

MINUTES OF COUNCIL

MEETING DATE **Tuesday, 18 September 2018**

MEMBERS PRESENT: Councillor Margaret Lees (Mayor), Councillor Greg Morgan (Deputy Mayor) and Councillors Aaron Beaver, Eric Bell, Martin Boardman, Alistair Bradley, Terry Brown, Paul Clark, Jean Cronshaw, John Dalton, Graham Dunn, Christopher France, Gordon France, Margaret France, Jane Fitzsimons, Anthony Gee, Danny Gee, Keith Iddon, Steve Holgate, Hasina Khan, Zara Khan, Paul Leadbetter, Roy Lees, Sheila Long, Adrian Lowe, Marion Lowe, Matthew Lynch, June Molyneaux, Alistair Morwood, Steve Murfitt, Beverley Murray, Mark Perks, Debra Platt, Gillian Sharples, Joyce Snape, Kim Snape, Ralph Snape, John Walker, Paul Walmsley, Neville Whitham, Alan Whittaker and Peter Wilson

OFFICERS: Gary Hall (Chief Executive), Chris Sinnott (Director (Early Intervention and Support)), Asim Khan (Director (Customer and Digital)), Mark Lester (Director (Business, Development and Growth)), Chris Moister (Head of Legal, Democratic & HR Services) and Ruth Rimmington (Democratic and Member Services Team Leader)

APOLOGIES: Councillors Henry Counce, Alan Cullens, Doreen Dickinson, Tom Gray and Yvonne Hargreaves

10 Members of the public

17.C.31 Minutes of meeting Tuesday, 24 July 2018 of Council

Decision: That the minutes of the Council meeting held on 24 July 2018 be approved as a correct record for signature by the Mayor.

17.C.32 Declarations of Any Interests

Three declarations of interests were received.

Councillors Adrian and Marion Lowe declared a non-pecuniary interest in item 8: Outline Planning Application - 17/00715/OUTMAJ - Land Between M61 Motorway and Leeds and Liverpool, Millennium Way, Chorley.

Councillor Roy Lees declared a non-pecuniary interest in item 12: A Chorley Housing Company.

17.C.33 Mayoral Announcements

The Mayor thanked everyone for their support for the Charity Woodland Walk and the Lancashire Night.

On behalf of the Chorley PALS memorial trust the Mayor invited Members to take part in a parade and plaque unveiling on Saturday.

Her next charity events are Chorley's Got Soul on 20 October and Christmas by Candlelight on 30 November.

17.C.34 Public Questions

There were no public questions for consideration.

17.C.35 Outline Planning Application - 17/00715/OUTMAJ - Land Between M61 Motorway and Leeds and Liverpool, Millennium Way, Chorley

The Mayor advised that, due to the public interest, she was bringing this item forward on the agenda.

Councillors Adrian and Marion Lowe left the meeting.

The Executive Member (Public Protection), Councillor Paul Walmsley presented the report of the Director (Customer and Digital) which provides an assessment of the proposed development.

The proposed development represents a sustainable and beneficial use of the site for which outline planning permission should be granted. The Council's Development Control Committee considered the application at their meeting on 14 August and was minded to approve the application. The application has subsequently been referred to the National Planning Casework Unit to determine whether the Secretary of State wishes to call the application in for a decision in accordance with the provisions of Part 5 of the Town and Country Planning (Consultation) (England) Direction 2009. The Secretary of State has decided not to call in the application and has confirmed that he is content that the application should be determined by the local planning authority.

Members discussed the application and considered the potential impact on the town centre. The types of shops will be restricted through the use of conditions and the highways infrastructure in the area will be improved as part of the development.

The Executive Member (Public Protection), Councillor Paul Walmsley proposed and the Executive Leader, Councillor Alistair Bradley seconded the **Decision – that approve the application subject to conditions (refer to appendix 1) and a S106 Obligation to secure the provision of public transport. The suggested conditions are subject to agreement by Lancashire County Council in their capacity as the Local Highway Authority and it is, therefore, also recommended that the Director (Customer and Digital) be authorised to agree the final wording of the conditions in consultation with the Executive Member (Public Protection).**

Councillors Adrian and Marion Lowe returned to the meeting.

17.C.36 Executive Cabinet

Members considered a general report of the meeting of Executive Cabinet held on 2 August.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision – that the report be noted.**

17.C.37 Revenue and Capital Budget Monitoring 2018/19 Report 1 (end of June 2018)

The Executive Member (Resources), Councillor Peter Wilson, presented the report of the Statutory Finance Officer which sets out the provisional revenue and capital outturn figures for the Council as compared against the budgets and efficiency savings targets set for the financial year 2018/19.

