



Council

Agenda and Reports

For consideration on

Tuesday, 23rd January 2007

In the Council Chamber, Town Hall, Chorley

At 6.30 pm



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PROCEDURE FOR PUBLIC QUESTIONS/SPEAKING AT COUNCIL MEETINGS

- 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 (12 Noon on the Friday prior to the meeting).
- 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, excluding the Annual Meeting.
- 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.

Chief Executive's Office

Please ask for: Gordon Banks
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E-mail address: gordon.banks@chorley.gov.uk
Date: 12 January 2007

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

COUNCIL - TUESDAY, 23RD JANUARY 2007

You are invited to attend a meeting of the Chorley Borough Council to be held in the Council Chamber, Town Hall, Chorley on Tuesday, 23rd January 2007 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 - 10)**

Council meeting held on 19 December 2006 – Confirmation as a correct record for signature by the Mayor (Copy enclosed)

4. **Mayoral Announcements**

5. **Executive Cabinet**

a) **Community Forums** (Pages 11 - 14)

Report enclosed

b) **General Report** (Pages 15 - 18)

General Report (enclosed)

6. **Statutory Licensing Committee - Gambling Act 2005 - Delegation of the Setting of Fees for Licenses** (Pages 19 - 20)

Report enclosed

Continued....

7. **Development Control Committee (Pages 21 - 24)**

General Report (enclosed)

8. **Overview and Scrutiny Committee and Panels (Pages 25 - 26)**

General Report (enclosed)

9. **Questions Asked under Council Procedure Rule 7 (if any)**

10. **To consider the Notices of Motion (if any) given in accordance with Council procedure Rule 8**

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

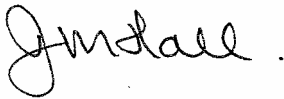
12. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act.

13. **Housing Transfer Committee (Pages 27 - 28)**

General Report (enclosed)

Yours sincerely



Chief Executive

Distribution

To all Members of the Council and Chief Officers.

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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

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COUNCIL**Tuesday, 19 December 2006**

Present: Councillor Mary Wilson (Mayor), Councillor Adrian Lowe (Deputy Mayor), Councillors Peter Baker, Kenneth Ball, Thomas Bedford, Eric Bell, 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, 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, Mrs Joyce Snape, Ralph Snape, Christopher Snow, John Walker, Mrs Stella Walsh and John Wilson

06.C.120 DECLARATIONS OF ANY INTERESTS

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

Councillor Dennis Edgerley – Agenda Item 18 Housing Transfer Committee.
Councillor Christopher Snow – Agenda Item 18 Housing Transfer Committee.
Councillor Mrs Marie Gray – Agenda Item 18 Housing Transfer Committee.
Councillor Alan Cain – Agenda Item 18 Housing Transfer Committee.

06.C.121 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Andrew Birchall and Shaun Smith.

06.C.122 MINUTES

RESOLVED – That the Minutes of the Council meeting held on 31 October 2006 be confirmed as a correct and signed by the Mayor.

06.C.123 MAYORAL ANNOUNCEMENTS

The Mayor informed Members of a New Year meal after the Council meeting on 23 January 2007 commencing at 8.00pm to be held at the Gourmet Buffet and tickets were £10 each.

The Mayor reminded Members of the Mayor's Charity Ball to be held on Friday, 2 February 2007 in the Lancastrian Room, commencing at 7.30pm for Dinner at 8.00pm. Tickets were £25.00.

The Mayor wished all Members and Officers a Merry Christmas and welcomed everyone for drinks and mince pies at the conclusion of the meeting and informal meeting that followed.

06.C.124 CORPORATE STRATEGY FOR 2006 - 2009

The Executive Leader presented a report seeking approval to a number of amendments to the Council's Corporate Strategy for 2006-2009.

The Corporate Strategy set out the Council's issues and corporate priorities for the 3 year period up to 2009, together with a work programme for the coming year, and stood as the key document in taking forward the Council's agenda for improvement.

The Executive Cabinet and Strategy group had recently undertaken a thorough revision of the Corporate Strategy's commitments to assess their feasibility and reflection of the key objectives of the new administration. The view had identified a number of recommended changes to the Corporate Strategy. Changes to the Corporate Strategy included amendment and expansion of the Vision Statement in order to clarify more precisely the Council's aims and overarching vision for the future of the Borough. A number of changes to the Council's strategic objectives, measures and targets, and key projects were also proposed.

The Corporate Strategy had also been considered by the Overview and Scrutiny Committee with the Executive assessing a number of the Committees comments and recommendations.

It was moved by Councillor Edgerley and seconded by Councillor Brown that the Strategic Objective 2 "reduce pockets of inequality" should remain in the Corporate Strategy rather than change to "improving equality of opportunity and life chances".

