

**CABINET****HELD: 17 MARCH 2015**

Start: 7.30pm

Finish: 8.20pm

**PRESENT:**

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

Portfolio

## Councillors:

M Forshaw	Planning and Development
P Greenall	Deputy Leader and Street Scene
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 Dereli, Gagen, J Hodson, Moran, Oliver, Pendleton  
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)  
Borough Solicitor (Mr T Broderick)  
Transformation Manager (Mr S Walsh)  
Principal Member Services Officer (Mrs S Griffiths)**73. APOLOGIES**

There were no apologies for absence.

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

There were no items of special urgency.

**75. DECLARATIONS OF INTEREST**

- 1) Councillor Westley declared a non-pecuniary interest in agenda item 5(p) Roll of Honour, War Memorial, Coronation Park as a Trustee of the George Walmsley Blundell 1924 Indenture Group.
- 2) Councillor Sudworth declared a non-pecuniary interest in agenda item 7(b) Disposal of land at Hartland, Birch Green, Skelmersdale as a family member attends the Arts Centre.

**76. MINUTES**

RESOLVED That the minutes of the Cabinet meeting held on 13 January 2015 be approved as a correct record and signed by the Leader.

**77. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 3007 – 3482 and 3513 – 3517 of the Book of Reports.

**78. ORGANISATIONAL RE-ENGINEERING - LEGAL AND DEMOCRACY**

Councillor Whittington introduced the joint report of the Borough Solicitor and Transformation Manager which presented the findings and recommendations for savings and service improvements contained within the CPC Project Service LLP Organisational Re-Engineering Review of Legal and Member Services Report.

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 OR Report at Appendix 1 to the report be noted and staff thanked for their participation.
  - B. That the recommendations set out in Paragraph 1.15.1 'Member Services' and 1.15.2 'Legal Services' of the OR Report at Appendix 1 of the report be implemented by the Borough Solicitor as set out in the Action/Comments Columns of Appendices 2, 3A and 3B of the report respectively, subject to C. and D. below.
  - C. That to enable implementation of the recommendations referred to in B. above: (a) the short term post of "Practice Administrator" be created at PO3 for a period of two years, and (b) a sum of £65,000 in relation to implementation of Modern Gov, the development of Iken, and Iken training be provided, those costs to be met from the Major Projects Reserve, with any further resources being subject to the preparation of a business case and approval through the usual processes.
  - D. That the use of Kalamazoo paper for minutes be continued.

**79. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Forshaw introduced the report of the Borough Planner which recommended approval of the draft Affordable Housing Supplementary Planning Document (SPD) for public consultation in May/June 2015.

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 Affordable Housing SPD at Appendix A to the report be approved for public consultation, subject to any amendments made by the Assistant Director Planning, in consultation with the Portfolio Holder, as per resolution B. below.
  - B. That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Affordable Housing SPD, in the light of agreed comments from Planning Committee, before the document is published for consultation.

**80. DEVELOPMENT IN THE GREEN BELT SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended approval of the draft Development in the Green Belt Supplementary Planning Document ("the Green Belt SPD") for public consultation in May June 2015.

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 Green Belt SPD at Appendix A to the report be approved for public consultation, subject to any amendments made by the Assistant Director Planning, in consultation with the Portfolio Holder, as per resolution B. below.
  - B. That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Green Belt SPD, in the light of agreed comments from Planning Committee, before the document is published for consultation.

**81. SEFTON LOCAL PLAN - PUBLICATION STAGE**

Councillor Forshaw introduced the report of the Borough Planner which sought authority to submit representations regarding the Sefton Local Plan and endorsement of a letter to Sefton Council in relation to the Duty to Co-operate.

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 Representations attached at Appendix A to the report be submitted to Sefton Council.
  - B. That the Duty to Co-operate letter attached at Appendix B to the report be submitted to Sefton Council.
  - C. That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Representations and Duty to Co-operate letter agreed at resolutions A. and B. in the light of agreed comments from Planning Committee, before the representations and letter are submitted.
  - D. That call-in is not appropriate for this item as the consultation closes on 27 March 2015.

**82. ARTICLE 4(2) DIRECTIONS - FULWOOD AND DOUGLAS AVENUE CONSERVATION AREA, TARLETON AND JUNCTION LANE CONSERVATION AREA, BURSCOUGH**

Councillor Forshaw introduced the report of the Borough Planner which sought authorisation to make new Article 4(2) Directions in Fulwood and Douglas Avenue Conservation Area, Tarleton and Junction Lane Conservation Area, Burscough.

