

MINUTES OF COUNCIL

MEETING DATE Tuesday, 19 January 2016

MEMBERS PRESENT: Councillor Marion Lowe (Mayor), Councillor Doreen Dickinson (Deputy Mayor) and Councillors Aaron Beaver, Eric Bell, Julia Berry, Martin Boardman, Alistair Bradley, Charlie Bromilow, Terry Brown, Henry Counce, Paul Clark, Jean Cronshaw, Alan Cullens, John Dalton, David Dickinson, Robert Finnamore, Christopher France, Gordon France, Margaret France, Anthony Gee, Danny Gee, Tom Gray, Keith Iddon, Mark Jarnell, Hasina Khan, Paul Leadbetter, Margaret Lees, Roy Lees, Adrian Lowe, Matthew Lynch, June Molyneaux, Greg Morgan, Alistair Morwood, Mick Muncaster, Steve Murfitt, Beverley Murray, Mark Perks, Debra Platt, Joyce Snape, Kim Snape, Ralph Snape, Richard Toon, John Walker, Paul Walmsley, Alan Whittaker and Peter Wilson

OFFICERS: Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Customer and Advice Services), Jamie Carson (Director of Public Protection, Streetscene and Community), Chris Moister (Head of Governance and Property Services) and Carol Russell (Democratic Services Manager)

APOLOGIES: Councillor Graham Dunn

The Mayor welcomed Councillors and members of the public to the meeting, the first part of which was being held in the Lancastrian to accommodate the additional members of the public, interested in the discussion and questions relating to the petition submitted by Frack Free Chorley and South Ribble.

16.C.296 Minutes of meeting Tuesday, 24 November 2015 of Council

RESOLVED – That the minutes of the last meeting of the Council held on 24 November 2015 be approved as a correct record for signature by the Mayor.

16.C.297 Declarations of Any Interests

There were no declarations of interest received.

16.C.298 To consider a petition received from Frack Free Chorley and South Ribble in accordance with Council Procedure Rule 23

The Mayor referred to the submission of a petition by Frack Free Chorley and South Ribble which had been presented to Councillor Alistair Bradley, Executive Leader in November 2015 with over 2600 signatures, of which 1460 were estimated to be from Borough residents and the rest from neighbouring areas and also from an online petition which had attracted signatures from a wider area including internationally.

The petition was regarding onshore shale gas extraction and drilling and as it exceeded 1500 signatures, it was before Members of the Council for debate under Procedure Rule 23. The lead petitioner at the meeting, handed over further signatures, bringing the total to over 2800.

The wording of the petition was as follows:

“No to Fracking applications in Chorley and surrounding villages.

We, the undersigned, are opposed to any applications of shale gas extraction or drilling (fracking) in the Borough of Chorley, Lancashire.

We call on Chorley Council to:

A. Refuse to allow any applications for exploratory drilling or fracking on land it owns or controls.

B. As a planning authority, to ensure that any applications to carry out fracking operations in the Borough are subjected to vigorous scrutiny with regard to the possible effect on landscape, water and air quality.

C. To strongly oppose Government attempts to override local decision making of fracking applications.”

Councillor Alistair Bradley, Executive Leader led the debate and referred to the Government’s issue of further exploration licences for onshore shale gas extraction and drilling (fracking) in 2015 in the Chorley borough area and the recent planning applications by Cuadrilla for fracking in Little Plumpton and Roseacre Woods which, having been refused by Lancashire County Council as the relevant planning authority, had been appealed and would be determined by the Government later this year.

These issues had been in the news frequently and it was therefore not surprising that residents had concerns, reflected in the scale of the petition received. It was appropriate that Councillors should now be debating fracking in Chorley and whether or not it would be welcomed in the borough.

In preparation for this debate, to ensure Councillors in Chorley were armed with sufficient knowledge, the Leader had arranged in early January for them to receive a number of presentations. This included one from representatives of Cuadrilla giving the industry perspective; from Lancashire County Council as the relevant planning authority; and from the Environment Agency and Health and Safety Executive for the regulatory and monitoring aspects of fracking. Members had also received a presentation from representatives of Frack Free Chorley and South Ribble to hear their views.

As a District Council, Chorley would not be the decision maker on any planning application for onshore shale gas extraction and drilling but the Council would be a key consultee. It was important that the Council considered any such applications on its merits and that it was not seen to predetermine any application, in advance of its receipt. The petitioners and all residents of Chorley however, could be assured that the Council would subject any such applications to extremely rigorous scrutiny. They would seek to protect the prosperity, health and wellbeing of the borough.