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

It was moved by Councillor Edgerley and seconded by Councillor Brown that "Develop a strategy to deliver a 0% Council Tax increase in 2007/08" be amended to read "Develop a strategy to deliver low cost, efficient effective services at minimal cost to Council tax payers".

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

It was moved by Councillor Snow and seconded by Councillor R Lees that the "Develop and deliver a strategy and action plan to increase voter turnout at Borough Council elections" should remain in the Corporate Strategy.

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

RESOLVED – That the updated Corporate Strategy and Vision for the Borough, as presented, as the key strategic document for the Authority, be approved.

06.C.125 MANAGING HOUSING LAND SUPPLY

The Executive Member for Economic Development and Regeneration presented a report outlining the reasons for changes to the existing approach to the management of housing land in the Borough and setting out the various options for change.

The report pointed out the likely changes to network and regional policies that were likely to allow the annual construction of a greater number of houses in the Borough. In the circumstances the report advocated the discontinuance of the use of the Windfall Housing Supplementary Planning Guidance that sought to manage the release of unallocated sites, accepting that the provisions of the Structure Plan would continue to apply to proposed developments of 10 dwellings or more which are referred to the County Council for comment.

This would allow scope to negotiate greater proportions of affordable/special needs housing in the larger development schemes and support mixed-use regeneration schemes.

RESOLVED - 1) That the Windfall Housing Developments Supplementary Planning Guidance cease use forthwith in favour of sole reliance upon the application of Structure Plan restriction in respect of schemes of 10 or more dwellings, subject to the following Initiatives and safeguards:

“In relation to sites of less than 10 dwellings there would need to be controls over deliberately low densities proposed by applicants to get under the 10 dwelling threshold. A density of less than 30 per hectare (the minimum normally expected by national guidance) would only be acceptable if this was appropriate to the particular site and in keeping with the character of the surrounding area. Sub-divisions of larger sites into less than 10 dwelling parcels applied for separately would also need to be prevented. On large sites involving mixed uses safeguards would need to be imposed where there was a possibility of only the housing element being built.”

2) That at least a 30% proportion of affordable or special needs housing on market housing schemes of 25 or more dwellings on sites of 1 hectare or more in size be sought.

06.C.126 MAXIMISING THE OPPORTUNITIES IN THE NEW LOCAL GOVERNMENT WHITE PAPER

The Executive Leader presented a report which gave a general overview of the provisions contained in the new Local Government White Paper and their implications for Chorley.

The report highlighted, in particular, the Government’s encouragement of two-tier Authorities to explore ways of improving the two-tier system for the benefit of local communities and services, including the submission of a limited number of two-tier pathfinder bids.

It was moved by Councillor Edgerley and seconded by the Deputy Mayor, Councillor A Lowe that Recommendation 4 be amended to read:

“To request the Leader of the Council to regularly involve the Executive Cabinet, Scrutiny Committee and other Members of the Council in the development of the bid and the potential implications for Chorley Borough Council”.

The amendment was accepted by the Executive Leader.

RESOLVED – 1) That the Council enters into a discussion with Lancashire County Council and other Lancashire Authorities with a view to preparing an Improving Two-Tier Pathfinder bid for submission by 25 January 2007.

2) That this Council’s Director of Policy and Performance Chair the meetings of officers across Lancashire to prepare a bid.

3) That a bid be submitted to the North West Improvement Networks Communities of Interest programme for resources to support the development of the bid.

4) That the Leader of the Council be requested to regularly involve the Executive Cabinet, Scrutiny Committee and other Members of the Council in the development of the bid and the potential implications for Chorley Borough Council.

06.C.127 CHORLEY COUNCIL DRAFT EQUALITY SCHEME

The Executive Member for Corporate Policy and Performance presented a report seeking the Council's agreement to a draft Equality Scheme.

The Council, in partnership with South Ribble Council, had commissioned Consultants in April 2006 to develop an Equality Scheme, which would meet the Council's statutory requirements. The draft scheme produced would assist the Authority's delivery of the strategic objective requiring the improvements of the equality of opportunity and life changes for the Borough's residents by embedding equality and diversity outcomes across the Authority.

The Equality Scheme, which had been compiled following an extensive consultation with Chorley Members, Officers and community groups, outlined a commitment to the achievement of Level Three of the Equality Standard by March 2009. This Standard provided a framework for improving equality practice and producing equitable outcomes in service delivery, employment and pay.

RESOLVED – That the draft Equality Scheme, as presented, be approved.

06.C.128 CAPITAL PROGRAMME , 2006/07 - MONITORING

The Executive Member for Resources presented a report on the progress of the 2006/07 Capital Programme.

