

# COUNCIL

**Tuesday, 27 September 2011**

**Present:** Councillor Pat Case (Mayor), Councillor June Molyneaux (Deputy Mayor), Councillors Ken Ball, Eric Bell, Alistair Bradley, Terry Brown, Henry Counce, Matthew Crow, Alan Cullens, Magda Cullens, David Dickinson, Doreen Dickinson, Dennis Edgerley, Christopher France, Anthony Gee, Peter Goldsworthy, Marie Gray, Alison Hansford, Harold Heaton, Steve Holgate, Catherine Hoyle, Keith Iddon, Kevin Joyce, Hasina Khan, Paul Leadbetter, Roy Lees, Adrian Lowe, Marion Lowe, Greg Morgan, Simon Moulton, Mick Muncaster, Steve Murfitt, Beverley Murray, Mark Perks, Alan Platt, Debra Platt, Pauline Phipps, Dave Rogerson, Geoffrey Russell, Rosie Russell, Joyce Snape, Ralph Snape, John Walker, Stella Walsh, Paul Walmsley and Peter Wilson

## **11.C.218 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Julia Berry.

## **11.C.219 MINUTES**

**RESOLVED – that the minutes of the last Council meeting held on 19 July 2011 be confirmed as a correct record for signature by the Mayor.**

## **11.C.220 DECLARATIONS OF ANY INTERESTS**

Councillors Alan Cullens, Marie Gray, Steve Holgate and Marion Lowe declared a personal and prejudicial interest in item 10 Chorley Community Housing: Delivery of Stock Transfer Promises and left the meeting for the debate and decision on that item of business.

## **11.C.221 MAYORAL ANNOUNCEMENTS**

The Mayor provide Members of the Council with an overview of the engagements that she had attended since the last Council meeting. These included celebrating the achievements of students at Runshaw and UCLAN; the opening of the new school at Buckshaw; AGMs for both Scouts and Guides; a TA open day; a celebration of 25 years of Friends of Chorley Hospital; the REACH fair; and visits to a Sue Ryder Home and to St Catherine's Hospice.

The Mayor referred to the forthcoming Remembrance Sunday on 13 November which would start with the procession from the Town Hall, followed by a service at St Laurence's Church and then at the Cenotaph in Astley Park. She hoped that as many Members as possible would be able to attend.

The Mayor invited Councillor Bell to update Members on a recent award the Council had received from the RSPCA. A Gold Footprint award had been received from the RSPCA for the Council's sustained high level of service in dealing with stray dogs including a commitment to education, enforcement and animal welfare initiatives.

#### 11.C.222 PUBLIC QUESTIONS

There had been no requests received from members of the public.

#### 11.C.223 GENERAL REPORT: EXECUTIVE CABINET

Members considered a general report of the Executive Cabinet meeting held on 18 August 2011.

It was moved by the Executive Leader, Councillor Peter Goldsworthy and seconded by the Deputy Leader, Councillor Ken Ball and **RESOLVED – that the report be noted.**

##### (a) Capital Programme Monitoring 2011/12 - 2013/14

Councillor Kevin Joyce, Executive Member for Transformation presented a report of the Chief Executive updating the capital programme for financial years 2011/12 to 2013/14 to take account of rephrasing of expenditure and other budget changes.

Members raised questions regarding proposed improvements to Cotswold House, the replacement of car park pay and display ticket machines and the debt reduction strategy.

Councillor Kevin Joyce, Executive Member for Transformation proposed, the Executive Leader seconded and it was **RESOLVED –That the changes to the capital programme for 2011/12 to 2013/14 be approved as detailed in appendix 1 to the report.**

##### (b) Revenue Budget Monitoring 2011/12 Report 1 (end of June 2011)

Councillor Kevin Joyce, Executive Member for Transformation presented a report of the Chief Executive seeking approval to two budget virements in order to invest in two new ICT systems.

Members raised questions regarding the impact of the loss of funding from the two budget areas; the need for ICT investment; plus a request for electronic links to previous years budget information to be included in future similar reports.

Councillor Kevin Joyce, Executive Member for Transformation proposed, the Executive Leader seconded and it was **RESOLVED –That approval be given to the virement of £20,000 from budgets within the Partnerships, Planning and Policy directorate and £72,000 from the Transformation directorate in order to finance capital investment in two new ICT systems.**

#### 11.C.224 OVERVIEW AND SCRUTINY COMMITTEE AND TASK AND FINISH GROUPS

Members considered a general report of the work of the Overview and Scrutiny Committee and its Task Groups held on 5 September 2011.

It was moved by Councillor Adrian Lowe, Chair of the Committee and seconded by Councillor Debra Platt, Vice Chair and **RESOLVED – that the report be noted.**

#### 11.C.225 REVIEW OF THE COUNCIL'S CONSTITUTION

The Executive Leader presented a report of the Council's Monitoring Officer seeking approval to a number of changes to the Constitution following the appointment of the new Chief Executive.