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 Article 4(2) Directions in Fulwood and Douglas Avenue Conservation Area and Junction Lane Conservation, as identified in Appendices A, B and C appended to this report, be approved.
  - B. That the Assistant Director Planning issue the Article 4(2) Directions, carry out the notification and relevant consultations referred to in paragraph 6.1 of the report and report back to a future Cabinet to confirm the Directions.

**83. SKELMERSDALE & UP HOLLAND (RE) CYCLE TO WORK SCHEME**

Councillor Forshaw introduced the report of the Borough Planner which provided an update on the progress of the (re) cycle to work scheme.

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 success of the pilot scheme be noted and the scheme be continued.
  - B. That delegated authority be granted to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning & Development, to review and as required, amend the terms of the scheme, including membership criteria and operational management.
  - C. That S106 money from the Walkers (Pimbo) development continue to be used to support this service.
  - D. That S106 money from Maple View is used to extend the (re)Cycle to Work scheme to serve the White Moss Business Park.

#### **84. USE OF SECTION 106 MONIES IN UP HOLLAND, HESKETH BANK AND DOWNHOLLAND**

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and the Assistant Director Planning which considered proposals regarding the use of Section 106 monies received from housing developers for the enhancement of public open space and recreation provision in Up Holland, Hesketh-with-Becconsall and Downholland.

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 proposed project to provide new recreational facilities to include a fenced play area aimed at 5-12 years, picnic facilities, seating and fishing platforms at Chequer Lane, Up Holland be approved and the Section 106 commuted sum of £64,631 generated in Up Holland be made available for this project.
  - B. That the proposal to provide new and improved play equipment at Shore Road and Station Road, Hesketh Bank be approved and the Section 106 commuted sum of £8,016 generated in Hesketh-with-Becconsall be made available for this project.
  - C. That the proposal to provide new and improved play equipment on Jubilee field, Downholland and boardwalks, interpretation panel, bench and table in Haskayne Cutting, Haskayne be approved and the Section 106 commuted sums of £13,972 and £3,700 respectively generated in Downholland be made available for these projects.

**85. QUARTERLY PERFORMANCE INDICATORS Q3 2014-2015**

Councillor Whittington introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 December 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 31 December 2014 be noted.
  - B. That the call-in procedure is not appropriate for this item as the report was submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 19 February 2015.

**86. CORPORATE PERFORMANCE MANAGEMENT 2015-2016**

Councillor Whittington introduced the report of the Transformation Manager which sought approval of the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite for 2015/16.

A motion from Councillor Whittington was circulated at the meeting.

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

- RESOLVED
- A. That the Suite of Performance Indicators 2015/16 at Appendix A of the report and targets identified 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 2015/16, subject to the following amendments:-
    - i) the following Performance Indicators to presented as 'data only'  
CIT01, CIT02, CIT03, CIT04, CIT05, CIT06, CIT07, CIT08, CIT12, CIT13, CIT14, WL08a, WL18, N1155, N1154, N1159
    - ii) the deletion of Performance Indicators WL117 & WL118
    - iii) the retention of Performance Indicator WL24 with an annual target of 50%
  - B. That the Transformation Manager, in consultation with the relevant Portfolio Holders, agree the targets for the Revenues & Benefits and ICT Services once proposed via the shared services contractual process.

- C. 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 Executive Overview and Scrutiny Committee made on 1 April 2015, 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.
- D. That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 1 April 2015.

**87. BUSINESS PLAN 2015/18**

Councillor Whittington introduced the joint report of the Managing Director (People and Places) and the Managing Director (Transformation) which sought approval for the "Business Plan 2015-18".

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 "Business Plan 2015-18" attached as Appendix A to the report be approved and referred to Council for adoption.
  - B. That authority is given to the Managing Directors to make any final amendments to the document, prior to publication.
  - 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 1 April 2015.

**88. REVENUE BUDGET MONITORING**

Councillor Whittington introduced the report of the Borough Treasurer which provided a projection of the financial position on the General Revenue Account (GRA) 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 therein.

- RESOLVED
- A. That the financial position of the GRA be noted including the position on reserves and balances.

- 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 1<sup>st</sup> April 2015.

#### **89. HRA AND CAPITAL INVESTMENT PROGRAMME MONITORING 2014/2015**

Councillor Houlgrave introduced the joint report of the Assistant Director Housing and Regeneration and the Borough Treasurer which provided an update on the Housing Revenue Account (HRA) and Capital Investment 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 financial position of the Revenue Account and the Capital Investment Programme 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 1 April 2015.

#### **90. CAPITAL PROGRAMME MONITORING**

Councillor Whittington introduced the report of the Borough Treasurer which provided an update on the current position of the 2014/2015 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 current position in respect of the 2014/2015 Capital Programme be noted.
- B. That the uses of the Environmental/Town and Village Centre Improvement Fund set out in Appendix C of the report be noted and 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 1<sup>st</sup> April 2015.