The report recommended an increase in the 2006/07 Capital Programme to £16,682,490 and contained a number of recommendations of the Capital Efficiency Programme Board to revise the capital budget allocation for a number of projects requiring additional resource and to include a number of new Category 'B' and Category 'C' schemes within the capital programme.

RESOLVED –

- (1) That the revised Capital Programme for 2006/07 in the sum of £16,682,490, as presented in Appendix 1 to the submitted report be approved.**
- (2) That Eccleston Community Centre bid be removed from the reserve list.**
- (3) That the following recommendations of the Capital and Efficiency Programme Board be approved.**

Exception Reports

- (a) a £12,910 increase in the Kerbside Recycling budget to be funded from prudential borrowing;**
- (b) the additional design fee of £16,808 to be funded from existing resources.**

New Capital Schemes and Projects

- (c) the inclusion of the following new schemes on the reserve list (Category 'C') for future consideration when resources become available:**
 - 1. Cemetery Development**
 - 2. Tree Management**
 - 3. Corporate Play Development Plan – Year Five Project 'Chorley Moor'**
 - 4. Grant towards a community centre in Eccleston**

5. Grant scheme for village halls and community centres
6. Astley Hall CCT
7. Brinscall Swimming Pool
8. HR Management System

(d) the inclusion of the following new schemes in Category 'B'; of the 2006/07 capital programme:

1. Telephony Review
2. Brinscall Village Junior Football Club Pitch Improvements
3. Ulmes Walton Parish Council Schemes
4. Adlington Play Development

06.C.129 CAPITAL PROGRAMME, 2005/08 - 2009/10

The Executive Member for Resources presented a report on the committed Capital Programme for 2007/08 to 2009/10 and a schedule of the potential Category 'C' reserve list of schemes assessed by the Capital and Efficiency Programme Board.

The Capital Programme for 2007/08 to 2009/10 totalling £4,238,700 (of which £3,074,950 would be required from Council resources) was shown within Appendix 1 to the submitted report. The projected Category 'C' bids for inclusion in the Capital Programme were scheduled in Appendix 2 to the report, with additional information on the proposed schemes being outlined in Appendix 4 to the report.

A table set out in Paragraph 17 of the Director of Finance's report identified a number of proposed new Category 'C' schemes, totalling £1,095,990, which the Officers considered would accept with the Council's corporate priorities and complement the Council's community leadership programme. The report also referred to the proposed funding arrangements and anticipated revenue implications.

RESOLVED – That the draft Capital Programme for 2007/08 to 2009/10 be approved for consultation purposes, as outlined in the submitted report of the Director of Finance, together with the proposed financing arrangements.

06.C.130 AREA FORUM PILOT SCHEME

The Executive Member for Customer, Democratic and Legal Services presented a report reviewing the outcome of the Area Forum Pilot Scheme, following the conclusion of the three rounds of meetings in the pilot areas of Clayton-le-Woods North Ward, Coppull Parish and Lostock Ward between February and October 2006.

As a result of the success and positive feedback from the pilot meetings, the Council was recommended to extend the pilot scheme Borough-wide by the introduction of four Community Forums (ie Central, East, South and West) that, collectively, would cover the whole of the Borough. A plan showing the boundaries and populations of each of the four projected Community Forum areas, and the recommended procedure rules to be applied to the Forums, were appended to the report.

A note summarising the views of the Overview and Scrutiny Committee on the proposals had been considered by the Executive Members. The Overview and Scrutiny Committee had expressed reservations, in particular on the size of the projected Community Forum footprints and the division and linkage of Parish Councils between the four Forum areas. The report indicated that in this context, the Member for Customer, Democratic and Legal Services clarified that the Community Forum concept was aimed at enhancing and complementing Parish Councils and the it had

been confirmed at the Executive Cabinet that the Community Forum footprint would be reviewed on an annual basis.

The report pointed out that after taking account of the Overview and Scrutiny Committee's views, the Executive Cabinet supported the proposals for the introduction of four Community Forums and recommended the Council to authorise the appropriate implementation procedures.

The following amendment was moved by Councillor Edgerley and seconded by Councillor A Gee.

"To have 6 Area Forums that meet twice per year.

The six areas to be:

- Rural West comprising Lostock and Eccleston and Mawdesley.
- South West comprising Chisnell and Coppull
- South East comprising Adlington and Anderton and Heath Charnock and Rivington.
- Central as shown on the submitted map.
- North West comprising Euxton North, Euxton South and Astley Village and Buckshaw.
- East comprising Clayton-le-Woods West and Cuerden, Clayton-le-Woods North, Clayton-le-Woods and Whittle-le-Woods, Brindle and Hoghton, Wheelton and Withnell and Pennine".

