

**CABINET**

**HELD: 11 NOVEMBER 2014**

**Start: 7.30pm**

**Finish: 8.15pm**

**PRESENT:**

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

Portfolio

Councillors:	P Greenall	Deputy Leader & Street Scene
	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: Councillors Oliver and Pendleton  
Councillors

Officers:

- 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)
- Assistant Director Street Scene (Mr G Concannon)
- Borough Treasurer (Mr M Taylor)
- Strategic Planning & Implementation Manager (Mr P Richards)
- Principal Member Services Officer (Mrs S Griffiths)

**34. APOLOGIES**

There were no apologies for absence.

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

There were no items of special urgency.

**36. DECLARATIONS OF INTEREST**

The Leader declared a non-pecuniary interest in agenda item 5(g) (Use of Section 106 monies for sustainable transport measures in Burscough West and Scott Wards) in view of his membership of Lancashire County Council.

**37. MINUTES**

RESOLVED That the minutes of the Cabinet meeting held on 16 September 2014 be approved as a correct record and signed by the Leader.

**38. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2101 - 2332 and 2368 - 2372 of the book of reports.

**39. SEPARATE COLLECTION OF RECYCLABLE WASTE**

Councillor Greenall introduced the report of the Assistant Director Street Scene which outlined forthcoming regulatory changes for the collection of recyclable waste and how they will be 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 report be noted and that the Assistant Director Street Scene, in consultation with the relevant Portfolio Holder, be authorised to take all appropriate action to ensure that the Council's waste collection arrangements meet the updated requirements for the collection of recyclable waste.

**40. FULWOOD & DOUGLAS AVENUE TARLETON AND JUNCTION LANE BURSCOUGH CONSERVATION AREA CHARACTER APPRAISALS UPDATES**

Councillor Forshaw introduced the report of the Assistant Director Planning which considered the adoption of updated conservation area character appraisals for the above-mentioned sites following a public consultation on these documents.

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 decision to adopt the Fulwood and Douglas Avenue Conservation Area Character Appraisal (Appendix A) and the Junction Lane Conservation Area Character Appraisal (Appendix B) be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development.
- B. That the decision to extend the boundary of the Fulwood and Douglas Avenue Conservation Area designation by the inclusion of the area marked extension 1 on plan 2 at Appendix A be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development.

- C. That the decision to extend the boundary of the Junction Lane Conservation Area designation by the inclusion of the area marked extension 2 on plan 2 at Appendix B be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development.
- D. That in exercising the delegations at A, B and C above, the Assistant Director Planning be authorised, in consultation with the Portfolio Holder for Planning and Development, to make any necessary amendments to the Appraisals and Conservation Area designations in the light of agreed comments made by Planning Committee.

#### **41. REVISED CAPITAL PROGRAMME AND MID YEAR REVIEW 2014/2015**

Councillor Whittington introduced the report of the Borough Treasurer which sought agreement of a Revised Capital Programme for 2014/15 and provided an overview on the progress against it at the mid-year point.

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 Revised Capital Programme, including the reprofiling, virements and budget adjustments contained within Appendix A, be approved for consideration by Council.
  - B. That the progress against the Revised Capital Programme at the mid-year point be noted.
  - 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 27 November and Council on 17 December.

#### **42. REVIEW OF THE DISABLED ADAPTATIONS POLICY**

Councillor Sudworth introduced the report of the Assistant Director Community Services which reviewed the current Disabled Adaptations Policy in order to ensure its compatibility with legislative and economic changes.

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

- RESOLVED
- A. That the Disabled Adaptations Policy attached as an Appendix to the report be approved.

- B. That the Assistant Director Community Services, in consultation with the relevant Portfolio Holder, be given delegated authority to review and make future changes to the policy in light of any legislative or economic changes.

**43. HOUSING RENEWAL ASSISTANCE POLICY REVIEW**

Councillor Sudworth introduced the report of the Assistant Director Community Services which considered an update to the current Housing Renewal Assistance Policy.

