associated with the Strategy will be addressed within the Action Plan for the improvement of the Town Centre Environment.

15. At the conclusion of the Director's presentation and debate, we welcomed the Strategy as the foundation for the future development and promotion of Chorley Town Centre and approved the Strategy for adoption.

Recommendation

16. The Council is recommended to note this report.

COUNCILLOR P GOLDSWORTHY
Executive Leader

AU

There are no background papers to this report.

This page is intentionally left blank

REPORT OF THE DEVELOPMENT CONTROL COMMITTEE**Planning Application: 06/00850/CB3**

1. We were presented at our meeting on 26 September 2006 with a report of the Director of Development and Regeneration on the above planning application for the creation of an access junction off the proposed Eaves Green Link Road on land South of Vertex Training and Conference Centre, Little Carr Lane, Chorley.
2. In accordance with Paragraph 1 (b) in Part B of Appendix 2 of the Council's Constitution, this application for deemed planning permission by the Council cannot be determined by the Committee and must be submitted to the Council for consideration.
3. The report recommended the granting of planning permission for the proposed development, which we endorsed and present the following recommendation for approval by the Council. A copy of the report and plan presented to the 26 September 2006 meeting is attached so that the Council is able to take account of all the relevant factors before making a decision on this application.

Recommendation

4. The Council is recommended to approve full planning permission for application no: 06/00850/CB3 subject to the conditions set out in the report.

COUNCILLOR H HEATON
Chair of Development Control Committee

DS

There are no background papers to this report.

This page is intentionally left blank

Item B. 2	06/00850/CB3	Permit Full Planning Permission
Case Officer	Mrs Nicola Hopkins	
Ward	Chorley South East	
Proposal	Creation of an access junction off the proposed Eaves Green Link Road (site area 0.31ha)	
Location	Land South Of Vertex Training And Conference Centre Little Carr Lane Chorley PR7 3JT	
Applicant	Roger Hanscombe Head Of Property Services	
Proposal	<p>The application relates to the creation of an access junction off the proposed Eaves Green Link Road. The access will serve all the land associated with the Chorley Conference Centre (former Vertex) site other than the land which already has planning permission for housing (which will be served off Little Carr Lane).</p> <p>Planning permission was granted in December 2002 (02/00907/ CB3ESM) for the Eaves Green Link Road. The location of this access junction was indicated on the originally approved plans.</p>	
Planning Policy	<p>PPG13- Transport Joint Lancashire Structure Plan: Policy 6- Green Belt Policy 21- Lancashire's Natural and Manmade Heritage Adopted Chorley Borough Local Plan Review: DC1- Development in the Green Belt EP2- County Heritage Sites and Local Nature Reserves EP4- Species Protection EP9- Trees and Woodland EP10- Landscape Assessment TR3- Road Schemes</p>	
Planning History	<p>Proposals for the Eaves Green Link Road were first put forward in the mid-1970s as part of the New Town Master Plan. Much consideration was given to a variety of routes until planning permission was granted in 2002 (02/00907/CB3ESM) for the Eaves Green Link Road.</p>	
Applicant's Case	<p>The following points have been included in support of the application:</p> <ul style="list-style-type: none"> • The proposed access is intended to be constructed at the same time as the Eaves Green Link Road itself. Works are due to start in October 2006. • The proposal includes landscape screen planting and a noise attenuation barrier • A traffic analysis has been carried out to assess the combined impact of additional traffic from the Chorley Conference Centre site and the Holy Cross School onto the Link Road and associated junctions. The analysis concluded that the junction will operate within capacity. 	

- A legal agreement is in place that requires the owners of the Conference Centre site to construct a new road (within their site) to the access junction within 24 months of the Link Road opening to public traffic.

Representations None received

Consultations **Lancashire County Council's Highways** have no objections

Lancashire County Council's Ecologist has stated that the ecological surveys, impact assessment and mitigation/compensation proposals for the approved Eaves Green Link Road have addressed any ecological issues relating to the proposed access junction and therefore has no further comments to make.

Chorley Borough Council's Landscape Assistant has no objection in principle to the scheme but has made the following comments:

- There are no details of the species which will be used for the screen planting or what sizes the trees and shrubs will be. Similarly there are no details of the groundcover shrub planting
- Time of planting and aftercare will be critical to the success of the scheme
- The wildflower grassland may impact on the junction sight lines and will need to be cut short for safety when the junction is utilised.
- The boundary fencing seems fine but painted in a dark shade of brown would visually look best.

Assessment

Planning permission was granted in 2002 for the creation of the Eaves Green Link Road. The road incorporates a 1.35 km length of road which connects Lower Burgh Way with the A6 Bolton Road. This application relates to the creation of an access junction off the link road which will serve the former Vertex Training Centre.

It was intended when the link road was approved to provide an access junction to serve the Chorley Conference Centre (former Vertex) and land associated with the centre. Outline Planning Approval was granted in 2005 (04/01457/OUTMAJ) to construct 56 dwellings on part of the Vertex site. The approved matters were approved in July 2006 (06/00077/REMMAJ). This housing site will be accessed off Little Carr Lane and will not utilise the access junction subject to this planning application.

The proposed junction was indicated on the approved plans for the link road and it is proposed to construct the junction at the same time as the link road. The new access involves a slight widening of the Link Road to cater for turning movements and the 'bell mouth' of the access itself.