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

RESOLVED – 1) That 4 Community Forums be established as the footprint as set out in the submitted report with effect from February 2007, together with the enclosed draft terms of reference for the Forums.

2) That it be noted 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 23 January 2007.

"To authorise the addition of the text of the Community Forum Procedure Rules, as outlined in the addendum to the submitted Chief Executive's report, to the Council Procedure Rules set out in Part A of Appendix 3 to the Council's Constitution".

3) That the next Ordinary meeting of the Council on 23 January 2007 considers the appointment of a Chair of all the 4 Community Forums and the appointment of a Vice-Chair for each for each of the separate Community Forums.

06.C.131 GENERAL REPORT FROM MEETING HELD ON 9 NOVEMBER 2006

The Executive Leader presented a report summarising the more significant items of business dealt with at a meeting of the Executive Cabinet held on 9 November 2006.

RESOLVED – That the report be noted.

06.C.132 GENERAL REPORT FROM MEETING HELD ON 7 DECEMBER 2006

The Executive Leader presented a report summarising the more significant items of business dealt with at a meeting of the Executive Cabinet held on 7 December 2006.

RESOLVED – That the report be noted.

06.C.133 FREEDOM OF THE BOROUGH

The Executive Leader presented a report seeking the Council's approval to:

- the Freedom of the Borough being granted to the 5 General Medical Support Regiment on Saturday, 9 June 2007.
- the Duke of Lancasters Regiment exercising its Freedom of the Borough by marching through the Town Centre in Summer 2007.
- the establishment of a Member/Officer Civic Events Working Group.
- the commencement of arrangements to commemorate the Falklands 25th Anniversary.

The report indicated the background to the Council having the power under Section 249(5) of the Local Government Act 1972 to grant the Freedom of the Borough to persons of distinction who have in its opinion rendered eminent services to the Borough.

RESOLVED – 1) That arrangements be commended to enable the Freedom of the Borough to be granted to the 5 General Medical Support Regiment on Saturday, 9 June 2007 in accordance with the programme set out in this report.

2) That the resolution to be submitted to the Special Council meeting on 9 June 2007 be as follows:

“That this Council wishes to place on record its high appreciation of, and the debt of gratitude of the Borough to the Officers and Soldiers of 5 General Medical Support Regiment and, in the light of the long and close association between the Borough and the Regiment, resolves that the Freedom of the Borough be conferred on the Regiment and that they be granted the right, privilege, honour and distinction of marching through the streets of Chorley on all ceremonial occasions with drums beating, bands playing, colours flying and bayonets fixed”.

3) That a Member/Officer Civic Events Working Group be established to co-ordinate the arrangements for the two Freedom events, the commemoration of the Falklands 25th Anniversary and other ad-hoc civic events as set out in this report.

4) That the costs of the events be met from existing budgetary provision.

06.C.134 MEMBERS ALLOWANCES - APPOINTMENT OF INDEPENDENT REMUNERATION PANEL

The Executive Leader presented a report seeking the Council's approval to the appointment of a new Independent Remuneration Panel to review the Council's Members Allowances Scheme.

Under Paragraph 20 of the Local Authorities (Members Allowances) (England) Regulations 2003 the Council was required to appoint and maintain an Independent Remuneration Panel which will review and make recommendations to the Council on the Members Allowances Scheme.

The report indicated that the current Members Allowances Scheme was approved at the Council meeting held on 1 November 2005 and it was now appropriate to revise

the existing Members allowances due to changes in circumstances of the existing membership of the Panel.

The new Panel would review a number of outstanding issues as well as reviewing additional subjects.

RESOLVED – 1) That Mr D Benson, Mr J Cowdall and Mr T Waring be appointed as its Independent Remuneration Panel for a term of office up to 5 years.

2) That Mr D Benson be appointed as the Chair of the Panel.

06.C.135 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 8 November 2006 and 4 December 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.

RESOLVED – That the report be noted.

06.C.136 DEVELOPMENT CONTROL COMMITTEE

The Chair of the Development Control Committee presented a report which summarised the more significant planning proposals that had been considered at the meeting held on 21 November 2006.

RESOLVED – That the report be noted.

06.C.137 LICENSING AND SAFETY COMMITTEE

The Chairman of the Licensing and Safety Committee and the Statutory Licensing Committee presented a report which summarised the principal matters which had been considered at meetings of the Committees held on 22 November 2006.

RESOLVED – That the report be noted.

06.C.138 GAMBLING ACT 2005 - STATEMENT OF LICENSING POLICY

The Chairman of the Statutory Licensing Committee presented a report seeking the Council's approval to the Gambling Act 2005 Statement of Licensing Policy.

The Council as licensing authority under the provisions of the Gambling Act is required in accordance with Section 349 of the act to formulate, consult and adopt a Gambling Act Statement of Licensing Policy which will guide the Council when considering applications under the act.

