

General Purposes Committee

Agenda and Reports

For consideration on

**Wednesday, 7th February
2007**

In the Committee Room 1, Town Hall, Chorley

At 5.00 pm



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Chief Executive's Office

Please ask for: Gordon Banks
Direct Dial: (01257) 515123
E-mail address: gordon.banks@chorley.gov.uk
Date: 29 January 2007

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

GENERAL PURPOSES COMMITTEE - WEDNESDAY, 7TH FEBRUARY 2007

You are invited to attend a meeting of the General Purposes Committee to be held in the Committee Room 1, Town Hall, Chorley on Wednesday, 7th February 2007 commencing at 5.00 pm.

AGENDA

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members of the Committee 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 meeting and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 2)**

To confirm as a correct record the Minutes of the meeting of the General Purposes Committee held on 11 October 2006 (enclosed)

4. **Pay and Reward Enablement Group - Terms of Reference (Pages 3 - 6)**

Report of Director of Human Resources (enclosed)

5. **Wildlife and Countryside act 1981 - Part III Claim For Definitive Map Modification Order Application No. 804/455 (Adlington) (Pages 7 - 10)**

Report of Director of Customer, Democratic and Legal Services (enclosed)

6. **Highways Act 1980 - Section 118 and 119 Proposed Diversion of Parts of Public Footpath No. 76 and No.80. Coppull, and Extinguishment of Part Public Footpath No. 79 Coppull, Chorley Borough (Pages 11 - 16)**

Report of Director of Customer, Democratic and Legal Services (enclosed)

Continued....

7. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Chief Executive

Distribution

1. Agenda and reports to all Members of the General Purposes Committee (Councillor Peter Goldsworthy (Chair), Councillor Mrs Pat Case (Vice-Chair), Councillors Peter Baker, Kenneth Ball, Thomas Bedford, Magda Cullens, Dennis Edgerley, Catherine Hoyle, Hasina Khan, Margaret Lees, Marion Lowe, Peter Malpas, Michael Muncaster, Mark Perks, Edward Smith, Ralph Snape and John Wilson) for attendance.
2. Agenda and reports to Donna Hall (Chief Executive), Colin Campbell (Executive Director - Environment and Community (Deputy Chief Executive)), Paul Morris (Executive Director - Corporate and Customer (Deputy Chief Executive)), Andrew Docherty (Director of Customer, Democratic and Legal Services), Lorraine Charlesworth (Director of Human Resources), Jane Brewer Human Resources), Gordon Bankes (Democratic Services Officer) and Giordan Fong (Senior Legal Assistant) for attendance.

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 آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:

General Purposes Committee**Wednesday, 11 October 2006**

Present: Councillor Peter Goldsworthy (Chair), Councillor Mrs Pat Case (Vice Chair) and Councillors Peter Baker, Kenneth Ball, Thomas Bedford, Magda Cullens, Dennis Edgerley, Catherine Hoyle, Hasina Khan, Margaret Lees, Marion Lowe, Peter Malpas, Michael Muncaster, Mark Perks, Edward Smith and John Wilson

06.GP.32 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Ralph Snape.

06.GP.33 DECLARATIONS OF ANY INTERESTS

No Members declared any interests in relation to matters under consideration at the meeting.

06.GP.34 MINUTES

Resolved - That the Minutes of the meeting of the General Purposes Committee held on 7 June 2006 be confirmed as a correct record for signature by the Chairman.

06.GP.35 HIGHWAYS ACT 1980 - SECTION 118 PROPOSED EXTINGUISHMENT OF PART OF PUBLIC OF PUBLIC FOOTPATH NO.34 WITHNELL AND CREATION OF PUBLIC FOOTPATH FROM PUBLIC FOOTPATH NO.38 TO PUBLIC FOOTPATH NO37 WITHNELL, CHORLEY

The Director of Customer, Democratic and Legal Services submitted a report requesting the Committee to consider 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.

The report indicated that the reason for the proposed footpath extinguishment/creation represented 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 as 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 though the creation of a new length of path.