The changes required were in relation to the deputising function for the Chief Executive, and the consequent impact on a number of sections of the Constitution. Approval was sought to a new version of the Constitution incorporating these changes and also previous recent decisions of the Council relating to the Strong Leader model, revised Contract Procedure Rules and provision for substitute Members.

It was moved by the Executive Leader, Councillor Peter Goldsworthy, seconded by the Deputy Leader, Councillor Ken Ball and **RESOLVED –**

- 1. That in the first instance the Director of People and Places be authorised to deputise for the Chief Executive as Head of the Paid Service and where he is unable to act, the Director of Partnerships, Planning and Policy act as second deputy.**
- 2. That the revised Constitution incorporating these deputising powers, along with consequential changes and changes agreed at previous meetings be approved and published.**

#### 11.C.226 REVIEW OF POLLING DISTRICTS AND PLACES

The Council received a report of the Chief Executive, acting in the capacity of Returning Officer, on the four yearly review of polling districts and places which sought approval to a number of polling station changes.

The review was a requirement of the Electoral Administration Act 2006 and following consultation, six proposals were brought forward for consideration and decision.

It was moved by the Executive Leader, Councillor Peter Goldsworthy, seconded by the Deputy Leader, Councillor Ken Ball and **RESOLVED – that the decisions on the six proposals be as follows:**

- 1. Euxton North Ward** – that Primrose Hill Primary School continue to be used as a polling station as Euxton Community Centre does not provide a suitable alternative venue due to its location and car parking issues.
- 2. Clayton le Woods and Whittle le Woods Ward** – that following the closure of Manor Rd Community Centre which is to become part of the Primary School next door, the Manor Rd Primary School now become the polling station for this area.
- 3. Lostock Ward** – that the Congregational Church Schoolrooms replace Bretherton Endowed Primary School as a polling station for this area.
- 4. Heath Charnock and Rivington Ward** – that having considered the request to close the current polling station at Rivington Parish Church Hall and amalgamate it with a neighbouring polling station, the request be refused and arrangements remain unchanged.
- 5. Heath Charnock and Rivington Ward** – that as there are no suitable alternatives to the use of a mobile polling station at the White Horse Public House car park, a more suitable mobile building be investigated for future elections.

6. **Adlington and Anderton** – that following a request for an additional polling station to accommodate residents of Owsten Court on the eastern edge of the Borough, the request be refused due to the very small number of voters involved.

#### **11.C.227 CHORLEY COMMUNITY HOUSING (CCH): DELIVERY OF STOCK TRANSFER PROMISES.**

The Director of Partnerships, Planning and Policy submitted a report for Members consideration on Chorley Community Homes (CCH) delivery of stock transfer promises.

In 2007 when the ownership and management of the Council's housing stock transferred to CCH, a key part of the transfer had been 76 tenant promises over the five year period April 2007 to March 2012. The promises were wide ranging and included the investment of £26million in the housing stock, the delivery of new homes and delivering initiatives to help create better neighbourhoods. The report presented looked at how far those promises had been achieved and how any outstanding promises would be delivered post March 2012.

The five outstanding promises related to:

- Provision of car parking
- Investment in estate re-modelling to improve safety
- Provision of affordable housing
- Replacement of fascias and soffits
- Re-roofing

The report detailed how the full delivery of these promises would be achieved. Members commented that in general the report was excellent and that CCH had successfully delivered in most areas, however the delivery of 151 affordable homes against a target of 200 was disappointing and Members discussed whether as a result, an increase in the target should be imposed.

Councillor Alistair Bradley proposed and Councillor Dennis Edgerley seconded a proposal to increase the affordable homes target from 200 to 240 properties by 2013.

#### **RESOLVED –**

1. **That the CCH position statement on all promises, as contained in Appendix 1 and the main report, be noted.**
2. **That the position negotiated with CCH as set out in paragraphs 20 to 34 be approved as an agreement between CCH and the Council post March 2012 on a number of key promises, with the following exception:**
  - **the target for delivery of affordable homes be revised from 200 to 240 by 2013**
3. **That, with the above exception, the Council formally agrees to “sign off” delivery of the tenant promises by CCH; and**
4. **The Council agrees to a deed of variation being created in respect of the management rather than the transfer of properties to CCH as a temporary measure.**

#### **11.C.228 LOCAL DEVELOPMENT FRAMEWORK: AMENDMENTS TO THE CORE STRATEGY**

A report was presented to Members on the Central Lancashire Core Strategy following the receipt of correspondence from the Inspector which found the Central Lancashire Core Strategy unsound on the subject of housing delivery.

The report set out the reasons for this determination and made recommendations for changes to the Core Strategy to ensure compliance with the Inspector's recommendations.