RESOLVED – 1) That in accordance with Section 349 of the Act, the 'Gambling Act Statement of Licensing Policy' be approved with respect to the exercise of the Licensing Authorities Functions under the Gambling Act 2005.

2) That the Director of Customer, Democratic and Legal Services be authorised to publish the approved Statement of Licensing Policy prior to the statutory deadline of 3 January 2007.

3) That in accordance with Section 157(h) of the act designates Lancashire County Council Children and Young Persons Division as being the body competent to advise the Authority about the protection of children from harm.

06.C.139 STANDARDS COMMITTEE

The Vice Chairman of the Standards Committee presented a report summarising the principal matters considered at a meeting of the Committee held on 23 October 2006.

06.C.140 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.

06.C.141 MARKET WALK PHASE 2

The Executive Member for Economic Development and Regeneration presented a confidential report on plans to pursue a scheme to develop a second phase of Market Walk in the town centre.

The report recommended the appointment of the current owners of Market Walk, RREEF, as the preferred developers and sought authority for the Council to enter into detailed negotiations with the developers, subject to approval of the final terms of the development agreement by the Executive Cabinet.

The report that had been submitted to the 7 December 2006 Executive Cabinet outlined the development plans; analysed the envisaged financial implications; and evaluated the arguments for the appointment of the preferred developer, was attached for consideration.

RESOLVED – 1) That the appointment of RREEF be appointed the preferred developer for the Market Walk Phase II scheme on the basis of the proposals outlined in the submitted report, subject to the provisions detailed in paragraph 30 of the submitted report.

2) That the planned process and timescales set out in paragraph 40 of the submitted report be noted.

3) That Officers be authorised to enter into detailed negotiations with RREEF and conclude a development agreement for a second phase of the Market Walk retail development, incorporating a multi-storey car park, subject to the Executive Cabinet's prior agreement of the final terms.

06.C.142 HOUSING TRANSFER COMMITTEE

The Lead Member for Housing presented a report on the Housing Transfer Committee that met on the 5 December 2006 which briefly summarised the matters considered at the meeting.

RESOLVED – That the report be noted.

(Councillors Dennis Edgerley, Christopher Snow, Mrs Marie Gray and Alan Cain each declared a prejudicial interest in the above item of business and left the meeting during the consideration of and voting on the item)

Mayor

REPORT OF EXECUTIVE CABINET

COMMUNITY FORUMS

1. The Executive Cabinet at its meeting held on 7 December 2006 considered and approved a report of the Chief Executive reviewing the outcome of the Area Forum Pilot Scheme and submitted proposals for the introduction of four Community Forums.
2. The Council meeting held on 19 December 2006 authorised the approval of the establishment of four Community Forums based on the area footprint submitted to the meeting.
3. In accordance with Paragraph 27.2 of the Council Procedure Rules, the recommendation relating to the adoption of the Community Forum Procedure Rules was adjourned without further discussion to the next Ordinary Council meeting on 23 January 2007. A copy of the Procedure Rules are attached to this report.
4. It was also agreed that the Chair of all 4 Community Forums and the Vice-Chair of each Community Forum should be appointed at the Council meeting on 23 January 2007. Details of the electoral wards within each Community Forum are set out in the Procedure Rules.

Recommendations

5. That the Council be recommended to authorise the addition of the Community Forum Procedure Rules, as attached, to this report to the Council Procedure Rules, set out in Part A of Appendix 3 to the Council's Constitution.
6. That the Council be requested to consider the appointment of a Chair of all 4 Community Forums and the appointment of a Vice-Chair for each of the separate Community Forums.

COUNCILLOR J WALKER

Executive Member for Customer, Democratic and Legal Services

GKB

There are no background papers to this report.

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CHORLEY CONSTITUTION

ARTICLE 16 – COMMUNITY FORUMS (DRAFT TERMS OF REFERENCE)

16.01 Community Forums

The Council may appoint Community Forums as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

16.02 Form and Composition

The Council will appoint the Community Forums as set out in the first column of the table below, composed as set out in the second column of that table.

Name of Community Forum	Composition
1. Central	The electoral wards of Chorley East, Chorley North East, Chorley North West, Chorley South East and Chorley South West
2. East	The electoral wards of Astley and Buckshaw, Brindle and Hoghton, Clayton-le-Woods North, Clayton-le-Woods West and Cuerden, Clayton-le-Woods and Whittle-le-Woods, Pennine and, Wheelton and Withnell
3. South	The electoral wards of Adlington and Anderton, Coppull and Heath Charnock and Rivington
4. West	The electoral wards of Chisnall, Eccleston and Mawdesley, Euxton North, Euxton South and Lostock

16.03 Membership

As each Forum is primarily consultative and advisory and does not exercise delegated powers and budgets there is no requirement for political balance. Accordingly membership will be all ward members for the relevant areas, together with any relevant co-optees. The Council will appoint the Chair and Vice-Chair of each Community Forum. All meetings will be chaired by one nominated Borough Councillor and the Vice-Chair of each Community Forum will be appointed from the Borough Councillors for each area.