The proposal was therefore in keeping with most other diversions that have been pursued in recent years.

RESOLVED - 1) That no objection be raised to the making by Lancashire County Council of a Public Park Extinguishment Order under Section 118 of the Highways Act 1980, for the purpose of extinguishing a 155-metre length of Public Footpath No 34 Withnell, as indicated on the map attached to the submitted report, as it runs from Footpath No 38 through the middle of Benson's Farm to its junction with Footpath No 37.

2) That no objection be raised to the making by Lancashire Country Council of a Public Path Creation Order under Section 26 of the Highways Act 1980, for the purpose of providing a new route to replace that length of Public Footpath No 34, Withnell, which the County Council propose be extinguished.

Chair

Report of	Meeting	Date
Director of Human Resources	General Purposes Committee	07/02/07

PAY AND REWARD ENABLEMENT GROUP - TERMS OF REFERENCE

PURPOSE OF REPORT`

1. To gain agreement for the Terms of Reference of the Pay and Reward Enablement Group (PREG).

CORPORATE PRIORITIES

2. To ensure Chorley Borough Council is a performing organisation.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

5. As part of the National Agreement in 1997 and 2004 it was agreed that all Local Authorities would implement a pay and grading review by 1st April 2007.
6. The Council has been working on the first stage of this pay and grading review and is now very close to having a full rank order of all posts within the Authority.
7. The next stage of the process is to negotiate the new pay model and other pay related conditions with the Trade Unions.
8. To do this successfully the group needs a clear framework to work within, with both sides clear on how the final sign off will take place.
9. The current joint working party (Project Steering Group), which has been in place throughout the Job Evaluation exercise, has agreed the attached Terms of Reference.
10. General Purposes Committee will have the final Authority to sign off the new Terms and Conditions for employees.

COMMENTS OF THE DIRECTOR OF FINANCE

11. There are no financial implications to this report.

RECOMMENDATION

12. The Pay and Reward Enablement Group, comprising Management and Union representatives, be established with the terms of reference as outlined on the attached sheet.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

13. None

LORRAINE CHARLESWORTH
DIRECTOR OF HUMAN RESOURCES

Terms of Reference Attached

Report Author	Ext	Date	Doc ID
Jane Brewer	5175	25 th January 2007	ADMINREP/REPORT

Chorley Council**Pay and Reward Enablement Group (PREG)****Terms of Reference**

1. The Group will comprise of representatives from Management and UNISON. In the interests of meaningful consultation & negotiation it is acknowledged that representatives will be limited to 4 per side. Observers / Advisors may be invited as appropriate.
2. The group will be chaired by the Executive Director (Corporate & Customer) or his representative. Secretarial support will be provided by Chorley Council.
3. It will have authority to agree on proposals relating to the introduction of the new pay and grading arrangements for Chorley Council.
4. The pay and grading structure will be based on the outcomes of job evaluation, current employment & equalities legislation and Council requirements.
5. The external and internal influences and constraints affecting both management and trade union sides are acknowledged by both sides
6. It is the primary consultative and negotiation forum specifically for
 - a. The introduction of a new pay and grading structure for Chorley Council
 - b. The transition arrangements for introducing the new pay and grading structure
 - c. Any compensation arrangements for employees affected by the introduction of the new pay and grading structure
7. It is a time limited group which will cease to exist following the completion of the above tasks – any further negotiation and consultation will be part of the normal consultative and negotiation arrangements for Chorley Council.
8. The completion date is 31st March 2007
9. All recommendations from PREG will be referred to G.P for approval and a final decision.
10. In the event of the group failing to reach agreement on any of the recommendations, the G.P Committee will take the final decision. The recommendation will be taken in a written report, Management and Trade Union sides will have the opportunity to address the meeting prior to a decision being made.

