

**CABINET****HELD: 18 MARCH 2014**

Start: 7.30pm

Finish: 8.40pm

**PRESENT:**

Councillor I Grant (Leader of the Council, in the Chair)

Councillors	Mrs V Hopley	<u>Portfolio</u>
	M Forshaw	Landlord Services and Human Resources
	A Owens	Planning and Development
		Deputy Leader & Housing (Finance),
		Regeneration and Estates
	D Sudworth	Health, Leisure and Community Safety
	D Westley	Resources and Transformation

In attendance Councillors: Aldridge, Dereli, Oliver, Pendleton &amp; Wilkie

Officers

Managing Director (People and Places) (Mrs G Rowe)  
Managing Director (Transformation) (Ms K Webber)  
Assistant Director Housing and Regeneration (Mr B Livermore)  
Assistant Director Planning (Mr J Harrison)  
Borough Treasurer (Mr M Taylor)  
Transformation Manager (Mr S Walsh)  
Head of Leisure & Cultural Services (Mr J Nelson)  
Planning Policy & Implementation Team Leader (Mr P Richards)  
Principal Planning Officer (Mr S Benge)  
Principal Member Services Officer (Mrs S Griffiths)

**80. APOLOGIES**

There were no apologies for absence.

**81. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS**

There were no items of special urgency.

**82. DECLARATIONS OF INTEREST**

Councillor Owens declared a non-pecuniary interest in agenda item 5(h) (Housing Strategy 2014-2019) as he is a trustee of the Birchwood Centre.

**83. MINUTES**

RESOLVED That the minutes of the meeting of Cabinet held on 14 January 2014 be approved as a correct record and signed by the Leader.

**84. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 1407 to 2062 of the Book of Reports.

Note: With the agreement of Cabinet, the Leader varied the Order of Business as members of the public were in attendance at the meeting in relation to item 5(l) (Provision for Traveller Sites Development Plan Document (DPD): Options and Preferred Options). The decision in relation to this matter is recorded at minute no. 96.

**85. WEST LANCASHIRE INVESTMENT CENTRE - UPDATE**

Councillor Owens introduced the report of the Assistant Director Housing & Regeneration which provided an update on the current position of the West Lancashire Investment Centre.

A motion which was seconded was submitted by Councillor Owens.

In reaching the decision below, Cabinet considered the motion from Councillor Owens the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the improved financial position of the Investment Centre be noted.
  - B. That the delegation to the Assistant Director Housing and Regeneration at Constitution 4.2C(v) Property/Estates, paragraph 17, be amended as follows:-

To take all necessary action to support the operation of the Investment Centre including leasing, subleases, licences, assignments, surrenders, terminations, rent reviews, variations, settlement of dilapidation claims and compensation payments (provided that in granting leases, sub-leases or licences and rent reviews, where the financial consideration is above £2000 per annum, then this shall be in consultation with the Leader and relevant Portfolio Holder), and in consultation with the Borough Solicitor to ensure the effective provision of legal services to support the Investment Centre.

**86. OPEN SPACE AND RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended the draft Open Space and Recreation Provision in New Residential Developments Supplementary Planning Document for public consultation in April/May 2014.

Minute No. 86 of the Planning Committee held on 13 March 2014 and revised recommendations of the Assistant Director Planning were circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of Planning Committee, the revised recommendations, and details set out in the report before it and accepted the reasons contained therein.

RESOLVED A. That the draft Open Space SPD (Appendix A to the report) be approved for public consultation from Thursday 3 April to Friday 16 May 2014, subject to the amendments outlined below:-

(a) page 1419 final paragraph delete "Thursday 10 April – Friday 23 May 2014" insert "Thursday 3 April – Friday 16 May 2014"

(b) page 1431 paragraph 6 be amended to read:-

"Existing features such as trees, hedgerows, changes in ground levels, and water features should be incorporated into the public open space wherever possible to add to the nature conservation and biodiversity value of the site, and to help create more individual, dynamic spaces. However, where water features are proposed as part of the development they will only count as part of a public open space provision where they provide a specific amenity function, for example a boating lake or strategically designed pond with amenity value".