16.04 Purpose

The purpose of the Community Forum is to provide an open forum to discuss local concerns and issues. It will provide an opportunity to consult and receive feedback, not only on the Council’s policies and services, but also on wider issues of local concern including crime and disorder, community safety and environmental issues, which in turn will facilitate the Council’s partnership working with other agencies.

It is not a substitute for Members' own surgeries and will not therefore be able to deal with individual cases or concerns, although members of the public will be welcome to attend and make contact after the meeting with their local Ward Councillor.

16.05 **Terms of Reference**

The terms of reference for the borough-wide community forums will be to:

- Ensure local people are able to voice issues of concern directly to the Council and partner organisations.
- Keep in touch with 'live' current issues within communities.
- Develop an area-based approach to problem-solving across agencies.
- Develop a local action plan for each area linked to the Community Strategy and building on existing parish plans.
- Provide a feedback loop back in the Council and partners – ensuring the 'you said – we did' approach is embedded at all levels.
- Link in with the excellent local work of PACT meetings.
- Provide an opportunity for areas with no organised feedback mechanism to actively engaged with the Council and its partners.
- Enable parish councils and other local groups to work together across a larger area to pursue areas of common interest.
- Provide a basis for the further development of the Council (and the Local Strategic Partnerships) approach to neighbourhood service delivery and the future recommendations of the Environment and Community Overview and Scrutiny Panel on neighbourhood working.

16.06 **Meetings**

Meetings of Area Forums will be held in public. The meetings will be held at a suitable venue in the local area. A period of 30 minutes will be allocated for questions by members of the public. Although there is no obligation to do so, it would be helpful if questions could be put in writing to a Ward Councillor at least 48 hours before the start of the meeting. This will help facilitate a full response.

16.07 **Procedure Rules**

The procedure rules for the meetings are set out at Part 2, Appendix 3 of the Constitution.

REPORT OF EXECUTIVE CABINET

GENERAL REPORT

1. The Executive Cabinet has met once on 11 January 2007 since the last Ordinary Council meeting and this report summarises briefly the principal matters considered at the meeting. None of the agenda items considered at the meeting require a specific Council decision.

Overview and Scrutiny Improvement Plan – Update

2. The Chair of the Overview and Scrutiny Committee (Councillor D Edgerley) presented an updated edition of the Overview and Scrutiny Improvement Plan, which had been approved by the Overview and Scrutiny Committee and the Executive Cabinet in March 2006.
3. The Improvement Plan had emerged from a Members' self-evaluation workshop and identifies 13 actions aimed at improving the delivery of the Council's Overview and Scrutiny function. The updated Plan presented illustrates the progress that has been achieved on each of these planned actions.
4. In particular, Councillor Edgerley drew attention to the following measures that had been instigated in response to a number of the action points:
 - Proposals are being developed with the Improvement and Development Agency for the implementation of three training workshops in June/July 2007 to cover (i) general overview and scrutiny issues, including the implications of the Local Government White Paper; (ii) chairing overview and scrutiny bodies; and (iii) financial scrutiny.
 - The Council's Overview and Scrutiny Structure and Toolkit will be reviewed to ensure that they remain 'fit for purpose' and in line with best practice.
 - Greater public involvement in overview and scrutiny will be encouraged through articles in the Chorley Borough News and publicity at the Community Forum meetings.
5. The Executive Cabinet welcomed the planned initiatives to strengthen the overview and scrutiny role.

Forward Plan

6. We received and noted the Council's Forward Plan which sets out the key decisions which the Executive Cabinet, individual Executive Members and Officers are expected to take during the four months period between 1 January and 30 April 2007.
7. The Forward Plan has been made more inclusive and transparent and identifies more precisely the dates of anticipated decisions.

Revised Sanction and Prosecution Policy – Housing Benefit and Council Tax Benefit

8. The Executive Cabinet considered a report of the Director of Finance and authorised a few changes to the Housing/Council Tax Benefit Sanction and Prosecution Policy. This policy, introduced in March 2001, outlines the general principles to be applied when considering sanctions and prosecution action in cases where Housing Benefit and/or Council Tax Benefit have been fraudulently overpaid.