Members discussed the fall in income levels relating to planning application fees and noted that the numbers of homes built in Chorley is expected to rise under the National Planning Policy Framework.

The Executive Member (Resources), Councillor Peter Wilson, proposed and the Executive Leader, Councillor Alistair Bradley, seconded the **Decision – to**

- 1. Note the full year forecast position for the 2018/19 revenue budget and capital investment programme.**
- 2. Note the forecast position on the Council's reserves.**
- 3. Grant approval for the contribution of £200,000 from in-year revenue underspends to the Business Rates Retention Reserve.**
- 4. Grant approval for the contribution of £90,000 from in-year revenue underspends to finance the commissioning of a Highways and Transport Strategy.**
- 5. Note Executive Cabinet approval for the contribution of £10,000 from in-year revenue underspends to finance the desktop study of pupil projections and need for additional schools in Chorley.**
- 6. Note the capital programme to be delivered in 2018/19 to 2020/21.**

17.C.38 Governance Committee

The Chair of the Governance Committee, Councillor Paul Leadbetter, presented a general report on the work of the Committee meeting on 25 July.

The Chair of the Governance Committee, Councillor Paul Leadbetter, proposed, Vice-Chair, Councillor Anthony Gee, seconded the **DECISION – that the report be noted.**

17.C.39 Electoral Review - Ward Arrangements Proposal

The Executive Member (Resources), Councillor Peter Wilson, presented the report of the Director (Policy and Governance) which set out the proposal of the Electoral Review of Chorley Council Committee on its preferred warding arrangements for the borough in response to the Local Government Boundary Commission for England (LGBCE) electoral review consultation on ward patterns.

The aim of the review is to improve electoral equality across the borough. The electoral review is split in to two stages: the council size and new ward patterning

arrangements. In April Council agreed to propose a reduction in Council size from 47 to 42 members and to continue to elect its membership by thirds.

The cross party Electoral Review of Chorley Council Committee have discussed the proposals in full. Members discussed the different communities that make up the borough of Chorley, shared community identity, transport and highway links, and noted the need for the total electorate forecast for each ward to be within the +/- 10% variance as required by the LGBCE. Where possible existing Polling Districts have been retained.

Members commented on the proposal and noted that after an analysis of the Council's proposal and any other responses received during the consultation, the LGBCE will begin to formulate its draft recommendations which will be published on 6 November. On the same day the draft recommendations are published, the LGBCE will launch a further consultation on its draft recommendations, which will expire on 14 January 2019.

It was noted that the Conservative Group will submit a separate proposal to the LGBCE.

The Executive Member (Resources), Councillor Peter Wilson, proposed and the Executive Leader, Councillor Alistair Bradley, seconded the **DECISION – to approve the appended proposal (appendix 1) as the Council's response to the LGBCE's consultation in to new warding arrangements for the borough, prior to its submission to the LGBCE.**

17.C.40 Lancashire business rates retention pilot in 2019/20

The Executive Member (Resources), Councillor Peter Wilson, presented the report of the Statutory Finance Officer which set out the case for the Council's participation in a pilot scheme in which a substantial element of government funding will be received by membership of a 75% Business Rates Retention Pilot pool in 2019/20.

At present it is intended that the Lancashire pilot will include the current membership of the Lancashire Business Rates Pool 2018/19, plus Lancaster and Preston, Lancashire Fire and Rescue Service (LFARS), and the unitary authorities Blackburn with Darwen and Blackpool. Final membership is still to be determined, as each potential participant will need to seek approval to be part of the bid. The deadline for submitting a bid signed off by the Council's Statutory Finance Officer is 25 September.

If the pilot bid does not proceed or is not successful, Lancashire councils may seek to continue the existing pooling arrangement in 2019/20 to continue the benefits already being achieved.

The Executive Member (Resources), Councillor Peter Wilson, proposed and the Executive Leader, Councillor Alistair Bradley, seconded the **DECISION – To**

- 1. Approve in principle the Council's participation in the Lancashire bid to be a pilot of 75% Business Rate Retention in 2019/20.**
- 2. Grant delegated authority to sign the bid application to the Statutory Finance Officer in consultation with the Executive Member (Resources).**

17.C.41 Fees and Charges Chorley Cemeteries

The Executive Member (Customer, Advice and Streetscene Services), Councillor Adrian Lowe, presented the report of the Director (Customer and Digital) which proposes changes to fees and charges in the Chorley cemeteries.