The link road will be constructed mainly within the settlement area of Chorley however part of the road will be constructed within the Green Belt, close to ancient

woodland and a Biological Heritage Site. The site subject to this application is located adjacent to the Green Belt and the Biological Heritage Site. The proposal has the potential to impact on these areas however an Environmental Statement was submitted with the link road application which includes mitigation methods which are considered to be acceptable and compliance with these mitigation methods will be attached as a condition to this approval.

There is a legal agreement in place which requires the owners of the Conference Centre to construct a new road within their site to the access junction within 24 months of the Link Road opening to public traffic. Once constructed the junction will be the sole entrance and exit for the Conference Centre Site. At this time the present entrance/exit at Little Carr Lane will be closed off to vehicles.

The current access to the Conference Centre site utilises Little Carr Lane which is mainly residential. The proposed junction will reduce the amount of vehicular traffic which currently access the site along Little Carr Lane which will benefit the residents of Little Carr Lane and Carr Lane.

The proposal incorporates screen planting and a noise attenuation barrier to mitigate the impact of the link road and the access junction.

The Council's Landscape Assistant has raised concerns in respect of the screen planting as the application does not incorporate details of the species proposed. However a landscaping condition will be attached to the permission to require submission of planting details which will satisfy the Landscape Assistants concerns.

The plans approved as part of the Eaves Green link Road application incorporated reference to the proposed junction and therefore the principle of the scheme has been accepted. The access junction will help ease congestion on the roads which are currently used to access the Conference Centre Site which will benefit highway safety in the area and the nearby residential occupants. The proposal is therefore considered to be acceptable.

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

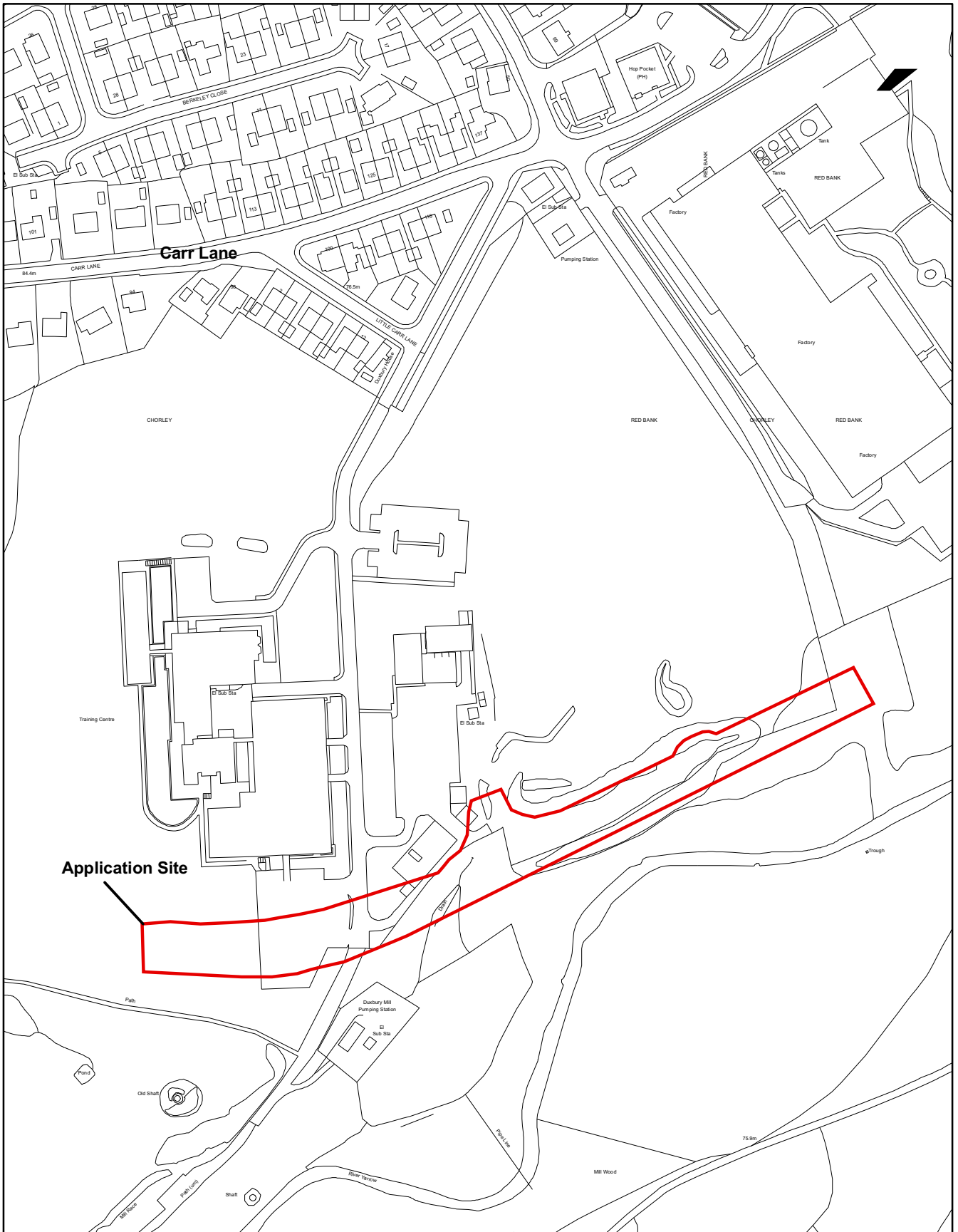
2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

4. The access junction hereby permitted shall only be constructed in conjunction with the mitigation measures specified in the Environmental Statement which accompanied the planning application for the Eaves Green Link Road (Ref: 9/02/00907/CB3ESM) and the junction shall not be opened for use by vehicular traffic until all mitigation measures so specified have been completed in full, except as may otherwise be agreed in writing by the Council as Local Planning Authority. Reason: To ensure the environmental impacts of the development are satisfactorily mitigated and in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review.