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Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	General Purposes Committee	07/02/2007

WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III CLAIM FOR DEFINITIVE MAP MODIFICATION ORDER APPLICATION NO. 804/455 (ADLINGTON)

PURPOSE OF REPORT

1. To consider a claim submitted to Lancashire County Council for the status of public right of way to be conferred on a path at Fairview Farm, Adlington, running in a south-westerly direction from Highfield Road North, Adlington, to join with Public Footpath No.5 at the pedestrian level crossing over the Manchester-Preston rail-line.

CORPORATE PRIORITIES

2. The report does not affect any corporate priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. The path forming the subject of the “claim” runs in a south-westerly direction from Highfield Road North, Adlington, to join with Public Footpath No.5 at the pedestrian level crossing over the Manchester-Preston rail-line. (See plan attached). The area over which the claimed footpath runs was formerly part of Fair View Farm. A gap in the housing on the west side of Highfield Road North, between nos. 15 and 17, allowed access to the land over which the claimed footpath runs and it is known that this path has been used by local residents for a considerable number of years. Indeed, when the development of Fair View Farm took place, the claimed footpath was used as the official temporary route in place of Public Footpath No. 5 Adlington.
5. A claim has been lodged with Lancashire County Council under Part III of the Wildlife and Countryside Act 1981 for public right of way status to be conferred on the above footpath on the basis that the “claimed” footpath has been used for more than 20 years without interruption by the public at large. In accordance with paragraph 3 of Schedule 14 of the Wildlife and Countryside Act 1981, the County Council are obliged to investigate the claim and to consult with every local authority in whose area the claimed path is situated. Accordingly, the County Council is requesting the Borough Council’s views of the above.
6. Issues relating to the use of Public Footpaths Nos. 5 and 6 Adlington have a long history and it has been long known to Council officers that route being claimed was being used by the public at large. The evidence submitted to Lancashire County Council in support of the claim includes 11 evidence of use forms indicating knowledge and use of the route for more than 20 years. Thus the claim probably reflects a long-standing public usage of the route concerned.

COMMENTS OF THE DIRECTOR OF FINANCE

7. There are no comments by the Director of Finance

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

8. There are no comments by the Director of Human Resources.

RECOMMENDATIONS

9. That no objection be made to the claim for the grant of public right of way status on the footpath running westwards from Highfield Road North to join with Public Footpath No. 5 Adlington at the point where it crosses the Manchester-Preston rail-line.

REASONS FOR RECOMMENDATION

10. Conferring public right of way status on the claimed path would recognise useage of this route, which has been walked by the public for many years. The Council has, however, no direct information on public usage of the path. The Council, whilst not averse to the conferral of public right of way status on the path concerned, is not seeking to promote the claim and would have no evidence to offer should the claim result in the calling of a public local inquiry. In the circumstances, the decision to raise no objection to the claim does not detract from the merits of that claim or commit the Council to support a claim about which it has no information.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11. The other alternatives available would have been to endorse the claim, for which the Council has no evidence, or to oppose it, for which course of action the Council equally has no evidence.