#### **91. REVIEW OF ANTI-MONEY LAUNDERING POLICY**

Councillor Whittington introduced the report of the Borough Treasurer which set out the results of a review of the Council's Anti-Money Laundering Policy and Guidance and Procedure Notes.



A motion from Councillor Whittington was circulated at the meeting.

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

**RESOLVED** That the updated Anti-Money Laundering Policy and Guidance and Procedure Notes, as set out in Appendices 1 and 2 to the report be endorsed, subject to:

“Guidance & Procedure Notes (Appendix 2) 4<sup>th</sup> paragraph – substitute ‘will’ for ‘can’ in the last line.

## **92. CHAPEL GALLERY ACCESS IMPROVEMENTS/ GRANT FUNDING**

Councillor Sudworth introduced the report of the Assistant Director Community Services which sought approval for the acceptance of an award of an Arts Council grant in order to improve access and development of the first floor of the Chapel Gallery/Community Centre. The Borough Treasurer advised on the Council resolution to approve the relevant funding.

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

**RESOLVED** A. That, in order to meet the allocation requirements of the awarding body that the grant award of £127,360 be accepted.

B. That a planning application be submitted to enable the construction work to commence, if applicable, in due course.

## **93. ROLL OF HONOUR, WAR MEMORIAL, CORONATION PARK**

Councillor Forshaw introduced the joint report of the Assistant Director Community Services and the Assistant Director Planning which considered Phase II of the re-location of the Ormskirk War Memorial, Coronation Park, and sought approval for the approach to be taken in regard to the addition of the names of the servicemen to be included on the memorial plaques.

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 roll of honour engraved upon the new Ormskirk War Memorial be transcribed directly from the names on the memorial plaque recovered from the Comrades of the Great War Club.
  - B. That the inscriptions shown in Appendix 1 of the report be added to the new war memorial.

#### **94. WEST LANCASHIRE ECONOMIC DEVELOPMENT STRATEGY 2015-2015**

Councillor Westley introduced the report of the Assistant Director Housing & Regeneration which advised on the outcome of the consultation exercise in relation to the draft West Lancashire Economic Development Strategy and sought agreement of the final version of the Strategy.

The Assistant Director Housing & Regeneration circulated an addendum to Appendix A to the report and revised recommendations in the light of late comments received from the NFU.

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

- RESOLVED
- A. That the West Lancashire Economic Development Strategy 2015-2025 be approved for adoption, incorporating the proposed changes highlighted within Part 1 of Appendix A to the report.
  - B. That the Assistant Director Housing and Regeneration be authorised to make minor amendments to the Strategy to correct any typographical or factual errors prior to the printing and implementation of the Strategy.
  - C. That the Assistant Director Housing and Regeneration be authorised to implement the West Lancashire Economic Development Strategy 2015-2025.
  - D. That the Assistant Director Housing and Regeneration be authorised to make further minor changes to the document to reflect the role of agriculture in the Borough following late comments received from the NFU.

**95. 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.

**96. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 3483 – 3512 of the Book of Reports.

**97. SITE OF THE FORMER HOPE HIGH SCHOOL, TANHOUSE, SKELMERSDALE**

Councillor Westley introduced the report of the Assistant Director Housing and Regeneration which advised on the approach of Lancashire County Council in relation to a land swap at the above-mentioned site, and sought authority to enter into a memorandum of understanding if deemed to be appropriate.

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 proposal received from Lancashire County Council be noted and the Assistant Director Housing and Regeneration be authorised to enter into negotiations with Lancashire County Council (and their strategic development partner Eric Wright) to secure an enhanced area of Public Open Space and a capital receipt.
  - B. That the Assistant Director Housing and Regeneration be authorised to enter into a Memorandum of Understanding with Lancashire County Council if this is considered to be in the best interests of West Lancashire Borough Council

**98. DISPOSAL OF LAND AT HARTLAND, BIRCH GREEN, SKELMERSDALE**

Councillor Mrs Houlgrave introduced the joint report of the Assistant Director Housing and Regeneration and the Assistant Director Community Services which sought approval to dispose by way of a lease of Council owned land in order to assist with the development of a Foyer for young people in West Lancashire.

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 Housing and Regeneration and Assistant Director Community Services be authorised to transfer the land shown hatched and shown stippled on the plan at Appendix B to the report the Birchwood Centre by way of a lease for less than the best consideration that can reasonably be obtained.
  - B. That the Assistant Director Housing and Regeneration and Assistant Director Community Services be authorised to take all necessary action and to enter into all necessary documentation to enable transfer of the land shown hatched and shown stippled on the plan at Appendix B to the report to the Birchwood Centre.

Note

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

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LEADER