<p>Jane E Meek BSc(Hons) DipTP MRTPI Director of Development and Regeneration Chorley Borough Council</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509</p>	
<p>Application Number: 06/00850/CB3</p>	<p>Grid Ref: E: 358771 N: 415868</p>	<p>Scale: 1:2,500</p>	<p>Agenda Item No. B. 2</p>

This page is intentionally left blank

REPORT OF DEVELOPMENT CONTROL COMMITTEE**Planning Application: 06/00851/CB3**

1. We were presented at our meeting on 26 September 2006 with a report of the Director of Development and Regeneration on the above planning application for the creation of an access junction off the proposed Eaves Green Link Road on Land 20m South of 24 – 26 The Bowers, Chorley.
2. In accordance with Paragraph 1 (b) in Part B of Appendix 2 of the Council's Constitution, this application for deemed planning permission by the Council cannot be determined by the Committee and must be submitted to the Council for consideration.
3. The report recommended the granting of planning permission for the proposed development, which we endorsed and present the following recommendation for approval by Council. A copy of the report and plan presented to the 26 September 2006 meeting is attached so that the Council is able to take into account of all relevant factors before making a decision on this application.

Recommendation

4. The Council is recommended to approve full planning permission for application no: 06/00851/CB3 subject to the conditions set out in the attached report.

COUNCILLOR H HEATON
Chair of Development Control Committee

DS

There are no background papers to this report.

This page is intentionally left blank

Item B. 3 06/00851/CB3 Permit Full Planning Permission

Case Officer Mrs Nicola Hopkins

Ward Chorley South East

Proposal Creation on an access road off the proposed Eaves Green Link Road (site area 0.27ha),

Location Land 20m South Of 24 - 26 The Bowers Chorley

Applicant Roger Handscombe, Head Of Property Services

Proposal The application incorporates the creation of an access road off the proposed Eaves Green Link Road. The link road will serve Holy Cross School. Planning permission was granted in December 2002 (02/00907/ CB3ESM) for the Eaves Green Link Road.

Planning Policy PPG13- Transport
 Joint Lancashire Structure Plan: Policy 6- Green Belt
 Policy 21- Lancashire's Natural and Manmade Heritage
 Adopted Chorley Borough Local Plan Review:
 DC1- Development in the Green Belt
 EP2- County Heritage Sites and Local Nature Reserves
 EP4- Species Protection
 EP9- Trees and Woodland
 EP10- Landscape Assessment
 TR3- Road Schemes

Planning History Proposals for the Eaves Green Link Road were first put forward in the mid-1970s as part of the New Town Master Plan. Much consideration was given to a variety of routes until planning permission was granted in 2002 (02/00907/CB3ESM) for the Eaves Green Link Road.

Applicant's Case The following points have been included in support of the application:

- The proposed access road is intended to be constructed at the same time as the Eaves Green Link Road itself, works on which are due to start in October 2006.
- The access road will not be part of the public highway. It will be the School's private road and gated
- A traffic analysis has been carried out to assess the combined impact of additional traffic from the Chorley Conference Centre site and the Holy Cross School onto the Link Road and associated junctions. The analysis concluded that the junction will operate within capacity
- An access road to the Link Road was intended when planning permission to consolidate the school on one site was granted. Arising out of this a legal agreement is in place that will require Holy Cross staff vehicles and pupil buses to only use this access road to enter and leave the school.

- The site of the planning application is not part of the formal playing area. The Link Road scheme has already provided a new full size grass pitch for the school and enabled the implementation of a full sized artificial turf pitch. The proposed access road will improve vehicular access to these sports facilities.

Representations None received

Consultations **Lancashire County Council's Highway section** have no comments

Lancashire County Council's Ecologist has stated that the ecological surveys, impact assessment and mitigation/compensation proposals for the approved Eaves Green Link Road have addressed any ecological issues relating to the proposed access junction and therefore has no further comments to make.

English Nature is satisfied that there will be no significant effect upon any statutory protected sites.

Are satisfied that the mitigation put forward in the Environmental Statement originally submitted with the Link Road application address the impacts to protected species and advise that this is incorporated into the current proposal.

Chorley Borough Council's Landscape Assistant has no objection in principle to the application but has made the following comments:

- There are no details as to what species will be used for the deterrent shrub planting or what sizes the shrubs will be.
- The temporary protective fencing is not specified
- There are no details of the groundcover shrub planting
- Time of planting and aftercare will be critical to the success of the scheme.

Assessment Planning permission was granted in 2002 for the creation of the Eaves Green Link Road. The road incorporates a 1.35 km length of road which connects Lower Burgh Way with the A6 Bolton Road. This application relates to the creation of an access road off the roundabout located centrally along the link road.

It was attended when the link road was approved to include an access from the roundabout on the link road into the school and it is intended to construct the access road at the same time that the link road is constructed.

The link road will be constructed mainly within the settlement area of Chorley however part of the road will be constructed within the Green Belt, close to ancient woodland and a Biological Heritage Site. The site subject to this application, however, is located within the settlement area of Chorley and will not impact on the Green Belt, ancient woodland or the Biological Heritage

Site.

It has been established that the Eaves Green Link Road is acceptable with the granting of planning permission. When planning permission to consolidate Holy Cross School on one site was granted it was the intention to provide an access road from the link road and therefore there are no objections to the proposal.

