

COUNCIL

Tuesday, 23 September 2008

Present: Councillor Terry Brown (Mayor), Councillor Iris Smith (Deputy Mayor), Councillors Ken Ball, Nora Ball, Eric Bell, Judith Boothman, Alistair Bradley, Alan Cain, Pat Case, Henry Counce, Mike Devaney, David Dickinson, Doreen Dickinson, Dennis Edgerley, Anthony Gee, Peter Goldsworthy, Marie Gray, Pat Haughton, Harold Heaton, Catherine Hoyle, Keith Iddon, Kevin Joyce, Hasina Khan, Roy Lees, Adrian Lowe, Marion Lowe, Peter Malpas, Thomas McGowan, June Molyneaux, Greg Morgan, Simon Moulton, Mick Muncaster, Geoffrey Russell, Rosie Russell, Shaun Smith, Joyce Snape, Ralph Snape, John Walker, Stella Walsh and Peter Wilson

08.C.169 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Julia Berry, Alan Cullens, Magda Cullens, Laura Lennox, Mark Perks, Debra Platt and Edward Smith.

08.C.170 DECLARATIONS OF ANY INTERESTS

No Member declared an interest in relation to matters under consideration at the meeting.

08.C.171 MAYORAL ANNOUNCEMENTS

Councillors Stella Walsh and Debra Platt

The Mayor welcomed back Councillor Stella Walsh following her illness and the Leader took the opportunity to inform Members that Councillor Debra Platt was recovering from an appendix operation that had involved complications and wished her a speedy recovery.

The Mayor announced a number of charity events coming up in October with all proceeds going to his charity appeal in aid of St Catherines Hospice, Homestart Chorley, Motor Neurone Disease Association and Breast Care Endowment Fund at Lancashire Teaching Hospitals.

Charity Dog Walk – Sunday, 5 October

The Mayor informed everyone that he was holding a charity dog walk at Yarrow Valley Country Park on Sunday, 5 October. Two routes would be available – one which will take about half an hour and the other will take up to three hours.

East Meets West Night – Saturday, 11 October

The Mayor informed everyone that he was holding a charity event in the Lancastrian Suite on Sunday, 11 October which would bring together eastern and western cultures for a family show including Bollywood dancers, Chinese dragon dancing and street dancing.

Tickets were just £5 per person or £20 for a family ticket which admits two adults and three children under 16. Doors would open at 7.00pm and the show starting at 7.30pm.

Junior Fishing Match – Wednesday, 29 October

The Mayor announced that he would be holding a junior fishing match for children aged 8 to 16 during the half term holidays on Wednesday, 29 October. The draw would take place

at 9.00am at Iron Bridge at the bottom of Grey Heights Views and fishing will be from 10.00am to 1.00pm between Bagganley Lane to Cowling Brow. Prizes and trophies were to be on offer for the winners. Tickets were £3 and available from Coppull Anglers and Millington's Tackle.

He also recommended that he had events coming up in November including a quiz night at Sacred Heart Club on Friday, 14 November, £2 per person and a Soul Night in the Lancastrian Suite on Friday, 21 November, £6 per person. Details would be circulated in the near future.

Remembrance Day – Sunday, 9 November

The Mayor announced that on Sunday 9 November, all Members would be invited to accompany him in the procession to St Laurence's Church and to the Cenotaph in Astley Park for Remembrance Sunday. Those attending would assemble in the Lancastrian Suite no later than 9.15am. Afterwards, tea and coffee will be served in the Lancastrian.

08.C.172 PUBLIC QUESTIONS

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

08.C.173 MINUTES

It was moved by the Executive Leader, seconded by Councillor Pat Case, (Deputy Leader of the Council) and subsequently **RESOLVED** that the Minutes of the Council meeting held on 15 July 2008 be confirmed as a correct record for signature by the Mayor.

08.C.174 EXECUTIVE CABINET

(a) Capital Programme 2008 / 2009 - Monitoring

The Executive Leader presented a report recommending a number of alterations to the 2008/09 Capital Programme and reviewing the situation in relation to the capital resources required to finance the programme.