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 revised Housing Renewal Assistance Policy attached as an Appendix to this report be approved.
  - B. That the Assistant Director Community Services, in consultation with the relevant Portfolio Holder, be given delegated authority to review and make future changes to the policy in light of any legislative or economic changes.

**44. LIFTS AT EVENWOOD COURT AND MARLBOROUGH COURT**

Councillor Mrs Houlgrave introduced the report of the Assistant Director Housing and Regeneration which advised on tenders received for the installation of additional lifts at Evenwood Court and Marlborough Court and considered whether to proceed with replacement lifts or to take alternative actions.

Minute no. 15 of the Landlord Services Committee (Cabinet Working Group) held on 6 November 2014 was circulated at the meeting.

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

- RESOLVED
- That an additional lift be installed at Marlborough Court and that the decision to install an additional lift at Evenwood Court be deferred pending a full option appraisal and tenants with mobility issues be offered ground floor accommodation within the scheme were possible.

**45. USE OF SECTION 106 MONIES FOR SUSTAINABLE TRANSPORT MEASURES IN BURSCOUGH WEST AND SCOTT WARDS**

Councillor Forshaw introduced the report of the Assistant Director Planning which sought authority to allocate Section 106 monies from planning application 2012/0080/FUL for expenditure on suitable transport measures to improve accessibility to the application site by means other than the private car.

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 allocation of the £100,000 of Section 106 monies from application 2012/0080/FUL to the design, costing and delivery of the section of the Ormskirk-Burscough Linear Park between the eastern end of Abbey Lane, across the A59 Liverpool Road South and to the northern end of Lordsgate Lane, with a connection from this route directly into the application site be approved.
  - B. That authority be delegated to the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development to undertake all matters related to the implementation of this project.

**46. HOUSING REVENUE ACCOUNT (HRA) AND HOUSING CAPITAL INVESTMENT PROGRAMME MID YEAR REVIEW**

Councillor Mrs Houlgrave introduced the joint report of the Assistant Director Housing and Regeneration and the Borough Treasurer which provided a projection of the financial position on the Housing Revenue Account (HRA) and the Capital Investment Programme at the end of the financial year and recommended options to reinvest the savings identified in the Capital Investment Programme.

Minute no. 16 of the Landlord Services Committee (Cabinet Working Group) held on 6 November 2014 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 comments of and 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 the financial position of the Revenue Account and the Capital Investment Programme be noted.
  - B. That the agreed comments of the Landlord Services Committee be noted.

- C. That the proposal to refurbish 192-198 Ennerdale not be supported at this time and the funding be made available for use in the 2015/16 budget.
- D. That £28,800 from the potential savings identified at table A in paragraph 7.2 (c) of the report, be used to replace windows and doors at Beacon Crossing, Parbold and the residual savings of £62,200 be made available for use in the 2015/16 budget.
- E. That Capital Investment be built into leasehold properties in Beacon Crossing, Parbold and Stoneygate/Graham Avenue, Appley Bridge as part of the Asset Management of properties and that Council be requested to endorse this approach.
- F. That the revised Capital Investment Programme including the re-profiling, virements and budget adjustments contained in Appendix A updated with C & D above, be approved for consideration by Council.
- G. 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 27 November 2014

**47. APPLICATION FOR THE DESIGNATION OF A NEIGHBOURHOOD AREA IN BURSCOUGH**

Councillor Forshaw introduced the report of the Assistant Director Planning which sought approval of the application from Burscough Parish Council for the designation of a neighbourhood area covering the entire Parish of Burscough which would enable the preparation of a neighbourhood plan by the Parish Council for that neighbourhood area.

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 application for designation of the neighbourhood area applied for by Burscough Parish Council, provided in Appendix A to the report, which covers the Parish of Burscough, be approved.
  - B. That authority be delegated to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning and Development to consider any future applications for neighbourhood areas made in West Lancashire and, where the neighbourhood area is considered appropriate, to designate those neighbourhood areas.