As part of a legal agreement which is in place there is a requirement that Holy Cross staff vehicles and pupil buses use the access road to enter and leave the school which will reduce the amount of traffic using the entrance off the Bowers. The Bowers is a residential area close to the application site.

24-27 The Bowers are located to the north east of the application site in close proximity, number 24 is approximately 14 metres away and number 26 is approximately 8 metres away. There is the potential that the road could lead to increase noise and disturbance to the detriment of the nearby neighbours. However it is not envisaged that the road will be heavily used as it will be private and only used by visitors to the school.

The proposal also includes deterrent screen planting along the boundary with The Bowers which will mitigate the impact on the proposed access road. The Council's Landscape Assistant has raised concerns as there are no details of this deterrent planting however this planting is not within the application site and is not a consideration in terms of this application although it will aid in reducing the impact of the access road. The screen planting along with a reduction in the amount of vehicles accessing Holy Cross School through The Bowers will benefit the residents of the Bowers.

The Council's Landscape Assistant has also raised concerns as there are no details of the groundcover shrub planting. A condition will be attached requiring the submission of landscaping details.

English Nature do not object to the scheme but request that the mitigation proposals put forward within the Environmental Statement submitted with the Link Road application in relation to protected species are incorporated into the current proposal. This will be attached as a condition.

**Recommendation: Permit Full Planning Permission
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail

which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

4. The access road hereby permitted shall only be constructed in conjunction with the mitigation measures specified in the Environmental Statement which accompanied the planning application for the Eaves Green Link Road (Ref: 9/02/00907/CB3ESM) and the road shall not be opened for use by vehicular traffic until all mitigation measures so specified have been completed in full, except as may otherwise be agreed in writing by the Council as Local Planning Authority. Reason: To ensure the environmental impacts of the development are satisfactorily mitigated and in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review.



<p>Jane E Meek BSc(Hons) DipTP MRTPI Director of Development and Regeneration Chorley Borough Council</p>		<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chorley B.C. 100018509 (2006)</p>	
<p>Application Number: 06/00851/CB3</p>	<p>Grid Ref: E: 358555 N: 415813</p>	<p>Scale: 1:1,406</p>	<p>Agenda Item No. B. 3</p>

This page is intentionally left blank

REPORT OF DEVELOPMENT CONTROL COMMITTEE

GENERAL REPORT

1. Since the last Council meeting the Development Control Committee has met twice on 26 September 2006 and 17 October 2006. This report refers briefly to the more significant planning proposals that were considered at these meetings.

26 September 2006 meetingPlanning Application 06/00786/REMMAJ

2. We considered the above planning application for the construction of a main access road, drainage for the Southern Commercial Area on land, South of Buckshaw Avenue, Buckshaw Village, Lancashire.
3. The proposed road had been designated on the original design Master Plan for Buckshaw Village but planning permission still needed to be obtained for the works. The original Master Plan had incorporated a loop road within the Southern Commercial area with only one junction onto the East West Link Road. This new proposal incorporated two junctions within the Link Road.
4. The road will serve the commercial areas within the Southern Commercial areas, Buckshaw Hall which is a Grade II* Listed Building and the residential areas which are proposed on the parcels of land next to the Hall.
5. The County Council Highways Engineer considered that the application needed further attention before highway approval could be given. To satisfy their concerns the submission of further details will be required through conditions.
6. After considering the information in the officer's report we decided to grant full planning permission.

Planning Application 06/00857/FUL

7. We considered the above planning application for the erection of a dwelling for staff that would replace the current wardens flat and staff caravans at the Royal Umpire Caravan Park, Southport Road, Ulnes Walton, Leyland.
8. Policy DC1 of the adopted Chorley Borough Local Plan Review reflects Government guidance in PPG2: Green Belts. It states that planning permission will not be granted except in very special circumstances for development other than agriculture, forestry or essential facilities for outdoor sport and recreation and other uses of land that preserve the openness of the Green Belt and do not conflict with its purposes

including, limited extension, alteration or replacement of existing dwellings in accordance with the relevant other policies within the Local Plan.

9. A previous application in 2004 for the retention of two static caravans for staff was refused on the grounds that there was already a flat in the reception building that could fulfil the requirements for security and safety at the site.
10. It was considered that the application was inappropriate development within the Green Belt and no very special circumstances had been submitted which indicated why planning permission should be granted. Consequently the proposed development was contrary to Policy DC1 of the adopted Chorley Borough Local Plan and PPG2 Green Belts.
11. After considering all the information in the officer's report we decided to refuse planning permission for this application.

COUNCILLOR H HEATON
Chair of Development Control Committee

17 October 2006 meeting

Planning Application 06/00674/REMAJ

12. We considered the above planning reserved matters application for the erection of a 21,563 Sq m building for B2/B8 use with ancillary parking areas and landscape on Site 4, Buckshaw Avenue, Buckshaw Village, Euxton.
13. The site has an area of 3.92 hectares and will be accessed from the link road that was proposed within the outline application that was granted for the Strategic Regional Site in December 2004.
14. The proposed building will be warehouse style providing warehouse space with ancillary offices located on two floors and storage space. To the front of the building there will be a car park with sufficient space for 101 vehicles.
15. We considered that this was a speculative proposal that would provide between 280 and 660 new jobs dependant on whether the end user is B2 or B8. We was considered that it would be further development of the Regional Investment Site and fulfil the objectives in Regional Planning Guidance for the North West, the Lancashire Structure Plan and the Chorley Borough Local Plan. We also thought that the development would provide economic and employment benefits for the

Borough and for these reasons we decided to grant full planning permission.

