

CABINET**HELD: 13 JANUARY 2015**

Start: 7.30pm

Finish: 8.05pm

PRESENT:

Councillor: D Westley (Leader of the Council, in the Chair)

Portfolio

| | | |
|--------------|-----------------|--------------------------------------|
| Councillors: | M Forshaw | Planning and Development |
| | D Griffiths | Town and Village Centres |
| | Mrs J Houlgrave | Housing and Transformation |
| | D Sudworth | Health, Leisure and Community Safety |
| | D Whittington | Resources |

In attendance: Councillor Dereli
CouncillorsOfficers:
Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing & Regeneration (Mr B Livermore)
Assistant Director Community Services (Mr D Tilleray)
Assistant Director Planning (Mr J Harrison)
Borough Treasurer (Mr M Taylor)
Transformation Manager (Mr S Walsh)
Deputy Assistant Director Housing & Regeneration (Mr I Gill)
Strategic Planning & Implementation Manager (Mr P Richards)
Principal Member Services Officer (Mrs S Griffiths)**54. APOLOGIES**

Apologies for absence were received on behalf of Councillor P Greenall.

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

There were no items of special urgency.

56. DECLARATIONS OF INTEREST

- 1) Councillor Westley declared a non-pecuniary interest in agenda items 5(g) (Draft Ormskirk Town Centre Strategy) and 5(n) (Towards a Combined Authority for Lancashire) in view of his membership of Lancashire County Council and agenda item 5(b) (Funding of Voluntary & Other Organisations Working Group) due to a family member undertaking voluntary duties on behalf of Victim Support Lancashire.

- 2) Councillor Griffiths declared a non-pecuniary interest in agenda item 5(d) (Ormskirk Town Centre Car Parks) as a business owner in Ormskirk.
- 3) Councillor Whittington declared a non-pecuniary interest in agenda item 5(b) (Funding of Voluntary & Other Organisations Working Group) due to his wife being a Trustee Member of Lancashire West Citizens Advice Bureau.

57. MINUTES

RESOLVED That the minutes of the Cabinet meeting held on 11 November 2014 be approved as a correct record and signed by the Leader.

58. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2395 – 3005 of the Book of Reports.

59. 192-198 ENNERDALE, SKELMERSDALE (FORMER TANHOUSE OFFICE)

Councillor Mrs. Houlgrave introduced the report of the Assistant Director Housing and Regeneration which considered an approach for the future use of 192 to 198 Ennerdale, Tanhouse, Skelmersdale.

Minute no. 23 of the Landlord Services Committee (Cabinet Working Group) held on 8 January 2015 was circulated at the meeting.

A motion from Councillor Mrs Houlgrave was circulated at the meeting.

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

- RESOLVED
- A. That this item be deferred in order to offer an opportunity for the Tanhouse Community Enterprise Board to develop a detailed business plan for the future use of 192 - 198 Ennerdale, Tanhouse, Skelmersdale.
 - B. That the Assistant Director Housing and Regeneration report to the June Cabinet meeting on the future use of 192 – 198 Ennerdale, Tanhouse. The report to include an evaluation of the business plan submitted on behalf of the Tanhouse Community Enterprise Board.

60. FUNDING OF VOLUNTARY & OTHER ORGANISATIONS WORKING GROUP

Councillor Sudworth introduced the report of the Transformation Manager which advised on recommendations of the Funding of Voluntary and Other Organisations Working Group in relation to the monitoring/evaluation of submissions received from the voluntary organisations in receipt of revenue funding and an application for further funding received from the Lancashire West Citizens Advice Bureau.

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

- RESOLVED
- A. That the recommendations arising from the monitoring and evaluation of the Service Level Agreements by the Funding of Voluntary and Other Organisations Cabinet Working Group at its meeting on 16 December 2014 be endorsed as detailed in the minutes of the meeting attached at Appendix 3.
 - B. That funding be made available to the Lancashire West Citizens Advice Bureau of £48,425 per annum from 2015 in principle and determined when the budget is set on 25 February 2015, this funding being subject to a one year Grant Agreement.

61. YEW TREE FARM FINAL MASTERPLAN ADOPTION

Councillor Forshaw introduced the report of the Assistant Director Planning which sought approval for the adoption of the Yew Tree Farm Masterplan.