**48. GOVERNMENT CONSULTATION ON PROPOSED CHANGES TO NATIONAL POLICY ON GYPSIES AND TRAVELLERS**

Councillor Forshaw introduced the report of the Assistant Director Planning which sought authority to forward proposed responses to specific questions set out in the Department for Communities and Local Government (DCLG) consultation document regarding proposed changes to National Policy on Gypsies and Travellers.

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 responses set out at Appendix A to the report be approved as the West Lancashire Borough Council response to the DCLG consultation, subject to any amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of any agreed comments from the Planning Committee.
  - B. That call-in is not appropriate for this item as the deadline for responses to be submitted to central government is Monday 23 November 2014, four days before the next Executive Overview and Scrutiny Committee meeting (27 November 2014).

**49. 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 items of business on the grounds that they involve 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.

**50. MATTERS REQUIRING DECISIONS**

Consideration was given to the report relating to the following matter requiring a decision as contained on pages 2333 - 2366 and 2373 - 2381 of the Book of Reports.

**51. LEASED HOUSING PROPERTIES - BEACON CROSSING, STONEYGATE LANE, STONEYGATE COURT & GRAHAM AVENUE**

Councillor Mrs Houlgrave introduced the report of the Assistant Director Housing and Regeneration which advised of issues regarding the leased properties in Beacon Crossing, Parbold and at Stoneygate Court and Graham Avenue at Dangerous Corner Appley Bridge and sought approval for a way forward in relation to addressing these matters.

Minute no. 18 of the Landlord Services Committee (Cabinet Working Group) held on 6 November 2014 was circulated.

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 comments of and 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 the agreed comments of the Landlord Services Committee be noted.
  - B. That the decision to invest in new windows and doors for the Beacon Crossing properties be noted (minute 46 above refers).
  - C. That in accordance with Option 4 as set out in Section 5 of the report all properties be retained and the Assistant Director Housing and Regeneration be authorised to seek to utilise the sinking fund held by the Landlord for the Stoneygate Lane/Court/Graham Avenue properties, to meet improvement costs where possible.
  - D. That all leasehold properties identified in this report, be included in the Council's Capital Investment for future investment purposes.
  - E. That the Assistant Director Housing and Regeneration be requested to review service charges in the light of the current under charging arrangements and introduce increases on a phased basis.
  - F. That the Assistant Director Housing and Regeneration review the way that vacancies for these properties be advertised for letting.
  - G. That in the event of any of these leaseholder properties being unable to be re-let in the future, the Assistant Director Housing and Regeneration, in consultation with the relevant Portfolio Holder, be authorised to dispose of the property, exercising the landlord buyback option where appropriate (subject to obtaining all necessary consents).

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

The Leader introduced the report of the Assistant Director Housing and Regeneration which provided an update on the proposed sale of the land known as the Westec House site and sought authority to proceed.

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 current position be noted and that outline residential planning consent be sought by the Council for the site and the site be re-marketed with the benefit of that consent.
  - B. That authority be delegated to the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holder to obtain all consents and take all necessary steps to effect a sale of the site.

**53. 192-198 ENNERDALE, SKELMERSDALE (FORMER TANHOUSE HOUSING OFFICE)**

The Leader introduced the report of the Assistant Director Housing and Regeneration which considered proposals for the future use of 192 to 198 Ennerdale, Tanhouse, Skelmersdale.

Minute no. 17 of the Landlord Services Committee (Cabinet Working Group) held on 6 November 2014 was circulated at the meeting.

A motion from the Leader 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 the Leader and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the agreed comments of the Landlord Services Committee be noted.
  - B. That this item be deferred for one cycle as Cabinet are not minded to convert the office back to housing units, nor let it for community use.
  - C. That the Assistant Director Housing and Regeneration be requested to report to the next meeting on:-
    - i) alternative arrangements for the CCTV relay equipment
    - ii) disposal of the property for a private sector conversion to flats
    - iii) demolition and the retention of the site for a possible future redevelopment project.
  - D. That confirmation that the land is a HRA asset be noted

Note

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

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LEADER