Councillor Alistair Bradley then asked the Mayor to invite those members of the public who had registered to speak at the meeting, to ask their questions.

16.C.299 Public Questions

The Mayor invited the seven members of the public who had submitted questions to come forward, put their question to Councillor Bradley, with the opportunity for a supplementary follow up question.

The questions and summary responses are accessible on the link below

<https://democracy.chorley.gov.uk/documents/b15691/responses%20to%20public%20questions%2019th-Jan-2016%2018.30%20Council.pdf?T=9>

16.C.300 To consider a Notice of Motion given in accordance with Council Procedure Rule 10

The Mayor indicated that the agenda item containing the notice of motion submitted by Councillor Alistair Bradley, regarding onshore shale gas extraction and drilling, would be brought forward on the agenda.

Councillor Alistair Bradley, Executive Leader thanked members of the public present, for their questions and the petition. The Council welcomed such input which was important for effective local democracy. Receiving the petition, and the consequential Member sessions held and information provided, had prompted him to submit the following Notice of Motion which was seconded by Councillor Peter Wilson, Executive Member for Resources and for which he was seeking support from all Councillors:

"In 2015 the Government announced further licences for oil and gas exploration, including areas in Chorley. This latest announcement expands the areas of our borough under licence for potential fracking operations in the future. The Council recognises the significant levels of concern amongst the public about fracking, in particular the environmental impact this may have. To this end when consulted on any fracking operations in Chorley, the Council commits to ensure that any application is subject to vigorous scrutiny with regards to the possible effects on landscape, water and air quality. Furthermore the Council firmly believes that applications for fracking should be determined by the relevant local planning authority (in this case Lancashire County Council) in order to allow local people to have their say. Chorley Council expresses grave concern over reports that Ministers are looking at the possibility of bypassing the local planning process by calling-in all planning applications for fracking. We therefore propose to write to the Secretary of State for Communities and Local Government to urge him, in support of local democracy, to allow initial decisions to be taken on a local level, in accordance with existing planning policy, where residents, councils and all interested parties from the area in question can make their views known and thereby influence the outcome."

Councillor Paul Leadbetter, Leader of the Conservative Group expressed his Group's full support for the motion and thanked the Executive Leader for involving him in its drafting. Cross party agreement in such important matters for residents was crucial. Applications must be considered in line with planning requirements and local planning policy and also to protect the health and wellbeing of residents.

Councillor Julia Berry said that she was fully aware that for many residents, fracking in the borough would be unacceptable but she was confident that they would work together to put forward their case. It was up to the Council to support residents in their views.

Councillor Richard Toon supported the motion but raised the issue of the need to consider alternative sustainable energy sources.

Councillor Peter Wilson thanked all those present for their contributions. Information provided for Members before the meeting and views expressed at the meeting would help ensure councillors asked the right questions should the time come to consider an application. When put to the vote it was

RESOLVED – that there is unanimous support for the motion to be submitted to the Secretary of State for Communities and Local Government.

At this point in the meeting the Mayor thanked all those present for their questions and contributions. She asked for a short adjournment and Members later reconvened in the Council Chamber.

16.C.301 Mayoral Announcements

The Mayor gave an update on her fundraising activities and thanked all those who had supported her Christmas Soul Night and Christmas at Astley events in December and those staff and Councillors who had contributed to her Charity fund rather than sending Christmas cards. Forthcoming events included the Burns Night Supper and Charity Ball at Shaw Hill.

16.C.302 Executive Cabinet

Councillor Alistair Bradley, Executive Leader referred to the flooding which had taken place over the Christmas holiday period and thanked those Councillors who has assisted and in particular the work of Council staff. Residents had been very appreciative of the support they had received. Work was ongoing as to exactly what had happened and local councillors would be involved in the outcomes.

Councillor Bradley presented a general report of Executive Cabinet meetings held on 22 October, 19 November and 10 December 2015. He formally proposed the report and Councillor Peter Wilson seconded and it was **RESOLVED – that the report be noted.**

16.C.303 Revenue and Capital Budget Monitoring 2015/16: Report 2 (End of September 2015)

Members considered a report of the Chief Executive agreed at Executive Cabinet on 19 November 2015 on the provisional revenue and capital outturn figures for the

Council as compared against the budgets and efficiency savings targets set for the financial year. Council approval was required for a number of recommendations set out in the report.