A supplementary paper outlining the original submission by a respondent to the consultation on the Draft Yew Tree Farm Masterplan SPD was circulated at the meeting, together with an addendum to Appendix A and a late information report from the Assistant Director Planning.

Councillor Forshaw referred to the need for flexibility within the local plan period and proposed that a further 10% of land be released for residential development in order to provide for that flexibility in the delivery of new housing on the site.

A motion from Councillor Forshaw was circulated at the meeting together with a revised safeguarded plan.

In reaching the decision below, Cabinet considered the supplementary paper, the addendum to Appendix A, the late information report, the comments of Councillor Forshaw and the motion circulated by Councillor Forshaw together with the revised Safeguarded Plan, and the details set out in the report before it and accepted the reasons contained therein as raised by Councillor Forshaw above.

- RESOLVED
- A. That the contents of the Yew Tree Farm Draft Masterplan Consultation Feedback Report set out at Appendix A of this report be noted.
 - B. That the Adoption Statement at Appendix C be approved and the Yew Tree Farm Masterplan SPD at Appendix B be adopted, subject to
 - (i) the Plan marked “Revised Safeguarded Plan”, now circulated, replacing the “Safeguarded Plan” on page 39 of the Final Masterplan SPD; and
 - (ii) any necessary corresponding amendments to plans and text in the rest of the Final Masterplan SPD as a result of that change to the “Safeguarded Plan”.
 - (iii) any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Masterplan SPD by Planning Committee and Executive Overview and Scrutiny Committee, as per recommendation C. below;
 - C. That the Assistant Director Planning be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Masterplan document, in the light of agreed comments from Planning Committee and Executive Overview and Scrutiny Committee, and any minor amendments, before the document is published.
 - D. That call-in is not appropriate for this item as the report is being submitted to Executive Overview and Scrutiny Committee on 29 January 2015.

62. ORMSKIRK TOWN CENTRE CAR PARKS

Councillor Forshaw introduced the report of the Assistant Director Community Services which reviewed the current car parking arrangements and charging on the Ormskirk town centre pay and display car parks.

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

- RESOLVED
- A. That an amendment be made to the West Lancashire Borough Council (Off Street Parking Places) (Consolidation) and Revocation Order 2011 to:
 - a) Change the length of time that vehicles can park on the short stay Ormskirk town centre car parks known as Lunesdale, Bus Station, Market Way and Park Road (rear of Tesco’s)

- b) Permit free parking on the 52 Derby Street car park on Saturdays, for up to 4 hours.
 - c) Revoke that part of the Order referred to in paragraph 4.7 of the report.
- B. That the matter of pay on exit parking continue to be investigated and the findings be reported back as part of the implementation of the Ormskirk Town Centre Strategy.

63. QUARTERLY PERFORMANCE INDICATORS Q2 2014-15

Councillor Whittington introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 30 September 2014.

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

- RESOLVED
- A. That the Council's performance against the indicator set for the quarter ended 30 September 2014 be noted.
 - B. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview & Scrutiny Committee on 19 February 2015.

64. DRAFT WEST LANCASHIRE ECONOMIC DEVELOPMENT STRATEGY 2015-2025

Councillor Westley introduced the report of the Assistant Director Housing and Regeneration which sought agreement of the draft West Lancashire Economic Development Strategy 2015-2025 for public consultation.

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

- RESOLVED
- A. That the draft West Lancashire Economic Development Strategy (Appendix A) be approved for consultation from 14 January to 25 February 2015 after having had regard to the comments of the Executive Overview and Scrutiny Committee.
 - B. That delegated authority be given to the Assistant Director Housing and Regeneration to make minor amendments to the Strategy to correct typographical or factual errors, prior to it going out to public consultation.

- C. That call-in is not appropriate for this item as this report has already been considered by the Executive Overview and Scrutiny Committee on 27 November 2014.

65. DRAFT ORMSKIRK TOWN CENTRE STRATEGY

Councillor Griffiths introduced the report of the Assistant Director Housing and Regeneration which sought agreement of the draft Ormskirk Town Centre Strategy for public consultation.