The report recommended changes, which would increase the Capital Programme in respect of the Eaves Green Link Road, the play area scheme at Clayton Brook with Places for People and the Coronation Recreation Ground lighting scheme by a total of £163,400, to be financed wholly from external sources.

The report also drew attention to the expected shortfall in the level of capital resources in 2008/09 as a result of the reduction in capital receipts from the disposal of assets and 'right to buy' sales. It was accepted that the implications of the expected capital shortfall would need to be addressed by the Executive Cabinet.

It was moved by the Executive Leader, seconded by Councillor Pat Case (Deputy Leader of the Council) and subsequently

RESOLVED 1) That the revised Capital Programme for 2008/09, as set out in Appendix 1 to the submitted report, at a total cost of £10,197,590, be approved.
2) That a comprehensive review of the 2008/09 Capital Programme be authorised in light of the expected available resources.

08.C.175 GENERAL REPORT FROM EXECUTIVE CABINET MEETINGS ON 14 AUGUST AND 4 SEPTEMBER 2008

The Executive Leader presented a report, which summarised the principal matters considered at the meetings of the Executive Cabinet held on 14 August 2008 and 4 September 2008.

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

08.C.176 OVERVIEW AND SCRUTINY COMMITTEE AND PANELS

The Chair of the Overview and Scrutiny Committee (Councillor Dennis Edgerley) presented a report, which summarised briefly the matters discussed at a meeting of the Overview and Scrutiny Committee held on 11 August 2008. The report also summarised the situation and issues discussed at meetings that had taken place of the Task and Finish Groups.

It was moved by the Chair of the Overview and Scrutiny Committee (Councillor Dennis Edgerley), seconded by the Vice-Chair of the Overview and Scrutiny committee (Councillor Alan Cain) and subsequently **RESOLVED** that the report be noted.

08.C.177 STANDARDS COMMITTEE

The Council received a report of the Chair of the Standards Committee (Mr R A Ellwood) which recommended the Council to appoint an additional Independent member of the Standards Committee.

It was moved by Councillor Keith Iddon, seconded by Councillor Thomas McGowen and subsequently **RESOLVED** that the report be noted and that Susan Alty be appointed as the third Independent member of the Standards Committee.

08.C.178 LOCAL DEVELOPMENT FRAMEWORK - ADOPTION OF THE SUSTAINABLE RESOURCES DEVELOPMENT PLAN

The Council received a report of the Corporate Director (Business) making Members aware of the receipt of a binding Inspection Report into the Submitted Sustainable Resources Development Plan Document. The binding report concluded that the document was sound, subject to a number of proposed changes and therefore should be adopted by the Council as Policy.

It was moved by the Councillor Peter Malpas (Executive Member (Business)), seconded by the Executive Leader and subsequently **RESOLVED** that the Sustainable Resources Development Plan Document be adopted, subject to amendment by the Inspector appointed by the Secretary of State for Communities and Local Government.

08.C.179 MEMBERS ALLOWANCES SCHEME

The Council received a report of the Chief Executive requesting the meeting to consider the recommendation of the Independent Remuneration Panel in relation to Members Allowances.

It was moved by the Executive Leader, and seconded by Councillor Pat Case (Deputy Leader of the Council) and subsequently:

RESOLVED – That the following special responsibility allowances be established with effect from the Annual Meeting held on 13 May 2008:

Overview and Scrutiny allowances
£2,500.00 - Vice Chair of the Overview and Scrutiny Committee

£300.00 as a one off payment to any Councillor chairing a Task and Finish Group on completion of the inquiry.

Equality Forum Chair

£1362.92 - Equality Forum Chair.

08.C.180 PLANNING APPLICATION 08/00415/CB3 CLAYTON GREEN SPORTS CENTRE, CLAYTON GREEN ROAD, CLAYTON-LE- WOODS

The Chair of the Development Control Committee (Councillor Greg Morgan) presented a report requesting the Council to approve an application for deemed planning permission for the proposed demolition and rebuilding of a reception area to enable the instillation of a Disabled Discrimination Act (DDA) compliant lift to enable access to the first floor of Clayton Green Sports Centre.