The issues in relation to housing policy had been identified by the Inspector as:

- Housing requirements – the need to adopt the RSS figures
- Increase and clarify opportunities to deliver enough housing development
- Build in more flexibility to cater for potential problems with delivery in the future
- Consider the possible implications of the Draft National Planning Policy Framework.

Councillor Alan Cullens, Executive Member for Partnerships and Planning proposed, the Executive Leader seconded and it was **RESOLVED –**

**1. That the proposed changes to Policies 1 and 4 of the Core Strategy be approved (accepting any subsequent changes approved by South Ribble and/or Preston Councils specifically in respect of locations within their authority areas).**

**2. That delegated authority be granted to the Director of Partnerships, Planning and Policy, in consultation with the Executive Member for Partnerships and Planning, to approve other non-policy changes.**

**3. That the Inspector be informed of the Council's comments on the Draft National Policy Framework when these have been completed in response to the national consultation exercise.**

#### **11.C.229 QUESTIONS ASKED UNDER COUNCIL PROCEDURE RULE 8**

There had been no requests for questions from Members under Procedure Rule 8.

#### **11.C.230 TO CONSIDER THE NOTICES OF MOTION (IF ANY) GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 10**

The Council considered three motions submitted in accordance with Procedure Rule 10 by Councillor Peter Wilson:

##### **1. Local Development Framework**

"In light of the recent proposed amendments to the Central Lancashire Core Strategy, together with the ongoing proposals contained within the draft National Planning Policy Framework, this council wishes to amend the LDF Site Allocations & Development Management DPD to take account of the requirement to accommodate the greater housing numbers now demanded by the Conservative led government.

In order to reduce the need to build on our green fields in particular on the edge of villages, these amendments should detail where appropriate using higher densities in housing allocations, therefore reducing the number of overall sites, reducing the number of employment sites and provide more Brownfield sites for housing.”

Councillor Dennis Edgerley proposed and Councillor Alistair Bradley seconded the motion.

**The motion was put to the vote and LOST.**

## **2. Planning Reforms**

“Chorley Council recognises the importance of protecting green belt land, green fields and open spaces, allowing for sustainable development whilst protecting such sites. The Council strongly objects to the coalition government's planning reforms, contained with the National Planning Policy Framework, which provides a legal presumption in favour of development with local authorities instructed to "plan positively for new development, and approve all individual proposals wherever possible.”

The Council expresses its support for the Daily Telegraph's Hands Off Our Land campaign and the opposition to the government expressed by the Campaign for the Protection of Rural England and the National Trust and commits to writing to the Secretary of State for Communities and Local Government urging the government to abandon the current planning reforms which propose a legal presumption in favour of development and help protect the character and nature of local communities throughout Chorley Borough.”

Councillor Peter Wilson proposed and Councillor Chris France seconded the motion.

Councillor Alan Cullens, Executive Member for Partnerships and Planning proposed and the Executive Leader seconded an amendment to the motion as follows:

That the second paragraph of the motion be deleted and the following wording added:

“That the views expressed within this motion are considered as part of the workshop and response to the Minister and that Chorley Borough Council supports the principle of the National Planning Policy Framework that puts people in the driving seat of decision making in the planning system. Therefore giving communities the power to decide the areas they wish to see developed and those to be protected.”

**On being put to the vote the amended motion was CARRIED.**

## **3. Bus Services in Euxton**

“The council notes with concern the decision taken by Stagecoach to withdraw the Number 16 bus service leaving residents in many parts of the village of Euxton cut off from local services. The council further notes that it is set to receive £427,500 in Section 106 monies for the purposes of Public Transport and Community Facilities from the Group 1 development on Buckshaw Village. Given that Stagecoach have indicated that they would be happy to provide a new service, if the necessary funding was made available, to replace the Number 16 and thereby linking the two railway stations of Euxton and Buckshaw Village, Chorley Council supports the Member of Parliament for Chorley in his proposal to approach BAE Systems and lobby for the early release of the Section 106 monies in order to provide this important bus service for the residents of Euxton.”

Councillor Paul Walmsley proposed and Councillor Alistair Bradley seconded the motion.

Councillor Peter Goldsworthy, Executive Leader proposed and Councillor Alan Cullens, Executive Member for Partnerships and Planning seconded, an amendment to defer the motion to the next meeting of the Council (Policy Council on 15 November) to allow a business case to be drawn up for the provision of a new bus service in the area.

**On being put to the vote the amended motion was CARRIED.**

**11.C.231 ANY OTHER ITEM(S) THE MAYOR DECIDES IS/ARE URGENT**

The Mayor accepted an item to revise the membership of the Development Control Committee.

**RESOLVED – that Councillor Dave Rogerson replace Councillor Matthew Crow on the Development Control Committee.**

Mayor