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

- RESOLVED
- A. That the draft Ormskirk Town Centre Strategy (Appendix A) be approved for consultation from 14 January to 14 April 2015, having had regard to the agreed comments of the Executive Overview and Scrutiny Committee.
 - B. That delegated authority be given to the Assistant Director Housing and Regeneration to make minor amendments to the Strategy to correct typographical or factual errors, prior to it going out to public consultation.
 - C. That call-in is not appropriate for this item as this report has already been considered by the Executive Overview and Scrutiny Committee on 27 November 2014

66. MOOR STREET IMPROVEMENT WORKS

Councillor Forshaw introduced the report of the Assistant Director Community Services which provided an update on the progress of the Moor Street Environmental Improvement scheme.

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

RESOLVED That the current position be noted and endorsed.

67. MEDIUM TERM GRA CAPITAL PROGRAMME

Councillor Whittington introduced the report of the Borough Treasurer which set out a number of options for determining the medium term capital programme.

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

- RESOLVED
- A. That the medium term financial position be noted.
 - B. That the Portfolio Holder for Resources be given delegated authority to submit firm proposals to Council on 25th February 2015 to enable the capital programme to be set.
 - C. That call-in is not appropriate for this item as it is to be submitted to the Executive Overview and Scrutiny Committee on 29th January 2015.

68. HOUSING ACCOUNT - REVENUE AND CAPITAL PROGRAMME

Councillor Mrs Houlgrave introduced the report of the Assistant Director Housing and Regeneration which provided a summary of the budget position for the Housing Account for the next financial year.

Minute no. 24 of the Landlord Services Committee (Cabinet Working Group) was circulated at the meeting.

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

- RESOLVED
- A. That the financial position for 2015-16 be noted.
 - B. That the use of the Assistant Director Housing and Regeneration's delegated authority in relation to rent and service charge increases be noted.
 - C. That the report be used for consultation purposes prior to the Council considering this matter in February 2015.
 - D. That the Housing and Transformation Portfolio Holder be given delegated authority to submit firm proposals to Council on 25 February 2015 to enable the budget to be set.
 - E. That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 January 2015.

69. GENERAL REVENUE ACCOUNT BUDGET 2015-16

Councillor Whittington introduced the report of the Borough Treasurer which provided a summary of the current General Revenue Account budget position.

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

- RESOLVED
- A. That the financial position for 2015-16 and later years be noted.
 - B. That the Portfolio Holder for Resources be given delegated authority to submit firm proposals to Council on 25th February 2015 to enable the budget to be set.
 - C. That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29th January 2015.

70. ELECTRONIC CIGARETTE USE AND SMOKING POLICIES

Councillor Mrs Houlgrave introduced the joint report of the Assistant Director Community Services and Transformation Manager which proposed the introduction of a policy to restrict the use of electronic cigarettes and to update the Smoking Policy for Council Buildings, including communal areas in Sheltered Housing Schemes.

Minute no. 25 of the Landlord Services Committee (Cabinet Working Group) held on 8 January 2015 was circulated at the meeting.

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

- RESOLVED
- That the introduction of the E-Cigarette Use Policy at Appendix (ii) and the updated Smoking Policy at Appendix (iii), be approved.

71. REDRESS SCHEMES FOR LETTINGS AGENCY WORK AND PROPERTY MANAGEMENT WORK

Councillor Sudworth introduced the report of the Assistant Director Community Services which advised of the enforcement powers provided to the Council by the Redress Scheme for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014.

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

- RESOLVED
- A. That the Assistant Director Community Services be given delegated authority to carry out enforcement action under the Order.
 - B. That the Enterprise and Regulatory Reform Act 2013 be included in the Acts listed in the Scheme of Delegation to Chief Officers under 4.2D (Assistant Director Community Services).
 - C. That the monetary penalty for failure to comply be set at £5,000, with the discretion to impose a lesser penalty where there are extenuating circumstances.

72. TOWARDS A COMBINED AUTHORITY FOR LANCASHIRE

Councillor Westley introduced the report of the Managing Directors which provided an update on discussions on collaborative working, and sought authority to participate in ongoing discussions and negotiations in respect of a Combined Authority for Lancashire including a review of Governance Arrangements.

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

- RESOLVED
- A. That the Options Paper at Appendix 1 and draft timetable at Appendix 2 be noted.
 - B. That authority be delegated to the Leader and Managing Directors (as appropriate) to represent the Council in discussions and negotiations, in relation to the possible establishment of a Combined Authority for Lancashire and to participate in a review of Governance Arrangements.

LEADER

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