The Committee were minded to support the application, but as the Council's Constitution precluded the Development Control Committee's determination of applications for deemed planning permission, the application was required to be submitted before the full Council for decision.

It was moved by the Chair of the Development Control Committee (Councillor Greg Morgan) and seconded by the Vice Chair (Councillor Geoff Russell) that planning permission be granted to application 08/00415/CB3.

RESOLVED – That planning permission be granted for planning application 08/00415/CB3 for the demolition and building of a reception area to enable the installation of a DDA compliant lift to enable access to the first floor of Clayton Green Sports Centre, Clayton-Le-Woods subject to the following conditions:

1. **The proposed development must be begun not later than three years from the date of this permission.**
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including surrounds, cills and/or lintels.**
Reason: In the interest of the character and appearance of the building and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.
3. **The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding and details shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.**
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

08.C.181 QUESTIONS ASKED UNDER COUNCIL PROCEDURE RULE 7

The following questions were submitted in writing by Councillor Dennis Edgerley under Council Procedure Rule 7.

Question 1

Would the Executive Leader confirm that Redrow have offered a number of properties to the Council as affordable housing? Given that Redrow have sites in several locations around the Borough, would he agree that the Council should negotiate with Redrow to provide social rented housing around the Borough?

Question 2

Would the Executive Leader confirm that BAE have offered substantial payments as section 106 monies for expenditure on social housing? If so how much and how does he propose to forward the initiative?

Question 3

Would the Executive Member for Resources provide an itemised list of all capital receipts including section 106 monies received over the last two years or due to be received? Could he indicate the amounts, the sources, the reason for the payment and the date or likely receipt?

In accordance with Council Procedure Rule 7.5 the questions were answered by the Executive Leader without discussion.

08.C.182 REPRESENTATION ON OUTSIDE BODIES

It was moved by the Executive Leader, seconded by Councillor Pat Case (Deputy Leader of the Council) and subsequently **RESOLVED** that Councillor Marie Gray replace Councillor Pat Case on the Rivington and Brinscall Local Advisory Group.

08.C.183 PETITION RECEIVED FROM RESIDENTS OF BLACKCROFT, CLAYTON-LE-WOODS

The Executive Member (Neighbourhoods) reported that a number of letters were received (which have been treated as a petition) regarding a request from the residents of Black Croft, Clayton-Le-Woods for the trees between Sheep Lane and Black Croft to be trimmed (sides and tops).

It was moved by Councillor Eric Bell (Executive Member (Neighbourhoods)), seconded by Councillor Pat Case (Deputy Leader of the Council) and subsequently **RESOLVED** that a report be submitted to the meeting of the Executive Cabinet on 13 November 2008.

08.C.184 TO CONSIDER THE NOTICES OF MOTION (IF ANY) GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 8

The following Notice of Motion had been proposed by Councillor Dennis Edgerley and seconded by Councillor Adrian Lowe in accordance with Council Procedure Rule 8 of the Council's Constitution.

"The Council calls upon the executive to respond to concerns about housing development in rear gardens by investigating the use of conservation area status to protect areas of special residential character".

The Motion was put to the vote and the Mayor declared it carried.

RESOLVED – That the Council calls upon the executive to respond to concerns about housing development in rear gardens by investigating the use of conservation area status to protect areas of special residential character.

08.C.185 TO CONSIDER THE FOLLOWING NOTICES OF MOTION GIVEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 8.

The following Notice of Motion had been proposed by Councillor Dennis Edgerley and seconded by Councillor Peter Wilson in accordance with Council Procedure Rule 8 of the Council's Constitution.

"The Council calls upon the executive to respond to the petition for up to 4 hours parking on short stay car parks by:

1. Introducing the ability to park for up to 4 hours on short stay car parks at a premium rate; and
2. Relocate staff car parking from the Hollinshead Street car park (adjacent to the Union Street offices) to Water Street and designate the Hollinshead Street car park as a long stay car park".

The Motion was put to the vote and the Mayor declared it lost.

Mayor