

# COUNCIL

**Tuesday, 17 April 2007**

**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, 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, Miss Margaret Iddon, Hasina Khan, Margaret Lees, Roy Lees, Marion Lowe, Peter Malpas, Thomas McGowan, Miss June Molyneaux, Greg Morgan, Michael Muncaster, Mark Perks, Geoffrey Russell, Rosemary Russell, Edward Smith, Mrs Iris Smith, Shaun Smith, Mrs Joyce Snape, Ralph Snape, Christopher Snow, John Walker and John Wilson

## **07.C.28 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Henry Counce, Keith Iddon and Mrs Stella Walsh.

## **07.C.29 DECLARATIONS OF ANY INTERESTS**

No Members disclosed an interest in relation to matters under consideration at the meeting.

## **07.C.30 MINUTES**

**RESOLVED – 1) That the Minutes of the Council meeting held on 27 February 2007 be confirmed as a correct record and signed by the Mayor, subject to the following amendment to the Labour Group amendment on page 4 relating to free off peak concessionary travel:**

**delete ‘Borough’ and insert “NOW travel area”.**

**2) That the Minutes of the Council meeting held on 6 March 2007 be confirmed as a correct record and signed by the Mayor.**

## **07.C.31 MAYORAL ANNOUNCEMENTS**

The Mayor informed Members that on Sunday April 22 the Royal British Legion would be holding their annual service of remembrance to honour those who gave their lives during the Falklands Campaign and this year marks the 25th anniversary of the conflict.

All Councillors were invited to take part in the parade and to meet in the Council Chamber at 11.30am. The parade to march off at 12 noon and make its way to the monument in Astley Park for the memorial service which was due to finish at 12.45pm.

Following the service liquid refreshments would be served at the TA Centre in Devonshire Road.

## **Retirement of Councillors**

The Mayor informed Members that five Councillors would not be seeking re-election at the forthcoming Council election and thanked the following councillors for their service to the Council and the people of Chorley:

Peter Baker – after 12 months service  
Andrew Birchall – after 4 years service, and  
Thomas Bedford – after 5 years service

Two other Councillors were also retiring after each giving 34 years dedicated service to the Council and the people of Chorley:

Frank Culshaw, and  
John Wilson

Frank Culshaw was elected in May 1973 and was the Mayor of the Borough in 1990/91. He was the Chair of Planning from 1981 to 1985; Chair of Housing from 1985 to 1990 and was currently the Lead Member for Housing.

The Leader of the Council, Councillor Peter Goldsworthy, along with the following Group Leaders, Councillors Kenneth Ball and Ralph Snape each spoke of their appreciation of the work of Councillors Baker, Birchall and Bedford and a great debt of thanks going to Councillor Frank Culshaw. Councillor Frank Culshaw thanked Members and officers for their help and assistance over the year.

John Wilson was elected in May 1973 and was the Mayor of the Borough in 1986/87. He was the Leader of the Labour Group from May 1988 to October 2006 and the Leader of the Council from May 1990 to May 2006.

He was previously the Chair of the Lancashire Branch of the Association of District Councils and a former Member of the National Council of the Association of District Councils.

During the last 12 months, he has also been Mayor's Consort.

The Leader of the Labour Group, Councillor Edgerley as well as the Leader of the Council Councillor Peter Goldsworthy, and Councillors Kenneth Ball, Ralph Snape, Tony Gee, Deputy Mayor, Cath Hoyle, Frank Culshaw and Daniel Gee all expressed their appreciation for the work of Councillor John Wilson.

Members formally agreed to record a vote of thanks to Councillors Frank Culshaw and John Wilson and stood in appreciation for their long and dedicated service to the Council and the people of Chorley and, extended their best wishes to them both for the future.

## **07.C.32 PUBLIC QUESTIONS**

No members of the public submitted to ask a question(s) on any item(s) on the agenda.

## **07.C.33 CAPITAL PROGRAMME 2006/07 - MONITORING**

The Executive Member for Resources presented a report monitoring the performance of the 2006/07 Capital Programme and containing recommendations of the Corporate Improvement Board.

The report recommended changes to the 2006/07 Capital Programme Board, the effect of which was to reduce the programme from £13,767,340 to £12,324,570 as a result of the suggested slippage of £1,623,890 to 2007/08 and other changes totalling £181,120.

The recommended slippage of expenditure on a number of schemes to 2007/08 was detailed in Appendix A to the submitted report, with other changes to schemes explained in Appendix B. Appendix C to the report summarised both the capital receipt achieved to date and the anticipated receipts.