Planning Application 06/00846/FULMAJ

16. We considered the above planning application for the change of use of an existing informal kick-around space into a new 11-side football playing pitch on land to the rear of 139 to 157, School Lane, Brinscall.
17. The pitch would require cut and fill works to form a level-playing surface whilst it was also proposed to install a new system of land drainage with outfall to an existing open ditch to the south east of the pitch.
18. The pitch would be used by Brinscall Village Football Club, which provides football-training opportunities for more than 180 children and would be made available for use by the seven local schools. It was also proposed that the pitch would be positioned further away from the neighbouring properties than the existing kick-about field.
19. The application was the culmination of a partnership project, with the land being offered on a 20-year lease to the club by the Council to underpin the use of the pitch and as a minimum requirement for the Football Foundation funding purposes.
20. After considering the views of the ward representative and the information in the officer's report we decided to grant full planning permission.

Planning Application 06/00892/COUMAJ

21. We considered the above planning application for the change of use of agricultural land to a taxiway for Microlights (below 450kg) and Very Light Aircraft (below 600kg), access from North Road, Bretherton, retention to a portacabin for office/toilet facilities and car parking at Long Fold Farm, North Road, Bretherton (the rest of the development is within South Ribble Borough).
22. The site at Long Fold Farm is unusual in that it is bisected by the boundary between Chorley Borough and South Ribble Borough. This application relates mainly to the access of the development and forms part of an overall proposal for two intersecting grass airstrips for microlights.
23. The County Highways Development Engineer had a number of concerns relating to access for the site on North Road. Existing visibility is substantially below the recommended standard and the engineer was emphatic that if the application were to be approved, full major road visibility would have to be provided, in addition to the

widening of the carriageway and provision of a passing place halfway down the track to the farmhouse.

24. Although we did not consider that the change of use of the land to a taxiway and parking at the farmstead would have an adverse impact on the openness of the Green Belt or prejudice the purposes of including land within the Green Belt, we did consider that the proposed access to the site was substandard and the necessary works to make it possible would have an adverse impact on the rural character of the area and the visual amenities within the Green Belt.
25. After taking into account the comments of the ward representatives and the information in the officer's report we decided to refuse full planning permission.

COUNCILLOR D DICKINSON
Vice-Chair of Development Control Committee

DS

There are no background papers to this report.

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE AND PANELS

GENERAL REPORT

1. This report summarises the business transacted at the Overview and Scrutiny Committee held on 4 October 2006, as well as a brief summary of the recent activities and matters discussed at meetings of the Environment and Community Overview and Scrutiny Panel and Corporate and Customer Overview and Scrutiny Panel. The report of the meeting of The Environment and Community Overview and Scrutiny Panel held on 19 October will be reported to the next Ordinary Council on 19 December 2006.

OVERVIEW AND SCRUTINY COMMITTEE - 4 OCTOBER 2006

Revenue Budget 2006/07 – Monitoring

2. We considered a report of the Director of Finance monitoring the current position of the Council compared to the budget and efficiency saving targets it set itself for 2006/07 for the General Fund and the Housing and Revenue Account.
3. The previous report to Committee received indicated that the projected outturn forecast an overspend of £66,000, but that the position had changed and the projection was now an overspend of £170,000, equating to 1% of the total budget.
4. Further savings would be produced with Directors being asked to identify cost reductions. A number of areas would be monitored closely in particular increased refuse collection costs, increased income streams from Development and Regeneration, Concessionary Travel and benefit costs and agency staff costs.
5. Another area, which required close monitoring, was the budget for concessionary travel. Following changes in the statutory requirements placed on the Council, the cash budget this year had increased to £514,000 from £217,000 in 2005/06. Concern was expressed that there had been insufficient information received to determine if the increased budget would adequately cover the increased costs, arising from the enhanced scheme. The County Council had provided an initial estimate but a number of questions had been raised that required clarification.
6. We agreed that a report be submitted to this Committee and the Executive Cabinet on Concessionary Travel on the element of financial risk to the authority of this scheme.

Chorley Town Centre Strategy

7. The Director of Development and Regeneration submitted a report and gave us a presentation on the representations received on the Chorley Town Centre Strategy.
8. We had previously indicated our wish to have sight of this report and discuss with the Executive Member and Director before the Executive took any firm decision.
9. The Director explained the background to the development of the strategy, which had evolved from the Economic Development Strategy and the study undertaken by White Young Green in May 2005 into the town centre and the wider retail and leisure needs of the Borough. The resultant draft strategy had undergone a wide consultation exercise, the responses to which were summarised in an appendix to the report.

10. The main aims of the 10-year strategy were to realise the potential of the town centre and improve its vitality and viability. The strategy aimed to provide a co-ordinated framework for policy and actions that would build on the town's strengths and attract investment through a greater range of quality outlets.
11. The following four priority elements had been identified in the Town Centre because there had been a number of inter-related opportunities running through each strategic objective. The priority elements helped to focus on the necessary key measures and actions required to secure and enhance the Town Centre's vitality and viability:
 - Town Centre Diversification
 - Town Centre Environment
 - Accessibility and Movement
 - Business Promotion and Support
12. We expressed concern that there seemed to be no mention of elements of Community Safety issues in the Strategy and requested that this be addressed in the priority element for the Town Centre Environment, with this priority element to be taken up by the Environment and Community Overview and Scrutiny Panel.