A DOCHERTY

DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

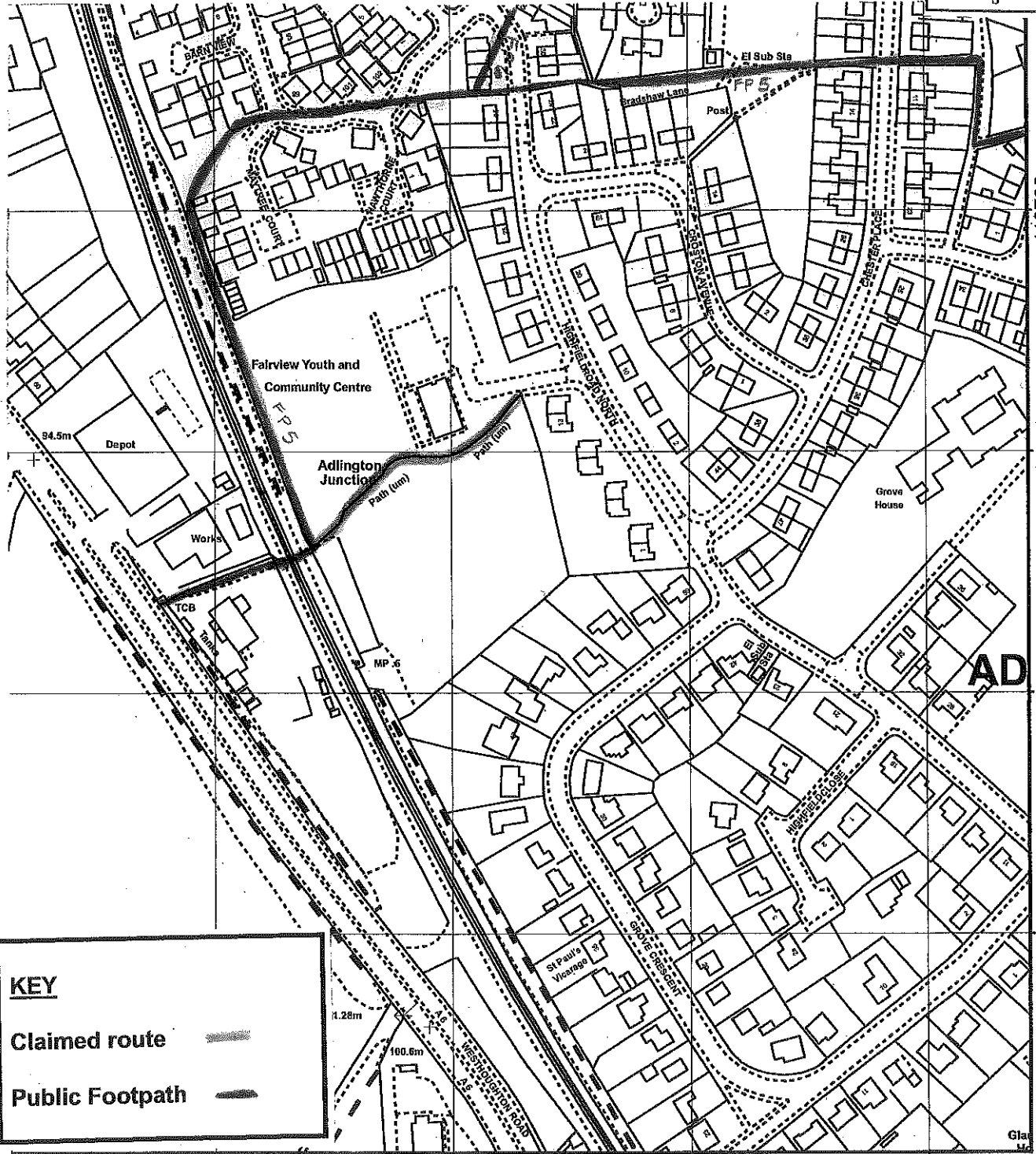
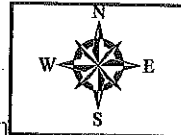
Background Papers			
Document	Date	File	Place of Inspection
Letters from County Secretary & Solicitor's Group, Lancashire County Council	8 November 2006	862	Legal Services Unit, Town Hall, Chorley

Report Author	Ext	Date	Doc ID
G Fong	5169	20 December 2006	NEWREP





Wildlife and Countryside Act 1981
Claimed public footpath from Public Footpath no. 5 Adlington to
Highfield Road North, Adlington, Chorley Borough
Claim no. 804/455

G. Harding B Eng, C Eng, FICE, FIHT, MIMgt. Director, Environment Directorate.
P.O. Box 9, Guild House, Cross Street, Preston. PR1 8RD.



KEY

Claimed route 

Public Footpath 

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Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	General Purposes Committee	07/02/2007

**HIGHWAYS ACT 1980 – SECTION 118 AND 119
PROPOSED DIVERSION OF PARTS OF PUBLIC FOOTPATH
NOS. 76 AND NO. 80. COPPULL, AND EXTINGUISHMENT OF
PART PUBLIC FOOTPATH NO. 79 COPPULL, CHORLEY
BOROUGH**

PURPOSE OF REPORT

1. To consider a proposal submitted by Lancashire County Council for the diversion of a length of Public Footpath No. 76 Coppull and a length of Public Footpath No. 80 Coppull, in conjunction with the extinguishment of a length of Public Footpath No. 79 Coppull.

CORPORATE PRIORITIES

2. The report does not affect any corporate priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. Public Footpath No. 80 Coppull currently runs in a northerly direction to join the eastern termination of Bogburn Lane, point A on the map attached, and thence in an easterly direction through the yard of Bogburn Hall Farm to join up with Public Footpaths Nos. 76 and 79, point B on the map. From point B, Footpath No. 76 runs in a north-easterly direction to connect with Hic Bibi Lane, while Footpath No. 79 runs southward from point B to eventually assume an easterly direction to connect with Hic Bibi Lane.
5. The proposal calls for Public Footpath No. 80 as it runs northward to Bogburn Lane to be diverted at a point south of the lane, point D, whence it would run in an easterly direction by way of point E to join Footpath No. 79 at Point F. Likewise, Footpath No. 76 running in a south-westerly direction from Hic Bibi Lane (point C) towards Bogburn Hall Farm would be diverted onto a new line, still running in a south-westerly from Hic Bibi Lane but now to join up with Footpath No. 79 at a point further to south (point F).
6. The effect of these proposals would be to shift the public footpath system in this area on to a line to the south of Bogburn Hall Farm. A further effect of this would be to render the northernmost length of Footpath No. 79 redundant, i.e. the length B – F. This length of path would therefore be extinguished. The new alternative route would thus run D – E – F – C as marked by the broken black on the map attached.
7. This application represents one of the commonest reasons for seeking a footpath diversion, namely to take the route of a footpath out of the middle of what is a residential

and/or working site and re-establish it on a new line skirting the periphery of the site. The proposal is therefore in keeping with most other diversions that have been pursued in recent years.

COMMENTS OF THE DIRECTOR OF FINANCE

8. There are no comments by the Director of Finance

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

9. There are no comments by the Director of Human Resources.

RECOMMENDATIONS

- 10. That no objection be raised to the making by Lancashire County Council of a Public Path Extinguishment Order under Section 118 of the Highways Act 1980, for the purpose of extinguishing a length of Public Footpath No. 79, Coppull, as indicated on the map attached to the report, as it runs north from point F to point B.
- 11. That no objection be raised to the making by Lancashire County Council of a Public Path Diversion Order under Section 119 of the Highways Act 1980, for the purpose of diverting lengths of Public Footpaths Nos. 76 and 80 from their current routes leading to/through Bogburn Hall Farm on to new routes to the south of the farm buildings.

REASONS FOR RECOMMENDATION

12. The reason proposed for the footpath extinguishment/creation represents one of the commonest put forward, i.e. 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. The Council has, however, no direct information on public usage of the footpath or of land ownerships in the area. The Council, whilst not averse to the proposal, is not seeking to promote the proposal and would have no evidence to offer should the proposal result in the calling of a public local inquiry. In the circumstances, the decision to raise no objection to the proposed extinguishment/diversion does not detract from the merits of that proposal or commit the Council to support a proposal about which it has no information.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

13. The only other alternative available would have been to oppose the proposed extinguishment/diversions, for which course of action the Council has no apparent grounds.

A DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Letters from County Secretary and Solicitor's Group, Lancashire County Council	23 November 2006	862	Legal Services Unit, Town Hall, Chorley

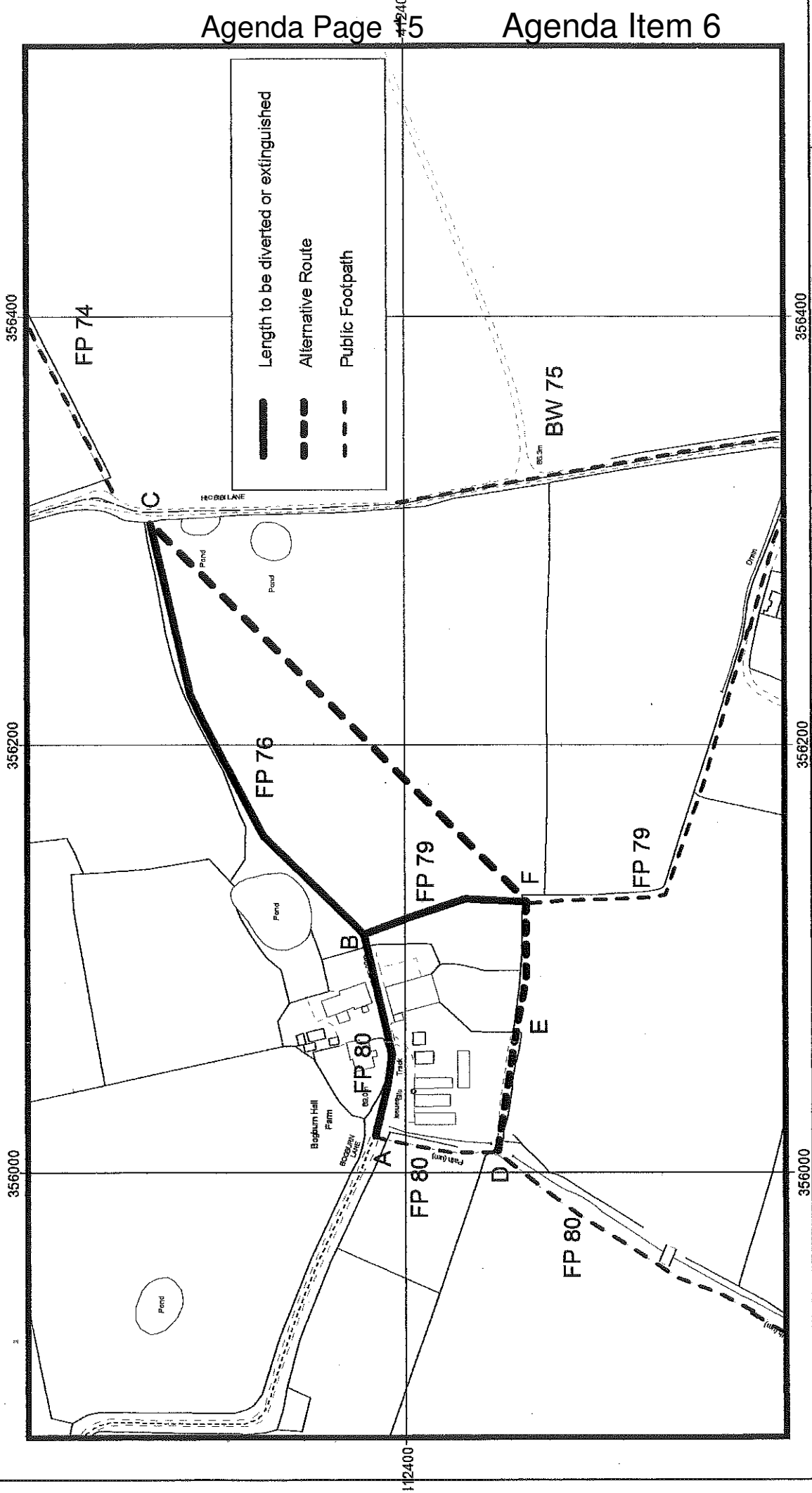
Report Author	Ext	Date	Doc ID
G Fong	5169	20 December 2006	NEWREP

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HIGHWAYS ACT 1980 SECTIONS 118 AND 119
 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 76 COPPULL, PART OF PUBLIC FOOTPATH
 NO. 79 COPPULL, AND EXTINGUISHMENT OF PART OF PUBLIC FOOTPATH
 NO. 80 COPPULL, DISTRICT OF CHORLEY

G. Harding B Eng, FICE, FIHT, MIMgt, Director, Environment Directorate.
 P.O. Box 9, Guild House, Cross Street, Preston, PR1 8RD



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