9. Currently, all cases where either a sanction or prosecution is recommended is referred to the Director of Finance for a decision. However, a review of this policy is necessary in order to streamline the process and reflect a more appropriate delegation of decision making powers.
10. In essence, the policy has been revised to take account of the following changes:

Cases where Chorley Council takes the 'lead' in the investigation:

In instances where the recommendation of the Compliance Manager is to offer a sanction as an alternative to prosecution, the decision will be delegated to the Revenues and Benefits Manager.

In instances where the recommendation by the Compliance Manager is to commence criminal proceedings, the decision will remain with the Director of Finance.

Cases where the Department for Work and Pensions takes the 'lead' in the investigation:

In instances where a recommendation is made by the DWP's Fraud Sector Manager, the decision as to whether Chorley Council should participate in a joint sanction or joint prosecution will be delegated to the Compliance Manager.

11. The changes to the Sanction and Prosecution Policy will generate process efficiencies and will reflect the custom and practice that has been developed in respect of joint investigations with the Department for Work and Pensions.

Housing Rents and Charges for 2007/08

12. We considered a report of the Director of Finance seeking approval to the level of Council housing rents and other associated charges to be applied for 2007/08 with effect from 2 April 2007, after taking account of all relevant factors.
13. The Executive Cabinet accepted and approved the recommendations, the most significant elements of which are:
 - an average rent increase for the Council's 2,923 Council houses (including Cotswold House) of 4.99%;
 - a 4.1% increase in the existing sheltered accommodation and general needs environmental charges;
 - increases in the Warden support service and Tunstall or Lifeline alarm charges to be consistent with changes to the level of the 'Supporting People Grant';
 - establishing the charges for the use of cookers and fridges in sheltered accommodation;
 - an increase of 50% in the heating charges levied on 85 sheltered properties;
 - a 5% increase in garage rents.
14. The rent and service charge increases comply with the Government's guidelines and rents restructuring formula.
15. The increase in the heating charges for sheltered accommodation has been necessary in order to reflect substantial rises in energy costs in 2006. The 50% increase is, in fact, below the percentage fuel cost increases.

16. The Executive Cabinet appreciates the plans to transfer the Council's housing stock to Chorley Community Housing (CCH) on 26 March 2007. However, if the agreed increases are to be introduced from April 2007, we have had to take these decisions within the statutory deadlines for the issue of notices to tenants. The planned increases have, in fact, been considered by CCH's Finance Committee and the tenants were consulted on the proposals in December 2006.

COUNCILLOR P GOLDSWORTHY
Executive Leader

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There are no background papers to this report.

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REPORT OF CHAIRMAN OF STATUTORY LICENSING COMMITTEE

GAMBLING ACT 2005 – DELEGATION OF THE SETTING OF FEES FOR LICENSES

1. The Gambling Act 2005 received Royal Assent in April 2005. The Act creates a new system of licensing and regulation for commercial gambling. The Gambling Commission will be responsible for issuing operators and personal licenses and local authorities will issue premises licenses.
2. At a previous meeting the Council resolved to amend the Constitution that all the Councils functions under the Gambling act 2005 to the Statutory Licensing Committee in accordance with section 154 Gambling Act except:
 - i) The approval of a Statement of Licensing Policy under section 349 of the act.
 - ii) Resolving whether to issue any Casino Licence in the Borough of Chorley Under section 166 of the Act.
 - iii) The setting of fees for licences.
3. Responsibility for setting fees under the Gambling Act 2005 falls to the Full Council. Section 154 (2)(b) allows Full Council to delegate responsibility to the appropriate Committee or an individual person.

RECOMMENDATION

The Council is recommended to

- a) Delegate the setting of Gambling Act 2005 fees to the Statutory Licensing Committee.

COUNCILLOR I SMITH
Chairman of Statutory Licensing Committee

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REPORT OF DEVELOPMENT CONTROL COMMITTEE

GENERAL REPORT

1. Since the last Council the Development Control Committee met on 12 December 2006. This report refers briefly to the more significant planning proposals that were considered at this meeting.

12 December 2006Planning Application 06/01056/FULMAJ

2. We considered the above reserved matters application at Buckshaw Village. Outline permission had been granted at the site in 1997 and 2002 and the parcel subject of this application had already had reserved matters approved in May 2004, submitted by Redrow. However, the parcel had now been sold to Persimmon Homes who had wished to change what had previously been approved.
3. The proposal was to erect 77 dwellings with a mixture of 2, 2.5 and 3 storey properties with associated garaging, roads and sewer works. The proposal would be accessed from the east west link road as well as from the internal road system through other parcels on the site.
4. Lancashire County Council Highways had, had a number of concerns in relation to the initial layout but were now happy that their concerns had been addressed since the amended plans had been received.
5. Local residents were also concerned about the density of the housing in the proposal. It had been understood that dwelling heights would taper away as the new housing development approached the Green Belt and Dawson Lane. It had been suggested that the three-storey properties be located more centrally within the Buckshaw Village and the amended plans reflected this.
6. After considering all the information in the officer's report we decided to permit full planning permission.