Quarterly Best Value Performance Indicators 2006/07 – Monitoring Report as at 30 June 2006

13. We received from the Director of Policy and Performance a report monitoring the authority's performance in relation to both the Best Value Performance Indicators and the Council's Corporate Key Performance Indicators during the first quarter as at 30 June 2006.
14. The report indicated the full list of Best Value Performance Indicators that were relevant to the Council and which are collected in accordance with the definitions issued by the Department for Committees on Local Government.
15. The Quarterly Business Plan monitoring statements had also been produced by the Directorates and these had been considered by the Committee.
16. We were informed that in those areas where there had been a decline in performance, action plans had been prepared to address this with more detailed reports on those areas not achieving a target of 5% tolerance.

Quarterly Business Plan Monitoring Statement – Policy and Performance Directorate

17. We received from the Director of Policy and Performance the Business Plan Monitoring Statement relating to her Directorate, which identified the progress made against the key action and performance indicators for the period 1 April 2006 to 30 June 2006.
18. The report indicated the activities of the Directorate over the last quarter and the good progress made towards integration of the previously diverse section since the Directorate was newly established in April 2006.

Overview and Scrutiny Inquiry

19. We received a draft inquiry outline document for this Committee's scrutiny inquiry on the Council's performance against the key line of inquiry to be assessed by the Audit Commission during CPA and Direction of Travel.

20. The Audit Commission for those authorities wishing to apply for re-categorisation had set out a timetable and it would be these authorities, which the Committee would be looking at to gain information.
21. It was proposed to invite to a future meeting the Council's Relationship Manager (Audit Commission) to gain background information as well as receiving a presentation from the Director of Policy and Performance on the key issues and progress the Council has made since the last CPA in 2003.

Forward Plan

22. We received the Council's Forward Plan, which set out details of the key executive decisions expected to be taken between 1 October 2006 and 31 January 2007.
23. The Plan identified several matters for potential decision by the Executive in November 2006 and the Committee was requested to identify the items it wished to examine in advance of consideration by the Executive.
24. In response, we indicated that we would wish to have sight of the reports on the following matters, and discuss them with the appropriate Executive Members and Directors before firm decisions are taken by the Executive.
 - Agreement of Pay and Workforce Strategy
 - Approve of Police Community Support Officer Pilot Scheme

CORPORATE AND CUSTOMER OVERVIEW AND SCRUTINY PANEL - 12 SEPTEMBER 2006

Monitoring of inquiry Recommendations – Housing Maintenance Appointment System

25. The Panel received an update report from the Director of Housing Services on the final recommendation of the Housing Maintenance Appointment System Inquiry to be completed relating to the monitoring the detail and accuracy of fault reporting.
26. We recommended and noted that the transfer of the Council's houses to Chorley Community Housing has resulted in repair reporting not being carried out by the Call Centre, indicating that the automated telephone monitoring had not taken place. However, a local performance figure has been set up to monitor the percentage of repeat visits. It was considered that this would, amongst other factors, be an indication of the detail and accuracy of the fault reporting.
27. We queried several points and noted that the number of repeat visits would be monitored and analysed after the transfer of the Council's houses.

Ongoing Inquiry – Contact Centre Efficiencies and Partnership with Lancashire County Council

28. The Assistant Head of Customer Services delivered a presentation outlining the background information about the Contact Centre.
29. The Government agenda had challenged Council's to think beyond the traditional methods of service delivery and to create efficiencies. There was a desire to create a single point of contact for the customer to access both district and county services and to improve access to public services. A feasibility study was undertaken in 2002 and following this, from the three models put forward, a decision was taken by partners to go forward with a virtual contact centre approach. The primary contract is between the Contractor Northgate and Lancashire County Council. There are further back-to-back contracts between the County Council and six District Councils, including Chorley.

30. The presentation summarised the development of the Chorley Contact Centre, the project management methodology and the technology required.
31. We discussed the challenges facing the partnership as a whole; such as there are different speeds and approaches to the implementation of the Partnership across the various Partners. There was a need to refocus the Customer Relationship Management at Chorley but good progress was being made in relation to the migration of services.
32. Two Sub-groups would meet in October, to consider detailed information about the efficiencies of the Contact Centre and the partnership aspect.

CORPORATE AND CUSTOMER OVERVIEW AND SCRUTINY PANEL – 10 OCTOBER 2006

Business Plan Monitoring Statements – First Quarter

33. The Panel received the Business Plan Monitoring Statements for the period 1 April 2006 to June 2006 for the following Directorates:
 - Financial Services
 - Human Resources
 - Information, Communication Technology Services
 - Customer, Democratic and Legal Services
34. We queried several aspects of the Plan with the relevant Directors present and questioned some of the performance figures relating to the Best Value Performance Indicators.

Monitoring of Inquiry Recommendations – One Stop Shop Inquiry

35. The Assistant Head of Customer Services submitted a report updating the Panel on the progress on the implementation of the recommendations made to the Executive Cabinet on 30 June 2006, in respect of the One Stop Shop Inquiry.
36. The Panel had carried out the inquiry to assess the effectiveness of the new implemented One Stop Shop and to identify improvements, which would benefit both the customer and the workforce.
37. The report listed the recommendations with the action taken against each one. We welcomed the format of the report and the progress that had been achieved since the recommendations were approved.