Councillor Alistair Bradley reported that representatives of Stroud District Council had visited Chorley recently and met with officers and Members, regarding their proposal to purchase a shopping centre. They wanted to benefit from this Council's experience in purchasing Market Walk.

Councillor Paul Leadbetter asked for an update on pre-lets and risk on the Market Walk Extension scheme. The Leader responded that the next meeting in February should see progress towards achieving the 75% pre-let target.

Councillor Peter Wilson, Executive Member for Resources proposed, Councillor Alistair Bradley, Executive Leader seconded and it was **RESOLVED – that**

1. **The use of £75,000 surplus generated from Market Walk to invest in the Retail Grants Programme be approved.**
2. **The use of £25,000 from the budget provision for Chorley Youth Zone to finance the Chorley Grand Prix cycling event in March 2016 be approved.**
3. **Approval be given to the setting aside of around £70,000 of additional revenue income from Council Tax Summons and Liability Order charges in 2015/16 to offset any future increased liability in bad debts as a result of these charges. Details were outlined in paragraph 34 of the report.**
4. **Approval be given to the proposed additions, deletions and re-phasing of the Capital Programme to better reflect delivery in 2015/16 as detailed in paragraphs 46 to 59 of the report.**

16.C.304 Overview and Scrutiny Committee

Members considered a general report of a meeting of the Overview and Scrutiny Committee held on 8 October 2015, plus meetings of the performance panel and task group updates.

Councillor Walker thanked those Executive Members who had attended Performance Panel meetings for their valuable input and support for the scrutiny process.

Councillor John Walker, Chair of the Committee proposed, Councillor Hasina Khan, Vice Chair seconded and it was **RESOLVED – that the report be noted.**

16.C.305 Governance Committee

Members considered general reports of two meetings of the Governance Committee held on 23 September 2015 and 13 January 2016.

Councillor John Walker asked the Chair of the Governance Committee about the robustness of the new measures in place for the collection of Section 106 monies and whether this might be an area for the Overview and Scrutiny to review. In response, the Executive Member for Public Protection, Councillor Paul Walmsley stated that this matter was currently the subject of a confidential report and it would be the

responsibility of the Governance Committee working with external auditors to ensure all suitable measures were in place.

Councillor Paul Leadbetter, Chair of the Committee proposed, Councillor Anthony Gee, Vice Chair seconded and it was **RESOLVED – that the reports be noted.**

16.C.306 Review of Polling Stations

Members considered a report of the Chief Executive as Returning Officer reviewing a number of polling stations where concerns had been raised about suitability and availability of premises currently being used at election time.

Issues related to:

- The use of Balshaw Lane Primary School in Euxton South ward and Coppull CE Primary School in Coppull ward where both schools had asked that if possible, alternative premises could be found.
- A request for an additional polling station in the Clayton le Woods and Whittle le Woods ward.
- A request to either introduce an additional polling station or find alternative premises to Primrose Hill Primary School in Euxton North ward.
- Whether there still needed to be a polling station at Rivington Village Hall in view of the small number of electors using the station.

In discussion, Members expressed a view that whilst it was regrettable that some schools closed on polling day, many others managed to stay open and still operate as a polling station. Following debate on each set of circumstances, Councillor Alistair Bradley, Executive Leader proposed and Councillor Peter Wilson, Executive Member for Resources seconded and it was **RESOLVED – that**

- 1. Balshaw Lane Primary School (Euxton South ward) and Coppull Parish CE Primary School (Coppull ward) both be retained as polling stations in view of the lack of suitable alternative premises in those ward locations.**
- 2. That at this stage, no additional polling station be sought for the Clayton le Woods and Whittle le Woods ward.**
- 3. That Rivington Village Hall in the Heath Charnock and Rivington ward be retained as a polling station at this stage.**

Following a proposal to retain Primrose Hill Primary School as the polling station in Euxton North ward, an amendment was proposed by Councillor Paul Leadbetter, seconded by Councillor Debra Platt to instead use the annex at Euxton Community Centre as a double polling station for Euxton North ward. On being put to the vote, the amendment was LOST.

- 4. The proposal to continue to use Primrose Hill Primary School as a double polling station for Euxton North Ward was then agreed.**

16.C.307 Future Governance Viability Working Group: Revised Terms of Reference

Members considered a report of the Project Director seeking approval to revised terms of reference for the Future Governance Viability Working Group and any nominations

for membership of the Group which it was proposed should be renamed the Public Service Transformation Working Group.

