

**MEMBERS INTERESTS 2012**

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

|    | <b>General</b>   |  |  |
|----|--|--|--|
| 1. | I have a disclosable pecuniary interest.   | <input type="checkbox"/>   | <i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>  |
| 2. | I have a non-pecuniary interest.   | <input type="checkbox"/>   | <i>You may speak and vote</i>  |
| 3. | I have a pecuniary interest <b>because</b><br>it affects my financial position or the financial position of a person or body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest<br>or<br>it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest   | <input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/>   | <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i><br><br><br><br><br><br><br><br><br><br><i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>   |
| 4. | I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of:<br><br>(i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.<br><br>(ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.<br><br>(iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.<br><br>(iv) An allowance, payment or indemnity given to Members<br><br>(v) Any ceremonial honour given to Members<br><br>(vi) Setting Council tax or a precept under the LGFA 1992 | <input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/><br><br><br><br><br><br><br><br><br><br><input type="checkbox"/> | <i>You may speak and vote</i><br><br><br><br><br><br><br><br><br><br><i>You may speak and vote</i><br><br><br><br><br><br><br><br><br><br><i>You may speak and vote</i><br><br><br><br><br><br><br><br><br><br><i>You may speak and vote</i><br><br><br><br><br><br><br><br><br><br><i>You may speak and vote</i><br><br><br><br><br><br><br><br><br><br><i>You may speak and vote</i> |
| 5. | A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)   | <input type="checkbox"/>   | <i>See the terms of the dispensation</i>   |
| 6. | I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose  | <input type="checkbox"/>   | <i>You may speak but must leave the room once you have finished and cannot vote</i>  |

**'disclosable pecuniary interest'** (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

**Interest**

**Prescribed description**

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

|                     |   |
|---------------------|---|
|                     | This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.  |
| Contracts           | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—<br>(a) under which goods or services are to be provided or works are to be executed; and<br>(b) which has not been fully discharged.  |
| Land                | Any beneficial interest in land which is within the area of the relevant authority.   |
| Licences            | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.  |
| Corporate tenancies | Any tenancy where (to M's knowledge)—<br>(a) the landlord is the relevant authority; and<br>(b) the tenant is a body in which the relevant person has a beneficial interest.  |
| Securities          | Any beneficial interest in securities of a body where—<br>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and<br>(b) either—<br>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or<br>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

*"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;*

*"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;*

*"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;*

*"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;*

*"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;*

*"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**'non pecuniary interest'** means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

**'a connected person'** means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

**'body exercising functions of a public nature'** means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

**NB** Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

**CORPORATE AND ENVIRONMENTAL  
OVERVIEW AND SCRUTINY COMMITTEE**

**HELD: 24 OCTOBER 2013**

Start: 7.30pm

Finish: 9.25pm

**PRESENT:** Mrs Houlgrave (Vice-Chairman)

Councillors: Aldridge Greenall  
Mrs Baybutt Griffiths  
Mrs Blake Kay  
Delaney McKay  
Dereli Ms Melling  
Mrs C Evans Nolan  
Fillis Owen  
Fowler Mrs Stephenson  
Gibson Wright

Officers: Assistant Director Community Services (Mr D Tilleray)  
Head of Leisure and Cultural Services (Mr J Nelson)  
Environmental Protection and Community Safety Manager  
(Mr A Hill)  
Operations Street Scene Manager (Mr G Peter)  
Partnership and Performance Officer (Ms A Grimes)  
Assistant Solicitor (Mrs T Sparrow)  
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Chairman, West Lancashire Community Leisure (Mr J Bullock)  
Contract Manager, West Lancashire Community Leisure  
(Mr M Snaylam)

**13. APOLOGIES**

There were no apologies for absence.

**14. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillors Mrs Atherley, Bailey, G Hodson, L Hodson and Whittington and the appointment of Councillors Greenall, Kay, Aldridge, Owen and Pope for this meeting only thereby giving effect to the wishes of the Political Groups.

**15. URGENT BUSINESS**

There were no items of urgent business.

**16. DECLARATIONS OF INTEREST**

1. Councillor Griffiths declared a non-pecuniary interest in relation to Agenda item 8 (West Lancashire Community Leisure (WLCL)/Serco Annual Report) as a trustee of West Lancashire Leisure Trust.
- 2, Councillors Fillis, Fowler, Gibson and Wright declared a non-pecuniary interest in relation to Agenda item 8 (WLCL/Serco Annual Report) as friends of the Chairman of WLCL.

**17. DECLARATIONS OF PARTY WHIP**

There were no declarations of a Party Whip.

**18. MINUTES**

RESOLVED: That the minutes of the Corporate and Environmental Overview and Scrutiny Committee held on 11 July 2013 be received as a correct record and signed by the Chairman.

**19. MINUTES OF THE MEMBER DEVELOPMENT COMMISSION**

RESOLVED: That the Minutes of the Member Development Commission meeting held on 19 September 2013 be noted.