Planning Application 06/01224/Ful

7. We considered the above retrospective planning application for the erection of a detached double garage at Tan Pits Farm, New Road, Anderton.
8. The submission of this application had followed extensive discussions between the Council, the applicant and the applicant's agent. There had been a number of planning applications and listed building consent applications in respect of the farmhouse and barn on the site.

9. Planning permission had been granted in April 2006 to erect a two-storey extension attached to the Listed Farmhouse and to erect a detached garage. Listed Building Consent was subsequently granted for the extension in July 2006.
10. The garage associated with the farmhouse had been constructed and did not accord with the plans approved. Therefore it did not have the benefit of planning permission.
11. The site is located within an area designated as Green Belt and as such there was a presumption against inappropriate development. It was considered that very special circumstances had not been submitted in support of the application and the massing, siting and design of the garage would have had an adverse impact on the openness and character of the Green Belt. For these reasons we decided to refuse the retrospective planning application.

COUNCILLOR H HEATON
Chair of Development Control Committee

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There are no background papers to this report.

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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 10 January 2007. There have been no meetings of the Environment and Community Overview and Scrutiny Panel and Corporate and Customer Overview and Scrutiny Panel to report, since the last Council meeting.

Forward Plan

2. We received the Council's Forward Plan, which set out details of the key executive decisions expected to be taken between 1 January 2007 to 30 April 2007.
3. The Plan identified several matters for potential decisions by the Executive and the Committee was requested to identify the items it wishes to examine in advance to consideration by the Executive.
4. In response, the Committee requested to see the following reports expected to go to Executive Cabinet:
 - The Review of Advice and Support Funding to External Groups (22 February 2007)
 - Approval of Pay and Workforce Strategy (29 March 2007)
 - Approval of Neighbourhood Management and Support Strategy (28 April 2007)

Information and Communications Technology (ICT) Strategy

5. We received from the Director of ICT Services a report, which enclosed the draft Information, and Community Technology (ICT) Strategy and requesting the Committee to approve the document for consultation.
6. The revised ICT Strategy will replace the existing strategy approved in April 2002 and will build upon the foundation laid by that document and support the further development of technology into areas that will deliver real benefits to our customers and efficiencies to the organisation. The Strategy defines a programme of work that will contribute directly to:

People	<ul style="list-style-type: none">• Improving access to public services• Reducing pockets of inequality• Getting people involved in their communities
Performance	<ul style="list-style-type: none">• Ensuring that the Council is a performing organisation
7. In order for the strategy to deliver the benefits it is essential that the document be seen to be driven by business and not by technology.
8. Officers and Members are invited to comment on the contents of the strategy.

Overview and Scrutiny Improvement Plan

9. The Committee received the revised and updated Overview and Scrutiny Improvement Plan, which lists all the action required to ensure that scrutiny improvement plans are kept on track in order to assist the delivery of the Council's performance agreement and corporate strategy.

10. In particular our attention was drawn by the Assistant Head of Democratic Services to the proposal currently being developed with the Improvement and Development Agency (IDEA) for a review of the Council's Overview and Scrutiny Structure and Toolkit and the implementation of training sessions in June/July 2007.
11. The review of the toolkit and structure will identify options for a scrutiny structure appropriate to the Council's needs.
12. The training sessions will be based around general Overview and Scrutiny issues, Charing Overview and Scrutiny and Financial Strategy. Further reports on these issues will be submitted to the Committee and Executive Cabinet.

Lancashire Care NHS Trust – NHS Foundation Trust Consultation

13. We endorsed the views of the Environment and Community Overview and Scrutiny Panel on the proposals for the Lancashire Care NHS Trust to become a NHS Foundation Trust.
14. The proposals by the Trust would deliver even better mental health and substance misuse services to the people of Lancashire.
15. The Environment and Community Overview and Scrutiny Panel had received at its 30 November 2006 meeting a presentation from a representative of the Lancashire Care NHS Trust. The Panel welcomed the Trusts wish to become a NHS Foundation Trust, however the Panel requested that the Chorley Borough Council receives a fair share of representation on the Council of Governors.

Job Evaluation

16. As requested by this Committee we received a report from the Director of Human Resources, on the background and progress made to date on job evaluation. The report outlined the tasks completed, the outstanding issues to be addressed and the potential risks such as equal pay claims, salary reduction and other costs.

Recommendation

17. The Council is recommended to note this report.

COUNCILLOR D EDGERLEY
Chair of Overview and Scrutiny Committee

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There are no background papers to this report.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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