The intention was that the revised Working Group would oversee work to implement the recommendations of the future governance models final report, including the implementation of the Council's transformation strategy, new services and service delivery options.

Councillor Alistair Bradley, Executive Leader proposed and Councillor Peter Wilson, Executive Member for Resources seconded and it was **RESOLVED – that**

- 1. The Future Governance Viability Working Group be renamed the Public Service Transformation Working Group with the revised terms of reference as set out in the report; and**
- 2. That Councillors Leadbetter and Cullens be the nominations from the Conservative Group, with other groups being asked to submit their nominations as soon as possible.**

16.C.308 Questions asked under Council Procedure Rule 8

There were no questions to be considered under Procedure Rule 8.

16.C.309 Exclusion of the Public and Press

Councillor Alistair Bradley, Executive Leader proposed, Councillor Peter Wilson, Executive Member for Resources seconded and it was **RESOLVED – that the press and public be excluded from the meeting for the following items of business on the grounds that it involves the disclosure of exempt information as defined by paragraphs 1 and 3 of Part 1 of schedule 12A to the Local Government Act.**

16.C.310 Fleet Street Extra Care: Next Steps

The Executive Leader presented a report updating Members on the corporate project to develop an Extra Care Scheme at Fleet Street including progression to a full planning application and the land assembly.

The proposed scheme comprises 65, one and two bed apartments for affordable rent and shared ownership. The scheme also includes multipurpose community space for use by local groups and to hire for events. There would also be some commercial elements to the scheme, including a hair and beauty salon and a café bistro which would be available to the public.

The report updated on discussions with the HCA on the Council's application for grant funding and the need to progress the scheme before the HCA's final decision is received, in order to meet project deadlines.

The proposal was that the Council should apply for full planning permission for the site and complete the land assembly by the end of February 2016 and the report included a timetable to this effect along with information about the scheme design; land assembly; finance and risk assessment.

Councillor Alistair Bradley, Executive Leader proposed, Councillor Steve Murfitt seconded and it was **RESOLVED –**

1. **That the Council agree to progress the full planning application for Fleet Street Extra Care scheme, at a cost of £59,200 plus planning fees (estimated to be IRO £20,774) pending the HCA decision regarding the grant.**
2. **That the Council acquires the freehold of a site identified in the report, on the terms proposed plus fees and taxes in order to progress the development.**
3. **That upon the confirmation of the HCA grant, a further report is brought to Council detailing the full financial model, final project plan and design, with a view to obtaining approval to develop the site and deliver an extra care scheme.**

16.C.311 Senior Management Review

The Mayor agreed to waive Council Procedure Rules to enable the Chief Executive to present this agenda item. All other officers of the Council had left the meeting at this point.

The Chief Executive presented a report proposing a new Management Structure for the Authority based on the principles agreed in the Governance Review considered at the last Council meeting on 24 November 2015.

The report detailed the principles of the review and the outcome of the early stage consultation, and put forward a proposed structure which reduced director and service head posts from 11 to 7. The proposals introduced a flatter management structure and aligned services more effectively for the future, taking into account:

- the provision of end to end customer services;
- bringing together back office resources to support the development of the combined authority and in readiness for any shared service opportunities;
- aligning early intervention services in readiness for the development of the integrated service; and
- aligning planning, housing and economic development to focus on creating development opportunities and growth for the Borough

Attached to the report were organisation structures for both the current and proposed management arrangements with further detailed structures within each of the four directorates. The report detailed those posts which would be deleted, those which would be created and a number of requests for ER/VS.

The financial implications of the restructure were set out, with savings of over £364,000 by 2018/19. This level of saving was crucial to the Authority given the Local Government's Finance Settlement and the recent news that from 2020, the Council would be expected to fund itself from Council tax and business rates, with no grant available from the Government.

Councillor Alistair Bradley, Executive Leader proposed and Councillor Peter Wilson, Executive Member for Resources seconded and it was **RESOLVED – that**

- 1. The Council approves the Management Structure presented in the report and the posts therein for consultation.**
- 2. The Early Retirement/Voluntary Severance requests are agreed as detailed in the report.**
- 3. The results of the consultation and the final decisions are submitted to Executive Cabinet in March 2016, subject to no material changes being made following the consultation.**

Mayor

Date