**20. WEST LANCASHIRE LEISURE/ SERCO ANNUAL REPORT**

Consideration was given to the presentation by John Bullock, Chairman and Mark Snaylam, Contracts Manager of West Lancashire Community Leisure (WLCL) as contained on pages 135 to 144 of the Book of Reports.

In his presentation the Chairman of the Trust acknowledged the work undertaken by the Trust Members throughout the year and included:

- A reflective and historical look of leisure provision in the Borough, with particular reference to the former Skelmersdale Sports Centre, Nye Bevan and Park Pool.
- The more recent improvements to facilities at Burscough Sports Centre and Banks Leisure Centre.
- The on-going improvements taking place at Beacon Park Golf Club.
- The competition for leisure provision locally, including Edge Hill University and Scarisbrick Hall School.
- An overview of future legacy including: management of ageing assets approaching the end of their useful economic life; community expectations in relation to sporting facilities; opportunities to work in partnership with WLBC to build a leisure platform for the next forty years and formulation of a strategy for future provision of leisure in West Lancashire.

In relation to operations, the Contracts Manager, referred to the following:

- 2012 Commitments - increase patronage; growth in business; integration of Beacon Park Centre into operations; increase swimming lesson usage; continuous improvement /development of staff; work undertaken with partners and community groups; participation opportunities through Trust funding.
- Patronage/Income 2012 - increase patronage wetside and dryside visits (2.2%); increase in income wetside (1.3%); decrease in income dryside (-7.8%).

- Operational Highlights - increase in patronage year on year and from 2004 (22%); community based special events (Triathlon; Dog Shows; Cycling events); closer links with National Governing Bodies (Badminton England); partnership with the Young People's Service to help reduce instances of juvenile nuisance around Skelmersdale (2012 - diversionary activities on Saturdays); the operation of Beacon Park Golf Club from January 2012; swimming lesson growth; increase in gym usage; improved health and safety scores and Quest and audit scores.

The review highlighted recent operations in relation to Beacon Park Golf Course since the leisure facility came on board in January 2012. The Contracts Manager outlined some of the improvements that had been made to the Golf Course and proposals in relation to community participation and further maintenance work. It was noted that the contract ran until 2020.

Of special note was the growth in swimming lessons with 1,700 children undertaking swimming lessons each week and it was reported that Park Pool was now number 1 in the country within the SERCO portfolio of leisure facilities.

References were also made to the opportunities and challenges that had or were being faced including: managing energy costs; works associated with Beacon Park Golf Centre; the unpredictable weather in summer 2012; reduction in "dryside" users; increasing patronage with a downturn in the market generally; ensuring the community and the people that supported leisure facilities realised their full potential.

In relation to engagement of the community events, the success of the GP referral scheme and Schools Triathlon, amongst others, were highlighted.

In conclusion of the review of the previous 12 months the way forward for the coming year was featured which included reference to: challenges to increase patronage and grow the business; managing the development works of Beacon Park (Golf Course); further increasing swimming lesson usage (Nye Bevan and Park Pool); continuous improvement of facilities and development of staff; working with partners and community groups and operating more participation opportunities through Trust funding.

During the course of the presentation comments and questions were raised in respect of the following:

- Cycle Hire Facility located at Burscough Sports Centre - operation and take-up in the community; expansion of the hire service to other areas, including possible sites and locations.
- Nye Bevan / Park Pool buildings (40 years old), major refurbishment or replacement - funding.

The future of the aging infrastructure of the leisure facilities referred to in the presentation was discussed including locations / sites for a replacement leisure facility for the Borough; issues relating to the St Modwens; restrictions associated with a potential site in Skelmersdale; opportunities, at an early stage for the Council to look at the issues raised in relation to its aging leisure buildings, in order to support and shape the service in the future.

The Chairman and Contracts Manager of West Lancashire Community Leisure (WLCL) contributed to the discussion and responded to questions.

The Head of Leisure and Cultural Services, who attended the meeting, was invited to give an update on work currently being undertaken in relation to leisure provision and a facility for West Lancashire. He indicated that the draft report, from the Consultants undertaking the review on behalf of the Council, was expected to come forward in March 2014 and responded to Members questions relating to future leisure development.

On behalf of the Committee, the Chairman thanked the representatives from the Leisure Trust for their attendance, informative presentations and contributions to the discussion.

**RESOLVED:** That the representatives from the Leisure Trust be thanked for their presentation and attendance.

(Note: Councillor Fowler declared a non-pecuniary interest at the commencement of the discussion relating to Skelmerdale Sports Centre.)

## **21. WORK PROGRAMME 2013/14**

Members considered the following presentations in its Work Programme for 2013/14.

## **22. DOG FOULING**

Consideration was given to the presentation by the Environmental Protection and Community Safety Manager, Mr Andrew Hill, relating to Dog Fouling in the Borough. The presentation included reference to:

- The problems associated with dogs fouling open spaces including it being unsightly; unpleasant and potentially dangerous.
- The infection in humans called toxocarisis caused by contact with dog faeces, particularly dried faeces. (It was indicated that many parks in the UK are contaminated with toxcara.)
- The estimation that dogs produce 1000 tonnes of faeces every day.
- Around 300 bins are sited across West Lancashire to assist dog owners to clean up after their dogs.