B. That it be noted that there is no requirement for the final SPD to be adopted by Council and that it will be presented to the next Cabinet meeting on 1 July 2014 for a decision on whether to adopt.

**87. HOUSING ASSET MANAGEMENT - SECOND REVIVAL**

Councillor Owens introduced the report of the Assistant Director Housing & Regeneration which advised on the option appraisal work undertaken in relation to Beechtrees Flats and sought approval for the preferred revival option to be approved for public consultation.

Minute no. 35 of the Landlord Services Committee (Cabinet Working Group) held on 12 March 2014 was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That option 3 be adopted as the preferred option as set out in paragraph 6 to the report.
  - B. That the Assistant Director Housing and Regeneration be authorised to undertake public consultation on the preferred option and present a further report to Cabinet in due course.

#### **88. USE OF SECTION 106 MONIES IN BICKERSTAFFE AND ORMSKIRK**

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director of Planning which considered requests from Bickerstaffe Parish Council and Ward Councillors representing Derby and Knowsley Wards regarding the use of monies received by the Borough Council from housing developers for the enhancement of public open space and recreation provision in their Parishes/Wards.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED
- A. That the proposed project to provide new play equipment on Bickerstaffe village field adjacent to the Primary School on Hall Lane be approved and the Section 106 commuted sum of £11,819 generated in the Bickerstaffe area be made available for this project.
  - B. That the proposed project to provide improvement to open space provision at Westhead playing fields including play equipment for older children, shrub planting and the creation of a wooded area (to include access footpath), be approved and the Section 106 commuted sum of £60,000 generated in the Ormskirk area be made available for the project
  - C. That the proposal for improvements to Nursery Avenue open space to include tree planting and seating be approved and the Section 106 commuted sum of £5,000 generated in the Ormskirk area be made available for this project.

- D. That the proposal for improvements to access and drainage to Thompson Avenue playing field be approved and the Section 106 commuted sum of £5,000 generated in the Ormskirk Area be made available for this project.
- E. That the proposal for a new footpath around the Churchfields site in Ormskirk be approved and the Section 106 commuted sum of £25,000 generated in the Ormskirk Area be made available for this project.
- F. That the proposal for improvements to Hurlston Brook bank in Coronation Park, around the area adjacent to the sluice gate and to provide information signage to the wild flower meadow area be approved and the Section 106 commuted sum of £10,000 generated in the Ormskirk area be made available for this project.

**89. INSKIP MEETING ROOM**

Councillor Sudworth introduced the report of the Assistant Director Community Services which considered the future arrangements for Inskip Meeting Room.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

**RESOLVED** That Inskip Meeting room be added to the portfolio of commercial premises and advertised for commercial or community use by the Assistant Director Housing & Regeneration.

**90. CORPORATE PERFORMANCE MANAGEMENT 2014/2015**

Councillor Westley introduced the report of the Transformation Manager which sought approval for the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite for 2014/15.

The Transformation Manager circulated a copy of a revised Appendix A (Appendix Ai).

Councillor Owens proposed an amendment to the Performance Indicator TS24a-BV212 GN Average time taken to re-let local authority housing (days) - General Needs.

In reaching the decision below, Cabinet considered the revised Appendix A (Ai) the comments of Councillor Owens and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Suite of Performance Indicators 2014/15 (Appendix Ai) and targets be approved as being the most important in terms of delivering the Council's Corporate Priorities and adopted as the Council's Corporate PI Suite 2014/15, subject to the annual target for 2014/2015 for TS24a – BV212 GN Average time taken to re-let local authority housing (days) - General Needs being amended to 28 days.
- B. That the Transformation Manager, in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise and amend the suite having regard to comments from the Executive Overview and Scrutiny Committee made on 3 April 2014, and to make any amendments to the suite in year in response to any issues that may arise, for example government policy or collection mechanisms.
- C. That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 3 April 2014.

#### **91. CORPORATE PERFORMANCE INDICATORS Q3 2013-2014**

Councillor Westley introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 December 2013.