Ongoing Inquiry – Contract Centre Efficiencies and Partnership with Lancashire County Council

38. The Executive Director Corporate and Customer, Deputy Chief Executive advised the Panel that the following documents had been recently published which may have a bearing on the development of the inquiry into the Contact Centre.
 - Lancashire County Council Scrutiny Inquiry into the Shared Services Contact Centre.
 - Audit Commission report on Lancashire County Council and Shared Partnership – A Performance and Critical Report.

The two documents would be relevant to the inquiry.

ENVIRONMENT AND COMMUNITY OVERVIEW AND SCRUTINY PANEL - 14 SEPTEMBER 2006**Neighbourhood Working Inquiry**

39. The Panel discussed the proposed arrangements for the Neighbourhood Working Inquiry and considered a schedule of services to appoint a consultant produced by the Director of Streetscene, Neighbourhoods and Environment and the Inquiry scoping document.
40. The objectives for the Inquiry set out in paragraph 6 of the schedule were considered in detail. Panel members queried several points and noted that Neighbourhood working was an extremely large topic and that there was a lot of research information available.
41. It was agreed that the objectives for the Scrutiny Inquiry on Neighbourhood Working be:
 1. Improving service delivery of the Council and its partners.
 2. Localising consultation and improving satisfaction in neighbourhoods.
 3. Acting jointly, with partners, to reduce pockets of deprivation and social exclusion.
 4. Promoting community development and cohesion.
 5. Maximising community involvement in neighbourhood management from active citizens, including young people, voluntary and private organisation.

Recommendation

42. The Council is recommended to note this report.

COUNCILLOR D EDGERLEY
CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE

GKB

There are no background papers to this report.

This page is intentionally left blank

REPORT OF LICENSING AND SAFETY COMMITTEE AND THE STATUTORY LICENSING COMMITTEE

GENERAL REPORT

1. This report sets out a brief summary of the main items considered at the meeting of the Licensing and Safety Committee and the Statutory Licensing Committee, held on 20 September 2006 and 11 October 2006.

Licensing and Safety Committee – 20 September 2006

Change of Licence Condition – Roof Sign on Hackney Carriage Vehicles

2. We were requested to consider a change to the licence condition relating to the wording of roof signs on hackney carriages following the recent change of the Council logo.
3. At a recent meeting of the local hackney association views were sought and they had expressed an opinion to keep the present wording.
4. As there was no legal reason to change the signs the Committee felt that it was unnecessary for the taxi drivers to incur the costs of changing the roof signs and therefore the wording remains as Chorley Borough Taxi.

Testing of Licensed Vehicles – Amendment to Procedure

5. We were asked to amend a previous Committee resolution regarding the procedure for licensing vehicles that are over the Council's age limit of eight years from the date of manufacture.
6. We agreed to the amendment in order to remove any ambiguity.

Application for Licence to Drive Hackney Carriage/Private Hire Vehicles within the Borough of Chorley

7. I accepted as urgent, consideration of an application to drive a hackney carriage/private hire vehicle. Information received from the Criminal Records Bureau had revealed that the applicant has convictions that would need to be assessed by the Committee before determining the application.
8. Following representations made by the applicant and after careful consideration we agreed to grant a licence.

Licensing and Safety Committee - 11 October 2006

Private Hire Driver – Complaint

9. We received a confidential report from the Director of Customer, Democratic and Legal Services bringing our attention to a complaint that had been made against a private hire driver. Because of the nature of the complaint his private hire driver's licence had been suspended.

10. Members were requested to consider the allegation and determine whether or not he was considered to be a fit and proper person to hold a private hire driver's licence.
11. The private hire driver attended the meeting to put forward representation in support of him keeping his licence.
12. The Committee gave careful consideration to the representation made and viewed the complaint very seriously, however we agreed that he be allowed to continue to drive in Chorley, with a letter sent informing him that his conduct must be exemplary and should there be any further concern or complaints, he be brought back to a meeting of the Committee.

Private Hire Operator Allowing Vehicles to be used in a Dangerous Condition

13. We received a confidential report from the Director of Customer, Democratic and Legal Services bringing our attention to a private hire vehicle operated by a local taxi firm which had been presented for a taxi test in a dangerous condition.
14. The report indicated that the vehicle had been submitted to a Council accredited testing station for its four month taxi test. The test sheet had highlighted 17 faults, some of which were, in the opinion of the examiner, of a serious nature making the vehicle dangerous to drive.
15. The taxi operator attended the meeting to explain why the licensed vehicle was in a dangerous condition and to explain if any measures had been put in place to ensure that all licensed vehicles operated under his operator's licence were adequately maintained.
16. In view of the serious nature we agreed the following course of action:
 - The licensed private hire operator was considered by the Committee not to be a fit and proper person to hold a licence and agreed that the licence be suspended until the whole private hire fleet had been subjected to a vehicle test to be carried out during the following week by an accredited MOT testing station.
 - A system of daily defect sheets be implemented for each vehicle of the private hire fleet and signed by each driver with detected faults to be rectified immediately.
 - The Council's licensing enforcement officer to make regular checks to ensure that the daily defects sheet process is being complied with.
 - The operator be asked to a future meeting to inform the Committee that the required tests have been carried out on the vehicles and the vehicle checking process is operating.
 - A report be submitted to a future meeting on the outcome of an investigation to be carried out on the MOT testing of the people carrier in question and the suitability of the accredited testing station that had carried out the four month test on the vehicle and whether a satisfactory standard of service is being provided by the testing stations.

Statutory Licensing Committee – 11 October 2006

Licensing Act 2003 – Licences issued from 1 September 2006 to 22 September 2006

17. We received from the Director of Customer, Democratic and Legal Services a report informing the Committee of the various licences issued and the regulations affected under the Licensing Act 2003 for the period 1 September 2006 to 22 September 2006.