Mr Hill went on to decribed the work of the new Environmental Enforcement Team, launched earlier this year, explaining the composition of the team; their duties and the areas they regular patrol and the types of environmental crime complaints responded to, including dog fouling offences that, since April, had numbered 72 complaints.

Mr Hill, gave an account of the enforcement work and education that is undertaken and supported by the Enforcement Team to help combat and reduce dog fouling, that included patrols; observation; response to complaints; talks on litter/dog ownership; micro-chipping dogs, free medical checks and the use of 'no fouling signs'. Reference was also made reference to the Stray Dog service, undertaken on the Council's behalf, by Leigh Dogs and Cats Home.

At the conclusion of the presentation comments and questions were raised in respect of the following:

- Siting of “bins” - decisions relating to location; use of 106 monies to assist funding; monitoring of areas where bins have been requested.
- Stray dogs service - number of stray dogs removed; fee for the service, including collection and return fee.

The Environmental Protection and Community Safety Manager responded to questions and the Operations Manager Street Scene provided information in relation to the processes associated with response and monitoring of areas for dog bin location.

The Chairman thanked the Environmental Protection and Community Safety Manager for the informative presentation.

RESOLVED: That the presentation be noted.

### **23. INVASIVE WEEDS**

Consideration was given to the presentation by the Operations Street Scene Manager, Mr Garry Peter relating to Invasive Weeds in the Borough. The presentation included reference to:

- The issue of invasive weeds - there are several hundred invasive plants in the UK.
- Japanese Knotweed, Giant Hogweed and Himalayan Balsam are non-native invasive plants, introduced into Britain in the 19<sup>th</sup> century as garden plants, that the Department of Environment, Food & Rural Affairs (DEFRA) now class as invasive non-native plants that cause problems for native UK species and some living organisms.
- Methods to control non-native invasive plants such as spraying digging up; cutting and burning.
- Legal responsibility to prevent non-native invasive plants from spreading into the wild or causing a nuisance - there is not obligation to remove or treat invasive plants but you must not allow non-native invasive plants to spread onto adjacent land or plant or encourage the spread of non-native invasive plants outside of your property.

Mr Peter gave an explanation of the Weed Spray Contract (2012 to 2017); the work undertaken by specialist companies; the practises used, including intial cutting down and incineration on site of the arising and the programme of spraying over a 5 year period for the treatment of Japenese Knotweed. He reported that there had been two incidences of Giant Hogweed on Council owned land that had been treated and which had not returned.

Mr Peter also referred to the work undertaken in partnership with Lancashire County Council (LCC) in relation to maintenance of its verges and the grass cutting regime which had assisted in reducing incidences of ragwort in recent years.

He then advised that DEFRA produce guidance, available on its web-site, to assist the identification of non-native invasive weeds and their control and the Street Scene Service will also assist with advice, where possible.

Comments and questions were raised in respect of the following:

- Identification of unmaintained land and ascertaining land ownership / responsibility.
- Responsibilities of private owners to prevent the invasion of non-native plants onto neighbouring properties.
- The processes involved and the pros/cons of the various treatments used to treat and eradicate Japanese Knotweed.

The Operations Street Scene Manager responded to questions referring to the Council approach to its responsibilities under legislation and the processes in place to assist the prevention of spreading or causing a nuisance of invasive weeds.

In response to a query relating to landowner responsibilities, Members were advised that the Council is not an enforcement authority and the obligation is to remove and prevent the non-spreading of invasive species lies with the landowner. However, if invasive weeds, under DEFRA classification, are identified in the Borough, then these should be reported to LCC as they are active and will take action with a private landowner if found to be spreading onto LCC land. Members may also contact the Street Scene Service who will pass on the details reported to them, as appropriate.

The Chairman thanked the Operations Street Scene Manager for his attendance and informative presentation.

RESOLVED: That the presentation be noted.

#### **24. QUARTERLY PERFORMANCE INDICATORS (Q1 2013/14)**

Consideration was given to the report of the Transformation Manager which detailed performance monitoring data for the quarter ended 30 June 2013.

In discussion Members raised questions and comments in respect of the following performance indicators:

- TS24a (Average time taken to re-let local authority housing (days) - General Needs - reasons for missed target; no. of houses empty; delays in re-letting; detail re. proposed remedial action; expansion "long-term voids"; advance viewing of properties.
- BV12 Working Days Lost Due to Sickness Absence - downturn.
- HS13-WL114 (% LA properties with CP12 outstanding) - responsibilities.
- Downturn in some indicators - performance; comparison against same period in previous year.



- RESOLVED: A. That the Council's performance against the indicator set for the quarter ended 30 June 2013 be noted.
- B. That the Assistant Director Housing and Regeneration be requested to put in place arrangements for a presentation be made on 'Re-letting of local authority housing'.

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Chairman