Councillor Westley drew Members attention to the updated revisions to paragraph 4.2 of the report in relation to the performance data for the 31 indicators for Q3 namely:-

- "16 met or exceeded target
- 5 indicators narrowly missed target; 7 were 5 % or more off target
- 1 is data only
- 2 indicators have data unavailable at the time of the report (N191: Residual household waste per household; N192: Percentage of household waste sent for reuse, recycling and composting)".

In reaching the decision below, Cabinet considered the comments of Councillor Westley and the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED
- A. That the Council's performance against the indicator set for the quarter ended 31 December 2013, set out in the updated Appendix A at pages 1631-1635, be noted.
- B. That the call-in procedure is not appropriate for this item as the report was considered by the Corporate & Environmental Overview & Scrutiny Committee on 20 February 2014.

**92. HOUSING STRATEGY 2014-2019**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing & Regeneration which sought approval for the Housing Strategy 2014-2019.

Minute no. 36 of the Landlord Services Committee (Cabinet Working Group) held on 12 March 2014 was circulated.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Housing Strategy 2014 – 2019 as shown at Appendix 5 to the report be endorsed.
  - B. That the Housing Strategy 2014 – 2019 Action Plan as shown at Appendix 3 to the report be endorsed.
  - C. That the Assistant Director Housing and Regeneration be authorised, after consultation with the relevant Portfolio Holder, to make any further minor amendments to the Housing Strategy 2014 – 2019 and Year 1 Action Plan.
  - D. That the Assistant Director Housing and Regeneration be authorised, after consultation with the relevant Portfolio Holder, to develop, on an annual basis, a housing strategy action plan for years 2 to 5 inclusive.

**93. CAPITAL PROGRAMME MONITORING**

Councillor Westley introduced the report of the Borough Treasurer which provided an update on the current position of the 2013/2014 Capital Programme.

The Borough Treasurer circulated revised recommendations at the meeting.

In reaching the decision below, Cabinet considered the revised recommendations and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the current position in respect of the 2013/2014 Capital Programme be noted.
  - B. That an allocation of £120,000 from the Environmental/Town and Village Centre Improvement Budget to a scheme for the improvement of Ormskirk Town Centre Car Parks be endorsed.

- C. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 3 April 2014.

**94. RISK MANAGEMENT**

Councillor Westley introduced the report of the Borough Treasurer which set out details on the Key Risks facing the Council and how they are managed.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A) be noted and endorsed.

**95. REVENUE BUDGET MONITORING**

Councillor Westley introduced the report of the Borough Treasurer which provided a projection of the financial position on the General and Housing Revenue Accounts to the end of the financial year.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED
- A. That the financial position of the Revenue Accounts be noted.
  - B. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 3 April 2014.

**96. PROVISION FOR TRAVELLER SITES DEVELOPMENT PLAN DOCUMENT (DPD): OPTIONS AND PREFERRED OPTIONS**

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended the Provision for Traveller Sites Development Plan Document: Options and Preferred Options document for public consultation in April-May 2014.

A motion which was seconded was circulated by Councillor Forshaw.

In reaching the decision below, Cabinet considered the report before it and the motion from Councillor Forshaw.



RESOLVED That the Assistant Director Planning explore the possibility of identifying a single deliverable site in a suitable and sustainable location along the M58 corridor to meet the Borough's identified needs for Travelling communities (excluding travelling showpeople) to 2028 in a way which minimises the impact on the Borough's Green Belt and the non-travelling community.

**97. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

**98. MATTER REQUIRING DECISION**

Consideration was given to the report relating to the following matter requiring a decision as contained on pages 2063 to 2068 of the Book of Reports.

**99. SITE OF THE FORMER WESTEC HOUSE, DERBY STREET, ORMSKIRK**

Councillor Owens introduced the report of the Assistant Director Housing & Regeneration which provided details of further information that had been received from potential purchasers and sought authority to proceed with the disposal of the site.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED That the Assistant Director Housing & Regeneration effects a disposal of the subject site identified on the plan attached to the report, to RHA North West Ltd and takes all necessary actions and obtains all necessary consents to facilitate the sale.

Note

No representations had been received in relation to the above item being considered in private.

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LEADER