Capital works at Chorley Cemetery are underway to improve the site overall and accommodate requests from the Muslim community relating to burial chambers and timber lining graves.

There are currently two levels of interment fees with those for non-residents being double those for residents. It is recognised that some people have a close connection with the borough but have had to move away due to work, family or residential care arrangements. It is proposed that the fees for non-residents meeting certain criteria are the same as those for residents of the borough. These fees will continue to apply across all faiths.

The Executive Member (Customer, Advice and Streetscene Services), Councillor Adrian Lowe, proposed and Councillor Alistair Morwood seconded **the DECISION –**

- 1. To introduce new charges in the Muslim burial area in respect of:**
 - a. New concrete chamber burials, including a reduction in interment fees.**
 - b. Existing timber lined standard graves.**
- 2. To align burial fees for non-residents with a close connection to the borough, with those of residents as defined by paragraph 27. The fees will continue to be the same for all faiths**
- 3. Other special circumstances and requests to apply the standard resident fee is considered and agreed by the Executive Member for the service under delegated powers.**
- 4. To introduce these changes to fees and charges immediately.**
- 5. The Cemetery policy is updated to reflect these changes.**

17.C.42 A Chorley Housing Company

Councillor Roy Lees left the meeting.

The Executive Member (Homes and Housing), Councillor Jane Fitzsimons, presented the report of the Director (Business, Development and Growth) which set out the financial and strategic case for establishing a wholly owned Local Housing Company (LHC). This will enhance the quality of private rented homes in Chorley, expand the provision of affordable homes for local people and generate income for the Council.

Despite significant housebuilding activity in Chorley over the last five years and in particular the addition of 638 new affordable homes, there remains a significant and continuous demand for affordable homes. There are 1,050 households currently registered on Select Move.

The Council can build or acquire 200 units without reopening the Housing Revenue Account (HRA). The Council currently holds six units at Cotswold House and is acquiring another 10 for Syrian Refugees and 65 at Primrose Gardens. This will leave up to 120 units that the Council could acquire and still remain under the HRA cap.

Members supported the proposal and noted that the properties will be spread across the whole borough.

The Executive Member (Homes and Housing), Councillor Jane Fitzsimons, proposed and the Executive Member (Resources), Councillor Peter Wilson seconded the **DECISION –**

1. That a mixed tenure model incorporating private rented and affordable housing is the optimum model with private rented homes cross-subsidising the affordable provision.
2. To deliver a private rented and affordable homes model as outlined requires £13.8 million of loan investment from Chorley Council to be funded via PWLB borrowing.
3. To begin the process of establishing a LHC with the aim of holding the inaugural Board meeting in early 2019.
4. That specialist financial, governance and legal advice will be procured to ensure that the company structure and detailed business case optimises the agreed financial and strategic outcomes.
5. To note the long term nature of the project and that, if more than 120 affordable homes are delivered, the Council will need to consider establishing an independent Registered Provider as a discrete subsidiary of the LHC.
6. To note that in line with all similar vehicles established to date, the approach requires a long term investment strategy of at least 10 years to benefit from the economies of scale associated with owning a significant property portfolio and particularly for the affordable homes element of that portfolio.
7. That further detail including company structure, governance and reporting arrangements be brought back to Executive Cabinet for consideration with the intent being that the management of the LHC will be delivered in-house.

Councillor Roy Lees returned to the meeting.

17.C.43 Council appointments

Agreement was sought to a number of changes in committees.

The Executive Leader, Councillor Alistair Bradley, proposed, the Deputy Leader, Councillor Peter Wilson, seconded the **Decision - that the following appointments be approved:**

Councillor Roy Lees to replace Councillor Jane Fitzsimons on Digital Office Park Steering Group.

Councillor Greg Morgan to replace Councillor Sheila Long on the Chorley Integrated Community Wellbeing Service - Executive Steering Group.

17.C.44 Questions Asked under Council Procedure Rule 8 (if any)

No questions were asked under Council Procedure Rule 8.

17.C.45 To consider the Notices of Motion given in accordance with Council procedure Rule 10

Councillor Margaret France presented the following Motion submitted in accordance with Procedure Rule 10.

TYRED CAMPAIGN

On Monday 10 September 2012 a coach bound for Liverpool carrying 53 people from the Bestival music festival on the Isle of Wight, left the road and crashed into a tree instantly killing Michael Molloy (18), Kerry Ogden (23) and the coach driver, Colin Daulby (63), and left others with lifechanging injuries.

The inquest into the crash found that the front nearside tyre which was actually older than the coach itself, at 19 years, was responsible for the crash.

In 2014, Liverpool City Council unanimously agreed on a motion in support of Michael's mother Frances calling for a change in the law requiring a ban on tyres older than six years on commercial vehicles. Despite the widespread public and political support for this campaign, no change in the law has been made, shamefully leaving others at risk from faulty and dangerous tyres.

Council notes that Frances Molloy has launched "Tyred" – the official campaign to pressure Government – to change the law to ban the use of tyres older than ten years on commercial vehicles.

Council wholeheartedly supports "Tyred" and instructs the Leader of the Council to write to the Prime Minister and Leader of the Opposition to call together cross-party support for a change in the law.

Council further resolves to support the "Tyred" campaign until such a change in the law is achieved and to draw the attention of the Local Government Association, especially its Environment and Transport Board, to this Council's view that the concerns should be fully addressed.

Finally, Council asks the Chief Executive to write to all schools in the Borough asking them to require coach and bus operators they use for school trips etc to adhere to the provisions set out in the Tyred campaign. Council should also ask officers to look at our own procurement procedures with a view to inserting an appropriate clause in any contracts with commercial operators and to also ensure that this standard applies to our own vehicle fleet.

Councillor Aaron Beaver seconded the motion and spoke in support of it.

Following debate, Members unanimously made the **Decision - that the motion be supported.**

The Deputy Leader, Councillor Peter Wilson presented the following Motion submitted in accordance with Procedure Rule 10.

Chorley Council notes the consultation due to be launched by Our Health, Our Care regarding the future of Accident & Emergency services in the Chorley, South Ribble and Preston areas. The Council strongly opposes any proposal for a single site Accident & Emergency based at Preston Hospital. The Council believes such a proposal would have a detrimental impact on the quality of local health care for the local population and that Chorley needs a 24 hour Accident & Emergency department. The Council believes the only potential viable proposal for a single site Accident & Emergency would be through a new super hospital located at a central point within the Chorley, South Ribble and Preston area. Without this option included in the

consultation, Chorley Council strongly opposes any single site options. Therefore Chorley Council urges Our Health Our Care to include all possible future options in the consultation process.

The Executive Leader, Councillor Alistair Bradley, seconded the motion and spoke in support of it.

Following debate, Members unanimously made the **Decision - that the motion be supported.**

17.C.46 Exclusion of the Public and Press

The Executive Leader, Councillor Alistair Bradley, proposed and the Deputy Leader, Councillor Peter Wilson, seconded the **Decision – that the press and public be excluded for the remaining item of business due to the disclosure of exempt information under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act.**

17.C.47 -Shared Services Update

The Executive Leader, Councillor Alistair Bradley, presented the confidential report of the Chief Executive which updates members on progress to date and next steps in developing further Shared Services with South Ribble Council.

The Executive Leader, Councillor Alistair Bradley proposed and the Deputy Leader, Councillor Peter Wilson seconded the **Decision – to approve the recommendations within the report.**

17.C.48 Any urgent business previously agreed with the Mayor

The Mayor advised she had agreed to accept a question as an urgent item of business from the Deputy Leader of the Opposition, Councillor Martin Boardman, in relation to a letter sent to several football league clubs in August.

The Executive Leader, Councillor Alistair Bradley, advised that an issue, with a minority of football fans, has been ongoing for a number of years. This included discussions with licenced premises, traders and Police and the desire to protect Chorley residents and shoppers. Councillor Bradley accepted that, in hindsight, the letter could have been clearer, but highlighted that clarification had been swift.

The Deputy Leader, Councillor Peter Wilson, advised that work is ongoing with officers, the Police and representatives of the Football Supporters Federation to plan for when fans will be in Chorley, to make provisions and to welcome them. The work of the Town Centre Team in supporting the town centre was commended.

The Mayor advised she had agreed to accept a second urgent item of business, requested by Councillor Henry Caunce. Under section 85 of the Local Government Act 1972 Councillor Henry Caunce requested that the Council agree to authorise and extend his absence from meetings of the Council to allow him to continue to serve as an elected member on Chorley Council for a period of three months whilst recovering from his poor health.

The Deputy Leader of the Opposition, Councillor Martin Boardman proposed and, Councillor John Walker seconded the **Decision – to authorise and extend the absence from meetings of the Council for Councillor Henry Caunce for a period of three months.**

Mayor

Date