18. We noted particularly the multi-agency operation which took place on 15 September 2006 with three police officers and the licensing manager visiting a number of licensed premises, with further visits and education required to advise licensees of their responsibility.

Recommendation

19. The Council is recommended to note this report.

COUNCILLOR MRS I SMITH

Chairman of the Licensing and Safety Committee and the Statutory Licensing Committee

GKB

There are no background papers to this report.

This page is intentionally left blank

REPORT OF THE AUDIT COMMITTEE

GENERAL REPORT

1. This report gives a brief summary of the items discussed at the meeting of the Audit Committee held on 26 September 2006.

Financial Statement Year Ended 31 March 2006

2. The new terms of reference of the Audit Committee now enable the Statement of Accounts to be approved by this Committee and the Director of Finance submitted a report seeking approval for the amended Statement of Accounts for 2005/2006.
3. The Audit Commission had audited the accounts and made a number of amendments to comply with relevant disclosure requirements. In addition, there had been minor corrections to roundings and cross-referencing of figures.
4. A number of 'post balance sheet events' were reported on matters that had arisen after the balance sheet date but before the date of issue of the Statement of Accounts on the following activities:
 - Transfer of Housing Revenue Account assets following the Housing Stock Transfer in 2006/07.
 - Section 106 contributions unapplied as at 31 March 2006.
 - Monies owing in respect of the Gillibrand Housing Development during 2006/07
5. The accounts comprised:
 - Statement of Internal Control
 - Consolidated Revenue Account
 - Housing Revenue Account
 - Consolidated Balance Sheet
 - Statement of Total Movements in Reserves
 - Cash Flow Statement
 - Collection Fund

Annual Governance Report

6. The Audit Commission submitted their Annual Governance Report covering the audit of the Authority for the year ended 31 March 2006. The report summarised the significant findings, conclusions and recommendations that had arisen from their audit work.

7. The work on the financial statements was substantially complete and subject to the satisfactory conclusion of the work outstanding, the Audit Commission anticipated the issuing of an unqualified opinion by 29 September 2006. The Audit Commission subsequently issued the unqualified opinion.
8. A small number of presentational or technical amendments and one material amendment relating to Section 106 Agreement contributions had been identified, none of which had had the effect of adjusting either the revenue outturn or the working balances of the Authority.
9. The Statement of Internal Control complied with the requirements specified by CIPFA and once the Audit Commission are in receipt of the letter of representation from the authority, signed by the Leader of the Council and the Director of Finance, the opinion on the financial statements year ending 31 March 2006 will be issued.
10. The authority had met the minimum standard for the twelve different criteria's in its use of resources. It had performed well in a number of areas, and in particular, had good arrangements in place for value for money and asset management.

Interim Report on Internal Audit Activities as at 8 September 2006

11. The Director of Finance submitted a report to advise Members of the work undertaken in respect of the Annual Internal Audit Plan during the initial five months of 2006/07.
12. The report highlighted details of reviews, investigations and other Internal Audit activity during this period, including:
 - Ethical Governance, Key Financial Systems, Win Time System and LSVT Pre-Ballot Publicity Reviews,
 - Undertaking of a "desk top" self assessment of the Council's current position in relation to the Audit Commission's new CPA Key Lines of Enquiry (KloE),
 - Production of detailed action plan to address the recommendations made by the Audit Commission on their Use of Resources report,
 - Finalised the draft Whistle Blowing Policy,
 - Established a new electronic version of the Officer's Register of Disclosures.
13. Members also discussed the draft terms of reference for the new Corporate Governance Board that has been set up in line with the recently issued CIPFA guidance that directed Audit Committees to adopt wider terms of reference to oversee governance at Member level.

Recommendation

13. The Council is recommended to note this report.

COUNCILLOR G RUSSELL

Chair of the 26 September 2006 meeting of the Audit Committee

DS

This page is intentionally left blank

REPORT OF GENERAL PURPOSES COMMITTEE

GENERAL REPORT

1. The General Purposes Committee met on 11 October 2006 and this report briefly summarises the only matter considered at the meeting.

Highways Act 1980 – Section 118 Proposed Extinguishment of Part of Public Footpath No 34 Withnell and Creation of Public Footpath from Public Footpath No 38 to Public Footpath No 37 Withnell

2. We received a report of the Director of Customer, Democratic and Legal Services on a proposal submitted by Lancashire County Council for the diversion of a length of Public Footpath No 34, Withnell, at Benson's Farm, Abbey Village, Withnell.
3. The reason for the proposed footpath extinguishment/creation represents one of the commonest put forward ie the desire to take a right of way out of the middle of residential/working buildings and re-route it around the periphery of such a site and re-establish it on a new line close by. In this instance this would be achieved by using part of the line of another existing path and in part through the creation of a new length of path. The proposal is therefore in keeping with most other diversions that have been pursued in recent years.
4. We agreed that no objection be raised to the making by Lancashire County Council of a Public Path Extinguishment Order for the purpose of extinguishing a length of Public Footpath No 34 as well as no objection for the provision of a new route to replace that length of Public Footpath No 34 Withnell, which the County Council propose be extinguished.

Recommendation

- 5.. The Council is recommended to note this report.

COUNCILLOR P GOLDSWORTHY
Chairman of General Purposes Committee

GKB

There are no background papers to this report.

This page is intentionally left blank

By virtue of paragraph(s) 1, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank