

COUNCIL

Tuesday, 2 November 2010

Present: Councillor Ken Ball (Mayor), Councillor Pat Case (Deputy Mayor), Councillors Nora Ball, Eric Bell, Julia Berry, Judith Boothman, Alistair Bradley, Henry Caunce, Magda Cullens, Mike Devaney, David Dickinson, Doreen Dickinson, Christopher France, Anthony Gee, Peter Goldsworthy, Marie Gray, Alison Hansford, Pat Haughton, Harold Heaton, Catherine Hoyle, Keith Iddon, Kevin Joyce, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, Peter Malpas, June Molyneaux, Greg Morgan, Simon Moulton, Mick Muncaster, Beverley Murray, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell, Rosie Russell, Joyce Snape, Ralph Snape, John Walker, Stella Walsh and Peter Wilson

10.C.133 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Terry Brown, Alan Cullens, Dennis Edgerley, Laura Lennox and Edward Smith.

10.C.134 COUNCILLOR TERRY BROWN

The Council was informed that Councillor Terry Brown had been taken into hospital earlier that day. The Mayor asked for the Council's best wishes for an early recovery to be conveyed to Councillor Brown.

10.C.135 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any Members in relation to matters under consideration at the meeting.

10.C.136 MINUTES OF LAST MEETING

RESOLVED – That the minutes of the last meeting of the Council held on 28 September 2010 be confirmed as a correct record for signature by the Mayor.

10.C.137 MAYORAL ANNOUNCEMENTS

The Mayor invited all Members to accompany him and the Mayoress in the main procession to St Laurence's Church for the Remembrance Sunday Service at 10.00am on 14 November 2010, followed by a wreath laying at the Cenotaph in Astley Park.

Members were also reminded of the "Movies" Brass Band Concert, featuring the Coppull and Standish Brass Band, being organised in the Lancastrian Room on 19 November 2010 to raise funds for the Mayor's Charity Appeal.

The Mayor also notified Members that the Annual Charity Ball was to take place in the Lancastrian Room on Friday, 4 February 2011 and would include entertainment from the Greater Manchester Police Big Band. Tickets for the event were available from the Mayor's Secretary.

The Mayor also gave notice that he would be allowing the suspension of the Council Procedure Rules to allow the Chief Executive to speak in explanation of the proposals to be considered at Minute 10.C.145 (Establishing a Shared Chief Executive arrangement with Wyre Borough Council).

10.C.138 PUBLIC QUESTIONS

There had been no requests from any member of the public to speak at the meeting on any of the agenda items.

10.C.139 EXECUTIVE CABINET - GENERAL REPORT

Consideration was given to a general report which summarised the principal items of business discussed and determined at the meeting of the Executive Cabinet held on 14 October 2010.

It was moved by the Executive Leader (Councillor Peter Goldsworthy), seconded by the Deputy Leader (Councillor Pat Case), and **RESOLVED that the report be noted.**

10.C.140 CAPITAL PROGRAMME MONITORING 2010/11 TO 2012/13

The Council considered a report of the Director of Transformation on proposals to revise and update the Capital Programme for 2010/11 to 2012/13, effecting an increase of the Programme by £432,880 to £13,760,420.

The programme had been updated to take account of expenditure planned to be rephrased between financial years, and to allow the addition of new projects to be financed by external contributions or virements from other capital budgets.

The report clarified that it was not intended to increase borrowing to fund the increased programme, provided that all budgeted resources and anticipated capital receipts were realised.

It was moved by the Executive Member (Transformation) (Councillor Kevin Joyce), seconded by the Executive Leader, and **RESOLVED:**

- (1) That the revised Capital Programme for 2010/11, as presented in Appendix 1 to the submitted report, be approved.**
- (2) That the proposed amendments to the provisional Capital Programme for 2011/12 and 2012/13, as shown in Appendix 2 to the submitted report, be noted.**

10.C.141 NEW SUSTAINABLE COMMUNITY STRATEGY FOR 2010 TO 2020

Consideration was given to a report of the Director of Partnerships, Planning and Policy seeking endorsement of the refreshed Sustainable Community Strategy for the Borough for the 10 year period up to 2020.

The revised Strategy had been developed by the Chorley Partnership following an extensive and comprehensive public consultation exercise to ensure that the Strategy reflected the needs and aspirations of residents and partners.

The focus of the strategy placed the individual resident at the centre of all partnership working and the format of the document had been simplified. Detailed action plans would now need to be developed to identify key targets and measures for the delivery of the respective priorities.

It was moved by the Executive Leader, seconded by the Deputy Leader and **RESOLVED that the refreshed Sustainable Community Strategy, as now submitted, be endorsed.**

10.C.142 CENTRAL LANCASHIRE CORE STRATEGY - AMENDMENTS FOLLOWING ABOLITION OF THE REGIONAL SPATIAL STRATEGY

The Council considered a report of the Director of Partnerships, Planning and Policy recommending the amendment of the draft Central Lancashire LDF Core Strategy as a result of the Government's decision to revoke Regional Spatial Strategies (RSS).

The revocation of the RSS would allow authorities more discretion in the determination of local housing requirements. The three Central Lancashire authorities were being advised to proceed with the publication of an amended Core Strategy as based on lower housing requirements than those stipulated in the RSS. The setting of a lower level of housing requirement was considered prudent in the current economic situation, pending the adoption of the Site Allocations Development Plan Document.

The Core Strategy also required to be updated in order to reflect a number of other relevant factors and changes, including the revision of Planning Policy Statement No 3 reclassifying residential gardens from brownfield to Greenfield and removing the indicative minimum density requirement of 30 dwellings per hectare.

An appendix to the report summarised the proposed changes to the draft Core Strategy.

It was moved by the Executive Member (Partnerships and Planning) (Councillor Peter Malpas), seconded by the Executive Leader, and **RESOLVED:**

- (1) That approval be given to the version of the Core Strategy previously approved by Members in March/April 2010, as outlined in the submitted report, so that it can be formally published to allow for representations to be made.**
- (2) That approval of any further minor clarifications and/or corrections to the document prior to formal publication or submission be delegated to the Director of Partnerships, Planning and Policy, in consultation with the Executive Leader and the Executive Member (Partnerships and Planning).**
- (3) That the Core Strategy be submitted to the Secretary of State for examination, subject to there being no significant/fundamental issues raised as a result of representations received at publication.**
- (4) That, where issues arise following publication which require significant change(s), the Core Strategy be taken to a future meeting of the Council to approve the changes in advance of it being submitted to the Secretary of State.**

10.C.143 POLICE AND CRIME ACT 2009 - ADOPTION OF POWERS TO REGULATE SEXUAL ENTERTAINMENT VENUES

Consideration was given to a report of the Director of People and Places on new legislative provisions relating to the licensing of premises that provided entertainment defined as sexual entertainment (eg lap dancing and pole dancing).

The Licensing and Safety Committee and the Executive Cabinet had recommended the adoption of the new provisions, together with a policy framework and fees structure, in order to allow the Council to consider and determine any future applications for the use of premises within the Borough for the defined entertainments.

It was moved by the Executive Member (Places) (Councillor Eric Bell), seconded by the Executive Leader, and **RESOLVED**:

- (1) **That the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 27 of the Police and Crime Act, 2009, for Sexual Entertainment Venues that were approved for adoption by the Licensing and Public Safety Committee, under Section 2 of the Local Government (Miscellaneous Provisions) Act 1982, and endorsed by the Executive Cabinet, be adopted by the Council.**
- (2) **That the “first appointed day”, or the day on which adoption becomes effective be 1 January 2011.**
- (3) **That the decision of the Licensing and Public Safety Committee to adopt the policy framework and fee structure within which applications for Sexual Entertainment Venue licences are considered (Appendix 1 and 2 to the submitted report) be endorsed.**

10.C.144 AUDIT COMMITTEE - GENERAL REPORT

Consideration was given to a general report which summarised the principal items of business discussed and approved at the meeting of the Audit Committee held on 30 September 2010.

It was moved by the Chair of the Audit Committee (Councillor Anthony Gee), seconded by Councillor Geoffrey Russell, and **RESOLVED that the report be noted.**

10.C.145 ESTABLISHING A SHARED CHIEF EXECUTIVE ARRANGEMENT WITH WYRE BOROUGH COUNCIL

The Executive Leader presented a report seeking the Council's approval to the establishment of a shared Chief Executive arrangement with Wyre Borough Council.

It was moved by the Executive Leader, seconded by the Deputy Leader and **RESOLVED that the Council's Procedure Rules be waived to allow the Chief Executive to speak at the meeting in explanation of the proposal.**

The Chief Executive confirmed that she had been approached by Wyre Council to establish the shared arrangement, under which Chorley's Chief Executive would cover both Councils as their Head of Paid Service. The approach represented Wyre Council's recognition of Chorley Council's past performance and achievements. The Chief Executive would remain employed by Chorley Council on the same salary, but Chorley would benefit from Wyre Council's monthly contributions to cover 50% of the cost of the Chief Executive's salary and other associated on costs. The Chief Executive's performance targets would remain to be set and monitored by the established Member Panel and she would remain to be contactable by Members through e-mail or telephone at any time, whether she was working in Chorley or at Wyre's offices.

The Council's Procedure Rules were re-imposed at this point.

Several enquiries and concerns were raised by a number of Councillors, particularly in relation to the commencement date for the arrangement; the timing of the announcement of the proposal to both authorities' Members; whether a comprehensive analysis of the specific benefits of the proposal had been undertaken; whether costs would be shared on a proportional basis; the practical operational issues; and means of monitoring the performance and cost effectiveness of the arrangement.

In response, the Executive Leader clarified that the start date for the arrangement had been agreed by both authorities as 1 November 2010 for practical operational reasons, subject to both Councils endorsing the plans; notification of the proposals had been given to Members after Wyre Council's intention to proceed with the arrangement had been made known; the arrangement presented an opportunity to secure over £85,000 from Wyre Council towards this Council's management costs; the Chief Executive's performance targets would remain unaffected by the arrangement; and the arrangement would be monitored and steps taken to terminate the agreement if it failed to operate satisfactorily.

At the conclusion of the debate, it was moved by the Executive Leader and seconded by the Deputy Leader:

- (1) That Members approve the sharing of the post of Chief Executive with Wyre Borough Council, subject to the management arrangements set out in the submitted report.
- (2) That authority be delegated to the Director of Transformation, in consultation with the Executive Leader, to complete a legal agreement with Wyre to establish a shared Chief Executive arrangement under section 113 of the Local Government Act 1972.
- (3) That authority be delegated to the Director of Transformation, in consultation with the Executive Leader, to agree any consequential changes to the Chief Executive's terms and conditions, in line with the contents of the submitted report.

The following amendment was moved by Councillor Alistair Bradley and seconded by Councillor Peter Wilson:

"That a decision to establish a shared Chief Executive with Wyre BC be deferred, subject to a full Overview and Scrutiny inquiry in order that a detailed assessment and analysis of all costs and benefits to both Councils is produced, and also to propose appropriate control mechanisms which will allow a transparent process to be established. This process to report by the end of January 2011, for consideration at a Special Council meeting in February 2011, which will also consider the veracity of information included within the report."

Upon being put to the vote, the amendment was lost.

It was subsequently **RESOLVED**:

- (1) **That Members approve the sharing of the post of Chief Executive with Wyre Borough Council, subject to the management arrangements set out in the submitted report.**
- (2) **That authority be delegated to the Director of Transformation, in consultation with the Executive Leader, to complete a legal agreement with Wyre to establish a shared Chief Executive arrangement under section 113 of the Local Government Act 1972.**

- (3) That authority be delegated to the Director of Transformation, in consultation with the Executive Leader, to agree any consequential changes to the Chief Executive's terms and conditions, in line with the contents of the submitted report.

The Mayor expressed his best wishes to the Chief Executive for the future success of the new arrangement.

10.C.146 PROPOSED CHANGES TO POLLING STATIONS

Consideration was given to a report of the Chief Executive on proposed changes to polling stations within the Borough, following three requests for changes and a review of two further stations.

It was moved by the Executive Leader, seconded by the Deputy Leader, and **RESOLVED that approval be given to:**

- (i) the substitution of Trinity and St Michael's Primary School by Trinity Methodist Church Hall, Croston for use as a Polling Station in Lostock Ward (Polling District 18B);
- (ii) the substitution of the mobile station by Buckshaw Community Centre for use as a Polling Station for Buckshaw Village (Polling District 10C) in Clayton-le-Woods and Whittle-le-Woods Ward;
- (iii) the further use of Buckshaw Community Centre as a Polling Station for Polling District 02C in Astley and Buckshaw Ward;
- (iv) the substitution of White Coppice Nursery by St Barnabas Church Hall, Heapey for use as a Polling Station in Pennine Ward (Polling Districts 19A and 19B);
- (v) the substitution of the mobile station by Cuerden Residential Park social club premises for use as a Polling Station in Clayton-le-Woods West and Cuerden Ward (Polling Districts 12B and 12C).

10.C.147 COMMUNITY GOVERNANCE REVIEW FOR THE BUCKSHAW AREA

The Council considered a report of the Chief Executive on a request for the Council to undertake a Community Governance Review of the Buckshaw area under the provisions of the Local Government and Involvement in Health Act 2007, with a view to the potential creation of a Buckshaw Parish Council. The area was currently located within, and served by, Euxton and Whittle-le-Woods Parish Council areas.

The report outlined the processes involved in a Community Governance Review, highlighting the required consultation, resources and officer support, together with the potential outcomes for a review.

It was moved by the Executive Leader, seconded by the Deputy Leader, and **RESOLVED that a Community Governance Review of the Buckshaw area be undertaken.**

It was further RESOLVED that a Community Governance Committee, comprising the following seven Members, be appointed with delegated authority to oversee the process up to the final recommendation stage, when full Council would be required to make a firm decision:

Councillors Peter Goldsworthy, Greg Morgan, Beverley Murray, Mark Perks, Geoffrey Russell, Stella Walsh and Peter Wilson.

10.C.148 NOTICES OF MOTION GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 10

(a) **Police Community Support Officers**

The Council considered the following motion moved by Councillor Alistair Bradley and seconded by Councillor June Molyneaux:

“This Council values the role played by Police Community Support Officers (PCSOs) in our local communities and recognises the essential role they play in tackling crime, anti-social behaviour and the fear of crime. In light of this, the Council commits to maintaining its current funding for PCSOs for the next financial year working with the Police to keep our streets safe in accordance with the Council’s Corporate Strategy.”

The following alternative motion was moved by the Executive Leader and seconded by the Executive Member (Places) (Councillor Eric Bell):

“This Council condemns the previous Government for its mismanagement and incompetent handling of the economy. The debt crisis we are facing is Labour’s legacy.

Labour doubled the National debt and left us with the biggest deficit of any G20 country and the largest deficit in peace time history. Consequently the new Government is paying out £120 million pounds of tax payer’s money every day in interest payments.

To put this in context a recent Euro lottery winner who claimed a record first prize of £107 million pounds could have donated that prize to the Government to service that debt for just 21 hours.

Labour when in Government had no credible plan for this deficit but was planning 20% cuts. Unfortunately they never got round to telling us where they would come from. We note that Labour in Opposition still has no credible plan.

In this context, this Council supports the New Government in its determination to clean up the mess in our public finances. The full impact of this strategy on Chorley will be dealt with through the Budget setting process.”

A request was made under Council Procedure Rule 17.2 for a recorded vote on the alternative motion, which was as follows:

FOR: Councillors Eric Bell, Judith Boothman, Pat Case, Henry Counce, Magda Cullens, Michael Devaney, David Dickinson, Doreen Dickinson, Peter Goldsworthy, Marie Gray, Alison Hansford, Pat Haughton, Harold Heaton, Keith Iddon, Kevin Joyce, Peter Malpas, Greg Morgan, Simon Moulton, Michael Muncaster, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell, Rosemary Russell, John Walker and Stella Walsh.

AGAINST: Councillors Nora Ball, Julia Berry, Alistair Bradley, Christopher France, Anthony Gee, Catherine Hoyle, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, June Molyneaux, Beverley Murray, Joyce Snape, Ralph Snape and Peter Wilson.

ABSTAIN: Councillor Ken Ball.

The Mayor declared the alternative motion carried and it was **RESOLVED accordingly.**

On being put to the vote, the Mayor declared the original motion lost and it was **RESOLVED that the motion be rejected.**

(b) **Street Cleaning**

The Council considered the following motion moved by Councillor Alistair Bradley and seconded by Councillor Adrian Lowe:

“This Council recognises the vital importance to local residents of ensuring that roads and streets are kept clean and regularly swept, not only in the Town Centre, but in residential areas and surrounding villages.

In support of this, the Council pledges to honour the commitments made in this year’s budget and to maintain the same spending for the financial year 2011/12, by not reducing front line services, and in compliance with the Council’s Corporate Strategy.

In particular, this is to demonstrate support for the local Parish and Town Councils in their efforts to fund maintenance and street-cleaning from within their own budgets, and to work in partnership together for a safer, cleaner Chorley.”

A request was made under Council Procedure Rule 17.2 for a recorded vote on the motion, which was as follows:

FOR: Councillors Nora Ball, Julia Berry, Alistair Bradley, Christopher France, Anthony Gee, Catherine Hoyle, Hasina Khan, Roy Lees, Adrain Lowe, Marion Lowe, June Molyneaux, Beverley Murray and Peter Wilson.

AGAINST: Councillors Eric Bell, Judith Boothman, Pat Case, Henry Counce, Magda Cullens, Michael Devaney, David Dickinson, Doreen Dickinson, Peter Goldsworthy, Marie Gray, Alison Hansford, Pat Haughton, Harold Heaton, Keith Iddon, Kevin Joyce, Peter Malpas, Greg Morgan, Simon Moulton, Michael Muncaster, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell, Rosemary Russell and John Walker.

ABSTAIN: Councillors Ken Ball, Joyce Snape, Ralph Snape, Stella Walsh.

The Mayor declared the motion lost and it was **RESOLVED that the motion be rejected.**

(c) **Healthcare Provision in Chorley**

The Council considered the following motion moved by Councillor Peter Wilson and seconded by Councillor Hasina Khan:

“As part of this Council’s ongoing support and commitment to increase and maintain access to local healthcare for residents, we the Council will fight to retain all existing services within the Borough.

Therefore, we pledge to object to and oppose strongly in writing, any attempt to relocate healthcare resource provision from inside the Borough to other areas of the country, and to equally ensure that healthcare provision within the Borough is not subject to budget cuts.”

The following alternative motion was moved by the Executive Member (People) (Councillor John Walker) and seconded by Councillor Rosemary Russell:

“This Council would expect to be involved in any decisions to change the location of health care services provided for the people of Chorley and would oppose any relocation of existing services outside the Borough if the disadvantages outweigh the advantages.”

Upon being put to vote, the Mayor declared the alternative motion carried and it was **RESOLVED accordingly**.

A request was made under Council Procedure Rule 17.2 for a recorded vote on the original motion, which was as follows:

FOR: Councillors Ken Ball, Julia Berry, Alistair Bradley, Christopher France, Anthony Gee, Catherine Hoyle, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, June Molyneaux, Beverley Murray and Peter Wilson.

AGAINST: Eric Bell, Judith Boothman, Pat Case, Henry Caunce, Magda Cullens, Michael Devaney, David Dickinson, Doreen Dickinson, Peter Goldsworthy, Marie Gray, Alison Hansford, Pat Haughton, Harold Heaton, Keith Iddon, Kevin Joyce, Peter Malpas, Greg Morgan, Simon Moulton, Michael Muncaster, Mark Perks, Alan Platt, Debra Platt, Geoffrey Russell, Rosemary Russell and John Walker.

ABSTAIN: Councillors Nora Ball, Joyce Snape, Ralph Snape and Stella Walsh.

The Mayor declared the motion lost and it was **RESOLVED that the motion be rejected**.

10.C.149 HUMAN RESOURCES APPEALS COMMITTEE

With the consent of the Mayor for the Council to consider an urgent item of business, it was moved by Councillor Alistair Bradley, seconded by Councillor Peter Wilson, and **RESOLVED that Councillor Marion Lowe replace Councillor Dennis Edgerley as a member of the Human Resources Appeals Committee until 1 January 2011.**

Mayor