**RESOLVED – 1) That the revised Capital Programme for 2006/07 in the sum of £12,324,570 be approved.**

**2) That the recommendation of the Corporate Improvement Board to endorse the delivery of the Music Café project by the South Lancashire Arts Partnership at the Chorley Community Centre instead of the originally proposed venue of the Chorley Interchange, be approved.**

#### **07.C.34 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FOULING OF LAND BY DOGS ORDER**

The Executive Member for Streetscene, Neighbourhoods and Environment presented a report on the adoption of powers created by the Clean Neighbourhoods and Environment Act 2005, following the introduction of regulations to deal with dog fouling, which replaced regulations issued under the Dogs (Fouling of Land) Act 1996.

The report recommended the introduction of the New Order to prohibit the fouling of land by dogs to replace the current Order and the setting of the default fixed penalty notice charge of £75.00 with an early payment charge of £50.00 being allowed if payment was received within 10 days of receipt of the fixed penalty notice. The proposed Order had been advertised in the local press and an appendix to the submitted report listed the 20 generally supportive responses that had been received.

**RESOLVED – That the Council's Constitution be amended to extend the Director of Streetscene, Neighbourhoods and Environment's delegated powers as listed in Appendix B in order to allow the proper authorisation of Officers to undertake enforcement work against persons suspected of committing offences under the terms of the new proposed Order and relevant sections of the Clean Neighbourhoods and Environment Act 2005.**

#### **07.C.35 SMOKE FREE IMPLEMENTATION**

The Executive Member for Streetscene, Neighbourhoods and Environment presented a report on the likely impact of the Health Act 2006 which introduced the legal framework to make enclosed workplaces and public spaces smoke free from 1 July 2007, and proposing measures to assist the enforcement of legislation.

Attached to the report was a copy of the Directors report to the Executive Committee of the 29 March 2007 meeting making Members aware of all the relevant information on this topic.

The Executive Cabinet approved the recommendations to appoint a temporary Smokefree Enforcement Officer to undertake enforcement work with the Council and to help ensure that the public buildings and places affected by the legislation are compliant with the new law. The cost of the temporary post would be funded by a £42,000 Council grant towards the Council's initial implementation and enforcement costs in 2007/08.

**RESOLVED - 1) That approval be given to amend the Council's Constitution by the addition of the implementation of appropriate provision of the Health Act 2006 to the Council's functions outlined in Appendix 2 of the submitted report.**

**2) That the Council's Constitution be amended by the extension of the Director of Streetscene, Neighbourhoods and Environment's delegated powers to implement appropriate provision of the Act, including the appointment of duly authorized Officers to undertake enforcement activity.**

**07.C.36 GENERAL REPORT**

The Deputy Leader of the Council presented a report summarising the more significant items of business dealt with at a meeting of the Executive Cabinet held on 29 March 2007.

**RESOLVED – That the report be noted.**

**07.C.37 AUDIT COMMITTEE**

The Vice-Chair of the Audit Committee presented a report which summarised briefly the principal matters that had been considered at a meeting of the Audit Committee held on 29 March 2007.

**RESOLVED – That the report be noted.**

**07.C.38 DEVELOPMENT CONTROL COMMITTEE**

The Chair of the Development Control Committee presented a report on the significant planning proposals that were considered at meetings held on 13 March 2007 and 3 April 2007.

**RESOLVED – That the report be noted.**

**07.C.39 GENERAL PURPOSES COMMITTEE**

The Chair of the General Purposes Committee presented a report on matters dealt with at a meeting of the General Purposes Committee held on 15 March 2007.

**RESOLVED – That the report be noted.**

**07.C.40 LICENSING AND SAFETY COMMITTEE**

The Chairman of the Licensing and Safety Committee presented a report which summarised the principal matters which had been considered at a meeting of the Committee held on 28 March 2007.

**RESOLVED – That the report be noted.**

**07.C.41 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 27 March 2007, as well as a brief summary of the recent activities and matters discussed at a meeting of the Environment and Community Overview and Scrutiny Panel held on 22 March 2007 and the Corporate and Customer Overview and Scrutiny Panel held on 20 March 2007.

**RESOLVED – That the report be noted.**

**07.C.42 STANDARDS COMMITTEE**

The Vice-Chairman of the Standards Committee presented a report which summarised the principal matters that had been considered at a meeting of the Standards Committee held on 7 March 2007 and the Local Hearing Sub-Committee held on 20 March 2007.

**RESOLVED – That the report be noted.**

**07.C.43 HOUSING TRANSFER COMMITTEE**

The Chairman of the Housing Transfer Committee presented a report which summarised the Committee's discussions and decisions relating to the meeting held on 22 March 2007.

**RESOLVED – That the report be noted.**

Mayor